

The Corporation of the Township of Huron-Kinloss



BY-LAW

2009-64

BEING A BY-LAW TO IMPOSE A WATER SERVICE RATE, WATER WORKS DISTRIBUTION RATE AND SEWER SERVICE RATE

WHEREAS the Council of the Corporation of the Township of Huron-Kinloss deems it expedient to enact a by-law to establish fees for water and wastewater services provided by the Township of Huron-Kinloss;

AND WHEREAS Section 11(3) Table of the Municipal Act 2001, c.25 provides that a lower tier municipality may pass by-laws respecting public utilities, including sewage treatment and collection, water production, treatment and storage and water distribution;

AND WHEREAS Section 1(1) of the Municipal Act 2001, c.25 defines a public utility as a system that is used to provide water and sewage services to the public;

AND WHEREAS Section 391(1) of the Municipal Act 2001, states that a municipality may pass by-laws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of it; for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board; and for the use of its property including property under its control;

AND WHEREAS Section 398(1) of the Municipal Act 2001, c.25 provides that fees and charges imposed by a municipality on a person under this Part constitute a debt of the person to the municipality;

AND WHEREAS Section 398(2) of the Municipal Act 2001, c.25 states that the treasurer of a local municipality may add fees and charges imposed by the municipality under this part to the tax roll and collect them in the same manner as municipal taxes;

NOW THEREFORE the Municipal Council of the Township of Huron-Kinloss **ENACTS** as follows:

1.0 DEFINITIONS

- 1.1 "Building sewer" shall mean that part of drainage piping outside a building or other structure that,
 - (a) connects a building drain to the main sewer or, where the place of disposal of the sewage is on the property, to the place of disposal on the property; and
 - (b) commences at a point of three feet from the outer face of the wall of the building or other structure and terminates at the property line or place of disposal on the property.
- 1.2 "Lakeshore Area" shall mean the whole of Concession A, in the Township as defined in the former Township of Huron Water Supply Master Plan.
- 1.3 "Lucknow Area" shall mean the former Village of Lucknow boundaries.
- 1.4 "Ripley Area" shall mean the former Village of Ripley boundaries.

- 1.5 "Service pipe" shall mean the pipe and fittings that convey potable water from the street line or source of supply on a property to a building control valve.
- 1.6 "Sewage system" shall mean main sewers, pumping stations, treatment facilities and appurtenances.
- 1.7 "Township" shall mean Township of Huron-Kinloss.
- 1.8 "Water Works Distribution Rate" shall mean a charge for replacement of distribution watermain and individual service connection including, applicable valves, fittings backflow preventers (if required, engineering and interest costs etc.)
- 1.9 "Whitechurch Area" shall be that area as designated Hamlet of Whitechurch in the Bruce County Official Plan.
- 1.10 "Unit" shall mean any building, structure, dwelling unit and or commercial structure used for residential or commercial purposes and shall include any separate laundry or separate kitchen facilities located within the premise.
- 1.11 "Household" shall mean any one lot with a building, structure, dwelling unit or commercial structure with a connection to the municipal system.
- 1.12 "Water system" shall mean a well supply, pumphouse, water storage reservoir, watermains and associated appurtenances.

2.0 WATER SERVICE RATE

- 2.1 Save and except as hereinafter provided a Water Service Rate shall be charged to any property where a service pipe has been connected to a municipal owned water system.
- 2.2 A Water Service Rate shall be charged to each unit of a multi unit residential or commercial building where a service pipe has been connected to a municipal owned water system.
- 2.3 A Water Service Rate shall be charged to any municipal owned properties where a service pipe has been connected to a municipal owned water system.
- 2.4 The Water Service Rate shall be determined from the date a service pipe has been installed.
- 2.5 The Director of Public Works shall determine the date a service pipe has been installed.
- 2.6 The Water Service Rate for the Lakeshore, Lucknow, Ripley and Whitechurch Area Water Systems shall be as established in the Township of Huron-Kinloss' Consolidated Fee By-law as amended from time to time.
- 2.7 All properties specified in Schedule "A" shall be charged for water service based on the consumption of water as metered by an installed water meter at the minimum annual Water Meter Rate.
- 2.8 The Water Meter Rate shall be as established by the Township of Huron-Kinloss' Consolidated Fee By-law as amended from time to time.
- 2.9 All properties specified in Schedule "B" shall be charged for water service based on the consumption of water as metered by an installed meter at 1.5 times the minimum annual Water Meter Rate for the Lucknow Area Water System.
- 2.10 All properties specified in Schedule "C" shall be charged for water at 1.5 times the minimum annual Water Service Rate for the Lucknow Area Water System.
- 2.11 The minimum annual Water Service Rate is based on a maximum annual amount of 322.23 cubic meters delivered per connected property. Any volumes delivered above 322.23 cubic meters shall be charged at the Water Meter Rate as established by the Township of Huron-Kinloss' Consolidated Fee By-law as amended from time to time.

