

Hamiota Municipality  
**By-Law No 2019-01**

BEING A BY-LAW OF THE HAMIOTA MUNICIPALITY TO ESTABLISH  
WATER AND SEWER RATES FOR THE HAMIOTA UTILITY.

WHEREAS The Hamiota Municipality has undertaken a water and sewer rate study for the Hamiota Utility that indicates water and sewer rates require to be increased;

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 July 1, 2019, July 1, 2020 and July 1, 2021 and thereafter to be paid by persons to whom water and sewer collection is supplied by the Hamiota Utility and to provide for the collection thereof;

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

- 1) THAT all accounts for minimum quarterly charges for metered services for the Hamiota Utility as set forth in the Schedule of Quarterly Rates shall be billed quarterly unless requested otherwise. 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 the Hamiota Municipality 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 Hamiota Municipality 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 the Hamiota Municipality's 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 Hamiota Municipality or its representative in the exercise of their duties in relation to the operation and maintenance of the water or sewer 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 five hundred dollars (\$500) and costs for each violation;
  - b) be liable to the Hamiota Municipality 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 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 July 1, 2019, July 1, 2020 and July 1, 2021 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 Number 10/91 of the Village of Hamiota be repealed as of July 1, 2019 and upon final approval of this By-law by the Public Utilities Board of Manitoba.

PASSED AND ENACTED BY HAMIOTA MUNICIPALITY IN COUNCIL DULY ASSEMBLED THIS 5<sup>th</sup> day of June, 2019.

  
Larry Oakden, Mayor

  
Tristan Urquhart, Chief Administrative Officer

Read a first time this 16th day of January, 2019.

Read a second time this 5<sup>th</sup> day of June, 2019.

Read a third time 5<sup>th</sup> day of June, 2019.



**HAMIOTA MUNICIPALITY**  
**HAMIOTA UTILITY WATER & SEWER UTILITY RATES BY-LAW NO.**  
**SCHEDULE "A" SCHEDULE OF QUARTERLY RATES**

1. Schedule of Commodity Rates &

July 1, 2019

Quarterly Service Charge

Rates per 1,000 Gallons

1,000 Gallons per quarter

Water	Sewer	Water & Sewer
\$9.27	\$2.67	\$11.94

Quarterly Service Charge

\$13.91

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 & Sewer Customers**

	Water Included	Customer Service	Water Commodity	Sewer Commodity	Deficit Rate Rider (see Clause 3)	Water & Sewer Total Quarterly Minimum
Meter Size	Gallons	Charge	Charge	Charge	\$1.79/1,000	
5/8 inch	3,000	\$13.91	\$27.81	\$8.01	\$5.37	\$55.10
3/4 inch	6,000	\$13.91	\$55.62	\$16.02	\$10.74	\$96.29
1 inch	12,000	\$13.91	\$111.24	\$32.04	\$21.48	\$178.67
1 ½ inch	30,000	\$13.91	\$278.10	\$80.10	\$53.70	\$425.81
2 inch	75,000	\$13.91	\$695.25	\$200.25	\$134.25	\$1,043.66

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.

1. Schedule of Commodity Rates &

October 1, 2019

Quarterly Service Charge

Rates per 1,000 Gallons

1,000 Gallons per quarter

Water	Sewer	Water & Sewer
\$9.27	\$2.67	\$11.94

Quarterly Service Charge

\$13.91

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 & Sewer Customers**

	Water Included	Customer Service	Water Commodity	Sewer Commodity	Deficit Rate Rider (see Clause 3)	Water & Sewer Total Quarterly Minimum
Meter Size	Gallons	Charge	Charge	Charge	\$1.55/1,000	
5/8 inch	3,000	\$13.91	\$27.81	\$8.01	\$4.65	\$54.38
3/4 inch	6,000	\$13.91	\$55.62	\$16.02	\$9.30	\$94.85
1 inch	12,000	\$13.91	\$111.24	\$32.04	\$18.60	\$175.79
1 ½ inch	30,000	\$13.91	\$278.10	\$80.10	\$46.50	\$418.61
2 inch	75,000	\$13.91	\$695.25	\$200.25	\$116.25	\$1,025.66

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.

1. Schedule of Commodity Rates &

July 1, 2020

Quarterly Service Charge

Rates per 1,000 Gallons

1,000 Gallons per quarter

Water	Sewer	Water & Sewer
\$9.65	\$3.46	\$13.11

Quarterly Service Charge

\$18.39

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 & Sewer Customers**

	Water Included	Customer Service	Water Commodity	Sewer Commodity	Deficit Rate Rider (see Clause 3)	Water & Sewer Total Quarterly
<u>Meter Size</u>	<u>Gallons</u>	<u>Charge</u>	<u>Charge</u>	<u>Charge</u>	<u>\$1.55/1,000</u>	<u>Minimum</u>
5/8 inch	3,000	\$18.39	\$28.95	\$10.38	\$4.65	\$62.37
3/4 inch	6,000	\$18.39	\$57.90	\$20.76	\$9.30	\$106.35
1 inch	12,000	\$18.39	\$115.80	\$41.52	\$18.60	\$194.31
1 ½ inch	30,000	\$18.39	\$289.50	\$103.80	\$46.50	\$458.19
2 inch	75,000	\$18.39	\$723.75	\$259.50	\$116.25	\$1,117.89

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.

