

THE CORPORATION OF THE TOWNSHIP OF SOUTH STORMONT

BY-LAW NO. 2017-028

BEING a by-law for fixing rates for the supply of water and sewer services.

WHEREAS the *Municipal Act, 2001*, c. 25, s. 5 (1) provides that the powers of a municipal corporation are to be exercised by its council;

AND WHEREAS the *Municipal Act, 2001*, c. 25, s. 5 (3) provides that the powers of every council are to be exercised by by-law;

AND WHEREAS the *Municipal Act, 2001*, c. 25, s.11 provides that a municipality may pass by-laws respecting matters within the sphere of public utilities;

AND WHEREAS the *Municipal Act, 2001*, c.25, s. 326 (1) authorizes the council of a local municipality, in authorizing the installation of special services, to pass a by-law to identify a special service and determine which of the costs are related to that special service;

AND WHEREAS the *Municipal Act, 2001* c. 25, s. 326 (4) authorizes the council of a local municipality, in authorizing the installation of special services, to levy a special local municipal levy upon owners or occupants of land who derive or will or may derive a benefit, to pay all or such portion of the capital costs as the by-law may specify;

AND WHEREAS the *Municipal Act, 2001*, c. 25, s. 391, authorizes Council to pass a by-law imposing fees or charges for services or activities provided and for costs payable by it for services or activities provided and for use of its property;

AND WHEREAS the *Municipal Act, 2001*, c. 25, s. 398 states that the Treasurer of a local municipality may add fees and charges imposed by the municipality to the tax roll for the property in the local municipality and collect them in the same manner as municipal taxes and, in the case of fees and charges for the supply of a public utility, the property to which the public utility was supplied and, in all other cases, any property for which all of the owners are responsible for paying the fees and charges.

NOW THEREFORE Council of the Corporation of the Township of South Stormont enacts as follows:

Definitions

1.

- a) "building" shall mean any structure used or intended for sheltering any use or occupancy. The word "building" shall include the whole of such structure or part thereof and shall include any building types as regulated by the *Ontario Building Code Act*, R.S.O. 1992, c.23.

- b) "commercial" shall mean any commercial use permitted the zoning by-law of the municipality and any amendments thereto.
 - c) "dwelling unit" shall mean one or more rooms designated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and in which separate cooking, eating, living, sleeping and sanitary facilities are provided for the exclusive use of the occupants, with a private entrance from outside the building or from a common hallway or stairway inside the building. This shall not include a mobile home, park model trailer, recreational vehicle, hotel, motel or boarding house.
 - d) "industrial" shall mean a use for or in connection with manufacturing, producing, processing, storing or distributing something and research or development in connection with manufacturing, producing or processing something and as permitted in the zoning by-law of the municipality and any amendments thereto.
 - e) "multiple dwelling" shall mean a dwelling in which there are two or more dwelling units.
 - f) "municipality" shall mean the Corporation of the Township of South Stormont.
2. The rates, as set out in Schedules "A" through "D" attached hereto and forming part of this by-law, are hereby adopted and shall be in effect as noted on the Schedules.
 3. Flat rate water billings shall be billed quarterly, in April, July, October and January, and shall be due and payable no less than thirty (30) days after the date of mailing.
 4. Metered residential water billings shall be billed quarterly, in April, July, October and January, and shall be due and payable no less than thirty (30) days after the date of mailing.
 5. Metered industrial users with an annual consumption in excess of six thousand (6,000) cubic meters shall be billed monthly and shall be due and payable no less than thirty (30) days after the date of mailing.
 6. The remaining metered industrial, commercial and institutional users shall be billed quarterly, in April, July, October and January, and shall be due and payable no less than thirty (30) days after the date of mailing.
 7. A surcharge of ten percent (10%) shall be added to the current bill if payment is not received on or before the due date.

