

TOWN OF SHELLBROOK

BYLAW No. 2019-04

A Bylaw of The TOWN OF SHELLBROOK to govern the water and sewer utility rates and fees charged to consumers connected to the Town's waterworks and sanitary sewer system.

WHEREAS Council has established a water and sanitary sewer utility by way of Bylaw No. 2019-04 (the "Water and Sanitary Sewer Utility Bylaw").

AND WHEREAS Council may, subject to certain approval requirements, establish the water and sewer utility rates and fees to be paid by consumers connected to the Town's water distribution and sanitary sewer collection systems;

NOW THEREFORE THE COUNCIL OF THE TOWN OF SHELLBROOK IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS :

1. SHORT TITLE

This Bylaw may be cited as the "Water and Sewer Utility Rates and Fees Bylaw."

2. DEFINITIONS

2.1 In this Bylaw, the following terms shall have the meanings ascribed below:

- (a) "Act" means *The Municipalities Act*, as amended or replaced from time to time;
- (b) "Connection" shall mean a single connection made to the water distribution system or to the sanitary sewer collection system owned by the Town;
- (c) "Rural connection" shall mean a connection which serves land located outside the boundaries of the Town.
- (d) "Subscriber" shall have the meaning ascribed in Water and Sanitary Sewer Utility Bylaw;
- (e) "Town" shall mean the Town of Shellbrook;

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Bylaw 2019-04
the water and sewer utility bylaw

- (f) "Town connection" shall mean a connection which serves land located within the boundaries of the Town;
- (g) "Utility" means the water and sewer utility established by the Water and Sanitary Sewer Utility Bylaw;
- (h) "Water and Sanitary Sewer Utility Bylaw" shall mean Bylaw no 2019-04;

2.2 Terms used but not defined in this Bylaw shall, except where the context requires otherwise, have the same meaning as in the Act.

2.3 All words shall be interpreted to include such number and gender as the context may require.

2.4 Marginal notes and headings shall not be given any effect in determining the proper interpretation of this Bylaw.

3. UTILITY RATES FOR SUBSCRIBERS

3.1 All subscribers shall be billed on a per-connection basis.

3.2 Any person who has applied to be connected to the Town services shall pay an application and account set up fee as set forth in Schedule "A"

3.3 All subscribers shall pay a monthly Water Service Fee to the Town, which shall be levied in accordance with the rates set forth in Schedule "B".

3.4 All subscribers shall pay a Water Consumption Fee to the Town, which shall be calculated on the basis of the water consumed as disclosed by meter readings and levied in accordance with the rates set forth in Schedule "C".

3.5 All subscribers shall pay a monthly Sewer Service Fee to the Town, which shall be levied in accordance with the rates set forth in Schedule "D".

3.6 Except where a subscriber is the subject of a special arrangement made pursuant to s. 25 of the Sewage Bylaw, subscribers shall pay a Sewage Disposal Fee to the Town, which shall be calculated on the basis of the water consumption disclosed and charged to the subscriber pursuant to s. 5 of this Bylaw, and levied in accordance with the rates set forth in Schedule "E".

3.7 All subscribers shall pay a monthly Infrastructure Fee to the Town, which shall be levied in

accordance with the rates set forth in Schedule "F".

- 3.8 Subscribers shall pay, in addition to the rates and fees specified herein, such taxes as the Town shall be required to levy thereon.
- 3.9 Notwithstanding that certain fees and/or rates may derived from meter readings taken on a quarterly basis, the Town may estimate consumption between readings and invoice subscribers on a quarterly basis or as otherwise determined by resolution of Council.
- 3.10 Where the CAO should consider it appropriate, a meter reporting card in form approved by the CAO may be used to assist with estimated consumption between readings conducted by the Town. In such case:
- (a) Where a reading is to be obtained by a meter reporting card, a blank card shall be left on the door or at some other conspicuous place at the service address;
 - (b) Following delivery of a blank meter card, the subscriber shall ensure that the card, properly and fully completed, is returned to the Town Office within 3 business days.
- 3.11 Where a meter card has been completed and returned as provided herein, the CAO shall consider the reporting set forth on that card in estimating consumption. Regardless of whether a meter card has been returned, the CAO's estimate of shall be determinative, and water rates and fees shall be charged on the basis of that estimate until the next following reading by the Town.
- 3.12 Where a reading is taken by the Town following a period in which rates and fees have been invoiced on the basis of an estimate, the next following invoice shall reflect an adjustment to reflect the difference between estimated and actual consumption.
- 3.13 If for any reason a reading of a meter has not been taken or the meter fails to register water supplied, consumption may be estimated on the basis of consumption in a previous similar period or an average seasonal consumption plus 10 percent. Where there is no previous comparable consumption, the CAO shall invoice such reasonable charge as the CAO may, in their sole discretion, determine.

