

THE RURAL MUNICIPALITY OF ROSSER

BY-LAW NO 3-20

ROSSER CENTREPORT WATER AND WASTEWATER RATES

BEING a by-law of the Rural Municipality of Rosser to establish water and wastewater rates within the said Rosser CentrePort Utility

WHEREAS the Rural Municipality of Rosser owns and operates a water distribution and sewage collection systems generally within the limits of the Rosser CentrePort Area;

AND WHEREAS *The Municipal Act*, S.M. 1996, C58, states in part:

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

(l) 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 or for the use of property under the ownership, direction, management or control of the municipality;”

NOW THEREFORE, the Council of the Rural Municipality of Rosser, in council duly assembled, hereby enacts as follows:

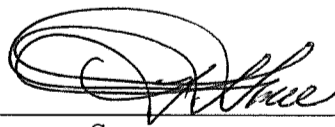
THAT all accounts for minimum quarterly charges for metered services as set forth in the Schedule of Quarterly Rates shall be billed quarterly in advance together with any excess charges for metered water and sewer services for the preceding quarter. Consumers shall pay for water and sewer service supplied to them by the Rural Municipality of Rosser at the rates and terms set out in Schedule “A” attached hereto and forming part of this by-law.

THAT the Conditions Precedent Allowing for the Collection and Disconnection of Water and/or Sewer Services for Non-Payment of Accounts (“Conditions Precedent”) are set out in Schedule “B” attached hereto and forming part of this by-law.

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.

THAT By-law No. 5-2019 is repealed upon third reading and passing of this by-law.

DONE AND PASSED as a by-law of The Rural Municipality of Rosser at 0 077 E PR 221, Rosser in the Province of Manitoba this 12th day of May, A.D. 2020.



Frances Smee
Reeve



Chief Administrative Officer
Larry Wandowich

Read a first time this 21st day of April, 2020
Read a second time this 12th day of May, 2020
Read a third time this 12th day of May, 2020.

SCHEDULE "A"
 THE RURAL MUNICIPALITY OF ROSSER
 BY-LAW NO. 3-20
 ROSSER CENTREPORT WATER AND WASTEWATER UTILITY RATE

SCHEDULE OF QUARTERLY RATES:

1.0 Commodity rates per Cubic Metre

Effective January 2017 (retroactive):

	<u>Water</u>
All Water Consumption	\$2.90

Effective January 2018 (retroactive):

	<u>Water</u>
All Water Consumption	\$2.93

Effective January 2019 (retroactive):

	<u>Water</u>	<u>Wastewater</u>	<u>Water & Wastewater</u>
All Water Consumption	\$2.99	\$3.70	\$6.69

Effective January 2020:

	<u>Water</u>	<u>Wastewater</u>	<u>Water & Wastewater</u>
All Water Consumption	\$3.04	\$3.81	\$6.85

Effective January 2021:

	<u>Water</u>	<u>Wastewater</u>	<u>Water & Wastewater</u>
All Water Consumption	\$3.10	\$3.93	\$7.03

Effective January 2022:

	<u>Water</u>	<u>Wastewater</u>	<u>Water & Wastewater</u>
All Water Consumption	\$3.16	\$4.05	\$7.21

2. Minimum Charges Quarterly:

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

(a) Water and Wastewater Customers

Effective January 2017 (retroactive):

Meter Size (Inches)	Group Capacity Ratio	Water Included Cubic Meters	Service Charge	Water Rate	Minimum Quarterly Charges
15mm (5/8")	1	14	\$39.00	\$40.60	\$79.60
19mm (3/4")	2	27	\$39.00	\$78.30	\$117.30
25mm (1")	4	55	\$39.00	\$159.50	\$198.50
38mm (1-1/2")	10	140	\$39.00	\$406.00	\$445.00
50mm (2")	25	341	\$39.00	\$988.90	\$1,027.90
75mm (3")	45	614	\$39.00	\$1,780.60	\$1,819.60
100mm (4")	90	1,227	\$39.00	\$3,558.30	\$3,597.30
150mm (6")	170	2,319	\$39.00	\$6,725.10	\$6,764.10

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Effective January 2018 (retroactive):

