

THE RURAL MUNICIPALITY OF ROSSER
BY-LAW NO 5-24
GROSSE ISLE WATER AND WASTEWATER RATES

BEING a by-law of the Rural Municipality of Rosser to establish water and wastewater rates within the said Grosse Isle Utility

WHEREAS the Rural Municipality of Rosser owns and operates water distribution and sewage collection systems generally within the limits of the Grosse Isle and surrounding Rural Area;

AND WHEREAS *The Municipal Act*, S.M. 1996, C58, states in part:

“232(1) A council may pass by-laws for municipal purposes respecting the following matters:

(l) public utilities;

232(2) 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, 2024 and thereafter to be paid by persons to whom water and wastewater services are supplied by the Grosse Isle Utility and to provide for the collection thereof;

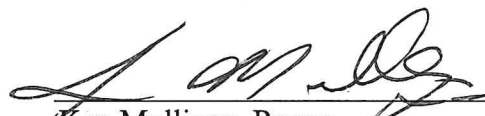
NOW THEREFORE, the Council of the Rural Municipality of Rosser, in council duly assembled, hereby enacts as follows:

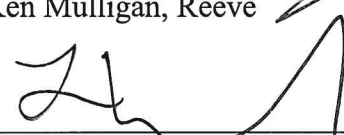
THAT all accounts for minimum quarterly charges for metered services for the Grosse Isle Water and Wastewater Utility as set forth in the Schedule of Quarterly Rates shall be billed quarterly. Consumers shall pay for water and sewer service supplied to them by the Utility at the rates and terms set out in Schedule “A” attached hereto and forming part of this by-law.

THAT the Conditions Precedent Allowing for the Collection and Disconnection of Water and/or Wastewater Services for Non-Payment of Accounts (“Conditions Precedent”) are set out in Schedule “B” attached hereto and forming part of this by-law.

THAT By-law Number 8-19 of the Rural Municipality of Rosser is hereby repealed.

DONE AND PASSED as a by-law of The Rural Municipality of Rosser at 0 077 E PR 221, Rosser in the Province of Manitoba this 16th day of April, A.D. 2024.



Ken Mulligan, Reeve


Larry Wandowich, CAO

Read a first time this 26th day of March, 2024
Read a second time this 16th day of April, 2024
Read a third time this 16th day of April, 2024

**RURAL MUNICIPALITY OF ROSSER
GROSSE ISLE WATER AND WASTEWATER UTILITY
WATER & WASTEWATER UTILITY RATES BY-LAW NO. 5-24
SCHEDULE "A" SCHEDULE OF QUARTERLY RATES**

1. **Schedule of Commodity Rates**

April 1, 2024

Rates per Cubic Meter

Water	Wastewater	Water & Wastewater
\$3.38	\$3.51	\$6.89

Quarterly Service Charge \$39.64

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 (Inches)	Group Capacity Ratio	Water Included Cubic Meters	Service Charge	Water Rate	Sewer Rate	Minimum Quarterly Charges
15mm (5/8")	1	15	\$39.64	\$50.70	\$52.65	\$142.99
19mm (3/4")	2	30	\$39.64	\$101.40	\$105.30	\$249.34
25mm (1")	4	60	\$39.64	\$202.80	\$210.60	\$453.04
38mm (1-1/2")	10	150	\$39.64	\$507.00	\$526.50	\$1,073.14
50mm (2")	25	375	\$39.64	\$1,267.50	\$1,316.25	\$2,623.39

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) **Wastewater Only for Residential Customers**

The Wastewater only charge is based on average quarterly consumption of 10 cubic meters plus the quarterly customer service charge.

The quarterly charge for Wastewater only customers is $(10 * \$3.51) + \$39.64 = \$74.74$

d) **Basic Quarterly Charge**

Basic Quarterly Charges are applicable to Rural Regional Water customers that have the services installed onto their properties but are not receiving the service to date. Once water is provided, these customers will then be subject to the then-approved volumetric charges.

3. Service To Customers Outside Utility's Limits

- a. The Council of The Rural Municipality of Rosser may sign Agreements with customers for the provision of water and wastewater services to properties located outside the boundaries of Grosse Isle Utility. 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 Grosse Isle Utility boundaries. In addition, all costs of connecting to the Utility's mains, and installing and maintaining service connections, will be paid by the customer.
- b. All costs of connecting to the Utility's water and wastewater mains and installing service connections will be paid by the customer.

