

# TOWN OF ALTONA

## BY-LAW NO. 1809/2023

BEING A BY-LAW OF THE TOWN OF ALTONA TO AMEND BY-LAW NO. 1798/2021 WHICH PROVIDED FOR A "PASS THROUGH" WATER RATE INCREASE TO ESTABLISHED WATER AND SEWER RATES APPROVED ON BY-LAW NO. 1753/2016.

WHEREAS The Town of Altona completed a water and sewer rate study and passed By-Law No. 1753/2016 to establish revised water and sewer rates effective January 1, 2018, 2019 and 2020;

AND WHEREAS Section 232 (1) and (2) of the "Municipal Act", S.M. 1996, c. 58, provides in part as follows:

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;

AND WHEREAS the Pembina Valley Water Co-op applied for and received approval from the Public Utilities Board under Order No. 138/22 which was varied under Order No. 140/22 to allow Member Utilities to pass through the water rate revisions including changes in the rate of water losses:

- a) A rate increase of \$.38 to \$9.91 per 1,000 gallons effective January 1<sup>st</sup>, 2023
- b) A rate increase of \$1.17 to \$11.08 per 1,000 gallons effective January 1<sup>st</sup>, 2024
- c) A rate increase of \$.29 to \$11.37 per 1,000 gallons effective January 1<sup>st</sup>, 2025
- d) A rate increase of \$.31 to \$11.68 per 1,000 gallons effective January 1<sup>st</sup>, 2026
- e) A rate increase of \$.33 to \$12.01 per 1,000 gallons effective January 1<sup>st</sup>, 2027

AND WHEREAS The Town of Altona passed By-law No. 1771/2019 which provided for a "pass-through" water rate increase for 2019, 2020 and 2021 based on the increase in the cost of water purchased from the Pembina Valley Water Co-op;

AND WHEREAS The Town of Altona passed By-law No. 1798/2021 which provided for a "pass-through" water rate increase for 2022 based on the increase in the cost of water purchased from the Pembina Valley Water Co-op;

AND WHEREAS the Pembina Valley Water Co-op has notified the Town of Altona that they will be increasing their water rates effective January 1<sup>st</sup>, 2023, 2024, 2025, 2026 and 2027 as approved by The Public Utilities Board Order No.'s 138/22 and 140/22;

AND WHEREAS the Public Utilities Board (PUB) has advised the Town of Altona that the Municipality only needs to inform its water utility customers and the PUB of the Municipality's intention to "pass through" the rate changes;

AND WHEREAS Council feels that it is in the best interest of the Town of Altona to proceed with a "pass through" water rate increase to cover the additional costs;

NOW THEREFORE THE COUNCIL OF THE TOWN OF ALTONA IN SESSION DULY ASSEMBLED, HEREBY ENACTS A BY-LAW AS FOLLOWS:

- 1) THAT By-Law No. 1798-2021 of the Town of Altona, IS HEREBY AMENDED to provide for the "pass through" of the Pembina Valley Water Co-op's increases to the wholesale water purchase price for 2023, 2024, 2025, 2026 and 2027 for the Town of Altona Water & Sewer Utility and Bulk Loading Station approved in accordance with The Public Utilities Board Order No.'s 138/22 and 140/22.
- 2) THAT all accounts for minimum quarterly charges for metered services as set forth in the Schedule of Quarterly Rates shall be billed quarterly. Consumers shall pay for water and sewer service supplied to them by the Town of Altona at the rates and terms set out in Schedule "A" attached hereto and forming part of this by-law.
- 3) THAT the Town of Altona reserves the right to discontinue the supply of water for fountains, jets, hoses and sprinklers, or to limit the hours for use of the same, whenever, at the discretion of Council it is in the best interests of the public to do so.
- 4) THAT no person, other than the Fire Chief or someone acting on his/her behalf, or a representative of the Town duly authorized in writing by the Town Chief Administrative Officer, shall open or use any fire hydrant, either for construction purposes, street cleaning, or any other purpose.
- 5) THAT the meter shut off valve inside premises serviced with water by the Town, shall be readily accessible and not used by the owner except for the protection of the premises. No person shall tamper with the meter or cause the water supply to bypass the meter. All pipes and valves inside the premises shall be kept in good repair by the owner or occupant. Any damage through neglect or otherwise, by a contractor for the owner or occupant, to the water service pipes from the street to the premises including the meter shall be the responsibility of the owner or occupant.
- 6) THAT no person shall wilfully or maliciously hinder or cause to hinder the Town or its representative in the exercise of their duties in relation to the operation and maintenance of the water or sewer system.
- 7) THAT any person violating any provision of this by-law shall:
  - a) be guilty of an offence and, upon conviction, liable to a fine in accordance with the Town of Altona "Fines and Penalties" By-law and costs for each violation;