4. TEMPORARY SERVICE FEES AND RATES

- 4.1 Where a person desires temporary service for the purposes set forth in the Water and

Sanitary Sewer Utility Bylaw, a deposit shall be made in the amount set forth in Schedule "G".

- 4.2 Water consumption for temporary service shall be charged at the rates set forth in Schedule "C".

5. OCCASIONAL SERVICE FEES AND RATES

- 5.1 Persons obtaining water from the coin operated bulk water fill station operated by the Town shall pay the water supply rates set forth in Schedule "H".
- 5.2 Persons dumping septage at the septage receiving facility operated by the Town shall pay the rate set forth in Schedule "I", provided that the Town may refuse service where, in the Town's sole discretion, the existing capacity of the sewage utility is insufficient.

6. METER SERVICE FEES

- 6.1 Where a subscriber requires an over-sized meter in place of the usual meter supplied by the Town, the subscriber shall make written application to the Town for the provision of such a meter, or the replacement thereof. Such meters shall be supplied by the Town as made available by the Town's supplier. The subscriber shall pay the Town a deposit in the amount referenced in Schedule "J", and shall, upon the amount being ascertained, be liable to pay the full cost of the meter, shipping charges and the administration fee set forth in Schedule "J" as provided for herein.
- 6.2 Where a subscriber should request the Town to test a water meter, such request shall be in writing, and the subscriber shall deposit the sum set forth in Schedule "J" at the time of request. The subscriber shall be responsible for making their own arrangements, at their own cost, for a plumber to remove the meter. Upon completion of testing by an external entity, the subscriber shall be liable to pay to the Town, an amount equal to the aggregate of the cost invoiced to the Utility for testing, shipping charges and the administration fee set forth in Schedule "J" as provided for herein.
- 6.3 Where a meter requires replacement due to damage, being frozen, or for any other reason, the subscriber shall pay to the Town an amount equal to the cost of the meter invoiced to the Town, shipping charges and the administration fee set forth in Schedule "J", together with any tax payable by, or required to be levied by the Town.

7. CONNECTION SERVICE CHARGES

- 7.1 Except where a meter requires repair or replacement without fault on the part of the subscriber, where a subscriber shall request or require a shut off or disconnection or a turn on or reconnection to service, the subscriber shall pay to the Town, the fees set forth in Schedule "K".
- 7.2 Seasonal disconnects and disconnects of vacant homes shall not be permitted.

8. DEPOSITS

- 8.1 Where a deposit is to be paid by a subscriber or any other person under this Bylaw, or any other Bylaw respecting utility service, such deposit shall be paid in advance of equipment being ordered, work being undertaken, or service being provided, as the case may be.
- 8.2 Once paid, a deposit shall be held by the Town as security for the financial obligations of the person receiving service.
- 8.3 Where a deposit is made for the purposes of securing the cost of work, the cost of equipment or the cost of testing or repair of equipment, such as a water meter, upon receipt of the deposit, the Town shall hold the deposit until the cost to be charged to the subscriber is ascertained.
- 8.4 Where a deposit is made for the purposes of securing consumption rates or fees, the Town shall hold the deposit as security for the payment of the applicable rates and fees.
- 8.5 Where a deposit does not cover the entirety of amount for which it has been taken as security, the depositor shall pay any deficiency upon being invoice by the Town. Where a deposit is to secure the cost of equipment or the repair of equipment requiring removal, such deficiency shall be paid before return of the equipment or installation.
- 8.6 Where, after application of a deposit, a surplus remains, the Town shall refund the surplus within a reasonable time thereafter.

