RURAL MUNICIPALITY OF GIMLI

BY-LAW NO. 18-0029

WASTEWATER AND WATER UTILITY RATES 2019

BEING a By-Law of the Rural Municipality of Gimli to establish wastewater and water utility rates for the year 2019 within the Rural Municipality of Gimli;

WHEREAS the Rural Municipality of Gimli owns and operates a wastewater and three water facilities within the limits of the Rural Municipality of Gimli;

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

> *"232(1) The council may pass by-laws for municipal purposes respecting the following matters:*
>
> *(1) Public utilities;*
>
> *(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 the Rural Municipality of Gimli has passed By-Law 19-0003 to control the discharge of sewage into the sewerage system which allows the municipality to deal with high volume/strength wastewater being discharged into the sewerage system;

NOW THEREFORE be it and it is hereby passed and enacted as a By-Law of the Rural Municipality of Gimli, in council duly assembled as follows:

1. **THAT** all accounts for minimum quarterly charges for metered and flat rate services shall be billed quarterly for water and wastewater services for the preceding quarter. Consumers shall pay for water and wastewater services supplied to them by the Rural Municipality of Gimli at the rates and terms set out in Schedule "A" attached hereto and forming part of this By-Law.

2. **THAT** By-Law No. 14-0011 be repealed as of and upon the final reading of this By-Law.

3. **THAT** this By-Law shall come into force and become effective on, from and after both approval by The Public Utilities Board and receipt of third and final reading thereof.

4. **THAT** the 2019 rates set out in Schedule "A" are effective as of October 1, 2019.

PASSED AND ENACTED by the Rural Municipality of Gimli, in Council duly assembled this 14th day of August 2019

RURAL MUNICIPALITY OF GIMLI

Lynn Greenberg
Mayor

Chief Administrative Officer

Read a first time this 27 day of February, 2019
Read a second time this 22 day of May, 2019
Read a third time this 14th day of August, 2019

12.

RURAL MUNICIPALITY OF GIMLI

SCHEDULE "A"

BY-LAW NO. 18-0029

WASTEWATER AND WATER UTILITY RATES 2019

WASTEWATER UTILITY CHARGES

1.1. EFFECTIVE OCTOBER 1, 2019

Commodity Charge - $1.35 per cubic meter ($m^3$)

1.1.1 Wastewater Utility Customers-Metered

All customers with metered water and wastewater service shall pay the applicable minimum wastewater rate charge set out below based on the consumption of the metered water service, which will include the allowance indicated:

Meter Size	Group Capacity Ratio	Minimum Quarterly Consumption	Service Charge	Commodity Charge	Minimum Quarterly Charges
5/8"	1	13.5 m^3	$22.71	$18.23	$40.94
¾"	2	27 m^3	$22.71	$36.45	$59.16
1"	4	54 m^3	$22.71	$72.90	$95.61
1 ½"	10	135 m^3	$22.71	$182.25	$204.96
2"	25	337.5 m^3	$22.71	$455.63	$478.34
3"	45	607.5 m^3	$22.71	$820.13	$842.84
4"	90	1215 m^3	$22.71	$1,640.25	$1,662.96
6"	170	2295 m^3	$22.71	$3,098.25	$3,120.96

1.1.2 Wastewater Utility Customers-Flat Rates

Customer	REU	Service Charge	Commodity Charge	Quarterly Bill
Single Family or Small Business	1	$22.71	$66.49	$89.20
Building with more than 1 residence or business				
2 residences or businesses	2	$22.71	$132.98	$155.69
3 residences or businesses	3	$22.71	$199.47	$222.18
Cornerstone Enterprises	1	$22.71	$66.49	$89.20
Design Canada	1	$22.71	$66.49	$89.20
Gimli Small Engines	1	$22.71	$66.49	$89.20
Lake Agassiz Marine Office	1	$22.71	$66.49	$89.20
Lake Agassiz Marine Hanger # 2	2	$22.71	$132.98	$155.69
Lake Agassiz Marine Hanger # 4	2	$22.71	$132.98	$155.69
Aurora Recovery Centre	5	$22.71	$332.45	$355.16
Lake Agassiz Marine Hanger # 1	5	$22.71	$332.45	$355.16
GIDG Dunlop Building	5	$22.71	$332.45	$355.16
Natural Resources Water Bombers	5	$22.71	$332.45	$355.16
Star North Marine	5	$22.71	$332.45	$355.16
Skyline Hanger #3	5	$22.71	$332.45	$355.16
Faroex-Plant	15	$22.71	$997.35	$1,020.06
Faroex-Warehouse	1	$22.71	$66.49	$89.20
Faroex-Research Building	1	$22.71	$66.49	$89.20