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- b) be liable to the Town of Altona for any expense, loss or damage suffered by the Town as a result of the violation;
- c) be liable for the repairs and costs of the repairs to the system as a result of the violation. If that person is in default of effecting the repairs, the Town may effect the repairs and charge the cost thereof to that persons, or add the cost to property taxes and collect those property taxes in the same manner as other property taxes.

8) This by-law shall come into force and be effective after third and final reading.

PASSED AND ENACTED BY THE TOWN OF ALTONA IN COUNCIL DULY ASSEMBLED  
THIS 24<sup>th</sup> day of January, 2023.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

Read a first time this 10<sup>th</sup> day of January, 2023.

Read a second time this 10<sup>th</sup> day of January, 2023

Read a third time this 24<sup>th</sup> day of January, 2023

**TOWN OF ALTONA  
WATER & SEWER UTILITY RATES BY-LAW NO. 1809/2023  
SCHEDULE "A"  
SCHEDULE OF QUARTERLY RATES**

1. Schedule of Commodity Rates &

January 1, 2023

Quarterly Service Charge

Rates per 1,000 Gallons

1,000 Gallons per quarter

|         |         |               |
|---------|---------|---------------|
| Water   | Sewer   | Water & Sewer |
| \$13.75 | \$10.71 | \$24.46       |

Quarterly Service Charge

\$33.84

2. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges per quarter set out below, which includes the water allowance as listed.

**a. Water & Sewer Customers**

| Meter Size | Group Capacity Ratio | Water Included Gallons | Customer Service Charge | Water Commodity Charge | Sewer Commodity Charge | Water & Sewer Total Quarterly Minimum |
|------------|----------------------|------------------------|-------------------------|------------------------|------------------------|---------------------------------------|
| 5/8 inch   | 1                    | 3,000                  | \$33.84                 | \$41.25                | \$32.13                | \$107.22                              |
| ¾ inch     | 2                    | 6,000                  | \$33.84                 | \$82.50                | \$64.26                | \$180.60                              |
| 1 inch     | 4                    | 12,000                 | \$33.84                 | \$165.00               | \$128.52               | \$327.36                              |
| 1 ½ inch   | 10                   | 30,000                 | \$33.84                 | \$412.50               | \$321.30               | \$767.64                              |
| 2 inch     | 25                   | 75,000                 | \$33.84                 | \$1,031.25             | \$803.25               | \$1,868.34                            |
| 3 inch     | 45                   | 135,000                | \$33.84                 | \$1,856.25             | \$1,445.85             | \$3,335.94                            |
| 4 inch     | 90                   | 270,000                | \$33.84                 | \$3,712.50             | \$2,891.70             | \$6,638.04                            |

**b. Water Only Customers**

The minimum charge will be the same for each meter size as shown above but the Sewer Commodity Charge will be excluded.

**c. Sewer Only For Residential Customers:**

The sewer only charge is based on quarterly consumption of 12,500 gallons plus the quarterly customer service charge.

The quarterly charge for sewer only customers is  $(12.5 \times 10.71) + \$33.84 = \$167.72$ .