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 twenty (20) 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 \$50.00 have been paid.

Any customer requesting a service disconnection shall pay a fee of \$50.00 and if the customer requests a reconnection that occurs at another date or time, a reconnection fee of \$50.00 will apply.

6. Hydrant Charges

The Rural Municipality of Rosser, or any other hydrant owner, will pay to the Utility a fee of \$150 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.

7. Outstanding Bills

Pursuant to Section 252 (2) of the Municipal Act, the amount of all outstanding charges for water and wastewater 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.

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. Meter Testing

Any customer wishing to have a meter tested for accuracy will pay in advance a fee of \$125.00, plus any applicable meter testing costs. In the event that the meter tests proves that the meter is recording water flows in excess of actual flows, the meter testing fee and associated costs will be refunded to the customer, and the customer's account will be reviewed and adjusted accordingly.

10. 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.

11. Water Meters

- (a) The RM shall supply an appropriate size water meter and remote read touch pad at the customers cost.
- (b) The meter and touch pad shall be installed by a registered plumber and the costs shall be the responsibility of the property owner. The remote touch pad shall be located at a point easily accessible at all times and approved by the RM.
- (c) The meter shall be installed 75 cm above the floor or as approved by the RM.
- (d) The meter shall be located as close as practical to the point of entry of the water line. Ample room must be provided for access to the meter and main valve at all times.
- (e) The meter shall be in a horizontal position with the main shut off valve immediately before the meter. Another valve shall be installed downstream of the meter before any distribution piping or ports.
- (f) No distribution piping or ports shall be allowed before the meter.
- (g) The meter shall be protected from any type of damage including freezing.
- (h) Costs for any damage and labour for repairs to the water meter and associated equipment shall be the responsibility of the property owner.

12. Service Permit Fee

Any person wishing to install a new water service pipe, reuse or repurpose an existing water service pipe, or abandon a water service pipe must apply for and receive a water service pipe permit. The cost of the permit includes approval of the plan, inspection of the connection and record keeping.

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 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 Rural 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 Rural 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 Rural Municipality.

16. Volumetric Charge per Kilolitre for Wastewater Disposal Vehicle Tipping Fee

a. Disposal Fee

\$6.75 per kiloliter until further notice. The fee is based on 85% of volume capacity of the Wastewater Disposal Vehicle tank. For example, if the wastewater Disposal Vehicle holds 11,365 liters or 2,500 gallons, they will be deemed to have deposited 85% of the 11,365 liters each time they deposit into the lagoon.

- b. Remote Control Gate Opener
- i. Initial Access Fee - \$150.00, for each septic truck;
 - ii. Annual Access Fee - \$50.00, for each septic truck. The Wastewater Disposal Vehicle Licence must be renewed by paying the Annual Access Fee for each registered septic truck which is due and payable on the first business day in January of each year;
 - iii. Replacement of Remote Control Gate Opener - \$150.00;
 - iv. Switch Remote from one Vehicle to another Vehicle - \$125.00.

- c. Billings
- The due date will be thirty (30) days from the date of the issuance of the invoice.

- d. Reactivation of Remote Control Gate Opener:
- Any deactivation of the Remote Control Gate Opener due to the suspension or cancellation of the Wastewater Disposal Vehicle Licence due to non-payment of account, failure to submit the monthly Record of Wastewater Pickup and Disposal report by the 15th day of the following month, or any infraction under current Lagoon Licensing By-law, shall not be reactivated until all reports are submitted, arrears and a reconnection fee of \$125.00 has been paid.

SCHEDULE B
CONDITIONS PRECEDENT ALLOWING FOR COLLECTION
AND DISCONNECTION OF WATER AND/OR WASTEWATER SERVICES
FOR NON-PAYMENT OF ACCOUNTS

1.0 PURPOSE:

- 1.1 The purpose of this document is to outline and define the disconnection and reconnection policies and procedures for customers with water and/or wastewater services.
- 1.2 Disconnection, in accordance with the steps outlined in the following policy and procedures may occur if a customer is in arrears and full payment or payment arrangements suitable to the utility have not been made and if so, such disconnections must occur in conformance with these conditions precedent.
- 1.3 Reconnection, in accordance with the following policy and procedures will occur as soon as it is reasonably possible after the account returns to good standing. This Policy and Procedure does not apply to disconnection practices for routine maintenance of the utility including emergencies.