1.1.3 Wastewater Utility Customers - Bulk Rates and Septic Haulers

Haulers within the RM — Volumetric Charge (m^3) - $4.60 ($20.93 per 1,000 gallons)

Haulers outside the RM — Volumetric Charge (m^3) - $5.95 ($27.08 per 1,000 gallons)

2. WATER CHARGES

2.1 Water Customers

Notwithstanding the commodity rates set forth in Section 1 hereof, all customers with water and wastewater service shall pay the applicable flat rate set out below or minimum charge set out below based on the consumption of the metered water service, which will include the allowance indicated.

2.2 Urban Area Water System

2.2.1 EFFECTIVE JANUARY 1, 2018

2.2.1.1 Water System – Metered

Commodity Charge - $1.29 per cubic meter ($m^3$)

Minimum Quarterly Charges – Water Connection Only

Meter Size	Group Capacity Ratio	Minimum Quarterly Consumption	Service Charge	Commodity Charge	Minimum Quarterly Charges
5/8"	1	13.5 m^3	$25.07	$17.42	$42.49
¾"	2	27 m^3	$25.07	$34.83	$59.90
1"	4	54 m^3	$25.07	$69.66	$94.73
1 ½"	10	135 m^3	$25.07	$174.15	$199.22
2"	25	337.5 m^3	$25.07	$435.38	$460.45
3"	45	607.5 m^3	$25.07	$783.68	$808.75
4"	90	1215 m^3	$25.07	$1,567.35	$1,592.42
6"	170	2295 m^3	$25.07	$2,960.55	$2,985.62

2.2.1.2 Urban Area Bulk Water Rate

Volumetric Charge - $2.15 per cubic meter ($m^3$) ($9.79 per 1,000 gallons)

2.3 Pelican Beach Area

2.3.1 EFFECTIVE JANUARY 1, 2018

2.3.1.1 Water System – Metered

Commodity Charge - $1.60 per cubic meter ($m^3$)

Minimum Quarterly Charges – Water Connection Only

Meter Size	Group Capacity Ratio	Minimum Quarterly Consumption	Service Charge	Commodity Charge	Minimum Quarterly Charges
5/8"	1	13.5 m^3	$22.34	$21.60	$43.94
¾"	2	27 m^3	$22.34	$43.20	$65.54
1"	4	54 m^3	$22.34	$86.40	$108.74
1 ½"	10	135 m^3	$22.34	$216.00	$238.34
2"	25	337.5 m^3	$22.34	$540.00	$562.34
3"	45	607.5 m^3	$22.34	$972.00	$994.34
4"	90	1215 m^3	$22.34	$1,944.00	$1,966.34
6"	170	2295 m^3	$22.34	$3,672.00	$3,694.34

2.3.1.2 Pelican Beach Area Water System-Flat Rate

Customer	REU	Service Charge	Commodity Charge	Quarterly Bill
Single Family or small Business	1	$ 22.34	$86.56	$108.90
Building with more than 1 residence or business				
2 residences or businesses	2	$ 22.34	$173.12	$195.46
3 residences or businesses	3	$ 22.34	$259.68	$282.02

2.3.1.3 Pelican Beach Bulk Water Rate

Volumetric Charge - $2.64 per cubic meter ($m^3$) ($12.02 per 1,000 gallons)

2.4 Gimli Industrial Park Area

2.4.1 EFFECTIVE JANUARY 1, 2018

Commodity Charge - $1.85 per cubic meter ($m^3$)

