

The Corporation of the Township of Guelph/Eramosa

By-law Number 42/2020

A By-law to enact rules and regulations and to establish water and wastewater service rates and services fees for the water and wastewater systems servicing the Township of Guelph/Eramosa.

WHEREAS the Corporation of the Township of Guelph/Eramosa operates water production, treatment and storage distribution systems and systems for the collection and treatment of sewage;

WHEREAS pursuant to Section 11 of the Municipal Act, 2001, (the “Act”) the Township of Guelph/Eramosa has the responsibility for public utilities, including water distribution, production, treatment and storage within the Township of Guelph/Eramosa and the collection, production and treatment of such water, the collection and treatment of sewage and the financing thereof by a municipal corporation or local board thereof and all provisions of any special act relating to such collection and treatment of such water and wastewater apply;

AND WHEREAS subsection 9 (3) of the Act provides that a by-law under Section 11 respecting a matter may “regulate or prohibit respecting matter” and “require persons to do things respecting the matter”;

AND WHEREAS Part III of the Act (Specific Municipal Powers) under the heading “Public Utilities” contains specific powers and provisions with respect to such systems;

AND WHEREAS Part XIV of the Act (Enforcement) provides that the Township of Guelph/Eramosa may pass By-laws providing that any person who contravenes a by-law passed under the Act is guilty of an offence, and contains other enforcement provisions;

AND WHEREAS the Township of Guelph/Eramosa is permitted to impose water fees and charges under Part XII of the Act; and Section 398 of the Act provides that the Treasurer may add charges so imposed to the tax roll for the property to which the said Public Utilities were supplied and collect them in the same manner as taxes; and further O. Reg. 440/02 provides that charges so added to the tax roll for the supply of water have priority lien status as provided for in Section 1 of the Act;

NOW THEREFORE the Council of The Corporation of the Township of Guelph/Eramosa enacts as follows:

1 Application

That the rules and regulations set out in this By-law shall govern and regulate the financing of any system of the municipal water and wastewater works owned by The Township of Guelph/Eramosa and shall be considered to form a part of the contract between the Township of Guelph/Eramosa and the owner, or occupant, of a property in which municipal water and wastewater is supplied by the Township of Guelph/Eramosa.

2 Definitions:

That in this By-law, the following terms are defined as:

“Municipal Water and Wastewater User” means the owner or occupant of a property receiving municipal water and/or wastewater service by way of written agreement/authorization of the Township of Guelph/Eramosa Water and Wastewater Department.

“Township of Guelph/Eramosa Public Works Water and Wastewater Department” is a department of the Corporation of The Township of Guelph/Eramosa as established in accordance to the Municipal Act as a public utility providing municipal water and wastewater to the Township of Guelph/Eramosa.

“Customer” means the owner, tenant or occupant of premises to which water and/or wastewater service is supplied by the Township of Guelph/Eramosa.

“Premises” means any house, building, lot or part of lot or both, where water service and/or wastewater service is supplied.

“Public Utility” means water and wastewater system service.

“Township of Guelph/Eramosa” means The Corporation of the Township of Guelph/Eramosa.

“User” means as the context requires, the applicant for water and/or wastewater supply, the owner or occupant of or the person to whom invoices are sent for water supplied to a premises.

“Water” means potable water that is fit for human consumption.

“Wastewater” means any works for the collection, transmission, treatment and disposal of sewage or any part of such works, but does not apply to plumbing or other works to which the Ontario Building Code or its regulations apply.

“Water Meter” means the water meter as approved by the Township of Guelph/Eramosa and purchased by the property owner through the Township of Guelph/Eramosa and installed by a licensed plumber.

“Water Service Connection” means that part of the water service pipe from the municipal water main to the street line including the shut off valve at the street line, which supplies water to any premises in the Township of Guelph/Eramosa.

3 Billing

3.1 The Township of Guelph/Eramosa Finance Department, in conjunction with the Water and Wastewater Department, administers all matters relating to billing, and collection of water and/or wastewater accounts in accordance with Schedule A to this by-law.

3.2 Before the initial supply of water and/or wastewater service or any subsequent reconnection to water and/or wastewater service for any premises in the Township of Guelph/Eramosa, the owner shall make application for same and the owner shall be governed by the requirements of this By-law and the Township’s By-law to regulate the supply, distribution and use of water.

