

**RURAL MUNICIPALITY OF WEST ST. PAUL**

**BY-LAW NO. 2019-06**

**BEING A BY-LAW OF THE RURAL MUNICIPALITY OF WEST ST. PAUL TO  
ESTABLISH SEWER RATES FOR THE RURAL MUNICIPALITY OF WEST ST. PAUL  
AND TO REPEAL BY-LAW 2016-18**

**WHEREAS** the Rural Municipality of West St. Paul has undertaken a sewer rate study that indicates sewer rates are required to be set;

**AND WHEREAS** Section 232 (1) and (2) 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;
  - (o) the enforcement of bylaws
- 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 October 1, 2019 and October 1, 2020 and thereafter to be paid by persons to whom use the sewer system supplied by the Rural Municipality of West St. Paul and to provide for the collection thereof;

**NOW THEREFORE** the Council of the Rural Municipality of West St. Paul enacts as follows:

- 1) THAT all accounts for minimum quarterly charges for metered services for the West St. Paul Sewer Utility as set forth in the Schedule of Quarterly Rates shall be billed quarterly. Consumers shall pay for 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.
- 2) THAT no person, other than the Fire Chief or someone acting on his/her behalf, or a representative of the RM, unless duly authorized in writing by the Director of Operation, shall open or use any fire hydrant, either for construction purposes, street cleaning, or any other purpose.
- 3) THAT the meter shut off valve inside premises serviced with sewer by the Rural Municipality of West St. Paul's Utility, shall be readily accessible and not used by the owner except for the protection of the premises. No person shall tamper with the meter or cause the water supply to bypass the meter. All pipes and valves inside the

premises shall be kept in good repair by the owner or occupant. Any damage through neglect or otherwise, by a contractor for the owner or occupant, to the water service pipes from the street to the premises including the meter shall be the responsibility of the owner or occupant.

- 4) THAT no person shall wilfully or maliciously hinder or cause to hinder the Rural Municipality of West St. Paul or its representative in the exercise of their duties in relation to the operation and maintenance of the water or sewer system.
- 5) 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 Rural Municipality of West St. Paul 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.
- 6) THIS By-Law and rates for October 1, 2019, and October 1, 2020 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.
- 7) THAT By-Law No. 2016-18 of the Rural Municipality of West St. Paul be repealed as of October 1, 2019 and upon final approval of this By-Law by the Public Utilities Board of Manitoba.
- 8) **DONE AND PASSED** by the Council of the Rural Municipality of West St. Paul in regular session assembled this 26<sup>th</sup> day of September, A.D. 2019.

RURAL MUNICIPALITY OF WEST ST. PAUL

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

Read a first time this 13<sup>th</sup> day of June, A.D. 2019.

Read a second time this 26<sup>th</sup> day of September, A.D. 2019.

Read a third time this 26<sup>th</sup> day of September, A.D. 2019.

**RURAL MUNICIPALITY OF WEST ST. PAUL  
BY-LAW NO. 2019-06  
SCHEDULE "A"**

**Schedule of Quarterly Rates - October 1, 2019**

- |   |         |
|---|---------|
| 1. Sewer Rates per Cubic Meter  | \$3.23  |
| Winnipeg Quarterly Participation Fee-Residential  | \$63.25 |
| Winnipeg Quarterly Participation Fee for Commercial,<br>Industrial and other non-residential properties; for each<br>\$500,000 of Developed Assessed Market value | \$63.25 |
| West St. Paul Quarterly Service Charge  | \$26.48 |

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 sewer allowance as listed.

a) Sewer Customers

Pipe Diameter Meter Size	Sewer Included Cubic Meter	Wpg Participation Fee Residential	WSP Customer Service Charge	Wpg Sewer Commodity	WSP Sewer Commodity	Quarterly Total Minimum
5/8 inch	14	\$63.25	\$26.48	\$39.20	\$6.02	\$134.95
3/4 inch	28	\$63.25	\$26.48	\$78.40	\$12.04	\$180.17
1 inch	56	\$63.25	\$26.48	\$156.80	\$24.08	\$270.61
1 ½ inch	140	\$63.25	\$26.48	\$392.00	\$60.20	\$541.93
2 inch	350	\$63.25	\$26.48	\$980.00	\$150.50	\$1,220.23
3 inch	630	\$63.25	\$26.48	\$1,764.00	\$270.90	\$2,124.63
4 inch	1260	\$63.25	\$26.48	\$3,528.00	\$541.80	\$4,159.53
6 inch	2380	\$63.25	\$26.48	\$6,664.00	\$1,023.40	\$7,777.13

- b) Quarterly minimum charge will be different for each meter size as shown in the table above. The water from the customers private service shall be metered at the customer's cost. The charge will be based upon consumption as shown above with the water charge excluded.