9. DETERMINATION OF COSTS TO BE CHARGED

- 9.1 Where it is required by this or any other Bylaw that a subscriber or any other person shall pay the costs of the Town, those costs shall be calculated as follows:

- (a) In the case of costs to be paid for work undertaken by the Town costs shall be the aggregate of:
 - (i) The actual cost to the Town for labour, equipment usage (including both operating costs and a charge for equipment depreciation and maintenance), and all materials employed, including taxes charged to the Town;
 - (ii) All taxes paid by the Town in relation thereto;
 - (iii) The specified administration fee.
- (b) In the case of costs to be paid for work undertaken on behalf of or at the request of the Town, the aggregate of:
 - (i) The amount charged to the Town, inclusive of all taxes;
 - (ii) All associated shipping costs if applicable; and
 - (iii) The specified administration fee.
- (c) In the case of costs to be paid to the Town for the provision of equipment:
 - (i) The amount charged to the Town for the equipment, inclusive of all taxes;
 - (ii) All associated shipping costs if applicable; and
 - (iii) The specified administration fee.

10. ADMINISTRATION FEE

- 10.1 Where an administration fee is specifically provided for in this or any other Bylaw, that fee shall be applied.
- 10.2 Where an administration fee is not specifically provided for in this or any other Bylaw, the applicable fee shall be as set forth in Schedule "L"

11. PAYMENT OF FEES AND RATES

- 11.1 The calculation of and all aspects of administration related to utility accounts, the collection of revenue, the payment of expenses, and the supervision of all records related to water accounts shall be under the immediate charge and control of the CAO.

- 11.2 Payment for fees and rates levied by the Town pursuant to this Bylaw is due on the last day of the month next following the month in which the account is rendered.
- 11.3 The CAO may establish a pre-authorized payment plan for the payment of utility accounts which shall be available to any subscriber upon written application to the CAO in such form as the CAO may require from time to time, and upon provision of such information and documentation as the CAO may require to and the utility account owner/applicant shall deliver such other documentation effect the automatic withdrawal.
- 11.4 Any preauthorized payment plan may be terminated by the CAO upon 90 days' notice to subscribers.
- 11.5 Any subscriber in default of payment by reason of insufficient funds for two consecutive billing periods may, in the sole discretion of the CAO, have their participation in the payment plan terminated.
- 11.6 Funds debited under any preauthorized payment plan shall or paid by any method other than cash shall only be credited to the utility account upon receipt.
- 11.7 Payments returned by a subscriber's financial institution shall be treated as non-payment of the utility account. Any fees charged to upon a payment being dishonoured shall be added to and form part of the utility account owing by the subscriber.
- 11.8 Where payment is not made when due, the subscriber shall be liable to pay to the Town interest at the rate set forth in Schedule "M", from the date payment is in arrears until the date of payment. Interest shall be calculated and compounded on the first day of each month.
- 11.9 Where a payment made is insufficient to clear a utility account, the payment shall be first applied to interest and/or penalty and thereafter to principal.
- 11.10 The CAO has authority to waive, in their sole discretion, and in whole or in part, the accrued penalty or interest owed by a subscriber.
- 11.11 Unpaid charges are a lien on the serviced land and may be added to and form part of the taxes owing on the land pursuant to the provisions of *The Municipalities Act*.

12. COMING INTO FORCE AND REPEAL

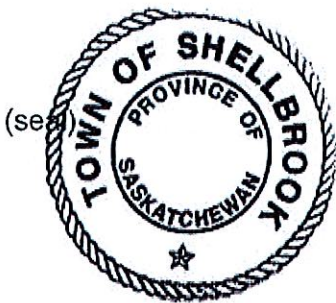
- 12.1 Bylaw No. 2013-01 is hereby repealed.

12.2 This Bylaw shall come into force upon approval those of the rates and charges set forth as may fall within its jurisdiction by the Local Government Committee of the Saskatchewan Municipal Board or the 1st day of June 2019, whichever is later.


Read a first time and hereby adopted on the 18th day of March, 2019.

Read a second time and hereby adopted on the 18th day of March, 2019.

Read a third time and hereby adopted on the 18th day of March, 2019.