**d. Bulk Water Sales**

All water sold in bulk by the Town of Altona will be charged at the rate of \$15.61 per 1,000 gallons or \$.25 per 16.0 gallons.

3. Schedule of Commodity Rates &

January 1, 2024

Quarterly Service Charge

Rates per 1,000 Gallons

1,000 Gallons per quarter

|         |         |               |
|---------|---------|---------------|
| Water   | Sewer   | Water & Sewer |
| \$14.92 | \$10.71 | \$25.63       |

Quarterly Service Charge

\$33.84

4. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges per quarter set out below, which includes the water allowance as listed.

a. **Water & Sewer Customers**

| Meter Size | Group Capacity Ratio | Water Included Gallons | Customer Service Charge | Water Commodity Charge | Sewer Commodity Charge | Water & Sewer Total Quarterly Minimum |
|------------|----------------------|------------------------|-------------------------|------------------------|------------------------|---------------------------------------|
| 5/8 inch   | 1                    | 3,000                  | \$33.84                 | \$44.76                | \$32.13                | \$110.73                              |
| ¾ inch     | 2                    | 6,000                  | \$33.84                 | \$89.52                | \$64.26                | \$187.62                              |
| 1 inch     | 4                    | 12,000                 | \$33.84                 | \$179.04               | \$128.52               | \$341.40                              |
| 1 ½ inch   | 10                   | 30,000                 | \$33.84                 | \$447.60               | \$321.30               | \$802.74                              |
| 2 inch     | 25                   | 75,000                 | \$33.84                 | \$1,119.00             | \$803.25               | \$1,956.09                            |
| 3 inch     | 45                   | 135,000                | \$33.84                 | \$2,014.20             | \$1,445.85             | \$3,493.89                            |
| 4 inch     | 90                   | 270,000                | \$33.84                 | \$4,028.40             | \$2,891.70             | \$6,953.94                            |

b. **Water Only Customers**

The minimum charge will be the same for each meter size as shown above but the Sewer Commodity Charge will be excluded.

c. **Sewer Only For Residential Customers:**

The sewer only charge is based on quarterly consumption of 12,500 gallons plus the quarterly customer service charge.

The quarterly charge for sewer only customers is  $(12.5 \times 10.71) + \$33.84 = \$167.72$ .

d. **Bulk Water Sales**

All water sold in bulk by the Town of Altona will be charged at the rate of \$16.78 per 1,000 gallons or \$.25 per 14.9 gallons.

5. Schedule of Commodity Rates &

January 1, 2025

Quarterly Service Charge

Rates per 1,000 Gallons

1,000 Gallons per quarter

|         |         |               |
|---------|---------|---------------|
| Water   | Sewer   | Water & Sewer |
| \$15.21 | \$10.71 | \$25.92       |

Quarterly Service Charge

\$33.84

6. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges per quarter set out below, which includes the water allowance as listed.

a. **Water & Sewer Customers**

| Meter Size | Group Capacity Ratio | Water Included Gallons | Customer Service Charge | Water Commodity Charge | Sewer Commodity Charge | Water & Sewer Total Quarterly Minimum |
|------------|----------------------|------------------------|-------------------------|------------------------|------------------------|---------------------------------------|
| 5/8 inch   | 1                    | 3,000                  | \$33.84                 | \$45.63                | \$32.13                | \$111.60                              |
| ¾ inch     | 2                    | 6,000                  | \$33.84                 | \$91.26                | \$64.26                | \$189.36                              |
| 1 inch     | 4                    | 12,000                 | \$33.84                 | \$182.52               | \$128.52               | \$344.88                              |
| 1 ½ inch   | 10                   | 30,000                 | \$33.84                 | \$456.30               | \$321.30               | \$811.44                              |
| 2 inch     | 25                   | 75,000                 | \$33.84                 | \$1,140.75             | \$803.25               | \$1,977.84                            |
| 3 inch     | 45                   | 135,000                | \$33.84                 | \$2,053.35             | \$1,445.85             | \$3,533.04                            |
| 4 inch     | 90                   | 270,000                | \$33.84                 | \$4,106.70             | \$2,891.70             | \$7,032.24                            |

b. **Water Only Customers**

The minimum charge will be the same for each meter size as shown above but the Sewer Commodity Charge will be excluded.

c. **Sewer Only For Residential Customers:**

The sewer only charge is based on quarterly consumption of 12,500 gallons plus the quarterly customer service charge.