3.0 WATER WORKS DISTRIBUTION RATE

- 3.1 Save and except as hereinafter provided a Water Works Distribution Rate shall be charged to any household where a service pipe has been connected to a municipal owned water distribution system.
- 3.2 The Water Works Distribution Rate shall be determined from the date of building water connection.
- 3.3 The Director of Public Works shall determine the date a building water connection has been made.
- 3.4 The Water Works Distribution Rate for the Lucknow and Ripley Area Water Systems shall be established in the Township of Huron-Kinloss' Water and Wastewater Fee By-law as amended from time to time.

4.0 SEWAGE SERVICE RATE

- 4.1 Save and except as hereinafter provided a sewage service rate shall be charged to any property where a building sewer connection has been made to a municipal owned sewage collection system.
- 4.2 A sewage service rate shall be charged to each unit of a multi unit residential or commercial building where a building sewer connection has been made to a municipal owned sewage collection system.
- 4.3 A sewage service rate shall be charged to any municipal owned properties where a building sewer connection has been made to a municipal owned sewage collection system.
- 4.4 All properties in Schedule "D" shall be charged for sewage service based on the consumption of water as metered by an installed meter at the rate established by the Township of Huron-Kinloss' Water and Wastewater Fee By-law as amended from time to time.
- 4.5 The sewage service rate shall be determined from the date of building sewer connection.
- 4.6 The Director of Public Works shall determine the date a building sewer connection has been made.
- 4.7 The sewage service rate for the Lucknow and Ripley Area Sewage Systems shall be as established in the Township of Huron-Kinloss' Consolidated Fee By-law as amended from time to time.

5.0 COLLECTION

- 5.1 The Water Service Rates for the Lakeshore, Lucknow, Ripley & Whitechurch Water Systems shall be collected quarterly on the Municipal Tax Bill.
- 5.2 Those properties listed on Schedules "A", "B" and "D" to this by-law shall be billed a quarterly metered water and /or sewage rate.
- 5.3 The Water Works Distribution Rates for the Lucknow and Ripley Water Systems shall be collected quarterly on the Municipal Tax Bill.
- 5.4 The Sewage Service Rates for the Lucknow and Ripley Sewage Systems shall be collected quarterly on the Municipal Tax Bill.
- 5.5 The Township of Ashfield-Colborne-Wawanosh shall be liable for the quarterly payments for metered water customers of the Lucknow Area Water System listed on Schedule "B" to this by-law that are located within the boundaries of the former Township of Ashfield.
- 5.6 The Township of Ashfield-Colborne-Wawanosh shall be liable for the annual payments for water customers of the Lucknow Area Water System listed on

Schedule "C" to this by-law that are located within the boundaries of the former Township of West Wawanosh.

6.0 GENERAL PROVISIONS

6.1 For the purposes of this By-law, the definitions and interpretations given in this By-law shall govern. In this By-law, "shall" is mandatory; words in the singular include the plural; words in the plural include the singular; words used in the masculine gender include the feminine and vice versa.

6.2 Every person who contravenes any provisions of this By-law:


- (i) is guilty of an offence; and,
- (ii) upon conviction therefore is liable to a fine or penalty of not more than Five Thousand (\$5,000.00) Dollars as prescribed in The Provincial Offences Act, R.S.O. 1990 c. P.33, as amended.

6.3 That By-law Number 2002-23 and any other by-law conflicting with the provisions in this by-law are hereby repealed and rescinded.

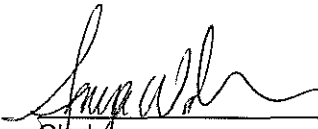
6.4 This By-law shall come into full force and effect on the date of passage, save and except Schedule "D", which shall be effective January 1, 2010.

6.5 This By-law may be cited as the "Water and Sewer Service Rate By-law".

READ a FIRST, SECOND and THIRD TIME and FINALLY PASSED this 20th day of July, 2009.



Mayor



Clerk

Schedule 'A' to By-law No. 2009-64

**Ripley Area Water System
Metered Water**

<u>ROLL NUMBER</u>	<u>PROPERTY DESCRIPTION</u>
41 07 160 010 01300 0000	Con 8 Pt Lot 16 Queen N/S 29 Queen Street
41 07 160 002 11400 0000	Con 7 N Pt Lot 17 3407 Bruce Rd 6
41 07 160 010 05100 0000	Plan 142 Pt Lot 143 Jessie N/S 19 Jessie Street
41 07 160 010 02201 0000	Con 8 Pt Lot 16 RP 3R640 Part 1 17 Queen Street
41 07 160 010 03700 0000	Plan 142 W Pt Lot 146 Lot 147 32 Queen Street
41 07 160 010 12700 0000	Plan 252 Pt Lot 232 Plan 256 E Pt Lot 247 22 Park Street