**RURAL MUNICIPALITY OF WEST ST. PAUL  
BY-LAW NO. 2019-06  
SCHEDULE "A"**

**Schedule of Quarterly Rates - October 1, 2020**

- |   |         |
|---|---------|
| 1. Sewer Rates per Cubic Meter  | \$3.52  |
| Winnipeg Quarterly Participation Fee-Residential  | \$63.25 |
| Winnipeg Quarterly Participation Fee for Commercial,<br>Industrial and other non-residential properties; for each<br>\$500,000 of Developed Assessed Market value | \$63.25 |
| West St. Paul Quarterly Service Charge  | \$20.57 |

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 sewer allowance as listed.

a) Sewer Customers

Pipe Diameter Meter Size	Sewer Included Cubic Meter	Wpg Participation Fee Residential	WSP Customer Service Charge	Wpg Sewer Commodity	WSP Sewer Commodity	Quarterly Total Minimum
5/8 inch	14	\$63.25	\$20.57	\$39.20	\$10.08	\$133.10
3/4 inch	28	\$63.25	\$20.57	\$78.40	\$20.16	\$182.38
1 inch	56	\$63.25	\$20.57	\$156.80	\$40.32	\$280.94
1 ½ inch	140	\$63.25	\$20.57	\$392.00	\$100.80	\$576.62
2 inch	350	\$63.25	\$20.57	\$980.00	\$252.00	\$1,315.82
3 inch	630	\$63.25	\$20.57	\$1,764.00	\$453.60	\$2,301.42
4 inch	1260	\$63.25	\$20.57	\$3,528.00	\$907.20	\$4,519.02
6 inch	2380	\$63.25	\$20.57	\$6,664.00	\$1,713.60	\$8,461.42

- b) Quarterly minimum charge will be different for each meter size as shown in the table above. The water from the customers private service shall be metered at the customer's cost. The charge will be based upon consumption as shown above with the water charge excluded.

**Clauses 3 to 12 take effect October 1, 2019:**

3. 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 fourteen (14) days after the mailing of the bills.

4. Liability for Charges

Pursuant to Section 252(2) of the Municipal Act, the amount of all outstanding charges for water and sewer 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. Where charges and penalties pursuant to this by-law are not paid within thirty days (30) from the date when they were incurred, the Chief Administrative Officer may add said charges and penalties to the taxes on the property and collect them in the same manner as taxes.

5. New Connections

The Rural Municipality of West St. Paul shall charge the amount of fifty dollars (\$50) to connect a new service.

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 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 wishing to have billing disconnected due to vacancy of premises shall be required to have service disconnected and to pay \$50.00 reconnection fee when service resumes.

7. 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 \$100 for 5/8" or 3/4" meters and \$225 for meters 1" and larger. The Municipality will then remove the subject meter and send it to an independent lab for testing. If the meter is found to be recording water flows more than 3% in excess of actual flows, 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 six (6) months.

8. Meter Tampering

Where there is evidence of meter tampering, a minimum charge of five hundred dollars (\$500) will be applied to the customer's account in addition to an amount calculated to adjust for the tampering based on historical usage.

9. Sewer 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.

10. Authorization For Officer To Enter Upon Premises

The Public Works Manager, or his/her designate, or other employee authorized by the Municipality in the absence of the Public Works Manager, 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.

11. Service To Customers Outside Utility's Limits

The Rural Municipality of West St. Paul may sign Agreements with customers for the provision of sewer services to properties located outside the boundaries of West St. Paul Sewer 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 West St. Paul Sewer 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.

12. 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.

13. Conditions of Disrepair

In the event that there are conditions of disrepair in the sewer 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.