THE CORPORATION OF THE TOWN OF SOUTH BRUCE PENINSULA

BY-LAW NUMBER 41-2012

Being a By-Law to Set Prices and Time of Payment for Use of Municipal Water, Establish and Impose Sewage Service Rate and Time for Payment in Those Areas with Town Sewer and Water Services

WHEREAS Section 1(1) of the Municipal Act, 2001, Chapter 25, as amended, provides that a public utility is defined as a system providing water and sewage services to the public;

AND WHEREAS Section 11 of the Municipal Act, 2001, Chapter 25, as amended, provides that a lower-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public including passing by-laws respecting public utilities within their sphere of jurisdiction;

AND WHEREAS Section 391(1) of the Municipal Act, 2001, Chapter 25, as amended, permits a municipality to impose fees or charges on persons for services or activities provided or done by or on behalf of it;

AND WHEREAS Section 398(1) of the Municipal Act, 2001, Chapter 25, as amended, provides that fees and charges imposed by a municipality on a person constitutes a debt of the person to the municipality;

AND WHEREAS Section 398(2) of the Municipal Act, 2001, Chapter 25, as amended, provides that the treasurer of a municipality may add fees and charges to the tax roll of the property to which the public utility was supplied and collect them in the same manner as municipal taxes;

AND WHEREAS properties serviced by the Wiarton Water and Sanitary Sewer Systems shall be bound and responsible for service rates for use of municipal water and sanitary sewer services;

AND WHEREAS properties serviced by the Amabel-Sauble Water System shall be bound and responsible for service rates for use of municipal water services;

AND WHEREAS the Council of the Corporation of the Town of South Bruce Peninsula deem it desirable to set prices and time of payment for use of municipal water, establish and impose a sanitary sewer rate and time for payment for properties serviced by water and/or sanitary sewer;

NOW THEREFORE the Corporation of the Town of South Bruce Peninsula enacts as follows:
1. **Short Title**

That the short title for this By-Law shall be “Water Rates By-Law”.

2. **Definitions**

For the purposes of this by-law, the following definitions shall apply:

*Amabel-Sauble Water System*
Shall mean the water systems served by the Foreman, Huron Woods, Oliphant, and Sauble Beach water treatment plants at a minimum as described in By-Law 92-2001

*Frostline Lines*
Shall mean a property serviced by a water service connection above the frostline (1.2m), where the owner has been requested by the Town to leave a tap dripping from Dec 1 to March 31 to prevent waterline freezing

*Serviced Property*
A property with the potential to connect to a water service connection or connected to a water service connection and/or sanitary lateral connection

*Town*
Shall mean the Corporation of the Town of South Bruce Peninsula

*Water Meter*
Shall mean the water meter supplied and owned by the Town to measure the quantity of water used by the consumer

*Water Service Connection*
Shall mean a pipe connected to municipal water, terminating at the property line

*Wiarton Water System*
Shall mean the water supply system and the water treatment plant located in the community of Wiarton

*Wiarton Sanitary System*
Shall mean the sanitary sewer collection system and the Wiarton Wastewater Treatment Plant located in the community of Wiarton

3. **THAT** Schedule ‘A’ Wiarton Water System and Wiarton Sanitary Rates as attached hereto be adopted for the former Town of Wiarton.

4. **THAT** Schedule ‘B’ Amabel-Sauble Water Rates as attached hereto be adopted for the former Township of Amabel.
5. **THAT** billing for water will be made on a monthly basis and non-payment of the monthly billing on the due date specified therein shall result in a penalty of 1 1/4 percent being added and, thereafter, a penalty of 1 1/4 percent will be added on the first day of each and every month the default continues.

6. **THAT** the rates herein shall come into effect May 1, 2012.

7. **THAT** Schedules “A” and “B” may be updated annually based on Statistics Canada Inflation Rates.

8. **THAT** any other by-laws inconsistent with this by-law are hereby rescinded.

9. **THAT** this by-law shall come into full force and effect upon the final passing thereof.

**READ a FIRST and SECOND time this 20th day of March, 2012.**

[Signature]

**READ a THIRD time and FINALLY PASSED this 20th day of March, 2012.**

[Signature]
SCHEDULE ‘A’
TO BY-LAW NUMBER 41-2012
Wiarton Water and Sanitary Sewer Rates

(Amount Billed Monthly)

**Fixed Water Charge**
Applies to all Serviced Properties
$240/year = $20/month

**Metered Water Use**
Up to 18 m³/month $0.90/m³
Beyond 18.01 m³/month $4.11/m³

**Fixed Sanitary Charge**
Applies to all connected serviced properties
$240/year = $20/month

**Metered Sanitary Use**
Based on 80% of metered water consumption
Up to 18 m³/month $0.72/m³
Beyond 18.01 m³/month $3.29/m³

**Special Charges**
(Above the fixed water and sanitary charges)

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Rate Per Year</th>
<th>Rate Per Month</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Flat Rate - No Meter Approved By Town</td>
<td>$795.00</td>
<td>$66.25</td>
</tr>
<tr>
<td>Water Flat Rate – Refusal to Install</td>
<td>$1,488.00</td>
<td>$124.00</td>
</tr>
<tr>
<td>Sewer Flat Rate – No meter or no municipal water service</td>
<td>$636.00</td>
<td>$53.00</td>
</tr>
<tr>
<td>Sewer Flat Rate – Refusal to Install</td>
<td>$1,190.40</td>
<td>$99.20</td>
</tr>
<tr>
<td>Water Flat Rate – No meter, under Construction, from date of below grade inspection to meter installation</td>
<td>Dependent on months to construct</td>
<td>$9.94</td>
</tr>
</tbody>
</table>

Frostline Lines
Winter Rate (December 1 to March 31)
Average of October & November consumption billed every month from December to March
SCHEDULE ‘B’
TO BY-LAW NUMBER 41-2012
Amabel-Sauble Water Rates

(Amount Billed Monthly)

**Fixed Water Charge**
Applies to all Serviced Properties
$300/year = $25/month

**Metered Water Use**
Up to 7 m³/month $5.00/m³
Beyond 7.01 m³/month $10.77/m³

**Special Charges**
(Above the fixed water charge)

<table>
<thead>
<tr>
<th>Special Charge</th>
<th>Rate Per Year</th>
<th>Rate Per Month</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Flat Rate - No Meter Approved By Town</td>
<td>$2,916.00</td>
<td>$243.00</td>
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<tr>
<td>Water Flat Rate – Refusal to Install</td>
<td>$5,832.00</td>
<td>$486.00</td>
</tr>
<tr>
<td>Water Flat Rate – No meter, under Construction, from date of below grade inspection to meter installation</td>
<td>Dependent on months to construct</td>
<td>$20.00</td>
</tr>
</tbody>
</table>

Frostline Lines
Winter Rate (December 1 to March 31) Average of October & November
consumption billed every month from December to March