



Town of Winnipeg Beach BY-LAW 02-2022

BEING A BY-LAW OF THE TOWN OF WINNIPEG BEACH TO ESTABLISH WATER AND SEWER RATES FOR THE WINNIPEG BEACH UTILITY.

WHEREAS The Town of Winnipeg Beach has undertaken a water and sewer rate study for the Winnipeg Beach Utility that indicates water and sewer rates require to be increased;

AND WHEREAS, subject to The Municipal 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 April 1, 2023 through December 31, 2024 inclusive to be paid by persons to whom water and sewer collection is supplied by the Utility and to provide for the collection thereof;


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

- 1) **THAT** all accounts for minimum quarterly charges for metered services for the Winnipeg Beach Utility as set forth in Sections 1 and 2, QUARTERLY RATES – METERED CUSTOMERS of Schedule “A” attached hereto 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** all accounts for annual charges for sewer only services in Local Improvement District No. 3 of the Winnipeg Beach Utility as set forth in Section 3, “ANNUAL CHARGES – SEWER ONLY CUSTOMERS” of Schedule “A” attached hereto shall be billed annually on the tax roll of the Town. Sewer only consumers shall pay for 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.
- 3) **THAT** the Town of Winnipeg Beach 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 or Chief Administrative Officer 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 of Winnipeg Beach 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.
- 5) **THAT** the meter shut off valve inside premises serviced with water by the Winnipeg Beach 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. The distance between inside shut-off valve and meter shall be no more than 12 Inches (30 cm) and shall only be straight pipe (no other fittings or connection points)

- 6) **THAT** no person shall wilfully or maliciously hinder or cause to hinder the Town of Winnipeg Beach 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 not exceeding five hundred dollars (\$500) and costs for each violation;
 - b) be liable to the Town of Winnipeg Beach 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 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 and rates for April 1, 2023, January 1, 2024 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.**
- 9) **THAT** By-law Number 5-2018 be repealed as of April 1, 2023 and upon final approval of this By-law by the Public Utilities Board of Manitoba.

DONE AND PASSED as a By-Law of the Town of Winnipeg Beach in the Province of Manitoba this 24th day of May, 2023.


Pam Jackson
Mayor


Sharon Desiatnyk
Chief Administrative Officer

Read a first time on the 26th day of January 2022.
Read a second time on the 27th day of April 2022.
Read a third time the 24th day of May 2023.

Resolution #2022-018
Resolution #2022-115
Resolution #2023-163

**SCHEDULE A
TOWN OF WINNIPEG BEACH
WINNIPEG BEACH WATER AND WASTEWATER UTILITY
WATER AND WASTEWATER UTILITY RATES BY-LAW NO. 2/2022
SCHEDULE OF QUARTERLY RATES
Effective April 1, 2023**

QUARTERLY RATES – METERED CUSTOMERS

1. Schedule of Commodity Rates & Quarterly Service Charge

April 1, 2023

Rates per 1,000 Gallons	<u>1,000 Gallons per quarter</u>		
	Water	Wastewater	Water & Wastewater
	\$14.85	\$5.56	\$20.41
Quarterly Service Charge	\$16.75		

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 Gallons	Customer Service Charge	Water Commodity Charge	Wastewater Commodity Charge	Water & Wastewater Total Quarterly Minimum
5/8 inch	1	3,000	\$16.75	\$44.55	\$16.68	\$77.98
3/4 inch	2	6,000	\$16.75	\$89.10	\$33.36	\$139.21
1 inch	4	12,000	\$16.75	\$178.20	\$66.72	\$261.67
1 ½ inch	10	30,000	\$16.75	\$445.50	\$166.80	\$629.05
2 inch	25	75,000	\$16.75	\$1,113.75	\$417.00	\$1,547.50
3 inch	45	135,000	\$16.75	\$2,004.75	\$750.60	\$2,772.10

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) Metered Wastewater Only Customers

There shall be no minimum charge for metered sewer only customers. The quarterly charge will be based on metered wastewater volume at the wastewater rate per 1,000 gallons plus the customer service charge.

d) Bulk Water Sales

All water sold in bulk by the Winnipeg Beach Utility will be charged at the rate of \$18.00 per 1,000 gallons.

ANNUAL CHARGES – UNMETERED WASTEWATER ONLY CUSTOMERS

3. Schedule of Wastewater Rates for Properties within Local Improvement District No. 3 April 1, 2023

All accounts shall be billed annually on the property tax bill and shall be based on equivalent units as set out below.

