



## R.M. of ELLICE – ARCHIE BY-LAW #05-2020

BEING A BY-LAW OF THE RURAL MUNICIPALITY OF ELLICE ARCHIE TO ESTABLISH WATER AND WASTEWATER RATES FOR THE ST. LAZARE WATER AND WASTEWATER UTILITY.

WHEREAS The Rural Municipality of Ellice Archie has undertaken a water and wastewater rate study for the St. Lazare Water and Wastewater Utility that indicates water and wastewater rates require to be increased;

WHEREAS the Rural Municipality of Ellice Archie owns and operates a wastewater and water facility within the limits of the said St. Lazare Water and Wastewater Utility;

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 October 1, 2021, July 1, 2022, January 1, 2023 and thereafter to be paid by persons to whom water is supplied by and who use the wastewater system of the St. Lazare Water and Wastewater Utility, and to provide for the collection thereof;

NOW THEREFORE be it passed and enacted as a bylaw of the Rural Municipality of Ellice Archie in Council duly assembled as follows:

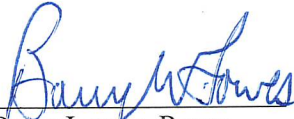
- 1) THAT all accounts for minimum quarterly charges for metered services as set forth in the Schedule of Quarterly Rates shall be billed quarterly. Consumers shall pay for water and wastewater service supplied to them by the St. Lazare Water and Wastewater Utility at the rates and terms set out in Schedule "A" attached hereto and forming part of this by-law.
- 2) THAT The Rural Municipality of Ellice Archie 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 Rural Municipality of Ellice Archie 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 St. Lazare 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 Rural Municipality of Ellice Archie 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 Rural Municipality of Ellice Archie 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 person, 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, July 1, 2022, January 1, 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.

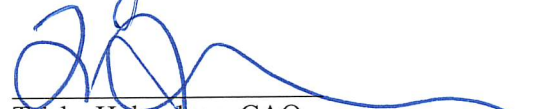


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- 8) That By-law No. 06-2016 be repealed as of October 1, 2021 and upon final approval of this By-law by the Public Utilities Board of Manitoba.

PASSED AND ENACTED BY RURAL MUNICIPALITY OF ELLICE ARCHIE IN COUNCIL  
DULY ASSEMBLED THIS 12<sup>th</sup> day of August, 2021.

  
Barry Lowes, Reeve

  
Trisha Huberdeau, CAO

Read a first time this 7<sup>th</sup> day of July, 2020.  
Read a second time 12<sup>th</sup> day of August, 2021.  
Read a third time 12<sup>th</sup> day of August, 2021.





# R.M. of ELLICE – ARCHIE BY-LAW #05-2020

## RURAL MUNICIPALITY OF ELLICE ARCHIE St. LAZARE UTILITY WATER & WASTEWATER UTILITY RATES BY-LAW NO. SCHEDULE "A" SCHEDULE OF QUARTERLY RATES

1. Schedule of Commodity Rates & Quarterly Service Charge October 1, 2021

	<u>per Cubic Meter</u>		Water &
	Water	Wastewater	
Wastewater	\$4.53	\$0.81	\$5.34
Quarterly Service Charge	\$8.52		

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.

### Water & Wastewater Customers

Meter Size	Water Water Only Included C.M.	Quarterly Service Charge	Water Commodity Charge	Wastewater Commodity Charge	Water & Wastewater Quarterly Minimum Charge	Quarterly Minimum Charge
5/8"	14	8.52	63.42	\$11.34	\$83.28	\$71.94
3/4"	28	8.52	126.84	\$22.68	\$158.04	\$135.36
1"	56	8.52	253.68	\$45.36	\$307.56	\$262.20
1 1/2"	140	8.52	634.20	\$113.40	\$756.12	\$642.72
2"	350	8.52	1,585.50	\$283.50	\$1,877.52	\$1,594.02

1. Schedule of Commodity Rates & Quarterly Service Charge July 1, 2022

	<u>per Cubic Meter</u>		Water &
	Water	Wastewater	
Wastewater	\$5.37	\$0.68	\$6.05
Quarterly Service Charge	\$9.36		

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.

### Water & Wastewater Customers

Meter Size	Water Water Only Included C.M.	Quarterly Service Charge	Water Commodity Charge	Wastewater Commodity Charge	Water & Wastewater Quarterly Minimum Charge	Quarterly Minimum Charge
5/8"	14	9.36	75.18	\$9.52	\$94.06	\$84.54
3/4"	28	9.36	150.36	\$19.04	\$178.76	\$159.72
1"	56	9.36	300.72	\$38.08	\$348.16	\$310.08
1 1/2"	140	9.36	751.80	\$95.20	\$856.36	\$761.16
2"	350	9.36	1,879.50	\$238.00	\$2,126.86	\$1,888.86



# R.M. of ELLICE – ARCHIE

## BY-LAW #05-2020

1. Schedule of Commodity Rates & Quarterly Service Charge

January 1, 2023

	<u>per Cubic Meter</u>		
	Water	Wastewater	Water &
Wastewater	\$6.21	\$0.55	\$6.76
Quarterly Service Charge	\$10.20		

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.

### Water & Wastewater Customers

Meter Size	Water	Quarterly	Water	Wastewater	Water & Wastewater	
	Water Only Included C.M.	Service Charge	Commodity Charge	Commodity Charge	Quarterly Minimum Charge	Quarterly Minimum Charge
5/8"	14	10.20	86.94	\$7.70	\$104.84	\$97.14
3/4"	28	10.20	173.88	\$15.40	\$199.48	\$184.08
1"	56	10.20	347.76	\$30.80	\$388.76	\$357.96
1 1/2"	140	10.20	869.40	\$77.00	\$956.60	\$879.60
2"	350	10.20	2,173.50	\$192.50	\$2,376.20	\$2,183.70

**The Following Clauses take effect October 1, 2021**

3. Hydrant rentals:  
The Municipality will pay to the Utility an annual rental of \$75.00 for each hydrant connected to the system.
4. Service To Customers Outside Municipality's Limits  
The Council of the Rural Municipality of Ellice Archie may sign Agreements with customers for the provision of water and wastewater services to properties located outside the boundaries of the RM of Ellice Archie Such Agreements shall provide for payment of the appropriate rates set out in this Schedule, as well as a surcharge 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 the Municipality'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.
5. Billing and Penalties:  
Accounts shall be billed quarterly and shall be due and payable 30 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.
6. Disconnection:  
The Public Utilities Board has approved the Conditions Precedent to be followed by the Utility 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 municipal office.
7. Reconnection:  
Any Service disconnected due to non-payment of account shall not be reconnected until all arrears, penalties and a reconnection fee of \$25.00 has been paid.
8. Outstanding Bills:  
Pursuant to Section 252(2) of The Municipal Act, the amount of all outstanding charges for water and wastewater service are a lien and charge upon the land serviced, and shall be collected in the same manner in which ordinary taxes upon land are collectible, and with like remedies.
9. Water Meters





## R.M. of ELLICE – ARCHIE BY-LAW #05-2020

- a. 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. 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 six (6) 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.

### 10. Meter Tampering

Where there is evidence of meter tampering a minimum charge of \$500 will be applied to the customer's account in addition to an amount calculated to adjust for the tampering based on historical usage.

### 11. 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 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.

### 12. 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.

### 13. Authorization For Officer To Enter Upon Premises

The Public Works Manager, or other employee authorized by the Municipality in the absence of the Utility 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.