

**TOWN OF ALTONA  
BY-LAW NO. 1746/2016**

**Being a by-law of the Town of Altona to establish water and sewer rates within Altona.**

WHEREAS the Town of Altona owns and operates a water and sewer facility within the limits of the boundaries of the Town of Altona;

AND WHEREAS under Section 252(1) of the Municipal Act, a municipality which operates a sewage system may, subject to the approval of the Public Utilities Board pass by-laws for charging persons who own or occupy land that is drained into the common sewer;

AND WHEREAS under Section 252(1) of the Municipal Act, a municipality may, subject to the approval of the Public Utilities Board pass by-laws fixing the price, rate or rent, which any owner or occupant of land using water of the municipality obtained from its water system is to pay therefore;

AND WHEREAS under Section 252(1) of the Municipal Act, a municipality is empowered to install, remove or alter the position of water meters and fix the price to be paid for the use of any such meter, including the times and terms of payment;

AND WHEREAS the Public Utilities Board of Manitoba has a method of allowing 'Flow Through Increases' without the formality of a complete water and sewer rate study;

NOW THEREFORE BE IT AND IT IS HEREBY PASSED AND ENACTED as a by-law of the Town of Altona, in council duly assembled as follows:

THAT By-law No. 1735/2014, enacted by the Town of Altona on December 9, 2014 and all amending by-laws thereto, are hereby repealed.

THAT the Town of Altona, in response to a formal application shall provide, disconnect and/or remove a water meter from a premise within the boundaries of the Town of Altona.

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 services 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. No reduction in minimum rates will be made because of the stoppage of water supply due to frozen service lines or frozen pipes inside the premises of the owner of the property without just cause.

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 the use of the same, whenever at the discretion of the Council it is in the best interests of the public.

THAT no person, other than the Fire Chief or someone acting on his behalf, or a representative of the Town of Altona unless duly authorized in writing by the Chief Administrative Officer, shall open or use any fire hydrant, either for purposes of construction, street cleaning or any other purpose.

THAT no person shall willfully or maliciously hinder or cause to hinder the Town of Altona or its representatives in the exercise of their duties in relation to the operation and maintenance of the water and sewage systems.

THAT the meter and shut-off valve inside the premises 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 by-pass 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.

THAT any person violating any provisions of this by-law shall:

1. Be guilty of an offence and upon conviction thereof, liable to a fine in accordance with the Town of Altona 'Fines and Penalties' By-law and costs for each violation.
2. Be liable to the Town of Altona for any expense suffered by the Town as a result of the violation.
3. Be liable for the repairs and costs of 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 person, or add the cost to the taxes and collect the same in the same manner as ordinary taxes.

THAT this by-law shall come into force and become effective on, from and after both the approval of the Public Utilities Board and receipt of third and final reading thereof and that the revised water rates be effective as of January 1<sup>st</sup>, 2016.

PASSED AND ENACTED by the Town of Altona, In Council duly assembled this 26<sup>th</sup> day of January, 2016.



Mayor



Chief Administrative Officer

Read a first time this 12<sup>th</sup> day of January, 2016.

Read a second time this 26<sup>th</sup> day of January, 2016.

Read a third time this 26<sup>th</sup> day of January, 2016.

**SCHEDULE "A" TO BY-LAW NO. 1746/2016  
TOWN OF ALTONA  
WATER AND SEWER RATES**

**1. Definitions**

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

**Account Holder/Customer** – the person(s) receiving water and/or sewer services at a particular residence, whether it is the property owner or renter.

**Property Owner** – the person(s) listed on the title of a specific property.

**Renter** – the utility account holder/customer but is not the property owner of the subject property.

**2. Commodity Rates per 1000 gallons (effective January 1, 2015)**

	Water	Sewer	Water & Sewer
Charge per 1,000 gallons	12.38	6.25	18.63

**3. Minimum Quarterly Rates (effective January 1, 2015)**

Notwithstanding the commodity rates set forth in paragraph 3 hereof, all customers will pay the applicable minimum charges set out below, which will include the water allowances indicated:

a) Water & Sewer Customers

Meter Size (Inches)	Group Capacity Ratio	Minimum Quarterly Consumption	Service Charge	Commodity Rates		Minimum Quarterly Charges
				Water	Sewer	
5/8	1	3,000	\$ 21.50	\$ 37.14	\$ 18.75	\$ 77.39
3/4	2	6,000	\$ 21.50	\$ 74.28	\$ 37.50	\$ 133.28
1	4	12,000	\$ 21.50	\$ 148.56	\$ 75.00	\$ 245.06
1 1/4	10	30,000	\$ 21.50	\$ 371.40	\$ 187.50	\$ 580.40
1 1/2	10	30,000	\$ 21.50	\$ 371.40	\$ 187.50	\$ 580.40
2	25	75,000	\$ 21.50	\$ 928.50	\$ 468.75	\$ 1,418.75
3	45	135,000	\$ 21.50	\$ 1,671.30	\$ 843.75	\$ 2,536.55
4	90	270,000	\$ 21.50	\$ 3,342.60	\$ 1,687.50	\$ 5,051.60

b) Sewer Only Customers

Customers with sewer only shall be charged \$99.63 per quarter.

c) Water Only Customers

Customers with water only services shall be charged the minimum quarterly rate applicable to the customers meter size less the sewer charge.

