

**THE TOWN OF STONEWALL
BY-LAW NO. 03-17**

Being a By-Law of the Town of Stonewall to repeal By-Law No. 4/10 and establish new water and wastewater rates for the Town of Stonewall water and wastewater utility.

WHEREAS The Town of Stonewall owns and operates a water and wastewater utility within the limits of the said Town of Stonewall;

AND WHEREAS Sections 232(1) and (2) of *The Municipal Act*, LM 1996 c.58 provides in part, as follows:

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

1) Public utilities

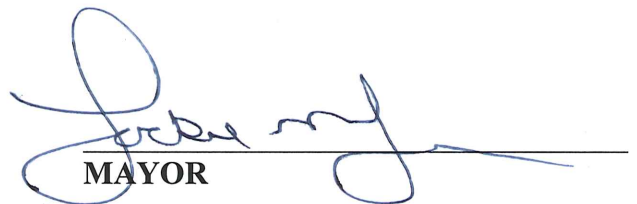
232(2) without limiting the generality of subsection (1), a Council may in a by-law passed under this Division:

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

NOW THEREFORE BE IT ENACTED as a By-Law of the Town of Stonewall, in Council duly assembled as follows:

1. **THAT** all accounts of minimum quarterly charges for metered services as set forth in the Schedule of Quarterly Rates shall be billed quarterly with any excess charges for metered water and wastewater services for the preceding quarter. Consumers shall pay for water and wastewater supplied by the Town of Stonewall at the rates and terms set out in Schedule "A" attached hereto and forming part of this By-Law.
2. **THAT** the fees set out in Schedule "A" of this By-law having been approved by the Public Utilities Board in Order No. 47/18, come into effect on April 1, 2018.
3. **THAT** By-law No. 4/10 enacted by the Town of Stonewall on the 18th day of May 2011 is hereby repealed as of and upon the final reading of this By-law.

DONE AND PASSED as a By-Law of the Town of Stonewall, in the Province of Manitoba this 25th day of April, A.D.2018.


MAYOR


CHIEF ADMINISTRATIVE OFFICER

Read a first time this 1st day of March, A.D., 2017;

Read a second time this 25th day of April, A.D., 2018;

Read a third time this 25th day of April, A.D., 2018.



**THE TOWN OF STONEWALL
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**SCHEDULE "A"
WATER & WASTEWATER RATES**

1. COMMODITY RATES – WATER & WASTEWATER – PER CUBIC METRE (m³)

All Water Consumption	<u>Water</u>	<u>Wastewater</u>	<u>Water & Wastewater</u>
Effective April 1, 2018	\$0.87	\$0.73	\$1.60
Effective January 1, 2019	\$0.90	\$0.79	\$1.69
Effective January 1, 2020	\$0.91	\$0.80	\$1.71
Effective January 1, 2021	\$0.93	\$0.81	\$1.74

2. MINIMUM CHARGED PER QUARTER – WATER & WASTEWATER

a) Water and Wastewater Customers:

Effective April 1, 2018

Meter Size	Group Capacity Ratio	Water Included m3	Service Charge	Water	Waste-waster	Total Minimum Quarterly
5/8" – 16mm	1	13.64	\$19.08	\$11.87	\$9.96	\$40.91
3/4" – 19mm	1	13.64	\$19.08	\$11.87	\$9.96	\$40.91
1" – 25mm	4	54.56	\$19.08	\$47.47	\$39.83	\$106.38
1.5"- 38mm	10	136.40	\$19.08	\$118.67	\$99.57	\$237.32
2" – 50mm	25	341.00	\$19.08	\$296.67	\$248.93	\$564.68
3" – 75mm	45	613.80	\$19.08	\$534.01	\$448.07	\$1,001.16
4" – 100mm	90	1,227.60	\$19.08	\$1,068.01	\$896.15	\$1,983.24

Effective January 1, 2019

Meter Size	Group Capacity Ratio	Water Included m3	Service Charge	Water	Waste-waster	Total Minimum Quarterly
5/8" – 16mm	1	13.64	\$19.48	\$12.28	\$10.78	\$42.54
3/4" – 19mm	1	13.64	\$19.48	\$12.28	\$10.78	\$42.54
1" – 25mm	4	54.56	\$19.48	\$49.10	\$43.10	\$111.68
1.5"- 38mm	10	136.40	\$19.48	\$122.76	\$107.76	\$250.00
2" – 50mm	25	341.00	\$19.48	\$306.90	\$269.39	\$595.77
3" – 75mm	45	613.80	\$19.48	\$552.42	\$484.90	\$1,056.80
4" – 100mm	90	1,227.60	\$19.48	\$1,104.84	\$969.80	\$2,094.12

