

# Municipality of *Bluewater*

## WATER AND WASTEWATER RATES AND CHARGES BY-LAW CONSOLIDATION

This document is a consolidation of the Water and Wastewater Rates and Charges By-law 49-2016 and subsequent amendments to that By-law. This compilation is convenience for administrative purposes and does not represent true copies of the by-laws it contains. Any legal interpretation of this document should be verified with the Municipal Clerk.

This Consolidated Water and Wastewater Rates and Charges contains the following amendments:

By-law 135-2020 – December 21, 2020

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# THE CORPORATION OF THE MUNICIPALITY OF BLUEWATER

## BY - LAW NUMBER 49-2016

*Being a bylaw for the purposes of imposing fees or charges for Municipal Water and Wastewater services and to provide for the payment of fees or charges and to provide for penalty and interest.*

**WHEREAS** the Council of the Corporation of the Municipality of Bluewater passed By-law 53-2011, on June 6, 2011 being a by-law for imposing fees or charges for municipal water and sewer services and to provide for the payment of fees or charges and to provide for penalty and interest.

**WHEREAS** the Council of the Corporation of the Municipality of Bluewater passed By-law 77-2013 on May 21, 2013, being a by-law to amend By-law 53-2011 to authorize the extension of the water rates as identified in Schedule "A" 2013 water rates.

**WHEREAS** under the *Municipal Act, 2001, SO 2001*, as amended, provides under Section 11 (3) that a lower-tier municipality may pass by-laws respecting matters within the sphere of jurisdiction of Public Utilities; and,

**WHEREAS** the *Municipal Act, 2001, SO 2001*, as amended provides under section 8(1) that the powers of a municipality shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern their affairs as they consider appropriate and to enhance the municipality's ability to respond to municipal issues; and

**WHEREAS** the *Municipal Act, 2001*, as amended, provides under Section 391 that a municipality may pass by-laws imposing fees or charges on any class of persons for services or activities or done by or on behalf of it.

**NOW THEREFORE** Council of the Corporation of the Municipality of Bluewater enacts as follows:

### 1.0 DEFINITIONS

In this by-law:

**"All other Residential"** means a single detached dwelling, semi-detached dwelling, duplex dwelling, triplex dwelling, fourplex dwelling, townhouse, condominium, converted dwelling, mobile home, modular dwelling; as defined in this by-law.

**"Apartment Building"** means a building that is divided horizontally and/or vertically into separate dwelling units with individual access from an internal or

external corridor system, but does not include a converted dwelling or townhouse dwelling.

**"Campground"** means a parcel of land used or maintained as an overnight tenting or camping area, where people are temporarily accommodated in tents, trailers, travel trailers, motor homes or similar facilities, whether or not a fee or charge is paid for the rental thereof, but does not include a mobile home or a mobile home park.

**"Commercial Property"** means a property used for the sale of goods or services and for the purposes of this By-law shall include office buildings, private nursing homes, hotels, motels, licensed premises and private clubs, and any building that is used in conjunction with these uses, but does not include any mixed-use commercial property that contains dwelling units.

**"Condominium"** means a building or buildings in which each individual unit is held in separate private ownership and all floor space, facilities and outdoor areas used in common by all tenants are owned, administered and maintained by a corporation created pursuant to the provisions of the *Condominium Act*.

**"Converted Dwelling"** means an existing dwelling constructed as a single, semi-detached, duplex or triplex dwelling on an existing lot in which the number of dwelling units has been increased without significant alteration to the exterior of the building except for non-leasable floor such as fire escapes, stairwells and entrances.

**"Customer"** shall mean any person who enters into a contract with the Municipality to take water from the Municipality or to receive water related services from the Municipality.

**"Discrete"** means individually separate and distinct

**"Duplex Dwelling"** means a building that is divided horizontally into two separate dwelling units but does not include a converted dwelling.

**"Dwelling Unit"** means a room or a suite of rooms operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and supporting general living conditions usually including cooking, eating, sleeping, and sanitary facilities.

**"Emergency Discharge"** means that where 24-hour advanced notice cannot be provided to the Municipality for coordination of septage discharge, double the applicable rate will be applied.

**"Fourplex Dwelling"** means a building that is divided horizontally and/or vertically into four separate dwelling units but does not include a converted

dwelling or a townhouse dwelling

**"Industrial Property"** means a property for the manufacturing or processing of *goods* or used for the storage of goods or raw materials and any property that is used in conjunction with these uses.

