

**MUNICIPALITY OF WESTLAKE-GLADSTONE
BY-LAW No. 2019-01**

BEING A BY-LAW OF THE MUNICIPALITY OF WESTLAKE-GLADSTONE TO ESTABLISH WATER AND SEWER RATES FOR THE GLADSTONE UTILITY.

WHEREAS The Municipality of WestLake-Gladstone has undertaken a water and sewer rate study for the Gladstone Utility that indicates water and sewer rates require to be increased;

AND WHEREAS, subject to The Public Utilities Board Act, Section 232(1) provides that a council may pass by-laws for municipal purposes respecting the following matters:

- 1) public utilities.

AND WHEREAS, Section 232(2) provides that 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 it is deemed advisable to provide rates for January 1, 2020, 2021 and 2022 and thereafter to be paid by persons to whom water and sewer collection is supplied by the Gladstone Utility and to provide for the collection thereof;

NOW THEREFORE THE COUNCIL OF THE MUNICIPALITY OF WESTLAKE-GLADSTONE IN SESSION DULY ASSEMBLED, HEREBY ENACTS A BY-LAW AS FOLLOWS:

- 1) **THAT** all accounts for minimum quarterly charges for metered services for the Gladstone Utility 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 Utility at the rates and terms set out in Schedule "A" attached hereto and forming part of this by-law.
- 2) **THAT** the Municipality of WestLake-Gladstone 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.
- 3) **THAT** no person, other than the Fire Chief or someone acting on his/her behalf, or a representative of the Municipality of WestLake-Gladstone duly authorized in writing by the Chief Administrative Officer, shall open or use any fire hydrant, either for construction purposes, street cleaning, or any other purpose.
- 4) **THAT** the meter shut off valve inside premises serviced with water by the Municipality of WestLake-Gladstone's Gladstone Utility, 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.
- 5) **THAT** no person shall wilfully or maliciously hinder or cause to hinder the Municipality of WestLake-Gladstone or its representative in the exercise of their duties in relation to the operation and maintenance of the water or sewer system.
- 6) **THAT** any person violating any provision of this by-law shall:
 - a) be guilty of an offence and, upon conviction, liable to a fine not exceeding five hundred dollars (\$500) and costs for each violation;
 - b) be liable to the Municipality of WestLake-Gladstone for any expense, loss or damage suffered by the Municipality 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 Municipality may affect 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.
- 7) This by-law and rates for January 1, 2020, 2021 and 2022 and thereafter, shall come into force and be effective on, from and after both approval of the Public Utilities Board of Manitoba and receipt of third and final reading thereof.
- 8) That By-law Number 7-2011 of the former Town of Gladstone be repealed as of January 1, 2020 and upon final approval of this By-law by the Public Utilities Board of Manitoba.

PASSED AND ENACTED BY MUNICIPALITY OF WESTLAKE-GLADSTONE IN COUNCIL DULY ASSEMBLED THIS 17th day of July, 2019.



Scott Kinley, Mayor



Coralie Smith, Chief Administrative Officer

Read a first time this 19th day of January, 2019.

Read a second time this 17th day of July, 2019.

Read a third time 17th day of July, 2019.

SCHEDULE "A"
 THE MUNICIPALITY OF WESTLAKE-GLADSTONE
 GLADSTONE WATER AND WASTEWATER UTILITY RATES
 BY-LAW NO. 2019-01

SCHEDULE OF QUARTERLY RATES:

SCHEDULE OF RATES

January 1, 2020

1. Rates per thousand gallons

	Water	Wastewater	Total Water & Wastewater	Quarterly Service Charge
Per Quarter	\$12.19	\$4.88	\$17.07	\$18.74

2. (a) Water & Sewer Customers

Meter Size	Water Included in gallons	Customer Service Charge	Water Commodity Charge	Wastewater Commodity Charge	Water & Wastewater Total Quarterly Minimum	Water Only Quarterly Minimum
5/8 inch	3,000	\$18.74	\$36.57	\$14.64	\$69.95	\$55.31
3/4 inch	6,000	\$18.74	\$73.14	\$29.28	\$121.16	\$91.88
1 inch	12,000	\$18.74	\$146.28	\$58.56	\$223.58	\$165.02
1.5 inch	30,000	\$18.74	\$365.70	\$146.40	\$530.84	\$165.14
2 inch	75,000	\$18.74	\$914.25	\$366.00	\$1,298.99	\$932.99

SCHEDULE OF RATES

January 1, 2021

1. Rates per thousand gallons

	Water	Wastewater	Total Water & Wastewater	Quarterly Service Charge
Per Quarter	\$13.99	\$4.88	\$18.87	\$17.00