The quarterly charge for sewer only customers is  $(12.5 \times 10.71) + \$33.84 = \$167.72$ .

d. **Bulk Water Sales**

All water sold in bulk by the Town of Altona will be charged at the rate of \$17.07 per 1,000 gallons or \$.25 per 14.6 gallons.

7. Schedule of Commodity Rates &

**January 1, 2026**

Quarterly Service Charge

Rates per 1,000 Gallons

1,000 Gallons per quarter

|         |         |               |
|---------|---------|---------------|
| Water   | Sewer   | Water & Sewer |
| \$15.52 | \$10.71 | \$26.23       |

Quarterly Service Charge

\$33.84

8. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges per quarter set out below, which includes the water allowance as listed.

**a. Water & Sewer Customers**

| Meter Size | Group Capacity Ratio | Water Included Gallons | Customer Service Charge | Water Commodity Charge | Sewer Commodity Charge | Water & Sewer Total Quarterly Minimum |
|------------|----------------------|------------------------|-------------------------|------------------------|------------------------|---------------------------------------|
| 5/8 inch   | 1                    | 3,000                  | \$33.84                 | \$46.56                | \$32.13                | \$112.53                              |
| ¾ inch     | 2                    | 6,000                  | \$33.84                 | \$93.12                | \$64.26                | \$191.22                              |
| 1 inch     | 4                    | 12,000                 | \$33.84                 | \$186.24               | \$128.52               | \$348.60                              |
| 1 ½ inch   | 10                   | 30,000                 | \$33.84                 | \$465.60               | \$321.30               | \$820.74                              |
| 2 inch     | 25                   | 75,000                 | \$33.84                 | \$1,164.00             | \$803.25               | \$2,001.09                            |
| 3 inch     | 45                   | 135,000                | \$33.84                 | \$2,095.20             | \$1,445.85             | \$3,574.89                            |
| 4 inch     | 90                   | 270,000                | \$33.84                 | \$4,190.40             | \$2,891.70             | \$7,115.94                            |

**b. Water Only Customers**

The minimum charge will be the same for each meter size as shown above but the Sewer Commodity Charge will be excluded.

**c. Sewer Only For Residential Customers:**

The sewer only charge is based on quarterly consumption of 12,500 gallons plus the quarterly customer service charge.

The quarterly charge for sewer only customers is  $(12.5 \times 10.71) + \$33.84 = \$167.72$ .

**d. Bulk Water Sales**

All water sold in bulk by the Town of Altona will be charged at the rate of \$17.38 per 1,000 gallons or \$.25 per 14.4 gallons.

9. Schedule of Commodity Rates &

January 1, 2027

Quarterly Service Charge

Rates per 1,000 Gallons

1,000 Gallons per quarter

|         |         |               |
|---------|---------|---------------|
| Water   | Sewer   | Water & Sewer |
| \$15.85 | \$10.71 | \$26.56       |

Quarterly Service Charge

\$33.84

10. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges per quarter set out below, which includes the water allowance as listed.