Effective January 1, 2020

Meter Size	Group Capacity Ratio	Water Included m3	Service Charge	Water	Waste-waster	Total Minimum Quarterly
5/8" – 16mm	1	13.64	\$22.05	\$12.41	\$10.91	\$45.37
3/4" – 19mm	1	13.64	\$22.05	\$12.41	\$10.91	\$45.37
1" – 25mm	4	54.56	\$22.05	\$49.65	\$43.65	\$115.35
1.5"- 38mm	10	136.40	\$22.05	\$124.12	\$109.12	\$255.29
2" – 50mm	25	341.00	\$22.05	\$310.31	\$272.80	\$605.16
3" – 75mm	45	613.80	\$22.05	\$558.56	\$491.04	\$1,071.65
4" – 100mm	90	1,227.60	\$22.05	\$1,117.12	\$982.08	\$2,121.25

Effective January 1, 2021

Meter Size	Group Capacity Ratio	Water Included m3	Service Charge	Water	Waste-waster	Total Minimum Quarterly
5/8" – 16mm	1	13.64	\$22.50	\$12.69	\$11.05	\$46.25
3/4" – 19mm	1	13.64	\$22.50	\$12.69	\$11.05	\$46.25
1" – 25mm	4	54.56	\$22.50	\$50.74	\$44.19	\$117.45
1.5"- 38mm	10	136.40	\$22.50	\$126.85	\$110.48	\$259.86
2" – 50mm	25	341.00	\$22.50	\$317.13	\$276.21	\$615.86
3" – 75mm	45	613.80	\$22.50	\$570.83	\$497.18	\$1,090.53
4" – 100mm	90	1,227.60	\$22.50	\$1,141.67	\$994.36	\$2,158.54

b) Water Only Customers:

Customers with water only service shall be charged the quarterly service charge and rate applicable to the customer's meter size, less the wastewater charge.

c) Wastewater Only Customers:

Customers with wastewater only service shall be charged the quarterly service charge and a wastewater charge on the Residential Equivalency Unit of 53.13 cubic metre on wastewater only.

d) If it can be shown that a customer uses a substantial amount of water which is not returned to the wastewater system (at least 10% of the water sold to the customer), the utility may deduct such water in calculating the wastewater charge to such customers.

3. SERVICE TO PROPERTIES OUTSIDE THE TOWN LIMITS

The Council of the Town of Stonewall may sign agreements with customers for the provision of water and wastewater services to properties located outside the Town boundaries. Such agreements shall provide for payment of appropriate rates set out in the Schedule, a surcharge set by resolution of Council which shall be equivalent to the frontage levy, municipal general and special taxes for utility purposes in effect at the time and which would be levied on the subject property if it were located within the Town limits, as well as terms and conditions, including connection, installation and maintenance fees or other charges for providing the service. Such terms and conditions may differ from ones applied within Town.

4. BILLING AND PENALTIES

Accounts shall be billed quarterly (every three months), except in the case of large volume consumers with usage over 4,000 cubic metres per month, which may be billed monthly. All billings shall be due and payable within 30 days after the date of the billing. A penalty of 1.25% of the amount shall be added if not paid by the due date. For every month thereafter, a further penalty of 1.25% of the amount of the bill shall be added if the debt is unpaid.

5. DISCONNECTION

Service may be disconnected and discontinued for non-payment of an account where the unpaid balance of the account, inclusive of penalties is Fifty Dollars (\$50.00) or greater. Services may be disconnected and discontinued for non-payment of the account in accordance with the Condition Precedent attached hereto as Appendix "A".

6. RECONNECTION

- a) Any service disconnected due to non-payment of account shall not be reconnected until all arrears, penalties and a reconnection fee of Seventy Five Dollars (\$75.00) has been paid.
- b) Any customer wishing to have the billing discontinued due to vacancy of premises or other reasons shall be required to have the service disconnected and the water meter removed and shall pay a Seventy Five Dollar (\$75.00) reconnection fee when the meter is reinstalled and the service resumes.