Meter Size (Inches)	Group Capacity Ratio	Water Included Cubic Meters	Service Charge	Water Rate	Minimum Quarterly Charges
15mm (5/8")	1	14	\$39.00	\$41.02	\$80.02
19mm (3/4")	2	27	\$39.00	\$79.11	\$118.11
25mm (1")	4	55	\$39.00	\$161.15	\$200.15
38mm (1-1/2")	10	140	\$39.00	\$410.20	\$449.20
50mm (2")	25	341	\$39.00	\$999.13	\$1,038.13
75mm (3")	45	614	\$39.00	\$1,799.02	\$1,838.02
100mm (4")	90	1,227	\$39.00	\$3,595.11	\$3,634.11
150mm (6")	170	2,319	\$39.00	\$6,794.67	\$6,833.67

Effective January 2019 (retroactive):

Meter Size (Inches)	Group Capacity Ratio	Water Included Cubic Meters	Service Charge	Water Rate	Minimum Quarterly Charges
15mm (5/8")	1	14	\$39.00	\$41.86	\$80.86
19mm (3/4")	2	27	\$39.00	\$80.73	\$119.73
25mm (1")	4	55	\$39.00	\$164.45	\$203.45
38mm (1-1/2")	10	140	\$39.00	\$418.60	\$457.60
50mm (2")	25	341	\$39.00	\$1,019.59	\$1,058.69
75mm (3")	45	614	\$39.00	\$1,835.86	\$1,874.86
100mm (4")	90	1,227	\$39.00	\$3,668.73	\$3,707.73
150mm (6")	170	2,319	\$39.00	\$6,933.81	\$6,972.81

Effective January 2020:

Meter Size (Inches)	Group Capacity Ratio	Water Included Cubic Meters	Service Charge	Water Rate	Sewer Rate	Minimum Quarterly Charges
15mm (5/8")	1	14	\$39.00	\$42.56	\$53.34	\$134.90
19mm (3/4")	2	27	\$39.00	\$82.08	\$102.87	\$223.95
25mm (1")	4	55	\$39.00	\$167.20	\$209.55	\$415.75
38mm (1-1/2")	10	140	\$39.00	\$425.60	\$533.40	\$998.00
50mm (2")	25	341	\$39.00	\$1,036.64	\$1,299.21	\$2,374.85
75mm (3")	45	614	\$39.00	\$1,866.56	\$2,339.34	\$4,205.90
100mm (4")	90	1,227	\$39.00	\$3,730.08	\$4,674.87	\$8,443.95
150mm (6")	170	2,319	\$39.00	\$7,049.76	\$8,835.39	\$15,924.15

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Effective January 2021:

Meter Size (Inches)	Group Capacity Ratio	Water Included Cubic Meters	Service Charge	Water Rate	Sewer Rate	Minimum Quarterly Charges
15mm (5/8")	1	14	\$39.00	\$43.40	\$55.02	\$137.42
19mm (3/4")	2	27	\$39.00	\$83.70	\$106.11	\$228.81
25mm (1")	4	55	\$39.00	\$170.50	\$216.15	\$425.65
38mm (1-1/2")	10	140	\$39.00	\$434.00	\$550.20	\$1,023.20
50mm (2")	25	341	\$39.00	\$1,057.10	\$1,340.13	\$2,436.23
75mm (3")	45	614	\$39.00	\$1,903.40	\$2,413.02	\$4,355.42
100mm (4")	90	1,227	\$39.00	\$3,803.70	\$4,822.11	\$8,664.81
150mm (6")	170	2,319	\$39.00	\$7,188.90	\$9,113.67	\$16,341.57

Effective January 2022:

Meter Size (Inches)	Group Capacity Ratio	Water Included Cubic Meters	Service Charge	Water Rate	Sewer Rate	Minimum Quarterly Charges
15mm (5/8")	1	14	\$39.00	\$44.24	\$56.70	\$139.94
19mm (3/4")	2	27	\$39.00	\$85.32	\$109.35	\$233.67
25mm (1")	4	55	\$39.00	\$173.80	\$222.75	\$435.55
38mm (1-1/2")	10	140	\$39.00	\$442.40	\$567.00	\$1,048.40
50mm (2")	25	341	\$39.00	\$1,077.56	\$1,381.05	\$2,497.61
75mm (3")	45	614	\$39.00	\$1,940.24	\$2,486.70	\$4,465.94
100mm (4")	90	1,227	\$39.00	\$3,877.32	\$4,969.35	\$8,885.67
150mm (6")	170	2,319	\$39.00	\$7,328.04	\$9,391.95	\$16,758.99

The following clauses take effect October 1, 2019:

3. Bulk Sales Rate

All water sold in bulk by the Utility shall be charged for at the rate of \$7.25 per cubic metre.

