

**TOWN OF MINNEDOSA
BY-LAW NO. 2577**

**BEING A BY-LAW OF THE TOWN OF MINNEDOSA TO ESTABLISH WATER AND WASTEWATER RATES FOR
MINNEDOSA UTILITY.**

WHEREAS the Town of Minnedosa owns and operates the Minnedosa Water and Wastewater Utility;

AND WHEREAS the Town of Minnedosa has undertaken a water and wastewater rate study for Minnedosa Utility that indicates water and wastewater rates require to be increased;

AND WHEREAS Section 232 (1) and (2) and 252 (1) 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;

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;

AND WHEREAS it is deemed advisable to provide rates for October 1, 2021, 2022 and 2023 and thereafter to be paid by persons to whom water and wastewater collection is supplied by the Minnedosa Utility and to provide for the collection thereof;


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

- 1) **THAT** all accounts for minimum quarterly charges for metered services for the Minnedosa Utility as set forth in the Schedule of Quarterly Rates shall be billed quarterly. Consumers shall pay for water and wastewater 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 Town of Minnedosa 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 Town of Minnedosa 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 Minnedosa 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 Town of Minnedosa or its representative in the exercise of their duties in relation to the operation and maintenance of the water or wastewater 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 one thousand dollars (\$1,000) and costs for each violation;
 - b) be liable to The Town of Minnedosa 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.
- 7) This by-law and rates for October 1, 2021, 2022 and 2023 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 No. 2560 to establish fees for use of the wastewater treatment lagoon by septic wastewater contractors be amended by deleting clause 4 a), b) & c) and substituting the following:
- “4) That each Wastewater Disposal Vehicle shall pay fees as follows:
- a) Disposal Fee – based on septic vehicle tank capacity:
- b) Sewage Tipping Fee Rates for residences within the Town of Minnedosa Limits:
- as established in Schedule “A” of Minnedosa Utility Rates By-law No. 2577, or any amending or successor Utility Rates By-law.
- c) Sewage Tipping Fee Rates for residences from outside the Town of Minnedosa limits:
- as established in Schedule “A” of Minnedosa Utility Rates By-law No. 2577, or any amending or successor Utility Rates By-law.”
- 9) That Sewer and Water Rates By-law No. 2559 of the Town of Minnedosa be repealed as of October 1, 2022 and upon final approval of this By-law by the Public Utilities Board of Manitoba.

DONE AND PASSED by the Council of the Town of Minnedosa, duly assembled in the Council Chambers of the Minnedosa Civic Centre in Minnedosa, in the Province of Manitoba this 15th day of November, 2022.

THE TOWN OF MINNEDOSA



Ken Cameron, Mayor



James Doppler, CAO

Read a first time this 22nd day of June A.D., 2021
Read a second time this 15th day of November A.D., 2022
Read a third time this 15th day of November A.D., 2022

TOWN OF MINNEDOSA
MINNEDOSA WATER AND WASTEWATER UTILITY
UTILITY RATES BY-LAW NO. 2577
SCHEDULE "A"
SCHEDULE OF QUARTERLY RATES

1. Schedule of Commodity Rates & Quarterly Service Charge

October 1, 2022

	<u>Water</u>	<u>Wastewater</u>	<u>Water & Wastewater</u>
Domestic – First 500 Cubic Meters	\$4.66	\$1.04	\$5.70
Wholesale – Over 500 Cubic Meters	\$0.78	\$1.04	\$1.82
 Quarterly Service Charge	 \$27.49		

Deficit Rate Rider, effective October 1, 2021 to September 30, 2026, all customers – to recover 2018 deficit - \$0.07 per cubic meter of water sold.

Deficit Rate Rider, effective October 1, 2021 to September 30, 2026, all customers except for Husky Oil/Cenovus ethanol plant and the Rural Municipality of Minto-Odanah – Odanah Water Utility - to recover 2019 deficits - \$0.09 per cubic meter of water sold

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 & Wastewater Customers**

Meter Size	Group Capacity Ratio	Water Included Cubic Meters	Customer Service Charge	Water Commodity Charge	Wastewater Commodity Charge	Water & Wastewater Total Quarterly Minimum
16mm- 5/8"	1	14	\$27.49	\$65.24	\$14.56	\$107.29
19mm - 3/4"	2	28	\$27.49	\$130.48	\$29.12	\$187.09
25mm - 1"	4	56	\$27.49	\$260.96	\$58.24	\$346.69
38mm - 1 1/2"	10	140	\$27.49	\$652.40	\$145.60	\$825.49
50mm - 2"	25	350	\$27.49	\$1,631.00	\$364.00	\$2,022.49
75mm – 3"	45	630	\$27.49	\$2,431.40	\$655.20	\$3,114.09
100mm – 4"	90	1,260	\$27.49	\$2,922.80	\$1,310.40	\$4,260.69
150mm - 6"	170	2,380	\$27.49	\$3,796.40	\$2,475.20	\$6,299.09
200mm – 8"	300	4,200	\$27.49	\$5,216.00	\$4,368.00	\$9,611.49

b) **Water Only Customers**

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

c) **Cenovus - Husky Wastewater Charges**

Notwithstanding the Wastewater Commodity Rates and Charges set forth above, the Cenovus Husky ethanol plant shall be charged for wastewater service at the following rate:

Wastewater Rate calculation - At the wastewater rate set forth above to be applied to 25% of the actual water consumption of the plant.

d) **Bulk Water Sales**

All water sold in bulk by the Utility will be charged at the rate of \$5.10 per cubic meter.