2. (a) Water & Sewer Customers

Meter Size	Water Included in gallons	Customer Service Charge	Water Commodity Charge	Wastewater Commodity Charge	Water & Wastewater Total Quarterly Minimum	Water Only Quarterly Minimum
5/8 inch	3,000	\$17.00	\$41.97	\$14.64	\$73.61	\$58.97
3/4 inch	6,000	\$17.00	\$83.94	\$29.28	\$130.22	\$100.94
1 inch	12,000	\$17.00	\$167.88	\$58.56	\$243.44	\$184.88
1.5 inch	30,000	\$17.00	\$419.70	\$146.40	\$583.10	\$436.70
2 inch	75,000	\$17.00	\$1,049.25	\$366.00	\$1,432.25	\$1,066.25

SCHEDULE OF RATES

January 1, 2022

1. Rates per thousand gallons

	Water	Wastewater	Total Water & Wastewater	Quarterly Service Charge
Per Quarter	\$15.78	\$4.89	\$20.67	\$15.25

2. (a) Water & Sewer Customers

Meter Size	Water Included in gallons	Customer Service Charge	Water Commodity Charge	Wastewater Commodity Charge	Water & Wastewater Total Quarterly Minimum	Water Only Quarterly Minimum
5/8 inch	3,000	\$15.25	\$47.34	\$14.67	\$77.26	\$62.59
3/4 inch	6,000	\$15.25	\$94.68	\$29.34	\$139.27	\$109.63
1 inch	12,000	\$15.25	\$189.36	\$58.68	\$263.29	\$204.61
1.5 inch	30,000	\$15.25	\$473.40	\$146.70	\$635.35	\$488.65
2 inch	75,000	\$15.25	\$1,183.50	\$366.65	\$1,565.50	\$1,198.75

2. (b) Water Only Customers

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

2. (c) Wastewater Only for Residential Customers

Wastewater Included in gallons	Wastewater Only	2020 Quarterly Charge	2021 Wastewater Only Quarterly Charge	2022 Wastewater Only Quarterly Charge
8000		\$57.78	\$56.04	\$54.37

The following clauses are effective January 1, 2020:

3. Bulk Sales Rate

All water sold in bulk shall be charged for a rate of \$22.00 per 1,000 gallons.

4. Lagoon Dumping Fee

The Lagoon dumping fee is set at \$25.00 per truck up to 3,000 gallons per load.

5. Service to Customers Outside Utility's Limits

The Council of The Municipality of Westlake-Gladstone may sign Agreements with customers for the provision of water and wastewater services to properties located outside the legal boundaries of Grandview. 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 Grandview's boundaries. In addition, all costs of connecting to the Utility's mains, and installing and maintaining service connections, will be paid by the customer.

6. Billings and Penalties

Accounts shall be billed quarterly based on water used. A late payment charge of 1.25% compounded monthly shall be charged on the dollar amount owing after the billing due date. The due date will be at least fourteen days after the mailing of the bills.

7. Disconnection Reconnection

The Public Utilities Board has approved the Conditions Precedent to be followed by the Municipality with respect to 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 condition's precedent is available for inspection at the Municipality's office.

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

8. Liability for Charges

Pursuant to section 252(2) of The Municipal Act, the amount of all outstanding charges for water and wastewater services, including fines and penalties, are a lien and charge upon the land serviced, and may be collected in the same manner in which ordinary taxes upon the land are collectible, and with like remedies.

9. Hydrant Charges

The Municipality of WestLake-Gladstone shall pay to the Utility and annual hydrant charge of \$75.00 for each hydrant connected to the Gladstone Utility.

10. Water Allowance Due to Line Freezing

That in any case where, at the request of Council, a customer allows water to run continuously for any period of time to prevent the water lines in the water system from freezing, the charge 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.

11. Wastewater 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.

12. Meter Testing

That in any case where a utility customer requests that a meter be tested for accuracy, the customer will provide the Municipality with a deposit of \$100.00. The Municipality 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 Municipality and the deposit will be refunded to the customer and the customer's account will be adjusted for the preceding four months. 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.

13. Change in Meter Size

A customer may upon application to the Municipal Council, be granted a change in water meter size so as to more accurately reflect the required consumption of water throughout the year. However, if for some reason that same customer applies for a reversal involving a water meter change back to the original size, that customer then must pay for all costs pertaining to the reversal plus a fee of \$25.00.

14. Meter Tampering

Where there is evidence of meter tampering, a minimum charge of \$500.00 will be applied to the customer's account in addition to an amount calculated to adjust for the tampering based on historical usage.

15. Cross Connections

No customers or person shall connect, cause to be connected, or allow to remain connected to 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 Municipality's water system.

If a condition is found to exist which, in the opinion of the Municipality, is contrary to the aforesaid, the Municipality 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.

16. Conditions of Disrepair

In the event that there are conditions of disrepair in the wastewater 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 Municipality, or its agents, may enter the property, effect repairs and charge the cost thereof against the subject property as ordinary taxes.

17. Authorization for Officer to Enter Upon Premises

The Public Works Manager, or other employee authorized by the Municipality 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 Municipality