**"Institutional"** means facilities provided by the Municipality or by any other group or organization without profit or gain for such special purposes as a hospital, school, public medical centre, daycare, public nursing home, arena, recreation center, community centre, museum, public library, scout house, drop-in centre, swimming pools, parks, playgrounds, skating rinks, etc., but does not include private parks or commercial recreation establishments.

**"Meter"** shall mean the water meter supplied and owned by the Municipality to measure the quantity of water used by the customer.

**"Modular Dwelling"** means a prefabricated single detached dwelling designed to be transported once only to a final location and constructed so as the shortest side of such dwelling is not less than 6.0 metres in width.

**"Mobile Home"** shall mean a factory built dwelling occupied or designed for occupancy by one family on a permanent basis having a floor area of not less than sixty-five square metres designed to be towed on its own chassis, notwithstanding that its running gear is or may be removed, placed or designed to be placed on permanent foundations, and connected or designed to be connected to public utilities.

**"Multiple Dwelling"** means a building containing three (3) or more dwelling units.

**"Municipality"** shall mean the Corporation of the Municipality of Bluewater.

**"Owner"** shall include any person who or any firm or corporation that is the registered owner of the property under consideration or any agent thereof, a person entitled to a limited estate in land, a trustee in whom land is vested, a committee of the estate of a mentally incompetent person, an executor, an administrator and a guardian.

**"Potable Water"** shall mean water fit for human consumption.

**"Residential Property"** means any property that is used or designed for use as a domestic establishment in which one or more persons usually sleep and prepare and serve meals, and includes any lands or buildings that are appurtenant to such establishment and all stairways, walkways, driveways, parking spaces, and fences associated with the dwelling or its yard.

**"Semi-detached Dwelling"** means a building which contains two single dwelling units which are attached vertically by a common wall.

**“Sewage”** means any liquid waste containing animal, vegetable or mineral matter in solution or in suspension, except uncontaminated water.

**“Serviced Wastewater Connection”** means a connection to the Sewage Works that has been connected to and has the ability to provide sewage collection services to an approved building on a property.

**“Serviced Water Connection”** means a water connection that has been connected to and has the ability to provide water supply to an approved building on a property.

**"Sewage Related Services"** shall include but not be limited to those items set out under the heading “Miscellaneous Water and Wastewater Rates and Charges” in the Water and Wastewater Rates and Charges By-Law.

**“Sewage Works”** means any works for the collection, transmission, treatment or disposal of sewage, or any part of such works, but does not include plumbing to which the 2012 Building Code Compendium, Ontario Regulation 332/12, or any amendments thereto apply.

**"Single Detached Dwelling"** means a single dwelling which is freestanding, separate and detached from other main buildings or main structures, including a split level dwelling, but does not include a mobile home.

**"Townhouse"** means a building divided vertically into separate dwelling units by common walls extending from the base of the foundation to the roof line, each dwelling unit having a separate entrance at grade, and so located on a lot that individual units may not have legal frontage on a public street.

**"Triplex Dwelling"** means a building that is divided horizontally and/or vertically into three separate dwelling units but does not include a converted dwelling or a townhouse dwelling.

**“Unit”** includes a Dwelling Unit a Discrete Residential Property, a Discrete space within a Residential Property, a Discrete Commercial Property, a Discrete space within a Commercial Property, a Discrete Industrial Property, a Discrete space within an Industrial Property, a Discrete Institutional Property, a Discrete space within an Institutional Property.

**“Wastewater”** shall have the same meaning as sewage

**"Water"** shall mean potable water supplied by the Municipality.

**"Water Distribution System"** shall mean mains with connections to feeder mains, feeder mains within subdivision lands, private mains, services, fire hydrants, and shut-off valves and all other appurtenances thereto.

**"Water Related Services"** shall include but not be limited to those items set out under the heading "Miscellaneous Water Rates and Charges" in the Water and Wastewater Rates and Charges By-Law.

**"Waterworks"** shall mean any works for the collection, production, treatment, storage, supply and distribution of water, or any part of any such works, but does not include plumbing to which the 2012 Building Code Compendium, Ontario Regulation 332/12, or any amendments thereto apply.

## **2.0 DEVELOPMENT OF WATER AND WASTEWATER RATES AND CHARGES**

### **2.1 Development of water rates and charges**

The Water rates and charges contained in this by-law are approved and imposed commencing on the effective date set out in Schedule "A" to this by-law.