4. Billings and Penalties

Accounts shall be billed quarterly based on water used and the due date shall be at least 20 days after the mailing the bills.

A late payment charge of 1.25% per month may be charged on the dollar amount owing after the billing due date.

5. Disconnection

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. The Conditions Precedent is set out in Schedule "B" attached hereto and forming part of this By-Law

6. Reconnection Fee

Any service disconnected due to non-payment of account shall not be reconnected until all arrears, penalties and a reconnection fee of \$50.00 have been paid.

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7. Request for Disconnection and Reconnection Fee

Any customer requesting a service disconnection shall pay a fee of \$50.00 and if the customer requests a reconnection that occurs at another date or time, a reconnection fee of \$50.00 will apply.

8. Outstanding Bills

Pursuant to Section 252(2) of The Municipal Act, the amount of all outstanding charges for water and wastewater 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

The Rural Municipality of Rosser shall pay to the Utility an annual hydrant rental of \$150.00 for each hydrant connected to the System.

10. Water Allowance Due to Line Freezing

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.

11. Meter Testing

Any customer wishing to have a meter tested for accuracy will pay in advance a fee of \$125.00, plus any applicable meter testing costs. In the event that the meter tests proves that the meter is recording water flows in excess of actual flows, the meter testing fee and associated costs will be refunded to the customer, and the customer's account will be reviewed and adjusted accordingly.

12. Water Meters

- (a) The RM shall supply an appropriate size water meter and remote read touch pad at the customers cost.
- (b) The meter and touch pad shall be installed by a registered plumber and the costs shall be the responsibility of the property owner. The remote touch pad shall always be located at a point easily accessible and approved by the RM.
- (c) The meter shall be installed 75 cm above the floor or as approved by the RM.
- (d) The meter shall be located as close as practical 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.
- (e) 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.
- (f) No distribution piping or ports shall be allowed before the meter.
- (g) The meter shall be protected from any type of damage including freezing.
- (h) Costs for any damage and labour for repairs to the water meter and associated equipment shall be the responsibility of the property owner.

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13. Service Permit Fee

Any person wishing to install a new water service pipe, reuse or repurpose an existing water service pipe, or abandon a water service pipe must apply for and receive a water service pipe permit. The cost of the permit includes approval of the plan, inspection of the connection and record keeping.

14. Sewage Surcharges

- (a) There may be levied annually, in addition to rates set forth above, a special surcharge on sewage having a Biochemical Oxygen Demand in excess of 300 parts per million, 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 wastes.

SCHEDULE "B" (continued)
THE RURAL MUNICIPALITY OF ROSSER
BY-LAW NO 3-20
ROSSER CENTREPORT WATER AND WASTEWATER UTILITY RATES
CONDITIONS PRECEDENT ALLOWING FOR COLLECTION
AND DISCONNECTION OF WATER AND/OR WASTEWATER SERVICES
FOR NON-PAYMENT OF ACCOUNTS

1.0 PURPOSE:

- 1.1 The purpose of this document is to outline and define the disconnection and reconnection policies and procedures for customers with water and/or wastewater services.
- 1.2 Disconnection, in accordance with the steps outlined in the following policy and procedures may occur if a customer is in arrears and full payment or payment arrangements suitable to the utility have not been made and if so, such disconnections must occur in conformance with these conditions precedent.
- 1.3 Reconnection, in accordance with the following policy and procedures will occur as soon as it is reasonably possible after the account returns to good standing. This Policy and Procedure does not apply to disconnection practices for routine maintenance of the utility including emergencies.

2.0 SCOPE:

- 2.1 The policy and procedures apply to customers receiving water and/or wastewater services. The procedures are detailed to reflect the variety of situations that may occur for each of the following customers.
 - 2.1.1 All property owners and/or tenants responsible for water and/or wastewater services.
 - 2.1.2 All landlords responsible for providing tenant water and/or wastewater services covered under The Residential Tenancies Act (C.C.S.M. c R119).
 - 2.1.3 Where water and/or wastewater services are added to taxes.
 - 2.1.4 Where water is sold in bulk.
 - 2.1.5 Where sewage is dumped into a treatment facility.
 - 2.1.6 Where water and/or wastewater service is provided beyond the boundaries of a municipality, if applicable.