1. Schedule of Commodity Rates &  
Quarterly Service Charge

**July 1, 2021**

Rates per 1,000 Gallons

1,000 Gallons per quarter

Water	Sewer	Water & Sewer
\$10.03	\$4.24	\$14.27

Quarterly Service Charge                      \$22.87

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 & Sewer Customers**

	Water Included	Customer Service	Water Commodity	Sewer Commodity	Deficit Rate Rider (see Clause 3)	Water & Sewer Total Quarterly
<u>Meter Size</u>	<u>Gallons</u>	<u>Charge</u>	<u>Charge</u>	<u>Charge</u>	<u>\$1.55/1,000</u>	<u>Minimum</u>
5/8 inch	3,000	\$22.87	\$30.09	\$12.72	\$4.65	\$70.33
3/4 inch	6,000	\$22.87	\$60.18	\$25.44	\$9.30	\$117.79
1 inch	12,000	\$22.87	\$120.36	\$50.88	\$18.60	\$212.71
1 ½ inch	30,000	\$22.87	\$300.90	\$127.20	\$46.50	\$497.47
2 inch	75,000	\$22.87	\$752.25	\$318.00	\$116.25	\$1,209.37

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.

1. Schedule of Commodity Rates &  
Quarterly Service Charge

**October 1, 2022**

Rates per 1,000 Gallons

1,000 Gallons per quarter

Water	Sewer	Water & Sewer
\$10.03	\$4.24	\$14.27

Quarterly Service Charge                      \$22.87

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.

c) **Water & Sewer Customers**

	Water Included	Customer Service	Water Commodity	Sewer Commodity	Water & Sewer Total Quarterly
<u>Meter Size</u>	<u>Gallons</u>	<u>Charge</u>	<u>Charge</u>	<u>Charge</u>	<u>Minimum</u>
5/8 inch	3,000	\$22.87	\$30.09	\$12.72	\$65.68
3/4 inch	6,000	\$22.87	\$60.18	\$25.44	\$108.49
1 inch	12,000	\$22.87	\$120.36	\$50.88	\$194.11
1 ½ inch	30,000	\$22.87	\$300.90	\$127.20	\$450.97
2 inch	75,000	\$22.87	\$752.25	\$318.00	\$1,093.12

d) **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.



**The following clauses take effect July 1, 2019:**

3. Deficit Rate Rider

Deficit Rate Rider of \$1.79 per 1,000 gallons effective October 1, 2018 to September 30, 2019 for 2016 audited deficit based on a 1 year recovery period.

Deficit Rate Rider of \$1.55 per 1,000 gallons effective October 1, 2019 to September 30, 2022 for 2017 audited and 2018 & 2019 budgeted deficits calculated based on a 3 year recovery period as follows:

2017 actual deficit	\$52,967.
2018 budgeted deficit	\$24,793.
2019 budgeted deficit	<u>\$27,043.</u>
Total to recover	<u>\$104,803.</u>

Divided by 2017 water volume sold 22,585,000 gallons

Deficit Rate Rider, per 1,000 gallons over 3 years: \$1.55 per 1,000 gallons

4. Billings and Penalties

Accounts shall be billed quarterly based on water used unless requested otherwise. A late payment penalty charge of 1 ¼% 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. Disconnection and Reconnection

The Public Utilities Board has approved the Conditions Precedent to be followed by the Municipality 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 Municipality's office.

Any service disconnected due to non-payment of account shall not be reconnected until all arrears, penalties and a reconnection fee of \$40.00 have been paid.

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

7. Hydrant Charges

The Municipality of Hamiota, or any other hydrant owner, will pay to the Utility a fee of \$125 per hydrant for the purpose of maintaining and repairing all fire hydrants connected to the system which shall include the cost of water used for firefighting.

8. 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.

9. Sewer 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.

10. Water Meters

Water meters are owned by the Municipality but are the responsibility of the utility customer to maintain. If the water meter is broken, frozen, etc., the utility customer will be billed for a new meter at the current cost of replacement.

11. Service To Customers Outside Utility's Limits

The Council of Municipality of Hamiota may sign Agreements with customers for the provision of water and sewer services to properties located outside the boundaries Hamiota. 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 Hamiota 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. 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 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.

13. 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.

14. Conditions of Disrepair

In the event that there are conditions of disrepair in the sewer 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.

15. Authorization For Officer To Enter Upon Premises

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