2.0 SCOPE:

- 2.1 The policy and procedures apply to customers receiving water and/or wastewater services. The procedures are detailed to reflect the variety of situations that may occur for each of the following customers.
 - 2.1.1 All property owners and/or tenants responsible for water and/or wastewater services.
 - 2.1.2 All landlords responsible for providing tenant water and/or wastewater services covered under The Residential Tenancies Act (C.C.S.M. c R119).
 - 2.1.3 Where water and/or wastewater services are added to taxes.
 - 2.1.4 Where water is sold in bulk.
 - 2.1.5 Where sewage is dumped into a treatment facility.
 - 2.1.6 Where water and/or wastewater service is provided beyond the boundaries of a municipality, if applicable.

3.0 DEFINITIONS:

- 3.1 **Account Holder/Customer** – shall refer to the person or persons who have applied for water and/or wastewater service at a particular residence, whether it be the property owner or renter
- 3.2 **Property Owner** – shall refer to the person or persons who are listed on the title of a specific property.
- 3.3 **Renter** – is not the property owner of the subject property and shall refer to the utility account holder/customer of the subject property.
- 3.4 **Security Deposit** – shall be based on the risk to the utility and should not exceed an estimated bill for three months.

4.0 POLICY:

- 4.1 The Utility will normally confine collection activity to the person(s) identified on the account who requested the service(s) with an implied agreement to pay or the person or agency who has agreed to pay for the service(s), with the following exception: where a reasonable person would expect that a customer not named on the bill is implicitly responsible for the service(s), i.e. husband or wife (legal or common-law), that person will also be presumed to have liability for the outstanding balance.
- 4.2 In order to satisfy provisions of *The Freedom of Information and Protection of Privacy Act*, Utilities are encouraged to develop an agreement between the utility and the account holder/customer, with provisions that establish at minimum conditions for service, recourse for unpaid bills, deposits required, and for renter's acknowledgement that information relating to their account status and other information may be released to the property owner to assist with collections.
- 4.3 The Public Utilities Board (Board) may, on its own initiative, or at the request of a customer review a Utility's action and make recommendations and/or orders with respect to same as the Board may determine.

- 4.4 Every effort is to be made by the Utility to resolve outstanding accounts, disconnection and reconnection issues directly with its customer(s). If a solution cannot be reached the customer may apply to the Board for dispute resolution.
- 4.5 The Utility should familiarize itself with legislated provisions and the duty to report when a child is in need of protection and/or where the life, health or emotional well-being of the child (or children) is endangered. These provisions are contained in Part III – Child Protection - of *The Child and Family Services Act*.
- 4.6 The Utility must make special application to the Board prior to disconnecting service to a community or multiple residences/properties. Such an application must be shared with the affected community (ies) and/or multiple residences/properties. The Board will consider the circumstances and particulars of the application and provide the Utility with direction, following such process as the Board may deem appropriate.
- 4.7 If a landlord is responsible for the provision of water and/or wastewater services to tenant occupied premises, arrears will be based on the outstanding account balance and will be subject to Residential Tenancy Branch (RTB) procedures at the tenant occupied premises. Landlords failing to bring their outstanding account balance to good standing will be subject to disconnection of services of the same utility at their personal residence and any vacant premises under the same name.
- 4.8 This policy does not affect the Utility’s right to disconnect in times of emergency and/or for reasons of safety or for failure to comply with water rationing requirements.
- 4.9 The Utility will keep current data of all disconnected customers in accordance with the following procedures.
- 4.10 The Utility may seek Board exemption from full disconnection procedures when faced with customers who consistently and deliberately show patterns of payment avoidance and who clearly understand the consequences of their actions.

5.0 PROCEDURES

5.1 DISCONNECTION PROCEDURE

Steps 1, 2 and 3 must be followed on water and/or wastewater services in arrears.

Step 1

Customers shall receive a billing statement each billing cycle for services. In some cases the bill is for past consumption and/or minimum quarterly bill for the prior quarter and in other cases, for past consumption over the minimum quarterly bill in the prior quarter plus the next minimum quarterly bill in advance. The due date which appears on the bill shall be no less than 14 days after the billing date. Bulk water customers or customers dumping sewage may have special billing arrangements. However, failure to pay an outstanding bill may result in the removal of the right to use the service.

Step 2

If payment is not received within 31 days from the last billing date, a message similar to the following shall appear on a reminder statement:

“Our records indicate your account is past due. Please give this your prompt attention. If payment or payment arrangements have been made, kindly disregard this notice.”

