

THE TOWN OF NIVERVILLE
BY-LAW NO. 782-17

BEING a By-law of the Town of Niverville to establish sewer rates within the limits of the said Town of Niverville;

WHEREAS the Town of Niverville owns and operates a sewer facility within the limits of the said Town of Niverville;

AND WHEREAS The Municipal Act, S.M. 1996, c. 58, provides in part:

“Section 232(1) A council may pass by-laws for municipal purposes respecting the following matters:

(l) public utilities;

Section 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;”

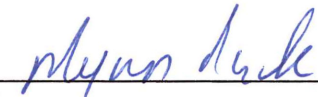
NOW THEREFORE be it and it is hereby passed and enacted as a by-law of the Town of Niverville, in council duly assembled as follows:

(1) THAT By-Law No. 711-12 enacted by the Town of Niverville on the 4th day of December, A.D., 2012 is hereby repealed effective April 1, 2019.

(2) THAT all accounts for sewer services as set forth in the schedule of quarterly rates shall be billed quarterly for sewer services for the preceding quarter. Consumers shall pay for sewer service supplied to them by the Town of Niverville at the rates and terms set out in Schedule “A” attached hereto and forming part of this By-law.

(3) THAT this By-Law shall come into force and become effective on April 1, 2019 as approved by the Public Utilities Board.

PASSED AND ENACTED by the Town of Niverville, in Council duly assembled this 2nd day of April, A.D. 2019.



Mayor



Chief Administrative Officer

Read a first time this 15th day of August, A.D. 2017.
Read a second time this 2nd day of April, A.D. 2019.
Read a third time this 2nd day of April, A.D. 2019.

Certified a true and correct
copy of By-law No.782-17
of the Town of Niverville
given 3rd reading on April 2, 2019.

Eric King
Chief Administrative Officer

SCHEDULE "A"
TOWN OF NIVERVILLE
BY-LAW NO. 782-17

Sewer Rates for the Town of Niverville

Effective April 1, 2019 as approved by the Public Utilities Board

1. Assignment of Residential Equivalent units (REU)

A residential equivalent Unit (REU) is the volume of sewage estimated to be emitted by an average single-family residence. Units allocated to other customers are based on the estimated sewage they will emit compared to a residence. A residential unit is defined as a single-family dwelling which includes the following: mobile home, single commercial business which includes offices, groceries, hardware, banks, credit unions, and garages without wash bays, halls with seating capacity of less than 230 seats, churches and drop-in centres. Apartments will be rated at one equivalent unit for each suite. Buildings with more than one rental/occupant unit may be assigned additional units dependant on the type of occupancy.

| Description | REU for Operations & Maintenance |
|--|---|
| Residential Unit | 1.0 |
| Duplexes/Multi-plexes | |
| 1 shared Sewer connection | 1 unit per residence |
| separate sewer connections | 1 unit per residence |
| Apartment Blocks | 1 unit per suite |
| Apartment Blocks Converted to Condominiums | 1 unit per suite |
| Personal Care Homes | |
| Single units | 0.5 |
| Double units | 1.0 |
| Office Type Business Buildings/Strip Malls | 1 unit per suite |
| Cafes, Bistros or Restaurants | 1 unit per 20 seats or fraction thereof |
| Halls/Banquet Facilities | 1 unit per 230 seats or fraction thereof |
| Car Wash | 1.5 units per wash bay |
| Elementary School | .9 units per classroom |
| Secondary School | 1.2 units per classroom |
| Low Pressure System Customers | |
| Residential | 1.0 |
| Businesses | 1 unit per separate business unit or as per above by type of business |

Note: More than one business sharing one office or business unit is considered one unit for this purpose. One office or business unit is defined as a unit with a separate entrance from other units.

2. Quarterly Charges:
Notwithstanding the REU schedule set forth in Section 1 above, all customers connected to or tipping to shall pay the applicable charge set out below:

| <u>Year</u> | <u>Operations & Maintenance</u> | <u>Service Charge</u> | <u>Total Quarterly Billing</u> |
|-----------------|-------------------------------------|-----------------------|--------------------------------|
| April 1, 2019 | \$ 64.31 | \$ 5.36 | \$ 69.67 |
| January 1, 2020 | \$ 66.06 | \$ 5.47 | \$ 71.53 |
| January 1, 2021 | \$ 67.85 | \$ 5.58 | \$ 73.43 |

3. Surcharges for Services Beyond the Town Boundaries:
There are no customers served who are located outside the Town boundaries.
4. Billings and Penalties for Non-payment of Account:
All connected customers shall be billed quarterly and payment shall be due and payable within 21 days after the mailing of the bills. A late payment charge of 1.25% per month shall be charged on the dollar amount owing after the billing due date and a notice to this effect shall be clearly printed on the bills sent to the customers.
5. Disconnection of Service:
The Public Utilities Board has approved the Conditions Precedent to be followed by the municipality with respect to the 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.
6. Reconnection of Service:
Any service disconnected, whether due to non-payment of account or for any other reason(s) mutually agreed to by the customer and the Town (i.e., repairs necessitated by negligence of the customer, changes in tenant, vacancy for an extended period of time, etc.) shall not be reconnected until all costs of disconnection and reconnection have been paid. Actual costs may vary depending upon the circumstances.
7. Liability for Charges:
Where charges and penalties pursuant to this by-law are not paid within sixty (60) days from the date when they were incurred said charges and penalties will be added to the taxes on the property and collected in the same manner as other taxes as per authority of Section 252(2) of The Municipal Act of Manitoba.