

The Corporation of the City of Port Colborne

By-law No. _____

Being a By-law to Amend By-Law No. 3151/22/95, as Amended, Being a By-Law to Regulate the Supply of Water and to Provide for the Maintenance and Management of the Water Works and for the Imposition and Collection of Water Rates

and to

Amend By-Law No. 3424/6/97, as Amended, Being a By-Law for the Imposition and Collection of Sewage Service Rates and Sewer Rates

Whereas at its meeting of December 13, 2022, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendations of the Corporate Services Department Report No. 2022-247, Subject: 2023 Rates Setting; and

Whereas at its meeting of June 27, 2023, the Council approved the amending recommendations of the Corporate Services Department Report No. 2023-119, Subject: Water and Wastewater Bylaw Update; and

Whereas Council resolved the following be effective July 1, 2023:

- Residential users (Meter 19 mm (3/4") or smaller)
 - Water usage rate be set at \$1.4120 per cubic meter
 - Water fixed service charge be set at \$410.10 per year per year
 - Wastewater fixed service charge be set at \$1,002.38 per year
- Any users that has or had approval to draw or remove water from the lake or canal.
 - Water usage rate be set at \$1.4120 per cubic meter of water usage
 - Wastewater usage rate be set at \$1.886 per cubic meter of water usage. If metered wastewater usage is larger than metered water usage for the 12 months ending December 31, the difference, multiplied by 1.886 per cubic meters will be added to the January water and wastewater bill.
 - Water fixed service charge be set at \$410.10 per year multiplied by meter factor
 - Wastewater fixed service charge be set at \$738.03 per year multiplied by meter factor
- All other users
 - Water usage rate be set at \$1.4120 per cubic meter of water usage
 - Wastewater usage rate be set at \$1.886 per cubic meter of water usage
 - Water fixed service charge be set at \$410.10 per year multiplied by meter factor
 - Wastewater fixed service charge be set at \$738.03 per year multiplied by meter factor

Whereas Council resolved the Residential user (Meter 19 mm (3/4)" or smaller) category will cease December 31, 2023 and be replaced with the following categories on January 1, 2024:

- Residential properties with up to 2 units
 - Water usage rate be set at \$1.4120 per cubic meter
 - Water fixed service charge be set at \$410.10 per year
 - Wastewater fixed service charge be set at \$1,002.38 per year
- Residential properties with 3 or more units
 - Water usage rate be set at \$1.4120 per cubic meter
 - Water fixed service charge be set at \$205.05 per year, per unit
 - Wastewater fixed service charge be set at \$501.19 per year, per unit

Whereas any rate in this by-law is subject to change through future amendments, including rate changes due to, but not limited to future budget changes. This includes the newly created categories effective January 1, 2024.

Whereas Council is desirous of amending By-Law 3151/22/95, as Amended, Being a By-Law for the Imposition and Collection of Water Rates and By-Law 3424/6/97, as Amended, Being a By-Law for the Imposition and Collection of Sewage Service Rates and Sewer Rates.

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. That By-Law 3151/22/95, as Amended, Being a By-Law to Regulate the Supply of Water and to Provide for the Maintenance and Management of the Water Works and for the Imposition and Collection of Water Rates and By-Law 3424/6/97, as Amended, Being a By-Law for the Imposition and Collection of Sewage Service Rates and Sewer Rates, be further amended by replacing Schedule "A" thereto with Schedule "A" hereto.
2. The usage and fixed rates established by this By-Law shall be effective July 1, 2023.
3. That by-law 7046/83/22 be repealed.

Enacted and passed this 27th day of June, 2023

William C. Steele
Mayor

Charlotte Madden
City Clerk

Schedule “A” to By-Law No.
And By-Law No. 3151/22/95, As Amended and By-Law No. 3424/6/97, As Amended

Water and Wastewater Rates

1. Metered Consumption Rates

All users, including Residential, Institutional / Commercial / Industrial (“ICI”) are subject to a metered consumption rate for water of \$1.4120 per cubic meter of water usage.

All users, with the exception of Residential users on a 19 mm (3/4”) meter or smaller (Effective January 1, 2024 this changes to any Residential user), are subject to a metered consumption rate for wastewater of \$1.8860 per cubic meter of water usage.

If a user has or had the ability to draw or remove water from the lake or canal and metered wastewater usage is larger than metered water usage for the 12 months ending December 31, the difference, multiplied by 1.886 per cubic meters will be added to the January water and wastewater bill.

There is no minimum charge per billing period.

2. Bulk Water Sales

The metered rate for bulk water sales is \$1.4120 per cubic meter.

The service charge is based on a 75mm (3”) meter regardless of the actual meter used. The fixed service charge is \$4,511.03 per year.

