

Municipality of Oakland-Wawanesa
By-Law No. 16-2021

BEING a by-law of the Municipality of Oakland-Wawanesa to establish water and wastewater rates for the Wawanesa Water and Wastewater Utility;

WHEREAS the Municipality of Oakland-Wawanesa owns and operates a water and wastewater facility within the limits of the Urban area of Wawanesa,

AND WHEREAS Section 232 (1) and (2) and 252 (1) of The Municipal Act, S.M. 1996, c. 58, provides in part as follows:

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;

252(1) A municipality exercising powers in the nature of those referred to in clauses 250(2)(b), (c) and (e) may set terms and conditions in respect of users, including

(a) setting the rates or amounts of deposits, fees and other charges, and charging and collecting them;

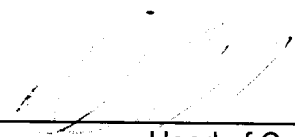
AND WHEREAS it is deemed advisable to provide rates for January 1, 2023 and January 1, 2024 and January 1, 2025 and thereafter to be paid by persons to whom water wastewater services are supplied by the Utility and to provide for the collection thereof;

NOW THEREFORE be it and it is hereby passed and enacted as a by-law of the Municipality of Oakland-Wawanesa in council duly assembled as follows:

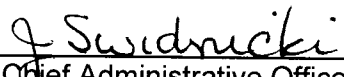
- 1) THAT all accounts for minimum quarterly charges for metered services for the Wawanesa Utility as set forth in the Schedule of Quarterly Rates shall be billed quarterly. Consumers shall pay for water and wastewater service supplied to them by the Utility at the rates and terms set out in Schedule "A" attached hereto and forming part of this by-law.
- 2) THAT no person shall wilfully or maliciously hinder or cause to hinder the Municipality of Oakland-Wawanesa or its representative in the exercise of their duties in relation to the operation and maintenance of the water or wastewater system.
- 3) THAT the Municipality of Oakland-Wawanesa reserves the right to discontinue the supply of water for fountains, jets, hoses and sprinklers, or to limit the hours for the use of the same, whenever, at the discretion of council, it is in the best interest of the public.
- 4) 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 one thousand dollars (\$1,000) and costs for each violation;
 - b) be liable to the Municipality of Oakland-Wawanesa 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.

- 5) This by-law and rates for January 1, 2023, January 1, 2024 and January 1, 2025 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.
- 6) That By-law #519 of the Municipality of Oakland-Wawanesa be repealed as of January 1, 2023 and upon final approval of this By-law by the Public Utilities Board of Manitoba.

DONE AND PASSED by Council in meeting duly assembled this 20th day of September, 2022.



Head of Council



Chief Administrative Officer

Read a first time this 28th day of September, 2021

Read a second time this 21st day of December, 2021

Read a third time this 20th day of September, 2022

**MUNICIPALITY OF OAKLAND-WAWANESA
SCHEDULE "A" – BY-LAW NO. 16-2021
SCHEDULE OF QUARTERLY RATES**

1. Schedule of Commodity Rates &
Quarterly Service Charge

January 1, 2023

Rates per 1,000 Gallons

1,000 Gallons per quarter

Water	Wastewater	Water & Wastewater
\$12.02	\$6.64	\$18.66

Quarterly Service Charge \$15.32

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	Group Capacity Ratio	Water Included Gallons	Customer Service Charge	Water Commodity Charge	Wastewater Commodity Charge	Water & Wastewater Total Quarterly Minimum
5/8 inch	1	3,000	\$15.32	\$36.06	\$19.92	\$71.30
3/4 inch	2	6,000	\$15.32	\$72.12	\$39.84	\$127.28
1 inch	4	12,000	\$15.32	\$145.24	\$79.68	\$239.24
1 1/2 inch	10	30,000	\$15.32	\$360.60	\$199.20	\$575.12
2 inch	25	75,000	\$15.32	\$901.50	\$498.00	\$1,414.82

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 Customers

Quarterly charges shall be: Service Charge	\$15.32
Wastewater charge - 9,000 Gallons	<u>59.76</u>
	\$75.08

3. Lagoon Tipping Fees

Lagoon Tipping Fees are \$30 per 1,000 gallons.