[The following is applicable to residential premises.]

“Information on service disconnection, payment arrangements and financial assistance is enclosed.”

Sample Insert:

<p>If your account is past due and you have not made payment arrangements, your water and/or wastewater service could be disconnected.</p> <p>The Public Utilities Board adopted Order No. 39/09 governing the disconnection of water and/or wastewater service for non-payment of account.</p>	<p>To make payment arrangements, please contact the utility at:</p> <p><i>204-467-5711</i></p> <p>If you have already made payment arrangements, please disregard this notice.</p>	<p>Financial assistance may be available through Employment and Income Assistance:</p> <ul style="list-style-type: none"> • 1-800-626-4862 <p>Additional financial counseling and support may be available through Community Financial Counseling Services:</p> <ul style="list-style-type: none"> • 1-888-573-2383
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Step 3

If payment is not received within 45 days of the last billing date, a message similar to the following shall appear on the second and final reminder notice. Reconnection fees will be charged as approved by the Board from time to time:

IMPORTANT PAST DUE NOTICE

Your **account** is past due. If suitable payment arrangements or full payment of the arrears are not made on or before (*enter Date {14 calendar days from date of issue}*) your account will be subject to disconnection. If payment of the arrears has already been made, please notify us immediately. If payment arrangements have already been made kindly disregard this notice.

If your service(s) is disconnected, full payment of the arrears balance plus a reconnection fee will be required before service is fully restored. A security deposit may also be required.

Customers may appeal the Utility's action by contacting the Public Utilities Board.

The Utility is not responsible for any damages or losses that may occur as a result of services which are disconnected for non-payment. Please ensure you protect people, animals and property that may be impacted by disconnection of service.

Reconnect Fees are \$ 50.00.

Your service will be disconnected on _____ in the a.m. or p.m.

- 5.2 Where the Utility bills the minimum quarterly bill in advance, and where service is not reconnected, the bill should be adjusted and prorated accordingly, for the period from the date of disconnection to the end of the next quarter.
- 5.3 The following are exceptions to the above notice requirements before disconnection:
 - (a) Where the customer's account was past due and where a payment arrangement was made and subsequently broken, the Utility may disconnect the customer's service with 7 calendar days notice.
 - (b) Where the customer's account was past due for services billed at a previous premise, the Utility may, with 10 days notice, disconnect the customer's service at the new premise if the customer fails to make a payment arrangement.

The Utility shall take all reasonable steps to collect the arrears from its account holder/customer before adding any arrears to taxes.

- 5.4 A message similar to the following shall appear on any future billing statements where services have been disconnected:

"Your account remains outstanding despite previous requests for payment. Failure to pay the outstanding account balance may make your account subject to legal action. Please call the phone number on the front of your billing statement or pay in person. If payment of the arrears has already been made please notify the Utility immediately. If payment arrangements have already been made kindly disregard this notice."

6.0 RECONNECTION OR RESTORATION OF SERVICE PROCEDURE:

- 6.1 No reconnection of service(s) shall occur unless full payment of the arrears or payment arrangements is made suitable to the Utility including a reconnection fee. Reconnection terms may also include the payment of a security deposit.
- 6.2 All reasonable efforts shall be made to reconnect or restore the service as soon as possible.

7.0 GENERAL GUIDELINES FOR RENTAL PROPERTIES:

- 7.1 The renter and property owner are both responsible for providing notice and meter readings to the utility when vacating or renting a premise for the first time.
- 7.2 If the new renter has an unpaid amount, the utility may refuse service to the tenant.
- 7.3 The departing tenant will be responsible for services to the date of departure and the arriving tenant or the property owner will be responsible on the date the new tenant takes occupancy.

- 7.4 If there is a period of time between departing tenant and the arriving tenant the property owner will be responsible for the service charge.
- 7.5 The renter's deposit, if applicable, will be applied to the utility bill at this time. In the case where the amount of the deposit, if applicable, exceeds the amount of the final bills and a credit is shown on the utility account, the credit is then refunded to the renter in the form of a cheque.

8.0 REPORTING REQUIREMENTS:

- 8.1 The Utility shall record the following information which the Board may request at any time:
- (a) the name of the account holder disconnected;
 - (b) efforts made by the Utility to contact the customer (bill messages, letters, telephone calls, personal visits) and the results of such efforts.