Equivalent Units	Service Charge	Wastewater Only	Total Annual Bill
1	\$16.75	\$163.81	\$180.56
2	\$16.75	\$327.62	\$344.37
3	\$16.75	\$491.43	\$508.18
6	\$16.75	\$982.86	\$999.61
15	\$16.75	\$2,457.15	\$2,473.90
20	\$16.75	\$3,276.20	\$3,292.95
32	\$16.75	\$5,241.92	\$5,258.67

QUARTERLY RATES – METERED CUSTOMERS

1. Schedule of Commodity Rates & Quarterly Service Charge January 1, 2024

Rates per 1,000 Gallons	<u>1,000 Gallons per quarter</u>		
	Water	Wastewater	Water & Wastewater
	\$19.32	\$7.23	\$25.31
Quarterly Service Charge	\$17.26		

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 Gallons	Customer Service Charge	Water Commodity Charge	Wastewater Commodity Charge	Water & Wastewater Total Quarterly Minimum
5/8 inch	1	3,000	\$17.26	\$57.96	\$21.69	\$96.91
3/4 inch	2	6,000	\$17.26	\$115.92	\$43.38	\$176.56
1 inch	4	12,000	\$17.26	\$231.84	\$86.76	\$335.86
1 ½ inch	10	30,000	\$17.26	\$579.60	\$216.90	\$813.76
2 inch	25	75,000	\$17.26	\$1,449.00	\$542.25	\$2,008.51
3 inch	45	135,000	\$17.26	\$2,608.20	\$976.05	\$3,601.51

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) Metered Wastewater Only Customers

There shall be no minimum charge for Metered wastewater only customers. The quarterly charge will be based on metered sewer volume at the sewer rate per 1,000 gallons plus the customer service charge.

d) Bulk Water Sales

All water sold in bulk by the Winnipeg Beach Utility will be charged at the rate of \$18.00 per 1,000 gallons.

ANNUAL CHARGES – UNMETERED WASTEWATER ONLY CUSTOMERS

3. Schedule of Wastewater Rates for
Properties within Local Improvement
District No. 3

January 1, 2024

All accounts shall be billed annually on the property tax bill and shall be based on equivalent units as set out below.

Equivalent Units	Service Charge	Wastewater Only	Total Annual Bill
1	\$17.26	\$213.02	\$230.28
2	\$17.26	\$426.04	\$443.30
3	\$17.26	\$639.06	\$656.32
6	\$17.26	\$1,278.12	\$1,295.38
15	\$17.26	\$3,195.30	\$3,212.56
20	\$17.26	\$4,260.40	\$4,277.66
32	\$17.26	\$6,816.64	\$6,833.90

The following clauses take effect April 1, 2023:

4. Billings and Penalties

Accounts shall be billed quarterly based on water used. A late payment penalty 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 (14) days after the mailing of the bills.

5. Hydrant Charges

The Town of Winnipeg Beach, or any other hydrant owner, will pay 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.

6. Liability for Charges

Pursuant to Section 252 (2) of The Municipal Act, the amount of all outstanding charges for water and sewer 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. The Town will add a service fee of \$50.00 for each utility account added to property taxes.

7. 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 \$200.00. 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.

8. Disconnection and Reconnection

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.

9. Water or Wastewater Turn-on/Turn-off

- a. The Town shall charge a fee of \$35.00 for any water or sewer service turned on or off at the customer's request.
- b. Any water or sewer service turned off as a result of non-payment shall not be reconnected until all arrears, penalties and a reconnection fee of \$35.00 have been paid.
- c. Emergency Regular Hours water or sewer service turn off/on (under 48 Hour Notice but within business day (8:00AM to 4:00 PM))
- d. Emergency After Hours water or sewer service turn off/on (Before 8:00AM or After 4:00 PM Monday to Friday or any time on weekends or holidays)

10. Sewage Tipping Fees

The sewage tipping fee for septage trucks to dump septage from Town Utility customers into the Town sewage lift station or sewage lagoon shall be \$25.00 per truck. This amount may be amended by resolution as deemed necessary by the Town of Winnipeg Beach. The Town may by standing written policy or resolution of Council provide a period of time each year, in compliance with restrictions imposed in the facility's operating license, in the spring and/or fall to waive the sewage tipping fee into the sewage lift station or sewage lagoon. Notice will be placed in the Property Tax Insert, Town Website and Facebook Page Annually.

11. Service To Customers Outside Utility's Limits

The Council of the Town of Winnipeg Beach may sign Agreements with customers for the provision of water and sewer services to properties located outside the boundaries of the Town. Such Agreements shall provide for payment of the appropriate rates set out in this 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 the Town'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.

12. 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 that 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.

13. 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.

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 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.

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 Utility Manager or Public Works Manager, or delegated representative of the Town be authorized by the Town in the absence of the Utility Operator or 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.