3. Fixed Service Charge

All users are subject to a fixed service charge based on user type or meter size:

Meter Size	Meter Factor	Water	Wastewater
19 mm (3/4”) or smaller - Residential*	1 (Water) N/A (Wastewater)	\$410.10	\$1,002.38
Residential properties with up to 2 units*	NA	\$410.10	\$1,002.38
Residential properties with 3 or more units*	NA	\$205.05 per unit	\$501.19 per unit
19 mm (3/4”) or smaller – non-Residential	1	\$410.10	\$738.03
25 mm (1”)	1.4	\$574.13	\$1,033.24
38 mm (1 1/2”)	1.8	\$738.17	\$1,328.44
50 mm (2”)	2.9	\$1,189.27	\$2,140.28
75 mm (3”)	11.0	\$4,511.03	\$8,118.29
100 mm (4”)	14.0	\$5,741.31	\$10,332.36
150 mm (6”)	21.0	\$8,611.97	\$15,498.55
200 mm (8”)	29.0	\$11,892.72	\$21,402.75
250 mm (10”)	40.0	\$16,403.75	\$29,521.04

* Effective January 1, 2024 the 19 mm (3/4”) or smaller – Residential categories is discontinued. The Residential properties with up to 2 units category and Residential properties with 3 or more units become effective.

All developable vacant land directly abutting the water distribution and/or wastewater collection system will be charged the fixed service charge for water and wastewater through the property tax billing system unless the property is assessed undevelopable by the City’s Planning department.

Effective January 1, 2024, the fixed service charge applied to developable vacant land will be charged based on property classification as follows:

Property Type	Water	Wastewater
Residential	\$410.10	\$1,002.38
Commercial/Institutional	\$1,189.27	\$2,140.28
Industrial	\$4,511.03	\$8,118.29

Until December 31, 2023 all properties will only be charged the wastewater fixed charged of \$1,002.38.

It is not the intent of this bylaw for a property owner to have paid the developable vacant land fixed service charge on a property for the same time period as the regular fixed service charge for the same period. For any period of duplicate payment, which may occur due to time of billings as a property moves from undeveloped to developed, the City will refund the developable vacant land fixed service charge.

4. Flat Rate (Residential)

During any month where an accurate meter reading cannot be recorded, a Residential user account will be charged a monthly flat rate of \$148.00 for water and \$150.00 for wastewater will be charged.

Examples of when a meter reading cannot be recorded are as follows:

- where a service connection has been turned on at the property line but where no meter has been installed (water meter refusal);
- refusing to provide a meter reading and / or providing access to read a water meter or reading device;
- refusing to remove any obstruction to reading a meter or reading device;
- refusing to provide for meter or reading device repairs for accurate meter readings;
- the tampering with or alteration of the water meter or reading device and meter readings cannot be obtained.

Flat Rate (ICI)

During a period where an accurate meter reading cannot be recorded, an ICI user account will be charged a monthly flat rate for water and wastewater. The flat rate will be calculated as two (2) times the current fixed service charge per Section 3 (the fixed service charge will be dependent on meter size) above PLUS two (2) times the monthly average of the previous 12 months' available consumption at the metered consumption rates per Section 1 above.

Examples of when a meter reading cannot be recorded are the same as those outlined under "Residential" above.

5. Water for New Construction Rates

During periods of new construction where there is no water meter the following rates are charged:

- Residential properties are subject to a \$272.00 flat fee.
- ICI properties are subject to a \$544.00 flat fee.

Upon final inspection or once a water meter has been installed and is operational, rates are no longer subject to this section. Rates are to be charged based on Sections 1 to 4 above.

6. Administration Charges

- Issuing a water shut off tag shall be charged to the property owner at a fee of \$50.00;
- Water account inquiries will be provided at a fee of \$7.00;
- Reading of analog meters due to refusal to upgrade to RF meters will be provided at a fee of \$50.00 per scheduled reading date.
- Customer request to change out from an RF meter to an analog meter will be at the customer's expense to cover the actual cost of the new analog meter plus removal and installation costs.

7. User Charges

There are certain user charges with respect to water and wastewater that are included in the User Fee By-Law. These include such topics as water turn on / off and installation of water services.

User fees may be billed individually, included in a user's water and wastewater bill or charged and collected through a building permit.

8. Late Payment Fees

Interest on water and wastewater accounts to begin accruing at one and one fourth (1 ¼) percent of the amount due and unpaid starting on the first day of default.

At the discretion of the Director, Corporate Services / Treasurer a payment can be backdated to the due date on any accounts receivable balance received within five business days of the due date provided a reasonable explanation for the late payment has been provided by the account holder.

The Director, Corporate Services / Treasurer is approved to move any unpaid water and wastewater balances to the property tax roll of the related property.

9. Billing Cycle

Identified and developable vacant land subject to the fixed service charge will be billed semi-annually on the property tax bill or through the supplemental tax billing system on a prorated basis.

All water and wastewater meter users will be billed monthly.

10. Exemptions from Billing for Sanitary Sewer Costs

- Bulk water haulers accessing City bulk water facilities;
- Port Colborne Poultry Limited;
- Any property that does not directly abut any part of the wastewater sewer system;
- Any other property that is covered by a separate By-Law enacted by Council.