

**THE TOWN OF NEEPAWA
BY-LAW NO. 3145**

BEING A BY-LAW OF THE TOWN OF NEEPAWA TO ESTABLISH WATER AND SEWER RATES FOR THE TOWN OF NEEPAWA'S UTILITY.

WHEREAS THE Municipal Act states, in part, as follows:

250 (2) Without limiting the generality of subsection (1), a municipality may for municipal purposes do the following:

- c) Acquire, establish, maintain, and operate services, facilities and utilities

252 (1) A municipality exercising the powers in the nature of those referred to in clauses

250 (2) (b), (c) and (e) may set terms and conditions in respect of users, including:

- a) Setting the rates or amounts of deposits, fees and other charges, and charging and collecting them;
- b) Providing for a right of entry onto private property to determine compliance with other terms and conditions, to determine the amount of deposits, fees and other charges, or to disconnect a service; and
- c) Discontinuing or disconnecting a service and refusing to provide the service to users who fail to comply with the terms and conditions.

252 (2) A charge referred to in clause (1) (a) may be collected by the municipality in the same manner as a tax may be collected or enforced under this Act.

AND WHEREAS the Town of Neepawa owns and operates a water and sewer utility within the limits of the said Town;

AND WHEREAS the Town of Neepawa provides utility services outside of the Town limits;

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

1. 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 with any excess charges for metered water and sewer services for the preceding quarter. Consumers shall pay for water and sewer service supplied by the Town of Neepawa at the rates and terms set out in Schedule "A" attached hereto and forming part of this By-Law.
2. THAT this By-Law shall come into force and become effective on, from and after approval from the Public Utilities Board and receipt of third reading thereof by the Council of the Town of Neepawa.
3. THAT By-Law 3058 enacted by the Town of Neepawa on the 16th day of December 2008, be hereby repealed.

DONE AND PASSED as a By-Law of the Town of Neepawa at the Civic Administration Office in Neepawa, in the Province of Manitoba, this 21st day of February 2017.


MAYOR


CAO

Read a first time this 20th day of October, 2015.
Read a second time this 21st day of February, 2017.
Read a third time this 21st day of February, 2017.

THE TOWN OF NEEPAWA
SCHEDULE "A" - WATER & SEWER RATES
 BY-LAW NO. 3145

July 1, 2017

1. COMMODITY RATES – WATER & SEWER – PER CUBIC METRE

	<u>Water</u>	<u>Sewer</u>	<u>Water & Sewer</u>
First 450 C.M. Per Quarter	\$2.32	\$1.20	\$3.52
Over 450 C.M. Per Quarter	\$1.26	\$1.20	\$2.46

2. MINIMUM CHARGE PER QUARTER – WATER & SEWER

Meter Size (Inches)	Minimum Quarterly Consumption	Service Charge	Water	Sewer	Minimum Quarterly Charges
5/8	14	\$18.75	\$32.48	\$16.80	\$68.03
3/4	27	\$18.75	\$62.64	\$32.40	\$113.79
1	55	\$18.75	\$127.60	\$66.00	\$212.35
1 1/2	140	\$18.75	\$324.80	\$168.00	\$511.55
2	341	\$18.75	\$791.12	\$409.20	\$1,219.07
3	614	\$18.75	\$1,250.64	\$736.80	\$2,006.19
4	1,227	\$18.75	\$2,023.02	\$1,472.40	\$3,514.17
6	2,319	\$18.75	\$3,398.94	\$2,782.80	\$6,200.49

July 1, 2018

1. COMMODITY RATES – WATER & SEWER – PER CUBIC METRE

	<u>Water</u>	<u>Sewer</u>	<u>Water & Sewer</u>
First 450 C.M. Per Quarter	\$2.34	\$1.31	\$3.65
Over 450 C.M. Per Quarter	\$1.29	\$1.31	\$2.60

