

**RURAL MUNICIPALITY OF HEADINGLEY**  
**BY-LAW NO. 3-2009**

BEING A BY-LAW of the Rural Municipality of Headingley to establish water and sewer rates within the said Rural Municipality of Headingley.

WHEREAS The Rural Municipality of Headingley owns and operates a water and sewer facility within the limits of the said Rural Municipality of Headingley;

AND WHEREAS The Municipal Act, S.M. 1996, c. 58 - Cap. M225 states in part:

**Spheres of jurisdiction**

**232(1)** A council may pass by-laws for municipal purposes respecting the following matters:

- (l) public utilities;

**Exercising by-law making powers**

**232(2)** Without limiting the generality of subsection (1), a council may in a by-law passed under this Division

- (d) establish fees or other charges for services, activities or things provided or done by the municipality of for the use of property under the ownership, direction, management or control of the municipality;

NOW THEREFORE, the Council of The Rural Municipality of Headingley, in meeting duly assembled, enacts as follows:

1. THAT By-Laws 22-99, 12-2002, and 4-2004 be hereby repealed
2. THAT all accounts for minimum quarterly charges for metered services as set forth in the Schedule of Quarterly Rates shall be billed quarterly in advance together with any excess charges for metered water and sewer services for the preceding quarter. Consumers shall pay for water and sewer service supplied to them by the Rural Municipality of Headingley at the rates and terms set out in Schedule "A" attached hereto and forming part of this by-law.
3. THAT this By-law shall come into force and become effective on, from and after both approval by The Public Utilities Board and receipt of third and final reading thereof.

DONE AND PASSED by the Council of The Rural Municipality of Headingley, assembled at Headingley, Manitoba this 23<sup>rd</sup> day of June 2009.

RURAL MUNICIPALITY OF HEADINGLEY

  
\_\_\_\_\_  
Reeve

  
\_\_\_\_\_  
Chief Administrative Officer

Read the First time this 24<sup>th</sup> day of February, A.D., 2009

Read the Second time this 23<sup>rd</sup> day of June, A.D., 2009

Read the Third time this 23<sup>rd</sup> day of June, A.D., 2009

**Schedule "A" to By-Law No 3-2009  
RM of Headingley Sewer & Water Rates  
SCHEDULE OF QUARTERLY RATES**

**1 Commodity rates**

**Phase 1 Rate**

	Rate per Cubic Meter		
	Water	Sewer	Total
Sewer & Water Customers	2.34	0.78	3.12
Sewer Only Customers		0.00	0.00
Bulk Water Rate	2.56		2.56

**Phase 2 Rate**

	Rate per Cubic Meter		
	Water	Sewer	Total
Sewer & Water Customers	2.06	2.04	4.10
Sewer Only Customers		2.48	2.48
Bulk Water Rate	2.28		2.28

**2 Minimum Charges, Quarterly**

Notwithstanding the Commodity rates set forth in paragraph 1 hereof, all customers will pay the applicable minimum charges set out below, which will include water allowances indicated:

**(a) Water and Sewer Customers**

Phase 1 Rate							
Meter Size	Group Capacity Ratio	Water Included Cu Meter	Customer Service Charge	Commodity Charges		Total Quarterly Minimum	
				Water	Sewer		
5/8"	1	14	\$10.25	\$32.76	\$10.92	\$53.93	
3/4"	2	28	\$10.25	\$65.52	\$21.84	\$97.61	
1"	4	56	\$10.25	\$131.04	\$43.68	\$184.97	
1 1/2"	10	140	\$10.25	\$327.60	\$109.20	\$447.05	
2"	25	350	\$10.25	\$819.00	\$273.00	\$1,102.25	

Phase 2 Rate							
Meter Size	Group Capacity Ratio	Water Included Cu Meter	Customer Service Charge	Commodity Charges		Total Quarterly Minimum	
				Water	Sewer		
5/8"	1	14	\$10.25	\$28.84	\$28.56	\$67.65	
3/4"	2	28	\$10.25	\$57.68	\$57.12	\$125.05	
1"	4	56	\$10.25	\$115.36	\$114.24	\$239.85	
1 1/2"	10	140	\$10.25	\$288.40	\$285.60	\$584.25	
2"	25	350	\$10.25	\$721.00	\$714.00	\$1,445.25	

**(b) Water Only Customers**

Minimum charge will be the same for each meter size as shown, above, but the Sewer Commodity Charge will be excluded.

**(c) Sewer Only Customers**

Minimum charge will be the same for each meter size as shown, above, but the Water Commodity Charge will be excluded.

**3 Sewer Surcharge**

(a) There may be levied annually, in addition to the rates set forth above, a special surcharge on the sewage having a Biochemical Oxygen Demand in excess of 300 mg/L, to be set by Resolution of Council

(b) A special surcharge for substances requiring special treatment shall be charged based on the actual costs of treatment required for the particular sewage or industrial waste.

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**4 Service to Customers outside Municipality, Town, or L.I.D., limits**

The Council of the Rural Municipality of Headingley may sign agreements with customers for the provision of water and sewer services to properties located outside the legal boundaries of the Rural Municipality of Headingley. Such agreements shall provide for payment of the appropriate rates set out in the schedule, as well as a surcharge, set by resolution of Council, which shall be equivalent to the frontage levy, general taxes and special taxes for utility purposes in effect at the time, or may be in effect from time to time, and which would be levied on the property concerned if it were within these boundaries. In addition, all costs of connecting to the utility's mains and installing and maintaining service connections will be paid by the customer.

**5 Billings and Penalties**

A late payment charge of 1¼% shall be charged on the dollar amount owing after the billing due date. The due date will be at least fourteen days after the mailing of the bills.

**6 Disconnection**

Disconnection of services shall be subject to the "Conditions Precedent Allowing for Collection and Disconnection of Water and/or Sewer Services for Non-Payment of Accounts" as set out in Public Utilities Board Order No. 127/08

**7 Reconnection**

Any service disconnected due to non-payment of account shall not be reconnected until all arrears, penalties and a reconnection fee of \$100.00 have been paid.

**8 Outstanding Bills**

Pursuant to Section 252(2) of *The Municipal Act*, the amount of all outstanding charges for water and sewer service are a lien and charge upon the land serviced, and shall be collected in the same manner in which ordinary taxes upon the land are collectible, and with like remedies.

**9 Hydrant Rentals**

Rate the Rural Municipality General Operating Fund will pay to the utility for annual rental for each hydrant connected to the system. \$100

**10 Water Allowance Due to Line Freezing**

That in any case where, at the request of the Council, a customer allows water to run continuously for any period of time to prevent the water lines in the water system from freezing, the charge to that customer for the current quarter shall be the average of the billings for the last two previous quarters to the same customer, or to the same premises if the occupant has changed.