

Rosburn Municipality

By-Law No. 2020-004

BEING A BY-LAW OF THE ROSSBURN MUNICIPALITY TO ESTABLISH WATER AND SEWER RATES FOR THE ROSSBURN UTILITY.

WHEREAS The Rosburn Municipality has undertaken a water and sewer rate study for the Rosburn Utility that indicates water and sewer rates require to be increased;

AND WHEREAS, subject to The Public Utilities Board Act, Section 232(1) provides that a council may pass by-laws for municipal purposes respecting the following matters:

- 1) public utilities.

AND WHEREAS, Section 232(2) provides that 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 or for the use of property under the ownership, direction, management or control of the municipality.

AND WHEREAS it is deemed advisable to provide rates for October 1, 2021 and thereafter to be paid by persons to whom water and sewer collection is supplied by the Rosburn Utility and to provide for the collection thereof;

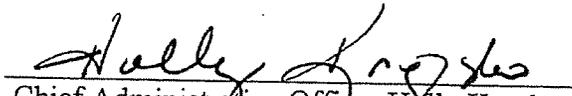
NOW THEREFORE THE COUNCIL OF The ROSSBURN MUNICIPALITY IN SESSION DULY ASSEMBLED, HEREBY ENACTS A BY-LAW AS FOLLOWS:

- 1) THAT all accounts for minimum quarterly charges for metered services for the Rosburn Utility as set forth in the Schedule of Quarterly Rates shall be billed quarterly. Consumers shall pay for water and sewer service supplied to them by the Utility at the rates and terms set out in Schedule "A" attached hereto and forming part of this by-law.
- 2) THAT The Rosburn Municipality 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 Rosburn Municipality duly authorized in writing by the Chief Administrative Officer, shall open or use any fire hydrant, either for construction purposes, street cleaning, or any other purpose.
- 4) THAT the meter shut off valve inside premises serviced with water by Rosburn's Utility, 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 no person shall wilfully or maliciously hinder or cause to hinder The Rosburn Municipality or its representative in the exercise of their duties in relation to the operation and maintenance of the water or sewer system.
- 6) THAT any person violating any provision of this by-law shall:
 - a) be guilty of an offence and, upon conviction, liable to a fine not exceeding one thousand dollars (\$1,000) and costs for each violation;
 - b) be liable to The Rosburn Municipality for any expense, loss or damage suffered by the Municipality as a result of the violation;
 - c) 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 effecting the repairs, the Municipality may affect the repairs and charge the cost thereof to that persons, or add the cost to property taxes and collect those property taxes in the same manner as other property taxes.
- 7) This by-law and rates for October 1, 2021 and thereafter, shall come into force and be effective on, from and after both approval of the Public Utilities Board of Manitoba and receipt of third and final reading thereof.
- 8) That By-law Number 2009-972 of The Rosburn Municipality be repealed as of October 1, 2021 and upon final approval of this By-law by the Public Utilities Board of Manitoba.

PASSED AND ENACTED BY THE ROSSBURN MUNICIPALITY IN COUNCIL DULY ASSEMBLED THIS 29th day of June, 2021.



Mayor Kerry Lawless

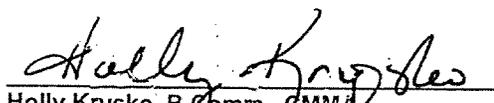


Chief Administrative Officer Holly Krysko

Read a first time this 11th day of February, 2020
Read a second time this 29th day of June, 2021
Read a third time 29th day of June, 2021

Res. No. 2020-43
Res. No. 2021-266
Res. No. 2021-267

Certified a true and correct copy of this resolution passed by the Council of the Rossburn Municipality.



Holly Krysko, B.Comm., CMMA
Chief Administrative Officer

**ROSSBURN MUNICIPALITY UTILITY
WATER & SEWER UTILITY RATES BY-LAW NO 2020-004
SCHEDULE "A"
SCHEDULE OF QUARTERLY RATES
EFFECTIVE OCTOBER 1, 2021**

1. Schedule of Commodity Rates &

October 1, 2021

Quarterly Service Charge

Rates per 1,000 Gallons

1,000 Gallons per quarter

	Water	Sewer	Water & Sewer
	\$27.35	\$6.52	\$33.87
Debt Surcharge	\$5.18		
Quarterly Service Charge	\$22.65		

2. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges per quarter set out below, which includes the water allowance as listed.