2. MINIMUM CHARGE PER QUARTER – WATER & SEWER

Meter Size (Inches)	Minimum Quarterly Consumption	Service Charge	Water	Sewer	Minimum Quarterly Charges
5/8	14	\$19.25	\$32.76	\$18.34	\$70.35
3/4	27	\$19.25	\$63.18	\$35.37	\$117.80
1	55	\$19.25	\$128.70	\$72.05	\$220.00
1 1/2	140	\$19.25	\$327.60	\$183.40	\$530.25
2	341	\$19.25	\$797.94	\$446.71	\$1,263.90
3	614	\$19.25	\$1,264.56	\$804.34	\$2,088.15
4	1,227	\$19.25	\$2,055.33	\$1,607.37	\$3,681.95
6	2,319	\$19.25	\$3,464.01	\$3,037.89	\$6,521.15

July 1, 2019**1. COMMODITY RATES – WATER & SEWER – PER CUBIC METRE**

	<u>Water</u>	<u>Sewer</u>	<u>Water & Sewer</u>
First 450 C.M. Per Quarter	\$2.36	\$1.40	\$3.76
Over 450 C.M. Per Quarter	\$1.32	\$1.40	\$2.72

2. MINIMUM CHARGE PER QUARTER – WATER & SEWER

Meter Size (Inches)	Minimum Quarterly Consumption	Service Charge	Water	Sewer	Minimum Quarterly Charges
5/8	14	\$19.75	\$33.04	\$19.60	\$72.39
3/4	27	\$19.75	\$63.72	\$37.80	\$121.27
1	55	\$19.75	\$129.80	\$77.00	\$226.55
1 1/2	140	\$19.75	\$330.40	\$196.00	\$546.15
2	341	\$19.75	\$804.76	\$477.40	\$1,301.91
3	614	\$19.75	\$1,278.48	\$859.60	\$2,157.83
4	1,227	\$19.75	\$2,087.64	\$1,717.80	\$3,825.19
6	2,319	\$19.75	\$3,529.08	\$3,246.60	\$6,795.43

3. LAGOON TIPPING FEES

Fees for Within the Boundaries of the Town of Neepawa		
	Residential	Commercial
Yearly	60.00	240.00
Per Use Fee	12.00	48.00

Outside the Town of Neepawa Boundaries		
	Residential	Commercial
Yearly	150.00	600.00
Per Use Fee	30.00	120.00

Potential Additional Commercial Classes			
	Resident	Non-Resident	
	Annual	Annual	Per Use
Fees shall not be < than:	\$60.00	\$150.00	\$60.00
Fees shall not be > than:	\$480.00	\$900.00	\$240.00

Industrial customer rates will be established on the merits of each case, taking into account the number of estimated annual visits and volume.

4. WATER ONLY CUSTOMERS

Under all sections of the above referred to in clauses 1 and 2, a consumer having only water service shall pay a minimum charge made up of the service charge plus the water commodity charge.

5. SEWER ONLY CUSTOMERS

Users of Town sewage who discharge water and wastewater into the Town's sewage system, and who obtain their water supply from other than the Town of Neepawa, are required to meter their water supply at their own expense and shall be billed for sewage on the water meter reading at rates set forth in Paragraph 1 plus the quarterly service charge as per clauses 2. The minimum billing shall be based on 14 cubic meters per quarter plus the service charge.

6. BULK SALE OF WATER

Bulk sales of water at the public works facility shall be charged at a rate of:

July 1, 2017 - \$2.65 per cubic meter

July 1, 2018 - \$2.69 per cubic meter

July 1, 2019 - \$2.72 per cubic meter

7. SEWER SURCHARGES

(a) There will be levied annually, in addition to rates set forth above, a special surcharge on sewage having a Biochemical Oxygen Demand (B.O.D.) in excess of 300 parts per million in the amount of .40 cents per 100 pounds of B.O.D.

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

8. HYDRANT RENTALS

Municipal hydrant rentals shall be set at \$250.00 per hydrant per annum which includes water for firefighting purposes.