1. Schedule of Commodity Rates & Quarterly Service Charge

October 1, 2023

	<u>Water</u>	<u>Wastewater</u>	<u>Water & Wastewater</u>
Domestic – First 500 Cubic Meters	\$5.00	\$1.04	\$6.04
Wholesale – Over 500 Cubic Meters	\$0.79	\$1.04	\$1.83
 Quarterly Service Charge	 \$28.62		

Deficit Rate Rider, effective October 1, 2021 to September 30, 2026, all customers – to recover 2018 deficit - \$0.07 per cubic meter of water sold.

Deficit Rate Rider, effective October 1, 2021 to September 20, 2026, all customers except for Husky Oil/Cenovus ethanol plant and the Rural Municipality of Minto-Odanah – Odanah Water Utility - to recover 2019 deficits - \$0.09 per cubic meter of water sold.

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 & Wastewater Customers**

Meter Size	Group Capacity Ratio	Water Included Cubic Meters	Customer Service Charge	Water Commodity Charge	Wastewater Commodity Charge	Water & Wastewater Total Quarterly Minimum
16mm- 5/8"	1	14	\$28.62	\$70.00	\$14.56	\$113.18
19mm - 3/4"	2	28	\$28.62	\$140.00	\$29.12	\$197.74
25mm - 1"	4	56	\$28.62	\$280.00	\$58.24	\$366.86
38mm - 1 1/2"	10	140	\$28.62	\$700.00	\$145.60	\$874.22
50mm - 2"	25	350	\$28.62	\$1,750.00	\$364.00	\$2,142.62
75mm – 3"	45	630	\$28.62	\$2,602.70	\$655.20	\$3,286.52
100mm – 4"	90	1,260	\$28.62	\$3,100.40	\$1,310.40	\$4,439.42
150mm - 6"	170	2,380	\$28.62	\$3,985.20	\$2,475.20	\$6,489.02
200mm – 8"	300	4,200	\$28.62	\$5,423.00	\$4,368.00	\$9,819.62

b) **Water Only Customers**

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

c) **Cenovus - Husky Wastewater Charges**

Notwithstanding the Wastewater Commodity Rates and Charges set forth above, the Cenovus Husky ethanol plant shall be charged for wastewater service at the following rate:

Wastewater Rate calculation - At the wastewater rate set forth above to be applied to 25% of the actual water consumption of the plant.

d) **Bulk Water Sales**

All water sold in bulk by the Utility will be charged at the rate of \$5.45 per cubic meter.

The following clauses take effect October 1, 2022:

3. Service to Customers Outside Utility's Limits

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

4. Billings and Penalties

Accounts shall be billed quarterly except in the case of large volume consumers with usage over 4,000 cubic meters per month which may be billed monthly, and shall be due and payable 14 days after 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.

5. Disconnection

The Public Utilities Board has approved the Conditions Precedent to be followed by the Town 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 conditions precedent is available for inspection at the Town's office.

6. Reconnection

Any service disconnected, whether due to non-payment of account or for any other reason mutually agreed to by the customer and the Municipality (ie. repairs necessitated by negligence of the customer, changes in tenant, vacancy for an extended period of time, etc.) shall not be reconnected until all arrears and penalties and a reconnection fee of \$50.00 have been paid.

7. Outstanding Bills

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

8. Hydrant Charges

The Town of Minnedosa, 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.

9. Water Allowance Due To Line Freezing

That in any case where, at the request of the CAO or Manager of Operations or their designate, a customer turns on a water line bleeder and allows water to run continuously to prevent the water lines in the water system from freezing, the customer shall be credited 11.784 cubic meters of water per day for each day that the water bleeder line is turned on as authorized by the Town.

10. Water Meters

- a. The Town shall supply an appropriate size water meter and remote read touch pad. Each customer shall be required to pay in advance a \$50.00 refundable meter deposit. This deposit will be refunded without interest upon termination of service, less any outstanding charges for water and wastewater service. Meter deposits may be transferred from one premises to another in the municipality.
- b. The meter and touch pad shall be installed by a registered plumber and the costs shall be the responsibility of the property owner. The remote touch pad shall be located at a point easily accessible at all times and approved by the Town.
- c. The meter shall be installed 75 centimeters above the floor or as approved by the Town.
- 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.

11. Lagoon Tipping Fee

The lagoon tipping fee for septic trucks shall be \$20 per load for septage hauled from customers in the Town of Minnedosa and \$30 per load for septage hauled from customers outside the corporate boundaries of the Town of Minnedosa.

12. 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.

13. 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 and the customer's account will be adjusted for the preceding four (4) 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.

14. 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 Municipality's water system.

If a condition is found to exist which, in the opinion of the Town, 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.

15. 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 Town, or its agents, may enter the property, effect repairs and charge the cost thereof against the subject property as ordinary taxes.

16. Authorization for Officer To Enter Upon Premises

The Manager of Operations, or other employee authorized by the Town in the absence of the Manager of Operations, 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