

**THE RURAL MUNICIPALITY OF MACDONALD**

**BY-LAW NO. 6/15**

BEING A BY-LAW OF THE RURAL MUNICIPALITY OF  
MACDONALD to establish water and sewer rates within  
the said Municipality.

WHEREAS the Rural Municipality of Macdonald owns and operates a water facility and community sewer systems within the limits of the said municipality;

AND WHEREAS Part 7, By-Laws: General Jurisdiction, of the Municipal Act, S.M. 1996, c.58 - Cap. M225, Section 232 (1) provides as follows:

**Spheres of jurisdiction**

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

- (a) the safety, health, protection and well-being of people, and the safety and protection of property;
- (b) .....
- (l) public utilities;
- (m).....

**Exercising by-law making powers**

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

- (a) regulate or prohibit;
- (b) .....
- (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;
- (e) .....

AND WHEREAS Part 8, Corporate Powers, of the Municipal Act, S.M. 1996, c.58 - Cap. M225, Section 232 (1) provides as follows:

**Municipality is a corporation**

250 (1) A municipality is a corporation and, subject to this Act, has the rights and is subject to the liabilities of a corporation and may exercise its powers for municipal purposes.

**General Powers**

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

- (a) acquire, hold, mortgage and dispose of land, improvements and personal property, or an interest in land, improvements and personal property;
- (b) construct, operate, repair, improve and maintain works and improvements;
- (c) acquire, establish, maintain and operate services, facilities and utilities;
- (d) .....

**Powers respecting works, services utilities**

252 (1) A municipality exercising 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 or 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.

**Collection of Fees**

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.



**1.0 SCHEDULE OF QUARTERLY RATES**

Effective: April 1, 2016

<b>Single Step Rate Structure</b>	<b>Administration Fee (quarterly)</b>	<b>Water (per m3)</b>	<b>Sewer (per m3)</b>
Proposed Rates (All customers)	\$8.00	\$2.75	\$1.30
Bulk Water Rate		\$2.75	
Bulk Septage Fee			\$3.80

**2.0 MINIMUM CHARGES PER QUARTER**

Notwithstanding the commodity rates set forth in Section 1 hereof, all customers shall pay the applicable minimum charges set out below, which include water allowance indicated;

Meter Size	Group Capacity Ratio	Water Included (m3)	Administrative Fee (quarterly)	Water Charge	Sewer Charge	Total
16 mm - 5/8"	1.00	14	\$8.00	\$38.50	\$18.20	\$64.70
19mm - 3/4"	2.00	28	\$8.00	\$77.00	\$36.40	\$121.40
25mm - 1"	4.00	56	\$8.00	\$154.00	\$72.80	\$234.80
38mm - 1 1/2"	10.00	112	\$8.00	\$308.00	\$145.60	\$461.60
50mm - 2"	25.00	224	\$8.00	\$616.00	\$291.20	\$915.20
75mm - 3"	45.00	448	\$8.00	\$1,232.00	\$582.40	\$1,822.40
100mm - 4"	90.00	896	\$8.00	\$2,464.00	\$1,164.80	\$3,636.80
150mm - 6"	170.00	1,792	\$8.00	\$4,928.00	\$2,329.60	\$7,265.60
200mm - 8"	300.00	3,584	\$8.00	\$9,856.00	\$4,659.20	\$14,523.20

**2.1 WATER ONLY CUSTOMERS**

For customers with water service only, quarterly minimums shown in Section 2 are thereof reduced by the Sewer Commodity Charge shown for the customer's meter size.

**2.2 SEWER ONLY CUSTOMERS**

For customers with sewer service only, volume of water used and volume of effluent returned to the sewer system are based on residential equivalent units; one unit being the volume of water estimated to be used by the average single family residence. A residential equivalency unit shall be 42 cubic meters of water per quarter. Commercial sewer only customers will be charged a residential equivalency based upon the amount of water they use.

**3.0 SERVICE TO OTHER MUNICIPALITIES**

The Council of the RM of Macdonald may sign agreements with another municipality or Service Area for the provision of water and sewer services to properties located outside the legal boundaries of the municipality. Such agreements shall provide for payment of the appropriate rates set out in the Schedule, as well as terms and conditions, including fees or other charges set by Council for providing the service.

**4.0 BILLING AND PENALTIES**

Accounts shall be billed quarterly and shall be due and payable at least fourteen (14) days after date of billing. A penalty equal to 1.25% per month of the amount outstanding shall be added if not paid by the due date.

**5.0 DISCONNECTION DUE TO NONPAYMENT**

Customer disconnection shall follow the disconnection procedure as described in PUB Order 39/09:

- i. Customers shall receive a billing statement each billing cycle for services. The due date which appears on the bill shall be no less than 14 days after the billing date.
- ii. If payment is not received within 31 days from the last billing date, notice will be provided.
- iii. If payment is not received within 45 days of the last billing date, a second and final reminder notice shall be provided indicating the disconnection date. A disconnection fee of \$50.00 will be assessed.

**5.1 DISCONNECTION EXCEPTIONS**

The following are exceptions to the above notice requirements prior to disconnection:

- a. Where the customer's account was past due and where a payment arrangement was made and subsequently broken, the R. M. of Macdonald 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 R. M. of Macdonald may, with 10 days notice, disconnect the customer's service at the new premise if the customer fails to make a payment arrangement.

**6.0 RECONNECTION**

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

**6.1 RECONNECTION OF A REQUESTED DISCONNECTION**

Any customer wishing to have billings discontinued due to vacancy of premises shall be required to pay two times the minimum quarterly water billing to have service resume. This reconnection fee is to be based upon the customers connected service(s).

**7.0 OUTSTANDING BILLS**

Pursuant to section 252(2) of the Municipal Act, the amount of all outstanding charges for water and sewer service may be collected by the municipality in the same manner as a tax may be collected or enforced under this Act.

**8.0 HYDRANT RENTALS**

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

**9.0 WATER METERS**

- a. The R. M. of Macdonald shall supply an appropriate size water meter.
- b. The meter shall be installed by the R. M. of Macdonald and the costs shall be the responsibility of the property owner.
- c. The meter shall be installed above the floor as approved by the Municipality.
- 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.
- i. The charge to remove a meter for testing at the request of a customer shall be \$100.00 plus any charges incurred for the testing of said meter. Should the meter test indicate that the meter is faulty, the charges will be waived.
- j. Where there is evidence of meter tampering, a minimum charge of \$500.00 will be applied to any account plus the value of the estimated unmetered water consumed.

**10.0 ESTIMATING CONSUMPTIONS**

Where a meter is found not in use or out of proper working order or the scheduled reading is not obtained, or where no meter is installed, the Chief Administrative Officer shall estimate the consumption of water used for any quarter or other period based on the amount of water consumed during the time the meter was working or from any other information or source available, and such estimate shall be the basis for billing the customer for water used.

**11.0 WATER ALLOWANCE DUE TO LINE FREEZING**

At the request of the Council, a customer may be requested to run water continuously for a period of time to prevent the water distribution lines from freezing. The charge incurred to the 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.