**a. Water & Sewer Customers**

| <u>Meter Size</u> | <u>Group Capacity Ratio</u> | <u>Water Included Gallons</u> | <u>Customer Service Charge</u> | <u>Water Commodity Charge</u> | <u>Sewer Commodity Charge</u> | <u>Water &amp; Sewer Total Quarterly Minimum</u> |
|-------------------|-----------------------------|-------------------------------|--------------------------------|-------------------------------|-------------------------------|--|
| 5/8 inch          | 1                           | 3,000                         | \$33.84                        | \$47.55                       | \$32.13                       | \$113.52   |
| ¾ inch            | 2                           | 6,000                         | \$33.84                        | \$95.10                       | \$64.26                       | \$193.20   |
| 1 inch            | 4                           | 12,000                        | \$33.84                        | \$190.20                      | \$128.52                      | \$352.56   |
| 1 ½ inch          | 10                          | 30,000                        | \$33.84                        | \$475.50                      | \$321.30                      | \$830.64   |
| 2 inch            | 25                          | 75,000                        | \$33.84                        | \$1,188.75                    | \$803.25                      | \$2,025.84                                       |
| 3 inch            | 45                          | 135,000                       | \$33.84                        | \$2,139.75                    | \$1,445.85                    | \$3,619.44                                       |
| 4 inch            | 90                          | 270,000                       | \$33.84                        | \$4,279.50                    | \$2,891.70                    | \$7,205.04                                       |

**b. Water Only Customers**

The minimum charge will be the same for each meter size as shown above but the Sewer Commodity Charge will be excluded.

**c. Sewer Only For Residential Customers:**

The sewer only charge is based on quarterly consumption of 12,500 gallons plus the quarterly customer service charge.

The quarterly charge for sewer only customers is  $(12.5 * 10.71) + \$33.84 = \$167.72$ .

**d. Bulk Water Sales**

All water sold in bulk by the Town of Altona will be charged at the rate of \$17.71 per 1,000 gallons or \$.25 per 14.1 gallons.



**The following clauses took effect January 1, 2018:**

11. Definitions

“Account Holder” or “Customer” – shall mean the person or persons receiving water and/or sewer services at a particular residence, commercial or industrial building, whether it is the Property Owner or Renter.

“Property Owner” – the person or persons listed on the title of a specific property.

“Renter” – the utility account holder/customer but is not the Property Owner of the subject property.

12. Quarterly Meter Reading

All customers shall complete and submit a quarterly meter reading by the end of the month in which it is mailed. Failure by any customer to complete and submit the quarterly meter reading by the due date will result in an estimate of the water consumption for that customer for the specified quarter. The estimate shall be based on the average consumption per quarter in the previous year, or in the case of a new customer the estimate shall be based on the average quarterly residential consumption.

In any situation where a customer provides a reading that is not the actual meter reading, such customer shall be subject to the estimation charge as stated in this section.

All estimated readings shall be subject to a \$20.00 administration fee. Should a customer wish to dispute an estimated reading, a request to waive the fee must be submitted to the Manager of Finance. Customers may appeal the Manager of Finance’s decision in writing to Council.

13. Disconnection and Reconnection

The Town shall charge a fee as shown below for a reconnection or a disconnection of a service, if requested by the customer.

Service may be interrupted or disconnected as follows:

|                          |  |
|--------------------------|--|
| Curb Stop Turn-on        | \$40 for the first ½ hour, thereafter as per Fees & Charges By-law |
| Curb stop Turn-off       | \$40 for the first ½ hour, thereafter as per Fees & Charges By-law |
| Meter Removal            | \$40 for the first ½ hour, thereafter as per Fees & Charges By-law |
| Re-installation of Meter | \$40 for the first ½ hour, thereafter as per Fees & Charges By-law |

The Public Utilities Board has approved the Conditions Precedent to be followed by the Town 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 Town of Altona office.

14. Billings And Penalties

Accounts shall be billed quarterly and will be due and payable not less than fourteen (14) days after the date of billing. A late payment charge of 1.25% per month shall be charged on the dollar amount owing after the billing due date.

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The Town may bill large industrial users monthly and the quarterly service charge and minimum charges shall be pro-rated accordingly.

In the event that an account remains outstanding, the account may be transferred to the property tax account of the property in respect of which the water and/or sewer account is unpaid, by the Manager of Finance of the Town, to be collected as ordinary property taxes.