**Lakeshore Area Water System
Metered Water**

41 07 160 005 06800 0000	Plan M77 Blk C Sec M-77 Pcl C-1 195 Lake Range Drive
41 07 160 005 01500 0000	Con A Pt Lot 6 RP 3R3292 Part 1 Sec Con A Pcl 6-5 228 Huron Road
41 07 160 008 20100 0000	Con A Pt Lot 35 RP 3R2128 Part 1 Part 2 674 Lake Range Drive
41 07 160 005 10100 0000	Con A Pt Lot 8 700 Victoria Road
41 07 160 009 00400 0000	Con A Pt Lot 51 137 Boiler Beach Road
41 07 160 008 19700 0000	Con A Pt Lot 33 Pt Lot 34 RP 3R2409 Part 1 RP 3R835 Part 1 Except RP 3R2128 Part 2 672 Lake Range Drive
41 07 160 008 21900 0000	Con A Pt Lot 40 699 Lake Range Drive
41 07 160 006 01233 0000	Con A Pt Lots 11 & 12 Plan 3M-127 Lot 47 275 Lake Range Drive
41 07 160 008 33000 0000	Con A Pt Lots 48 to 50 Pt Rd Allow RP 3R1047 Parts 6 & 7 815 Lake Range Drive
41 07 160 008 23900 0000	Con A Pt Lot 41 RP 3R1405 Part 3, RP 3R4634 Part 1 706 Lake Range Drive
41 07 160 008 00100 0000	Con A Pt Marine Allow RP 3R2687 Part 1 378 Concession 6 West

**Schedule 'A' to By-law No. 2009-64
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**Lakeshore Area Water System
Metered Water cont.**

<u>ROLL NUMBER</u>	<u>PROPERTY DESCRIPTION</u>
41 07 160 007 14000 0000	Con A Pt Lot 23 RP 3R2977 Part 1, 141 Bell Drive
41 07 160 006 05500 0000	Con A Pt Lot 14 Pt Lot 15 Pt Lot 16 Pt Lot 17 1 Arthur Street
41 07 160 009 12000 0000	Con A Pt Lot 60 2435 Concession 12
41 07 160 008 32200 0000	Con A Pt Lot 50 2671 Concession 10

**Lucknow Area Water System
Metered Water**

<u>ROLL NUMBER</u>	<u>PROPERTY DESCRIPTION</u>
41 07 120 003 00200 0000	Lots 513 to 516 Pt Lot 506 RP 3R1910 Part 3 662 Campbell Street
41 07 120 003 14510 0000	Plan 49 Lot 346 to 348 469 Inglis Street
41 07 120 003 21000 0000	Plan 97 Lot 418 to 419, 421 to 424 Lot 426, Pt Lot 425 399 Bob Street

Schedule 'B' to By-law No. 2009-64

Lucknow Area Water System

Metered Water – Former Township of Ashfield Water Customers

<u>ROLL NUMBER</u>	<u>PROPERTY DESCRIPTION</u>
40 70 640 014 01000 0000	Plan 288 Lot 1, Lot 12 Pt 1 86705 Lucknow Line
40 70 640 014 00900 0000	Plan 288 Lot 2, Lot 3, Lot 10, Lot 11 86699 Lucknow Line
40 70 640 014 00800 0000	Plan 288 Lot 4, Lot 9, Pt Lot 5, Pt Lot 8 86687 Lucknow Line
40 70 640 004 00700 0000	Plan 288 Lot 6, Lot 7, Pt Lot 5, Pt Lot 8
40 70 640 004 00600 0000	Con 14 ED, Pt Lot 12 86673 Lucknow Line
40 70 610 014 00500 0000	Con 14 Pt S Pt Lot 13 86658B Lucknow Line
40 70 610 014 00400 0000	Con 14 Pt S Pt Lot 13 86690 Lucknow Line
40 70 640 014 00500 0000	Con 14 ED, Pt Lot 12
40 70 640 014 00400 0000	Con 14 ED, Pt S Pt Lot 12 86663 Lucknow Line
40 70 640 014 00100 0000	Con 14 ED, Pt Lots 10-12 PI 288 Lot 13-15, Con 13 ED, Pt N Pt Lot 10 86637 Lucknow Line

Schedule 'C' to By-law No. 2009-64

**Lucknow Area Water System
Former Township of West Wawanosh Water Customers**

<u>ROLL NUMBER</u>	<u>PROPERTY DESCRIPTION</u>
40 70 610 014 00300 0000	Con 14 Pt S Pt Lot 13, Pt 4 265 Place Street
40 70 610 014 00310 0000	Con 14 Pt S Pt Lot 13, Pt 2 274 Place Street
40 70 610 014 00305 0000	Con 14 Pt S Pt Lot 13, Pt 3 275 Place Street
40 70 610 014 00320 0000	Con 14 Pt S Pt Lot 13, Pt 1 86696 Lucknow Line
40 70 610 014 00315 0000	Con 14 Pt S Pt Lot 13, Pt 6 86714 Lucknow Line

Schedule 'D' to By-law No. 2009-64

***Effective January 1, 2010**

**Lucknow/Ripley Area Sewage System
Nursing/Retirement/Senior Institutions**

<u>ROLL NUMBER</u>	<u>PROPERTY DESCRIPTION</u>
41 07 160 010 12700 0000	Plan 252 Pt Lot 232 Plan 256 E Pt Lot 247 22 Park Street
41 07 120 003 14510 0000	Plan 49 Lot 346 to 348 469 Inglis Street
41 07 120 003 21000 0000	Plan 97 Lot 418 to 419, 421 to 424 Lot 426, Pt Lot 425 399 Bob Street