7. OUTSTANDING BILLS

Pursuant to section 252(2) of *The Municipal Act*, the amount of all outstanding charges for water and wastewater service, including fines and penalties, are a lien and charge upon the property serviced, and shall be collected in the same manner in which ordinary property taxes upon the property are collectible and enforced. Upon doing so, the Town will charge a \$75.00 service fee to the account.

8. HYDRANT RENTALS

The Town of Stonewall shall pay to the utility an annual rental of \$150.00 for each hydrant connected to the system. This includes the water for fire purposes.

9. WATER ALLOWANCE DUE TO FREEZING

In cases where, at the request of the Town of Stonewall, the 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 billing for the last 2 previous quarters to the same customer, or to the same premises, if the occupant has changed.

10. CONNECTION FEES AND INSPECTION RATES

- a) For a property within the Town of Stonewall limits to connect to the water distribution and wastewater collection systems, the cost of connection from the mains to the property line including any boulevard and street restoration, and any permit fee, shall be as prescribed in Policy No. 16.2 in the Town's Policy and Procedure Manual.
- b) A \$50.00 inspection fee shall be levied on any water and wastewater service connections made to ensure that the connections are constructed and installed in accordance with applicable codes and standards.
- c) No property within the Town of Stonewall shall be permitted to connect to the water distribution and wastewater collection systems without connecting to both systems.

11. WATER METERS

- a) The water meter shall be installed by a licensed and/or registered plumber and the costs shall be borne by the property owner. The meter shall be located at a point easily accessible at all times and approved by the Town. The property owner shall ensure that the water meter is maintained in working condition and not be removed or relocated without prior approval of the Town.
- b) The meter shall be installed 75 cm above the floor and properly supported or as approved by the Town.
- c) The meter shall be located as close as possible to the point of entry of the water line. Ample room must be provided for access to the meter and main valve at all times.
- d) The meter shall be in a horizontal position with the main shut off valve immediately before the meter. Another valve shall be installed downstream of the meter before any distribution piping or ports.
- e) The meter shall be protected from any type of damage including freezing.
- f) Costs for any damage and labour for repairs to the water meter, remote read touch pad and associated equipment shall be the responsibility of the property owner.
- g) A customer may request that their water meter be tested for accuracy and before having the same tested by the Town, they shall deposit with the Town of Stonewall, the amount of \$50.00, and if the meter is found to be accurate, the \$50.00 shall be retained by the Town. If the meter is found to be inaccurate the \$50.00 will be repaid to the customer.
- h) If the meter is tampered with so as to not record or properly record the water provided to and used by the customer, a fine in the amount of \$500.00 will be assessed to the account of the customer plus an estimated cost for the unmetered water and wastewater used.

12. SERVICE CALL-OUTS

- a) The Property owners of the residential premises will be charged a set fee of \$75.00 for each and every call out concerning blocked wastewater services, maintenance of service, thawing of frozen services, repairs to tampered water meter, etc.
- b) There will be a charge to businesses and/or institutions for a call out rate of \$50.00 per hour, during regular working hours, for municipal staff plus actual costs for any private contractor to clean out the wastewater service and/or disconnect, reconnect, flush and/or thaw the water services or repair the water meter for the businesses and/or institutions.
- c) After hours call out rate is \$100.00 per hour plus actual cost for a private contractor.

13. SEPTAGE DUMPING CHARGES

Regulations and fees for dumpage from either septic or holding tanks by registered haulers are established by By-law 01-17, upon said by-law receiving final approval of the Public Utilities Board and passage by the Municipality, and amendments or substitutions therefore.

14. WATER AND WASTEWATER USE

- a) New residential, commercial, institutional and industrial construction within the Town of Stonewall shall install low flow plumbing fixtures.
- b) All commercial and institutional food service facilities shall have installed and shall properly maintain grease traps sufficient to prevent cooking grease from entering the wastewater collection system.
- c) All commercial and private vehicle and equipment wash bays shall have a solid material debris collection pit which will prevent the solids from entering the wastewater collection system. The solids are to be collected and disposed in a manner consistent with accepted practices.

15. CONTRAVENTIONS

- a) Every person who contravenes any provision of By-Law 03-17 is guilty of an offense and on conviction is liable to a fine of not more than Five Hundred Dollars (\$500.00) for every day or part thereof upon which the offense occurs or continues.
- b) Every person who contravenes any provision of By-Law 03-17 and as a result of which contravention damages or any part hereof, is liable to the Town for full costs of such damage or injury including any fine or penalty imposed on the Town in relation to said contravention.