3.0 DEFINITIONS:

- 3.1 **Account Holder/Customer** – shall refer to the person or persons who have applied for water and/or wastewater service at a particular residence, whether it be the property owner or renter
- 3.2 **Property Owner** – shall refer to the person or persons who are listed on the title of a specific property.
- 3.3 **Renter** – is not the property owner of the subject property and shall refer to the utility account holder/customer of the subject property.
- 3.4 **Security Deposit** – shall be based on the risk to the utility and should not exceed an estimated bill for three months.

SCHEDULE "B" (continued)

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4.0 POLICY:

- 4.1 The Utility will normally confine collection activity to the person(s) identified on the account who requested the service(s) with an implied agreement to pay or the person or agency who has agreed to pay for the service(s), with the following exception: where a reasonable person would expect that a customer not named on the bill is implicitly responsible for the service(s), i.e. husband or wife (legal or common-law), that person will also be presumed to have liability for the outstanding balance.
- 4.2 In order to satisfy provisions of *The Freedom of Information and Protection of Privacy Act*, Utilities are encouraged to develop an agreement between the utility and the account holder/customer, with provisions that establish at minimum conditions for service, recourse for unpaid bills, deposits required, and for renter's acknowledgement that information relating to their account status and other information may be released to the property owner to assist with collections.
- 4.3 The Public Utilities Board (Board) may, on its own initiative, or at the request of a customer review a Utility's action and make recommendations and/or orders with respect to same as the Board may determine.
- 4.4 Every effort is to be made by the Utility to resolve outstanding accounts, disconnection and reconnection issues directly with its customer(s). If a solution cannot be reached the customer may apply to the Board for dispute resolution.
- 4.5 The Utility should familiarize itself with legislated provisions and the duty to report when a child is in need of protection and/or where the life, health or emotional well-being of the child (or children) is endangered. These provisions are contained in Part III – Child Protection - of *The Child and Family Services Act*.
- 4.6 The Utility must make special application to the Board prior to disconnecting service to a community or multiple residences/properties. Such an application must be shared with the affected community (ies) and/or multiple residences/properties. The Board will consider the circumstances and particulars of the application and provide the Utility with direction, following such process as the Board may deem appropriate.
- 4.7 If a landlord is responsible for the provision of water and/or wastewater services to tenant occupied premises, arrears will be based on the outstanding account balance and will be subject to Residential Tenancy Branch (RTB) procedures at the tenant occupied premises. Landlords failing to bring their outstanding account balance to good standing will be subject to disconnection of services of the same utility at their personal residence and any vacant premises under the same name.
- 4.8 This policy does not affect the Utility's right to disconnect in times of emergency and/or for reasons of safety or for failure to comply with water rationing requirements.
- 4.9 The Utility will keep current data of all disconnected customers in accordance with the following procedures.
- 4.10 The Utility may seek Board exemption from full disconnection procedures when faced with customers who consistently and deliberately show patterns of payment avoidance and who clearly understand the consequences of their actions.

SCHEDULE "B" (continued)

THE RURAL MUNICIPALITY OF ROSSER
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ROSSER CENTREPORT WATER AND WASTEWATER UTILITY RATES

5.0 PROCEDURES

5.1 DISCONNECTION PROCEDURE

Steps 1, 2 and 3 must be followed on water and/or wastewater services in arrears.

Step 1

Customers shall receive a billing statement each billing cycle for services. In some cases the bill is for past consumption and/or minimum quarterly bill for the prior quarter and in other cases, for past consumption over the minimum quarterly bill in the prior quarter plus the next minimum quarterly bill in advance. The due date which appears on the bill shall be no less than 14 days after the billing date. Bulk water customers or customers dumping sewage may have special billing arrangements. However, failure to pay an outstanding bill may result in the removal of the right to use the service.

Step 2

If payment is not received within 31 days from the last billing date, a message similar to the following shall appear on a reminder statement:

"Our records indicate your account is past due. Please give this your prompt attention. If payment or payment arrangements have been made, kindly disregard this notice."

