

MacGregor Water and Sewer Rates

Town of MacGregor

BY-LAW NO: 752/2008

BEING A BY-LAW of the Town of MacGregor to revise Water and Sewer rates within the community of MacGregor.

WHEREAS the Town of MacGregor owns and operates a water and sewer facility within the community of MacGregor;

AND WHEREAS under Section 232 (1) of the Municipal Act being the Statute of Manitoba, L.M. 1996, c.58 a municipality which operates a sewage system may, subject to the approval of the Public Utilities Board, pass by-laws for municipal purposes respecting public utilities;

AND WHEREAS under Section 232 (2) (d) the Municipal Act being the Statute of Manitoba, S.M. 1996 c.58 a municipality may, subject to the approval of the Public Utilities Board, pass by-laws to establish fees or other charges for services, activities, or things provided or done by the municipality or for the use of property under the ownership, direction, management, or control of the municipality;

AND WHEREAS the Council of the Town of MacGregor deems it necessary and in the best interest of the town to amend the current water and sewer utility rates for the community of MacGregor; and,

NOW THEREFORE BE IT AND IT IS HEREBY PASSED AND ENACTED as a by-law of the Town of MacGregor in council duly assembled as follows:

1. **THAT** consumers shall pay for water and sewer services supplied to them at the rates and under the terms set out in Schedule "A" attached hereto and forming part of this by-law. Connected customers shall be billed quarterly charges for metered services as set forth in Schedule "A" of charges for metered services as set forth in the Schedule of Quarterly Rates, together with any excess charges for metered water and sewer services for that same quarter. Bulk water customers shall be charged for metered services as set forth in the Bulk Sales paragraph of the said Schedule "A";
2. **THAT** the Town of MacGregor reserves the right to discontinue the supply of water for fountains, jets, hoses, and sprinklers, or to limit the hours for use of the same, whenever, at the discretion of Council it is in the best interests of the public to do so. .
3. **THAT** no person, other than the Fire Chief or someone acting on his/her behalf, or a representative of the Town, unless duly authorized in writing by the Chief Administrative Officer, shall open or use any fire hydrant, either for the construction purposes, street cleaning, or any other purpose.
4. **THAT** the meter and shut off valve inside the premises shall be readily accessible and not used by the owner except for the protection of the premises. No person shall tamper with the meter or cause the water supply to bypass the meter. All pipes and valves inside the premises shall be kept in good repair by the owner or occupant. Any damage through neglect or otherwise by a contractor for the owner or occupant to the water service pipes from the street to the premises including the meter shall be the responsibility of the owner or occupant.
5. **THAT** the Town of MacGregor, in response to a formal application, shall provide and install, connect, disconnect and/or remove a water meter from a premise using water supplied by the utility. The fees for such services shall be as follows:

Disconnection	Removal	Reconnection*
\$5.00	\$10.00	\$45.00

*Does not include re-installation fee

6. **THAT** no reduction of minimum rates will be made because of the stoppage of water supply due to frozen service lines or frozen pipes inside the premises of the owner of the property.
7. **THAT** no person shall willfully or maliciously hinder or cause to hinder the Town or its representatives in the exercise of their duties in relation to the operation and maintenance of the water system.
8. **THAT** the Town of MacGregor will provide a copy of the water consumption invoice to the registered legal owner(s) of the property that is serviced at the request of a tenant or occupier.
9. **THAT** any person violating any provisions of this by-law shall:
 1. be guilty of an offence and, upon conviction, liable to a fine not exceeding fifty dollars (\$50.00) and costs for each violation.
 2. be liable to the Town of MacGregor for any expense, loss or damage suffered by the Town as a result of the violation.
 3. be liable for the repairs and costs of the repairs to the system as a result of the violation. If that person is in default of affecting the repairs, the Town may affect the repairs and charge the cost thereof to that person, or add the cost to the taxes and collect the same in the same manner as ordinary taxes.
10. **THAT** By-Law No: 746/2008 enacted by the Town of MacGregor on the 2nd day of July, 2008 be and is hereby repealed.
11. **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 as a by-law of the Town of MacGregor duly assembled in MacGregor, in the Province of Manitoba this 5th day of November, A.D. 2008.