1. Schedule of Commodity Rates & Quarterly Service Charge

January 1, 2024

Rates per 1,000 Gallons

1,000 Gallons per quarter

Water	Wastewater	Water & Wastewater
\$15.74	\$6.03	\$21.77

Quarterly Service Charge

\$14.99

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	Group Capacity Ratio	Water Included Gallons	Customer Service Charge	Water Commodity Charge	Wastewater Commodity Charge	Water & Wastewater Total Quarterly Minimum
5/8 inch	1	3,000	\$14.99	\$47.22	\$18.09	\$80.30
3/4 inch	2	6,000	\$14.99	\$94.44	\$36.18	\$145.61
1 inch	4	12,000	\$14.99	\$188.88	\$72.36	\$276.23
1 1/2 inch	10	30,000	\$14.99	\$472.20	\$180.90	\$668.09
2 inch	25	75,000	\$14.99	\$1,180.50	\$452.25	\$1,647.74

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 Customers

Quarterly charges shall be: Service Charge	\$14.99
Wastewater charge - 9,000 Gallons	<u>54.27</u>
	\$69.26

3. Lagoon Tipping Fees

Lagoon Tipping Fees are \$35 per 1,000 gallons.

1. Schedule of Commodity Rates & Quarterly Service Charge
 Rates per 1,000 Gallons

January 1, 2025

1,000 Gallons per quarter

Water	Wastewater	Water & Wastewater
\$19.45	\$5.41	\$24.86

Quarterly Service Charge \$14.67

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	Group Capacity Ratio	Water Included Gallons	Customer Service Charge	Water Commodity Charge	Wastewater Commodity Charge	Water & Wastewater Total Quarterly Minimum
5/8 inch	1	3,000	\$14.67	\$58.35	\$16.23	\$89.25
3/4 inch	2	6,000	\$14.67	\$116.70	\$32.46	\$163.83
1 inch	4	12,000	\$14.67	\$233.40	\$64.92	\$312.99
1 1/2 inch	10	30,000	\$14.67	\$583.50	\$162.30	\$760.47
2 inch	25	75,000	\$14.67	\$1,458.75	\$405.75	\$1,879.17

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 Customers

Quarterly charges shall be:	Service Charge	\$14.67
	Wastewater charge - 9,000 Gallons	<u>48.69</u>
		\$63.36

3. Lagoon Tipping Fees

Lagoon Tipping Fees are \$40 per 1,000 gallons.

The following clauses take effect January 1, 2023:

4. Service to Customers Outside Utility's Limits

- a. The Council of the Municipality of Oakland-Wawanesa may sign Agreements with customers for the provision of water and Wastewater services to properties located outside the boundaries of Wawanesa 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 Wawanesa 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.

5. Billings and Penalties

Accounts shall be billed quarterly based on water used. 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.

6. 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 at the Utility Customer's request or due to non-payment of account shall not be reconnected until all arrears, penalties and a reconnection fee of \$50.00 have been paid.

7. Liability for Charges

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. Hydrant Charges

The Municipality of Oakland-Wawanesa, or any other hydrant owner, will pay to the Wawanesa Utility a fee of \$250 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.

9. 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.

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.

When a meter ceases to function and a correct reading cannot be recorded, the charge to that customer for the current quarter shall be the average of the billings for the last four quarters to the same customer or to the same premises if the occupant has changed.

11. 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 \$150. 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.

12. 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.

13. 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 Municipality, or its agents, may enter the property, effect repairs and charge the cost thereof against the subject property as ordinary taxes.

14. 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.