2.4.1.1 Water System- Metered

Minimum Quarterly Charges – Water Connection Only

Meter Size	Group Capacity Ratio	Minimum Quarterly Consumption	Service Charge	Commodity Charge	Minimum Quarterly Charges
5/8"	1	13.5 m^3	$16.09	$24.98	$41.07
¾"	2	27 m^3	$16.09	$49.95	$66.04
1"	4	54 m^3	$16.09	$99.90	$115.99
1 ½"	10	135 m^3	$16.09	$249.75	$265.84
2"	25	337.5 m^3	$16.09	$624.38	$640.47
3"	45	607.5 m^3	$16.09	$1,123.88	$1,139.97
4"	90	1215 m^3	$16.09	$2,247.75	$2,263.84
6"	170	2295 m^3	$16.09	$4,245.75	$4,261.84

2.4.1.2 Gimli Industrial Park Area Water System-Flat Rates

Customer	REU	Service Charge	Commodity Charge	Quarterly Bill
Single Family or small Business	1	$16.09	$121.75	$137.84
Building with more than 1 residence or business				
2 residences or businesses	2	$16.09	$243.50	$259.59
3 residences or businesses	3	$16.09	$365.25	$381.34
Cornerstone Enterprises	1	$16.09	$121.75	$137.84
Design Canada	1	$16.09	$121.75	$137.84
Gimli Small Engines	1	$16.09	$121.75	$137.84
Lake Agassiz Marine Office	1	$16.09	$121.75	$137.84
Lake Agassiz Marine Hanger # 2	2	$16.09	$243.50	$259.59
Lake Agassiz Marine Hanger # 4	2	$16.09	$243.50	$259.59
Aurora Recovery Centre	5	$16.09	$608.75	$624.84
Lake Agassiz Marine Hanger # 1	5	$16.09	$608.75	$624.84
GIDG Dunlop Building	5	$16.09	$608.75	$624.84
Natural Resources Water Bombers	5	$16.09	$608.75	$624.84

North Star Marine	5	$16.09	$608.75	$624.84
Skyline Hanger #3	5	$16.09	$608.75	$624.84
Faroex-Warehouse	1	$16.09	$121.75	$137.84
Faroex-Research Bldg	1	$16.09	$121.75	$137.84
Faroex-Plant	15	$16.09	$1,826.25	$1,842.34

2.4.1.3 Gimli Industrial Park Bulk Water Rate

Volumetric Charge - $2.07 per cubic meter ($m^3$) ($9.42 per 1,000 gallons)

3.0 SERVICE TO CUSTOMERS OUTSIDE MUNICIPAL LIMITS

The Council of the Municipality may sign agreements with customers for the provision of water and wastewater services to properties located outside the legal boundaries of the Municipality. Such agreements shall provide for payment of the appropriate rates set out in Commodity Rates of 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 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 these boundaries. In addition, all costs of connecting to the utility's mains, and installing and maintaining service connections will be paid by the customer.

4.0 PENALTY FOR LATE PAYMENT

A late payment charge of 1 ¼% per month compounded 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.

5.0 DISCONNECTION OF SERVICES

5.1 Disconnection for Non Payment / Delinquent Accounts

All utilities subject to *The Public Utilities Board Act* shall comply with the Conditions Precedent for water and/or wastewater service disconnection, as attached hereto and marked as Schedule "B".

5.2 Disconnection at Owners Request

A fee of $30.00 shall be charged for disconnecting the water service at the property owner's request.

6.0 RECONNECTION OF SERVICES

6.1 Reconnection for Non Payment / Delinquent Accounts

Where any service is disconnected under the provisions of this By-Law, it shall not be reconnected until all arrears, penalties and a reconnection fee of $100.00 have been paid.

6.2 Reconnection for *Non Delinquent* Accounts

A fee of $30.00 shall be charged for reconnecting the water service at the property owner's request.

7.0 OUTSTANDING ACCOUNTS

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 shall be collected in the same manner in which ordinary taxes upon the land are collectible, and with like remedies.