Water & Sewer Customers

<u>Meter Size</u>	<u>Water Included Gallons</u>	<u>Customer Service Charge</u>	<u>Water Commodity Charge</u>	<u>Sewer Commodity Charge</u>	<u>Surcharge (see Clause 5 \$5.18/1,000)</u>	<u>Water & Sewer Total Quarterly Minimum</u>
5/8 inch	3,000	\$22.65	\$82.05	\$19.56	15.54	\$139.80
3/4 inch	6,000	\$22.65	\$164.10	\$39.12	31.08	\$256.95
1 inch	12,000	\$22.65	\$328.20	\$78.24	62.16	\$491.25
1 1/2 inch	30,000	\$22.65	\$820.50	\$195.60	155.40	\$1,194.15
2 inch	75,000	\$22.65	\$2,051.25	\$489.00	388.50	\$2,951.40

3. Bulk Water

All water sold in bulk shall be charged for at a rate of \$35.85 per 1,000 gallons, with a minimum charge of \$17.95 for 500 gallons or less.

4. Lagoon Tipping Fee

The Lagoon Tipping fee, per 1,500 gallons of sewage, is \$34.00.

The following clauses take effect October 1, 2021:

5. Surcharge

The surcharge of \$5.18 per 1,000 gallons of water sold from January 1, 2020 to December 31, 2039 was approved by the Public Utilities Board, Order No. 195/19, to fund the annual principle and interest payments for the debenture debt of \$498,725, being Rossburn's share of the cost of the Russell water treatment plant and water line connecting to the Rossburn Utility.

6. Service To Customers Outside Municipality's Limits

The Council of Rossburn Municipality may sign Agreements with customers for the provision of water and sewer services to properties located outside the boundaries of the Municipality. Such Agreements shall provide for payment of the appropriate rates set out in this Schedule, as well as a surcharge 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 the Municipality's boundaries. In addition, all costs of connecting to the Utility's mains, and installing and maintaining service connections, will be paid by the customer.

7. Billings and Penalties

Accounts shall be billed quarterly based on water used and are payable within 15 days of the billing date. A late payment penalty charge of 1 ¼% compounded monthly shall be charged on the dollar amount owing after the billing due date.

8. Disconnection and Reconnection

The Public Utilities Board has approved the Conditions Precedent to be followed by the Municipality with respect to 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.

A customer, whose service is disconnected for any reasons, shall not be reconnected until all regulations have been complied with and all arrears paid along with a reconnection fee of \$35.00.

9. Liability for Charges

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

The fee to add outstanding water and sewer charges to the property tax roll shall be \$30.00 per account.

10. Hydrant Charges

The Rossburn Municipality shall pay to the Utility an annual hydrant charge of \$150 for each hydrant connected to the Utility. This will include the cost of water used for fire fighting.

11. Water Allowance Due to Line Freezing

That in any case where, at the request of 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.

12. Meter Testing

That in any case where a utility customer requests that a meter be tested for accuracy, the customer will provide the Municipality with a deposit of \$100. The Municipality will then remove the subject meter and send it to an independent lab for testing. If the meter is found to be faulty, all costs associated with the testing process will be borne by the Municipality and the deposit will be refunded to the customer and the customer's account will be adjusted for the preceding four (4) months. If the meter is found to be in proper working order, all costs associated with the testing process will be borne by the customer and the customer will be billed or refunded any balance owing.

13. Meter Tampering

Where there is evidence of meter tampering a minimum charge of \$500 will be applied to the customer's account in addition to an amount calculated to adjust for the tampering based on historical usage.

14. Cross Connections

No customer or person shall connect, cause to be connected or allow to remain connected any piping, fixture, fitting, container or appliance in a manner which under any circumstances may allow water, wastewater or any harmful liquid or substance to enter the Municipality's water system.

If a condition is found to exist which, in the opinion of the Municipality, is contrary to the aforesaid, the Municipality may either:

Shut off the service or services; or

Give notice to the customer to correct the fault at his or her own expense within a specified time period.

15. Conditions of Disrepair

In the event that there are conditions of disrepair in the sewer and water works on a property that detrimentally affects the system as a whole and, upon the failure of the owner of the property to correct the condition within a reasonable time, the Municipality, or its agents, may enter the property, effect repairs and charge the cost thereof against the subject property as ordinary taxes.

16. Authorization For Officer To Enter Upon Premises

The Public Works Manager, or other employee authorized by the Municipality in the absence of the Public Works Manager, shall be authorized to enter upon any premise for the purpose of:

Affixing to any pipe, wire or apparatus connected with any such utility, a meter or any other measuring or testing device; or taking readings from, repairing, inspecting or removing any meter or apparatus belonging to the Municipality.