### **2.2 Development of wastewater rates and charges**

The Wastewater rates and charges contained in this by-law are approved and imposed commencing on the effective date set out in Schedule "A" to this by-law.

### **2.3 Fees and charges imposed**

The fees and charges imposed by this by-law are due and payable: at the time of the transaction for which the fee or charge is imposed; or upon the due date specified in any invoice issued by the Corporation of the Municipality of Bluewater to any person or party in connection with a fee or charge imposed by this by-law.

### **2.4 Minimum Charges for Mandatory Connection Areas**

Any property within a mandatory connection area established under by-law that is not connected by the prescribed connection date shall be charged the applicable "non compliance" annual water and/or wastewater charge at the rates indicated in Schedule "A" to this by-law. This charge will continue until such time as the property is connected.

### **2.5 Reduction in Wastewater Consumption Charge for Commercial and Industrial Customers.**

Commercial and Industrial properties only may apply to have the volume used to calculate the wastewater consumptive charge reduced to reflect volumes closer to the actual volume of wastewater discharged. The consumption volume that shall be considered for reduction is the volume of potable water that is incorporated into a product that is shipped off site in that product and is not discharged into the wastewater system.

Application for reduction in wastewater consumptive charge shall be accompanied with supporting documentation to substantiate the volume

reduction and if required, may be subject to third party review at the applicant's expense. Bluewater Council shall give final approval of any application for reduction in wastewater consumptive charges. All existing Wastewater Discharge Agreements shall continue in force until those Agreements expire.

### **3.0 WATER AND WASTEWATER RATES AND CHARGES**

#### **3.1 Water Supply Rates**

All properties excluding vacant land in the service area of the Municipal Water Systems in Bluewater as applicable, shall be charged:

- 3.1.1** a "*Base Charge*" for each Serviced Water Connection, at a fixed rate cost at the rate indicated in Schedule "A" to this by-law.
- 3.1.2** a "*Consumption Charge*" for all water consumed for each respective customer or provided for each Unit on a property.
  - 3.1.2.1** On a per cubic metre (m<sup>3</sup>) basis as indicated in Schedule "A" to this by-law.
  - 3.1.2.2** On a flat rate basis where a meter read was not obtainable as indicated in Schedule "A" to this by-law.
- 3.1.3** a "*Non-compliance Charge*", for all properties excluding vacant land that have not had a water meter installed or have not complied with the mandatory connection by-law, at a fixed rate cost at the rate indicated in Schedule "A" to this by-law.
- 3.1.4** a "*Bluewater Water Reserve Contribution*" for each Serviced Water Connection at a fixed rate cost at the rates indicated in Schedule "A" to this by-law.

#### **3.2 Wastewater Rates**

All properties connected to Sewage Works of the Municipality of Bluewater, as applicable, shall be charged:

- 3.2.1** a "*Base Charge*" for each serviced wastewater connection, at a fixed cost plus a volumetric charge as indicated in Schedule "A" to this by-law.
- 3.2.2** The volumetric quantity except as adjusted by the procedures in Section 2.5 of this By-law, shall be based on the potable water quantity supplied to the property.

**3.2.3** For those properties where the volumetric charge cannot be determined due to a “non read” from the water meter a fixed cost for the volumetric charge will be assessed as indicated in Schedule “A” to this by-law.

**3.2.4** a “*Bluewater Wastewater Reserve Contribution*” for each serviced wastewater connection, at a fixed rate cost as indicated in Schedule “A” to this by-law.

**4.0 MISCELLANEOUS WATER AND WASTEWATER RATES AND CHARGES**

Miscellaneous charges shall be charged per the table below:

<b>Miscellaneous Charges</b>	<b>Charge</b>
Late Payment Charge	5% <i>(Applied first day following due date)</i>
NSF Cheques	\$25.00 (per by-law 11-2006)
Seasonal Water Shut-Off	\$25.00
Seasonal Water Turn-On	\$25.00
New Water Service Installation	\$5,000.00 deposit <i>(balance of actual construction costs rebated)</i> OR invoiced where applicable.
New Sewer Connection	Quotation Basis
Replace damaged meter/transmitter due to normal course of wear and tear	No Charge for meter/ transmitter. The property owner will arrange for the installation of the meter/transmitter at the property owner’s expense.
Replace damaged meter/transmitter due to property owner fault.	Current Bluewater cost of purchase for the meter/transmitter. The property owner will arrange for the installation of the meter/transmitter at the property owner’s expense.



