1. **PURPOSE**

This is a Bylaw to set rates to be charged for the use and consumption of water and fix the rates for service use of municipal sanitary sewer facilities with the Town of Dundurn.

1. **AUTHORITY**

Pursuant to the Municipalities Act, s 23 the Town of Dundurn may by Bylaw, regulate utility management. WHEREAS Council may regulate the distribution and use of water in the Municipality and may fix the price for the use, and WHEREAS, it is deemed necessary that premises be drained into the sanitary sewer system, property owners shall be charged a reasonable service charge for the use of the sanitary sewer system.

1. **DEFINITIONS**

In this Bylaw, the following terms shall have the meanings ascribed below:

1. “Act” means *The Municipalities Act*, as amended or replace from time to time;
2. “Connection” shall mean a single connection made to the water distribution system or to the sanitary sewer collection system owned by the Town;
3. “Rural connection” shall mean a connection which serves land located outside the boundaries of the Town.
4. “Subscriber” shall have the meaning ascribed in Water and Sanitary Sewer Utility Bylaw;
5. “Town” shall mean the Town of Dundurn;
6. “Town connection” shall mean a connection which serves land located within the boundaries of the Town;
7. “Utility” means the water and sewer utility established by the Water and Sanitary Sewer Utility Bylaw;
8. “Water and Sewer Utility Rates and Fees Bylaw “shall mean Bylaw no 2023-004;

Terms used but not defined in this Bylaw shall, except where the context requires otherwise, have the same meaning as in the Act.

1. **UTILITY RATES FOR SUBSCRIBERS**

Notwithstanding that certain fees and/or rates may be derived from meter reading

taken on a monthly basis, the Town may estimate consumption between readings and

invoice subscribers monthly or as otherwise determined by resolution of Council.

Where a reading is taken by the Town following a period in which rates and fees have been invoiced based on an estimate, the next following invoice shall reflect an adjustment to reflect the difference between estimated and actual consumption. If for any reason a reading of a meter has not been taken or the meter fails to register water supplied, consumption may be estimated.

The charges to be paid by persons who own or occupy premises in which water service has been turned on shall be those set out in Schedule “A” ”B” “C” attached, however, all premises with a water meter installed shall pay the Monthly Utility Delivery Charge as set forth in Schedule “A” attached hereto and; the charge shall be payable in every case whether any water is consumed or if water service is shut off at the curb stop or other. Persons who own or occupy premises drained or that are by bylaw required to be drained into the sanitary sewer system shall pay for such services a rental rate of service charge in accordance with Schedule “D” and “E”.

1. **INFRASTRUCTURE LEVY**

Any utility infrastructure levy fee charged on the land must remain in the account of the landowner.

1. **PENALTIES**

Where payment is not made when due, the subscriber shall be liable to pay to the Town interest at the rate set forth in Schedule “G”, from the date payment is in arrears until the date of payment. Interest shall be calculated and compounded on the first day of each month.

Where a payment made is insufficient to clear a utility account, the payment shall be first applied to interest and/or penalty and thereafter to principal.

The CAO has authority to waive, in their sole discretion, and in whole or in part, the accrued penalty or interest owed by a subscriber.

When the water service is disconnected due to unpaid arrears, it shall not be turned on until all arrears have been paid, together with a fee of $100.00 to cover the expenses of turning off the water and a further fee of $100.00 for turning it on again.

If requested to turn on the water outside the employee’s regular working hours the fee is $150.00. Rates are set forth in “Schedule F”.

Unpaid charges are a lien on the serviced land and may be added to and form part of the taxes owing on the land pursuant to the provisions of *The Municipalities Act*.

1. **SEVERABILITY**

If a Court of Law should declare any section of this Bylaw to be invalid, such section or part shall not be construed as having persuaded or influenced Council to pass the remainder of the Bylaw and is hereby declared that the remainder of the Bylaw shall remain in force and in effect.

1. **BYLAW EFFECTIVE DATE**

The rates, charges, tolls or rents contained in this bylaw shall come into force and take effect on the day of approval being issued by the Local Government Committee.

1. **REPEALED BYLAWS** on the date that Bylaw 2023-003 comes into force.

Bylaw 2019-09 Water & Utility Delivery Rates is hereby repealed.

Bylaw 2019-10 Sewer Rates is hereby repealed.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Curtis Boyes Mayor

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Valerie Schlosser

Chief Administrative Officer

Introduced and read a first time on April 25, 2023

Read a second time on April 25, 2023

Read a third time and hereby adopted on May 9, 2023

**SCHEDULES TO BYLAW 2023-003**

**SCHEDULE “A”**

**Monthly Utility Delivery Charge**

|  |  |  |
| --- | --- | --- |
|  | Town Connection | Rural Connection |
| Monthly | $43.50 | $43.50 |

**SCHEDULE “B”**

**Water Consumption Fee**

|  |  |  |
| --- | --- | --- |
|  | Town Connection  Per cubic meter | Rural Connection  Per cubic meter |
| Monthly | $4.84 | $4.84 |

**SCHEDULE “C”**

**Infrastructure Connection Levy**

|  |  |  |
| --- | --- | --- |
| Year 2011 | $6,170.00 | Paid in full by 2011-Dec-31 |
| OR | $9,504.00 | 180 equal installments  $52.80 per existing connection  From 2011-Sept-01 to 2026-Aug-31 |
| Year 2023 | $52.80/month |  |
| Year 2024 | $52.80/month |  |
| Year 2025 | $52.80/month |  |
| Year 2026 | $52.80/month | Ending 2026-Aug-31 |

**SCHEDULE “D”**

**Monthly Sewage Disposal Fee**

|  |  |  |  |
| --- | --- | --- | --- |
|  | Residential | Multi-Residential | Commercial |
| Monthly | 31.00 Flat Fee | $31.00 Flat Fee per unit or apartment | $3.87 per cubic meter based on water consumption with a minimum charge of $31.00 |

**SCHEDULE “E”**

**Sewer Infrastructure Fee**

|  |  |  |
| --- | --- | --- |
| Year 2011 | $1,755.00 | Paid in full by 2011-Dec-31 |
| OR | $2,401.20 | 180 equal installments  $13.34 per existing sewer connection  From 2011-Sept-01 to 2026-Aug-31 |
| Year 2023 | $13.64 /month |  |
| Year 2024 | $13.64 /month |  |
| Year 2025 | $13.64 /month |  |
| Year 2026 ending Aug 31 | $13.64 /month | Ending 2026-Aug-31 |

**SCHEDULE “F”**

**Connection Service Charges**

Rate payable for shut off for disconnection or turn on or reconnection:

Initial call-out:

Connection $100.00

Disconnection $100.00

Outside normal working hours $200.00

**SCHEDULE “G”**

**Interest Charges**

Interest rate per month payable on arrears: 2%