Town of MacGregor

D. Moore

 Mayor

[Signature]

 Chief Administrative Officer

Read a first time this	<u>30th</u>	day of	<u>September</u>	A.D.	<u>2008.</u>
Read a second time this	<u>5th</u>	day of	<u>November</u>	A.D.	<u>2008.</u>
Read a third time this	<u>5th</u>	day of	<u>November</u>	A.D.	<u>2008.</u>

MacGregor Water and Sewer Rates

SCHEDULE "A" TO BY-LAW NO: 752/2008

TOWN OF MACGREGOR

Schedule of Quarterly Rates

1. Commodity Rates:

a) <u>Cubic meter</u>			
i. <u>Water</u>	<u>Sewer</u>	<u>TOTAL</u>	
\$2.25	0.45	\$ 2.70	

2. Minimum Quarterly Charges:

Notwithstanding the commodity rates set forth in Paragraph One hereof, all customers will pay the applicable minimum charges set out below, which will include the water and sewer allowances indicated:

Meter Size	Group Capacity Ratio	Cubic Meters	Customer Service Charge	Commodity Charge Water	Commodity Sewer Charge	Total Quarterly Minimum
5/8"	1	14	\$ 15.00	\$ 31.50	\$ 6.30	\$ 52.80
3/4"	2	28	15.00	63.00	12.60	90.60
1"	4	56	15.00	126.00	25.20	166.20
1 1/2"	10	140	15.00	315.00	63.00	393.00
2"	25	350	15.00	787.50	157.50	960.00

- a) Water Only Customers:
 - i. Minimum charge will be the same as shown above for each meter size however, the sewer commodity charge will be excluded.
- b) Sewer Only Customers:
 - i. The quarterly commodity charge, based on the average residential water consumption in the community (13,907 I.G.) plus the service charge, shall be \$42.85.

3. Bulk Water Sales:

- a) All water sold in bulk in each year shall be charged for at a rate of \$10.25 per M.G.

4. Billings and Payments for Non-Payment of Account:

- a) All connected customer shall be billed quarterly and payment shall be due and payable at least 20 days after the mailing of the invoices. ~~A late payment charge of 1.25% (1 1/4%) per month shall be charged on the dollar amount owing after the billing due date and a notice to this effect shall be clearly printed on all bills sent to the customers.~~

5. Hydrant Rentals:

- a) The Town of MacGregor shall pay the utility an annual rental fee of \$165.00 per hydrant for each hydrant connected to the system which includes the cost of water for fire fighting.

6. Disconnection of Service:

- a) The Public Utilities Board has approved the Conditions Precedent to be followed by the municipality with respect to the disconnection of service for non-payment including such matters as notice and the right to appeal such action to the Public Utilities Board. A copy of the Conditions Precedent is available for inspection at the Municipality's office.

7. Reconnection of Service:
 - a) Any service disconnected, whether due to non-payment of account or for any other reasons(s) mutually agreed to by the customer and the Town (i.e. repairs necessitated by negligence of the customer, changes in tenant, vacancy for an extended period of time, etc...) shall not be reconnected until the reconnection fee as prescribed in the By-Law Section 5, and all arrears and penalties, if any, have been paid.

8. Liabilities for Charges:
 - a) Where charges and penalties pursuant to this by-law are not paid within sixty (60) days from the date when they were incurred, said charges and penalties shall be added to the taxes on the property and collected in the same manner as other taxes as per authority of Section 252(2) of the Municipal Act of Manitoba.

9. Testing of Water Meters for Accuracy
 - a) Any customer desiring and requesting their meter to be tested for accuracy shall deposit with the town the sum of \$40.00, which will be retained if the meter (when tested) shall be found to be within the allowable limits of variation from accuracy. If the meter is found to register in excess of the allowable limits the deposit shall be refunded and the customer's account adjusted to reflect an accurate consumption. The allowable limit of variation shall be 4% of the average flow.

10. Service to Customers Outside Town Limits
 - a) Council of the Town of MacGregor may sign agreements with customers for the provision of water services to properties located outside the legal boundaries of the Community of MacGregor. Such agreements shall provide for payment of the appropriate rates set out in a schedule, (for each year) as well as a surcharge, set by Resolution of Council, which shall be equivalent to the frontage levy, general taxes and special taxes for the 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 at connection to the utility's mains and installing and maintaining service connections will be paid by the customer.

11. Outstanding Bills
 - a) Pursuant to Section 252(2) of the Municipal Act, the amount of all outstanding charges for water service shall be collected in the same manner in which ordinary taxes upon the land are collectible, and with like remedies.