**4. Commodity Rates per 1000 gallons (effective January 1, 2016)**

	<b>Water</b>	<b>Sewer</b>	<b>Water &amp; Sewer</b>
Charge per 1,000 gallons	12.55	6.25	18.80

**5. Minimum Quarterly Rates (effective January 1, 2016)**

Notwithstanding the commodity rates set forth in paragraph 3 hereof, all customers will pay the applicable minimum charges set out below, which will include the water allowances indicated:

a) Water & Sewer Customers

<b>Meter Size (Inches)</b>	<b>Group Capacity Ratio</b>	<b>Minimum Quarterly Consumption</b>	<b>Service Charge</b>	<b>Commodity Rates</b>		<b>Minimum Quarterly Charges</b>
				<b>Water</b>	<b>Sewer</b>	
5/8	1	3,000	\$ 21.50	\$ 37.65	\$ 18.75	\$ 77.90
3/4	2	6,000	\$ 21.50	\$ 75.30	\$ 37.50	\$ 134.30
1	4	12,000	\$ 21.50	\$ 150.60	\$ 75.00	\$ 247.10
1 1/4	10	30,000	\$ 21.50	\$ 376.50	\$ 187.50	\$ 585.50
1 1/2	10	30,000	\$ 21.50	\$ 376.50	\$ 187.50	\$ 585.50
2	25	75,000	\$ 21.50	\$ 941.25	\$ 468.75	\$ 1,431.50
3	45	135,000	\$ 21.50	\$ 1,694.25	\$ 843.75	\$ 2,559.50
4	90	270,000	\$ 21.50	\$ 3,388.50	\$ 1,687.50	\$ 5,097.50

b) Sewer Only Customers

Customers with sewer only shall be charged \$99.63 per quarter.

c) Water Only Customers

Customers with water only services shall be charged the minimum quarterly rate applicable to the customers meter size less the sewer charge.

6. **Customers with a significant volume of water not returned to the sewers**

Bunge Ltd., shall be billed quarterly for each meter for water and sewer at the rates set forth in this Schedule. However, sixty-five (65) percent of the water metered in any quarter through the three (3) inch meter supplying the following location shall be exempt from sewer charges on consumption over 500,000 gallons per quarter:

2<sup>nd</sup> St NW Utilities – account #15890.00 (Note: Accounts #'s 960400-0, 13020-0 and 12750-0 were consolidated to one 3" meter account with the construction of the new Plant)

7. **Bulk Sales**

All water sold in bulk by the Town of Altona shall be charged as follows:

Effective January 1<sup>st</sup>, 2015 - \$12.38 per 1,000 gallons or \$0.25 per 20.2 gallons

Effective January 1<sup>st</sup>, 2016 - \$12.55 per 1,000 gallons or \$0.25 per 19.9 gallons

8. **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 card 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.

**9. Disconnection and Reconnection**

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

Service may be interrupted or disconnected as follows:

Curb Stop Turn-on	\$35.00 for the first ½ hour, thereafter as per Fees & Charges By-law
Curb Stop Turn-off	\$35.00 for the first ½ hour, thereafter as per Fees & Charges By-law
Meter Removal	\$35.00 for the first ½ hour, thereafter as per Fees & Charges By-law
Re-installation of Meter	\$35.00 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 of Altona 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.

**10. Billings, Penalties and Outstanding Bills**

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.

In the event that an account remains outstanding the account may be transferred to the realty tax account of the property in respect of which the water account is unpaid, by the Manager of Finance of the Town, to be collected as ordinary realty taxes. The following processes will be taken:

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

For those accounts where the customer is the owner of the property the amount owing after the due date shall automatically be transferred to the corresponding tax roll account within two business days after the due date and said outstanding amount will be collected in the same manner as ordinary realty taxes.

**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 to 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 two business days after the revised due date any outstanding balance shall automatically be transferred to the corresponding tax roll account and said outstanding amount will be collected in the same manner as ordinary realty taxes.

#### **11. Hydrant Rentals**

The Town of Altona will pay to the Utility an annual rental for each hydrant connected to the system that includes the cost of water for firefighting as follows:

2016 - \$150.00 per hydrant

#### **12. 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.