- 3.3 The water consumed and/or wastewater utilized on all premises in the Township of Guelph/Eramosa shall be charged for as indicated by the rates shown in Schedule "A" to this By-law. In this By-law and Schedule "A" the word "charge" and the word "rate", both in the singular and the plural, have the same meaning.
- 3.4 Water meters shall be read or stipulated rates charged and accounts rendered bi-monthly, or on any other basis at the discretion of the Township of Guelph/Eramosa. The Township of Guelph/Eramosa may serve bills upon the customer, by delivery or mail, either at an address supplied by the customer, or bills shall be deemed to be served upon the said customer, if they are delivered or sent by mail to premises supplied with water.
- 3.5 All accounts shall be due and payable on or before the due date as printed on the billing invoice. That upon default of payment interest will be calculated at 2% per month on outstanding balances and added to the account on the first day of each calendar month in which default continues.
- 3.6 The minimum monthly base charge for providing and maintaining water and/or wastewater supply to any premises is payable per unit, in accordance with Schedule A. In instances when the occupant of any premise terminates their account with the Township of Guelph/Eramosa, subsequent minimum monthly base charge shall be rendered to the owner of the premises until such time as a new occupant applies to the Township of Guelph/Eramosa for the supply of water and/or wastewater.
- 3.7 The Township of Guelph/Eramosa is authorized to accept Pre-Authorized Payments (PAP) for provision of municipal water and/or wastewater on behalf of the Township of Guelph/Eramosa.
- 3.8 Information concerning the Pre-Authorization Payments will be made available to all water and wastewater system users within the Township of Guelph/Eramosa through the billing process.
- 3.9 The pre-authorization payments will consist of:
 - a) Bi-monthly pre-authorized payments of actual per bill amounts will be due on the bi-monthly due date of the actual water bill issued.
- 3.10 Cost of Non-Sufficient Funds, (NSF) or PAP declining shall be added to the owners water account in accordance with the Township's current Fees and Charges By-law.
- 3.11 Where PAP has been declined two (2) consecutive periods the customer will be removed from the PAP plan, and will then receive printed invoices payable according to billing cycle.
- 3.12 All costs incurred for service from the lot line to the residence will be the sole responsibility of the property owner, including cost incurred by tenants.
- 3.13 When the owner requests a temporary removal of the water meter from their premises, for any reason, the water meter removal and reinstallation shall be done entirely at the expense of the Property Owner by a licensed plumber.
- 3.14 In cases where a meter cannot or is not read for the normal billing period, an average will be charged for the billing period.
- 3.15 A monthly flat rate of three times the base charge for the provision of water and wastewater services (if applicable) shall be charged bi-

monthly to the building permit holder from the date of issuance of the building permit until final inspection and issuance of the occupancy permit.

4 Collection

4.1 (a) The Treasurer may add charges imposed under this By-law for the supply of a public utility to the tax roll for the property to which the public utility was supplied, and collect them in the same manner as municipal taxes.

(b) Pursuant to subsection 398 (2) of the Act every property to which Public Utility Services have been supplied, regardless of the party to whom they were supplied, may have the charges therefore added to the tax roll for the property and they may be collected in the same manner as municipal taxes.

(c) With respect to Landlord and Tenant situations where the tenancy commences on, before or after the effective date of this By-law, the Landlord shall provide the Tenant with water services, and those services will be supplied to the Landlord/Property Owner who shall be the account holder and be responsible for the payment of the same as a debt to the municipality.

5 Enactment

5.1 This By-law amends By-law 53/2015 and sections relating to the billing, collecting, fees, rates and charges of the water and wastewater systems of the Township of Guelph/Eramosa.

5.2 All Schedules attached to this by-law form part of this by-law.

5.3 This by-law comes into force and effect on the 14th day of July, 2020.

READ three times and finally passed
this **13th** day of **July, 2020**.

Chris White, Mayor

Amanda Knight, Clerk

Schedule 'A'
By-law 42/2020

Water Rate Summary - Rockwood	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Base Rate	\$10.82	\$11.36	\$11.93	\$12.53	\$13.15	\$13.81	\$14.50	\$15.22	\$15.99	\$16.79	\$17.62
Constant Rate (per cu.m)	\$2.52	\$2.62	\$2.72	\$2.83	\$2.94	\$3.06	\$3.18	\$3.30	\$3.43	\$3.57	\$3.71

Wastewater Rate Summary - Rockwood	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Base Rate	\$10.82	\$11.04	\$11.26	\$11.48	\$11.71	\$11.95	\$12.19	\$12.43	\$12.68	\$12.93	\$13.19
Constant Rate (per cu.m)	\$3.40	\$3.47	\$3.54	\$3.61	\$3.68	\$3.75	\$3.83	\$3.91	\$3.99	\$4.07	\$4.15

Water Rate Summary - Hamilton Drive	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Base Rate	\$10.82	\$11.36	\$11.93	\$12.53	\$13.15	\$13.81	\$14.50	\$15.22	\$15.99	\$16.79	\$17.62
Constant Rate (per cu.m)	\$3.42	\$3.45	\$3.49	\$3.52	\$3.56	\$3.59	\$3.63	\$3.67	\$3.70	\$3.74	\$3.78

Gazer Mooney Annual Billings	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Annual Flat Rate - Water & Wastewater	\$329.78	\$336.38	\$343.10	\$349.97	\$356.97	\$364.11	\$371.39	\$378.82	\$386.40	\$394.13	\$402.01