[The following is applicable to residential premises.]

"Information on service disconnection, payment arrangements and financial assistance is enclosed."

Sample Insert:

<p>If your account is past due and you have not made payment arrangements, your water and/or wastewater service could be disconnected.</p> <p>The Public Utilities Board adopted Order No. 39/09 governing the disconnection of water and/or wastewater service for non-payment of account.</p>	<p>To make payment arrangements, please contact the utility at:</p> <p>204-467-5711</p> <p>If you have already made payment arrangements, please disregard this notice.</p>	<p>Financial assistance may be available through Employment and Income Assistance:</p> <ul style="list-style-type: none"> • 1-800-626-4862 <p>Additional financial counseling and support may be available through Community Financial Counseling Services:</p> <ul style="list-style-type: none"> • 1-888-573-2383
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Step 3

If payment is not received within 45 days of the last billing date, a message similar to the following shall appear on the second and final reminder notice. Reconnection fees will be charged as approved by the Board from time to time:

IMPORTANT PAST DUE NOTICE

Your **account** is past due. If suitable payment arrangements or full payment of the arrears are not made on or before (*enter Date {14 calendar days from date of issue}*) your account will be subject to disconnection. If payment of the arrears has already been made, please notify us immediately. If payment arrangements have already been made kindly disregard this notice.

If your service(s) is disconnected, full payment of the arrears balance plus a reconnection fee will be required before service is fully restored. A security deposit may also be required.

Customers may appeal the Utility's action by contacting the Public Utilities Board.

The Utility is not responsible for any damages or losses that may occur as a result of services

SCHEDULE "B" (continued)
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which are disconnected for non-payment. Please ensure you protect people, animals and property that may be impacted by disconnection of service.

Reconnect Fees are \$ 50.00.

Your service will be disconnected on _____ in the a.m. or p.m.

5.2 Where the Utility bills the minimum quarterly bill in advance, and where service is not reconnected, the bill should be adjusted and prorated accordingly, for the period from the date of disconnection to the end of the next quarter.

5.3 The following are exceptions to the above notice requirements before disconnection:

(a) Where the customer's account was past due and where a payment arrangement was made and subsequently broken, the Utility may disconnect the customer's service with 7 calendar days notice.

(b) Where the customer's account was past due for services billed at a previous premise, the Utility may, with 10 days notice, disconnect the customer's service at the new premise if the customer fails to make a payment arrangement.

The Utility shall take all reasonable steps to collect the arrears from its account holder/customer before adding any arrears to taxes.

5.4 A message similar to the following shall appear on any future billing statements where services have been disconnected:

"Your account remains outstanding despite previous requests for payment. Failure to pay the outstanding account balance may make your account subject to legal action. Please call the phone number on the front of your billing statement or pay in person. If payment of the arrears has already been made please notify the Utility immediately. If payment arrangements have already been made kindly disregard this notice."

6.0 RECONNECTION OR RESTORATION OF SERVICE PROCEDURE:

6.1 No reconnection of service(s) shall occur unless full payment of the arrears or payment arrangements is made suitable to the Utility including a reconnection fee. Reconnection terms may also include the payment of a security deposit.

6.2 All reasonable efforts shall be made to reconnect or restore the service as soon as possible.

7.0 GENERAL GUIDELINES FOR RENTAL PROPERTIES:

7.1 The renter and property owner are both responsible for providing notice and meter readings to the utility when vacating or renting a premise for the first time.

7.2 If the new renter has an unpaid amount, the utility may refuse service to the tenant.

7.3 The departing tenant will be responsible for services to the date of departure and the arriving tenant or the property owner will be responsible on the date the new tenant takes occupancy.

7.4 If there is a period of time between departing tenant and the arriving tenant the property owner will be responsible for the service charge.

7.5 The renter's deposit, if applicable, will be applied to the utility bill at this time. In the case where the amount of the deposit, if applicable, exceeds the amount of

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the final bills and a credit is shown on the utility account, the credit is then refunded to the renter in the form of a cheque.

8.0 REPORTING REQUIREMENTS:

- 8.1** The Utility shall record the following information which the Board may request at any time:
- (a) the name of the account holder disconnected;
 - (b) efforts made by the Utility to contact the customer (bill messages, letters, telephone calls, personal visits) and the results of such efforts.