8. Invoices are payable, in Canadian currency, by cash, cheque or debit. Payments may be made in person at the municipal office, by mail, telephone/internet banking and at most financial institutions; a transaction fee may be applicable.
9. Property owners may sign up to receive their utility invoices via e-mail (e-billing).
10. Property owners may pay utility invoices through pre-authorized payments (PAP) on the due date only. Two (2) instances of insufficient funds shall result in removal from the PAP plan. The appropriate service charge will apply in each instance.
11. The owner on all new accounts shall be billed the applicable water and/or sewer rates commencing on the date the water was turned on at the property. Bills will be pro-rated based on days of service.
12. For applicable properties, it shall be the responsibility of the seller to contact the municipal office to request a final water meter reading upon the sale of the property. An invoice will be generated based on the date of the last reading to the closing date. The final utility bill is the responsibility of the vendor.
13. There shall be no monetary compensation if the water connection has been shut off.
14. There shall be no monetary compensation for vacant units.
15. For the purpose of clarification, no exemption from the water and/or sewer rates shall be permitted solely because of tax exempt status under the *Assessment Act*.
16. Properties connected to the municipal water and/or sewer systems will not be eligible for sewer rate exemption based solely on the fact that the owner does not choose to utilize the connection.
17. Any balance outstanding in the utility account after the final billing of the year will be transferred to property taxes.
18. All former by-laws or resolutions contrary to and inconsistent with this by-law are hereby repealed.

READ and passed in open Council, signed and sealed this 12th day of April, 2017.

Mayor

Clerk

Schedule "A"

Properties connected to the
Long Sault and Ingleside Regional Water Treatment Plant

Effective January 1, 2017
Annual Metered Water Rates

A. Residential:

1. \$0.870 per cubic meter, with a minimum bill of \$134.06 per annum, (\$33.52 per billing period). This is equivalent to 38.5 cubic meters per billing period.
2. A multiple dwelling shall be deemed to be the equivalent of two thirds of the dwelling units it contains, as per the rate in A. 1. above.

B. Commercial and Institutional:

1. \$0.870 per cubic meter, with a minimum bill of \$134.06 per annum, (\$33.52 per billing period). This is equivalent to 38.5 cubic meters per billing period.

C. Industrial:

1. \$0.870 per cubic meter, with a minimum bill of \$134.06 per annum, (\$33.52 per billing period). This is equivalent to 38.5 cubic meters per billing period.
2. Industrial users with an annual consumption in excess of 6,000 cubic meters shall pay \$ 0.695 per cubic meter consumed.

Schedule "B"

Rosedale Terrace/St. Andrews/Eamers Corners

Effective January 1, 2017
Annual Metered Water Rates

Residential/Industrial/Commercial/Institutional:

1. \$1.251 per cubic meter, with a minimum bill of \$192.57 per annum (\$48.14 per billing period). This is equivalent to 38.5 cubic meter per billing period.
2. A multiple dwelling shall be deemed to be the equivalent of two thirds of the dwelling units it contains, as per the rate in 1. above.

Schedule "C"

Hamlet of Newington

Effective January 1, 2017
Annual Water Rates

A. Residential:

1. Flat Fee of \$558.96 per annum (\$139.74 per quarter).
2. A multiple dwelling shall be deemed to be the equivalent of two-thirds of the dwelling units it contains, as per the rate in A. 1. above.

B. Commercial/Industrial:

Commercial accounts shall be deemed the equivalent of 1.5 the rate in A. 1. above.

C. Institutional: primarily used as a place of worship

Flat rate of \$558.96 per annum (\$139.74 per quarter)

D. Other:

All other accounts shall be assessed at the rate in A. 1. above.

Schedule "D"

Effective January 1, 2016
Annual Sewer Rates

Hamlet of Long Sault

Residential/Industrial/Commercial/Institutional:

Properties serviced with municipal sewer shall pay sewer rates based on their water bill at a rate of 225% of the water cost.

Properties serviced with municipal sewer only shall pay sewer rates based on a minimum water bill at a rate of 225% of the water cost.

Hamlet of Ingleside

Residential/Industrial/Commercial/Institutional:

Properties serviced with municipal sewer shall pay sewer rates based on their water bill at a rate of 225% of the water cost.

Properties serviced with municipal sewer only shall pay sewer rates based on a minimum water bill at a rate of 225% of the water cost.