George Tomporowski, Mayor


Kelly Hoare, Chief Administrative Officer

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of the original**

Bylaw 2019-04
the Water & Sanitary Sewer Bylaw




expires: June 30, 2022

SCHEDULES TO BYLAW 2019-01

SCHEDULE "A" Monthly Water Service Fee

Application and Account Setup Fee: \$20.00

SCHEDULE "B" Monthly Water Service Fee

	Town Connection	Rural Connection
Year 2019	\$35.12	\$45.65
Year 2020	\$35.82	\$46.56
Year 2021	\$36.53	\$47.48
Year 2022	\$37.26	\$48.43
Year 2023	\$38.00	\$49.40

SCHEDULE "C" Water Consumption Fee

	Town Connection Per 100 gallons	Rural Connection Per 100 gallons
Year 2019	\$0.120	\$0.156
Year 2020	\$0.125	\$0.162
Year 2021	\$0.130	\$0.169
Year 2022	\$0.135	\$0.175
Year 2023	\$0.140	\$0.182

SCHEDULE "D"
Monthly Sewer Service Fee

	Town Connection	Rural Connection
Year 2019	\$25.78	\$33.51
Year 2020	\$27.06	\$35.17
Year 2021	\$27.60	\$35.88
Year 2022	\$28.15	\$36.59
Year 2023	\$28.71	\$37.32

SCHEDULE "E"
Monthly Sewage Disposal Fee

	Within Town Limits Per 100 gallons of water consumption	Outside Town Limits Per 100 gallons of water consumption
Year 2019	\$0.08	\$0.10
Year 2020	\$0.09	\$0.11
Year 2021	\$0.10	\$0.13
Year 2022	\$0.11	\$0.14
Year 2023	\$0.12	\$0.15

SCHEDULE "F"
Monthly Infrastructure Fee

	Within Town Limits	Outside Town Limits
Year 2019	\$21.42	\$27.84
Year 2020	\$22.49	\$29.23
Year 2021	\$22.93	\$29.80
Year 2022	\$23.38	\$30.39
Year 2023	\$23.84	\$30.99

SCHEDULE "G"
TEMPORARY SERVICE

Deposit to be paid by applicant for temporary service: \$500.00.

SCHEDULE "H"
Water Supply Rates for Bulk Water Fill Station

	Rate per 100 gallons
Year 2019	\$2.00
Year 2020	\$2.00
Year 2021	\$2.00
Year 2022	\$2.00
Year 2023	\$2.00

SCHEDULE "I"
Septage

For each 1500 gallons of septage or portion thereof dumped: \$50.00

SCHEDULE "J"
Meter Service Deposits and Administration Fees

Deposit to be paid by the subscriber:

- (a) For the supply of an over-sized meter: \$250.00
- (b) For the testing of a meter: \$20.00.

Administration Fees chargeable for meter services:

- (a) For the supply of an over-sized meter: 20% of the amount to be invoiced to the Town by the supplier;
- (b) For the supply of a replacement meter: 20% of the amount invoiced to the Town by the supplier;
- (c) For the testing of a meter: \$100.00.

SCHEDULE "K"
Connection Service Charges

Rate payable for shut off or disconnection or turn on or reconnection:

Initial call-out:

June 1 to October 31, inclusive	\$150.00
November 1 to May 31, inclusive	\$250.00

Each subsequent call-out: \$50.00

SCHEDULE "L"
Administration Fee Not Specified

Administration Fee payable if not otherwise provided for: 10%

SCHEDULE "M"
Interest Charges

Interest rate per month payable on arrears: 2%



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June 20, 2019

Local Government Committee

Ms. Kelly Hoare
Chief Administrative Officer
Town of Shellbrook
Box 40
SHELLBROOK SK S0J 2E0

Dear Ms. Hoare:

Enclosed for your records is approval of utility rates excluding the management fees (Schedules A, G, J, K, and L) pursuant to subsection 23(3) of *The Municipalities Act*.

Yours truly,

A handwritten signature in blue ink, appearing to read "P. Mat", with a long horizontal stroke extending to the right.

Roman Matviichuk, BF, MPA
Financial Analyst

Enclosure

19-165 Eberl

TOWN OF SHELLBROOK – WATER AND SEWER RATES

*That the Committee approve the water and sewer rates, excluding the management fees as outlined in the **Town of Shellbrook's Bylaw No. 2019-04** in accordance with subsection 23(3) of *The Municipalities Act*.*

CARRIED