8.0 STANDPIPE SURCHARGE

A quarterly flat rate fee of $168.75 shall be charged to all commercial or multi-family customers with internal sprinkler systems for the purpose of fire protection.

9.0 HYDRANT RENTALS

The Rural Municipality of Gimli shall pay to the utility an annual rental of $125.00 for each hydrant connected to the system.

10.0 METER ACCURACY TESTING

That any customer may request that his/her water meter be tested for accuracy and before having the same tested by the Municipality, he/she shall deposit with the Chief Administrative Officer the sum of One Hundred ($100.00) Dollars, which shall be retained and if the meter shall be found to be accurate, the said sum of One Hundred ($100.00) Dollars shall be retained by the Municipality and if the meter is found to be inaccurate, the said sum of One Hundred ($100.00) Dollars will be returned to the customer

11.0 WASTEWATER SURCHARGES

That there may be levied annually, in addition to rates set forth above, a special surcharge on wastewater having a Biochemical Oxygen Demand in excess of 300 parts per million, to be set by resolution of Council.

That a special surcharge for substances requiring special treatment shall be charged based on the actual costs of treatment required for the particular wastewater or industrial wastes.

12.0 COMMERCIAL SEASONAL CUSTOMERS

That all commercial customers that have their water service disconnected in the fall and reconnected in the spring and that have a service size larger than the minimum size of 5/8" will pay the minimum metered amount, according to service size per quarter, while the water service is disconnected.

13.0 RESIDENTIAL SEASONAL CUSTOMERS

Residential customers may declare a property seasonal use whereby their residence will not be in use from January 1 to March 31 of each year and their utility bill will be discontinued for that quarter. Billing will automatically start on April 1 of each year. Once the residential customer makes the declaration and if the residence uses the utility service for any part of the quarter, the whole quarter will be charged regardless of the number of days use in the quarter.

14.0 RESIDENTIAL CUSTOMERS CONNECTED TO THE NORTH FORCEMAIN

Residents connected to the North Forcemain and have a low pressure wastewater system will be entitled to be reimbursed for one pump out per year by the municipality.

RURAL MUNICIPALITY OF GIMLI

SCHEDULE "B"

BY-LAW NO. 18-0029

WASTEWATER AND WATER RATES 2019

Conditions Precedent Allowing for Collection and Disconnection of Water and/or Wastewater Services for Non-Payment of Accounts

POLICY AND PROCEDURES

1.0 PURPOSE:

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.

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.

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:

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 All property owners and/or tenants responsible for water and/or wastewater services.

2.2 All landlords responsible for providing tenant water and/or wastewater services covered under The Residential Tenancies Act (C.C.S.M. c R119).

2.3 Where water and/or wastewater services are added to taxes.

2.4 Where water is sold in bulk.

2.5 Where wastewater is dumped into a treatment facility.

2.6 Where water and/or wastewater service is provided beyond the boundaries of a municipality, if applicable.

3.0 DEFINITIONS:

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.

Property Owner – shall refer to the person or persons who are listed on the title of a specific property.

Renter – is not the property owner of the subject property and shall refer to the utility account holder/customer of the subject property.

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 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.

4.6 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.

4.7 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.

4.8 The Utility will keep current data of all disconnected customers in accordance with the following procedures.

4.9 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:

If your account is past due and you have not made payment arrangements, your water and/or wastewater service could be disconnected. The Public Utilities Board adopted Order No. --/08 governing the disconnection of water and/or wastewater service for nonpayment of account.	To make payment arrangements, please contact the utility at: *[Insert contact information here]* If you have already made payment arrangements, please disregard this notice.	Financial assistance may be available through Employment and Income Assistance: 204-642-6051, toll free 1-866-475-0215 Additional financial counseling and support may be available through Community Financial Counseling Services: • 1-888-573-2383

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.

7.6 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;

(c) any evidence of the customer either contacting, or being encouraged to contact an appropriate social agency;

(d) if known, details of any follow-up action being undertaken by a social agency; and

(e) information indicating the presence of children, the elderly and the disabled. Where there are children 12 and under, the matter will be referred in writing to Child and Family Services as soon as the facts are known.