Miscellaneous Charges	Charge
Pressure Reducing Valve, Backflow Preventer, Tailpieces	No Charge for the Pressure Reducing Valve, Backflow Preventer or Tailpieces. The property owner will arrange for the installation at the property owner's expense.
Bottom/Frost Plate for Meters	Current Bluewater cost of the Bottom/Frost Plate. The property owner will arrange for the installation of the Bottom/Frost plate at the property owner's expense.
Repairs to water/sewer mains and/or services as a result of excavation without locates or the operation of services by unauthorized persons.	Actual cost to Bluewater for repair. Plus 10%.
Septage Haulage Lagoon Dumping	\$295.00 per load

## 5.0 METHODS OF PAYMENT

### 5.1 Methods of Payment

The fees, charges and penalties imposed by this by-law shall be paid to the Municipality of Bluewater by cash, cheque, debit, preauthorized payment, telephone banking, internet banking or through a financial institution (if applicable).

## 6.0 NON-PAYMENT

### 6.1 Non Payment of fees and charges

Fees and charges imposed under this by-law on a person constitute a debt of the person to the Municipality. Fees and charges for the consumption of water and use of sewage works imposed under Part XII of the *Municipal Act, 2001*, as amended have priority lien status. Where there is statutory authority to do so, the Treasurer may add unpaid/outstanding fees and charges imposed by this by-law to the tax roll for the property in the same manner as municipal taxes.

## 7.0 PREVIOUS BY-LAWS REPEALED

### 7.1 Repeal - Previous By-Laws

By-laws numbered 53-2011 and 77-2013 and amendments thereto are hereby repealed.

**EFFECTIVE DATE**

**8.1 Effective date**

This by-law comes into force and effect on July 1, 2016

**8.0 SHORT TITLE**

**9.1** The short title of this by-law shall be the “Water and Wastewater Rates and Charges By-law”.

Read a first and second time this 6<sup>th</sup> day of June 2016.

Read a third time and finally passed this 6<sup>th</sup> day of June 2016.

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Tyler Hessel, Mayor

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Charlene Overholt, Clerk

Schedule "A" to By-law 49-2016  
Effective July 1, 2016

*Note: Unless otherwise stated water and wastewater rates apply from January 1<sup>st</sup> –December 31<sup>st</sup> of the year stated*

**Water Rates for all Municipal Water Systems in Bluewater:**

	<b>July 1 to Dec. 31, 2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
Base Fee	\$255.00	\$260.00	\$265.00	\$271.00	\$276.00	\$282.00
Consumption (\$/m <sup>3</sup> )	\$0.60	\$0.61	\$0.63	\$0.64	\$0.65	\$0.66
Contribution to Reserves	\$104.00	\$123.00	\$143.00	\$164.00	\$186.00	\$211.00
Flat Rate Consumption Charge for Non Meter Reads	\$84.00	\$85.00	\$88.00	\$90.00	\$91.00	\$92.00
Non Compliance Consumption Charge (for failing to have a meter installed)	\$168.00	\$170.00	\$176.00	\$180.00	\$182.00	\$184.00
Non Compliance Volumetric Charge (for failing to connect to a municipal water system when a mandatory connection by- law was passed	\$527.00	\$553.00	\$584.00	\$615.00	\$644.00	\$677.00

Schedule "A" to By-law 49-2016 Continued

**Wastewater Rates for all Municipal Wastewater Systems in Bluewater:**

	<b>July 1 to Dec. 31, 2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
Base Fee	\$207.00	\$262.00	\$313.00	\$320.00	\$326.00	\$333.00
Volumetric Charge \$/m <sup>3</sup>	\$0.71	\$0.72	\$0.74	\$0.76	\$0.77	\$0.78
Contribution to Reserves	\$0.00	\$0.00	\$14.00	\$86.00	\$174.00	\$279.00
Flat Rate Volumetric Charge for Non Water Meter Reads	\$99.00	\$101.00	\$104.00	\$106.00	\$108.00	\$109.00
Non Compliance Volumetric Charge (when a water meter has not been installed)	\$198.00	\$202.00	\$208.00	\$212.00	\$216.00	\$218.00
Non Compliance Charge (for failing to connect to a municipal wastewater system when a mandatory by-law has been passed)	\$405.00	\$464.00	\$535.00	\$618.00	\$716.00	\$830.00