Privately owned hydrants that are direct extensions of the Town's internal water distribution system shall be subject to an annual connection fee of \$250.00 per hydrant.

9. SALE OF WATER TO CUSTOMERS OUTSIDE TOWN BOUNDARIES

(a) The Council of the Town of Neepawa may enter into agreements with municipalities, corporations and individuals outside the legal boundaries of the Town of Neepawa for the purpose of supplying water to such municipalities, corporations and individuals.

(b) The rates to be charged to such outside users shall be the same rates charged to consumers in the Town of Neepawa for comparable service. Such outside users shall also pay a surcharge which shall be equivalent to frontage levy, general taxes and special taxes for utility purposed in effect at the time, or which may be in effect from time to time, and which would be levied on the property concerned as if it were within Town boundaries. In addition, all costs of connecting to the utility mains and installing, maintaining, and repairing service connections will be paid by the customer.

10. SALE OF WATER TO THE RURAL MUNICIPALITY OF NORTH CYPRESS-LANGFORD

(a) That the agreement signed with the Rural Municipality of Langford on April 21, 2010 shall remain in effect for a term of ten years. Prior to the expiry of the agreement, the Town and the Rural Municipality of Langford may enter into a new agreement for a similar term. However, the agreement shall be subject to prior approval of The Public Utilities Board.

(b) Sale of water to the RM of North Cypress-Langford shall be charged at a special rate of:

July 1, 2017 - \$1.79 per cubic meter

July 1, 2018 - \$1.82 per cubic meter

July 1, 2019 - \$1.84 per cubic meter

11. 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 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 customers, or to the same premises if the occupant has changed.

Should bib service be required from another property, Town of Neepawa water plant and/or public works staff will setup the service and both properties will be invoiced for an average billing.

Should the problem persist on a regular yearly basis and the source of the freezing be deemed to be an issue related solely to the private property, an estimated billing will only be conducted on the first occurrence. Subsequent occurrences will be billed for the total amount of metered water used. In the case of a bibbed service, the provider of the water will be invoiced for an average billing and the bibbed service invoiced for the remaining metered consumption.

12. BILLINGS AND PENALTIES

Accounts shall be billed quarterly, and shall be due and payable fourteen days after the date of billing. A late payment charge of 1 ¼% per month shall be charged on the dollar amount owing after the billing due date and shall compound monthly.

13. DISCONNECTING FOR NON-PAYMENT

- (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 Municipal office.
- (b) In the event that services are disconnected in accordance with the above noted Conditions Precedent, there shall be a termination fee of \$50.00 charged to the consumers account.
- (c) Prior to services being reconnected, payment of all arrears, penalties, disconnection charges, etc. as well as a reconnection fee of \$50.00 must be paid in full or suitable payment arrangements made.

14. OUTSTANDING UTILITY CHARGES ACTIVATION

Any account that remains outstanding for more than 30 days, may be added to the property taxes in accordance with Section 252(2) of *The Municipal Act*. Because water and sewer services may be provided and billed to a tenant, information about accounts outstanding may be shared with the property owner.

15. DEPOSIT FEE

The initial deposit for water connection and service shall be \$50.00 for domestic and commercial users.

16. PRIVATE SEPTIC LINES (LOW PRESSURE SEWER SYSTEM)

The cost of construction and connection of private septic lines (low pressure sewer system) from the outside face of the building and/or holding tank to the sewer main and/or manhole including surface restoration shall be the total responsibility of the property owner.

17. OVERSIZE METER CHARGE

In situations where the client insists on a larger than required meter, the client shall be invoiced for the difference in cost between the requested meter and the required meter.

Meter Size	Charge
5/8"	\$0.00
3/4"	\$50.00
1"	\$115.00
1 1/2 "	\$295.00

Meter Size	Charge
2"	\$400.00
3"	\$1,445.00
4"	\$2,355.00
6"	\$4,155.00