The following processes will be undertaken:

a) **Accounts where the Customer is the Owner of the Property:**

For those accounts where the customer is the owner of the property, the arrears amount owing after the final due date within the current fiscal year shall automatically be transferred to the corresponding property tax roll account no later than December 31st of the current fiscal year (ie. November 15th due date by December 31st) and said outstanding amount will be collected in the same manner as ordinary property taxes. Furthermore, the Town of Altona reserves the right to transfer unpaid accounts to the corresponding property tax roll account more frequently where special circumstances arise such as sale or abandonment of the property.

b) **Accounts where the Customer is not the Owner of the Property:**

For those accounts where the customer is not the owner of the property the following actions will be taken:

- i) A reminder bill and letter will be sent to the renter as well as the owner of the property, giving them a revised due date by which to pay the outstanding balance; and
- ii) If the outstanding balance has not been paid after the revised due date, then within ten business days, but no later than December 31st of the current fiscal year, after the revised due date any outstanding balance shall automatically be added to the corresponding tax roll account and said outstanding balance shall be collected in the same manner as ordinary property taxes.

### 15. Service To Customers Outside Town Limits

The Council of Town of Altona may sign Agreements with customers for the provision of water and/or sewer services to properties located outside the boundaries of Town. Such Agreements shall provide for payment of the appropriate rates set out in the Schedule, as well as a surcharge, set by Resolution of Council, which shall be equivalent to the frontage levy, general taxes, and special taxes for the Utility purposes in effect at the time or may be in effect from time to time, and which would be levied on the property concerned if it were within Town boundaries. In addition, all costs of connecting to the Utility's mains, and installing and maintaining service connections, will be paid by the customer.

### 16. Hydrant Charges

The Town of Altona or any other hydrant owner will pay to the Utility an annual fee of \$150.00 for each hydrant connected to the system which shall include the cost of water used for firefighting.

**17. Sewer Surcharges**

a) There may be levied annually, in addition to the 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 waste.

**18. Meter Testing**

That in any case where a utility customer requests that a meter be tested for accuracy, the customer will provide the Town with a deposit of \$200. The Town will then remove the subject meter and send it to an independent lab for testing. If the meter is found to be faulty, all costs associated with the testing process will be borne by the Town and the deposit will be refunded to the customer. If the meter is found to be in proper working order, all costs associated with the testing process will be borne by the customer and the customer will be billed or refunded any balance owing.

**19. Wastewater Sewer Meter**

The Town may enter into written agreements with large volume wastewater customers that provides for the customer to install a Town approved wastewater sewer meter at the customer's expense with wastewater volumes for billing purposes then determined by the wastewater meter. The agreement must provide that the wastewater meter is calibrated at the customer's cost on a schedule recommended by the meter manufacturer or if no schedule is available, then annually, with proof of calibration supplied to the Town.

**20. Cross Connections**

No customer or person shall connect, cause to be connected or allow to remain connected any piping, fixture, fitting, container or appliance in a manner which under any circumstances may allow water, wastewater or any harmful liquid or substance to enter the Town's water system. If a condition is found to exist which, in the opinion of the Town, is contrary to the aforesaid, the Town may either:

Shut off the service or services; or

Give notice to the customer to correct the fault at his or her own expense within a specified time period.

**21. Conditions of Disrepair**

In the event that there are conditions of disrepair in the sewer and water works on a property that detrimentally affects the system as a whole and, upon the failure of the owner of the property to correct the condition within a reasonable time, the Town, or its agents, may enter the property, effect repairs and charge the cost thereof against the subject property as ordinary taxes.

**22. Authorization For Officer To Enter Upon Premises**

The Public Works Manager, or other employee authorized by the Town in the absence of the Public Works Manager, shall be authorized to enter upon any premise for the purpose of: Affixing to any pipe, wire or apparatus connected with any such utility, a meter or any other measuring or testing device; or taking readings from, repairing, inspecting or removing any meter or apparatus belonging to the Town.