

## BY-LAW NO. 85-2023

### A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE REGULATING WATER RATES IN THE TOWN OF CARLETON PLACE

**WHEREAS** Section 391(1)(a) of the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended, authorizes a municipality by by-law to impose fees or charges on persons for services or activities provided or done by or on behalf of the municipality; and

**AND WHEREAS** Section 398(1) of the *Municipal Act*, 2001, S.O. 2001, c.25, as amended stipulates that fees and charges imposed by a municipality or local board on a person constitute a debt of the person to the municipality or local board, respectively.

**AND WHEREAS** Section 398(2) of the *Municipal Act*, 2001, S.O. 2001, c.25, as amended provides authority to the treasurer of a local municipality who may, add fees and charges imposed by the municipality to the tax roll for the following property in the local municipality and collect them in the same manner as municipal taxes:

1. In the case of fees and charges for the supply of a service or thing to a property, the property to which the service or thing was supplied.
2. In all other cases, any property for which all owners are responsible for paying the fees and charges.

**AND WHEREAS** the Council of the Corporation of the Town of Carleton Place deems it necessary and desirable to increase the present rates for the consumption of water within the Town;

**NOW THEREFORE**, the Corporation of the Town of Carleton Place enacts as follows:

#### 1. DOMESTIC WATER AND SEWAGE TREATMENT PLANT CHARGES

- 1.1. All domestic water and sewage treatment plant charges are the responsibility of the property owner. Properties with tenant agreements with the Town already in place as of December 31, 2023, may continue to be billed to the tenant until the Town is directed otherwise by the property owner. No new agreements to redirect charges to tenants will be permitted by the Town effective January 1, 2024 and henceforth all charges will be billed directly to the property owner.
- 1.2. Fees will be charged from the date services are connected to the property and turned on and will be charged until such time as services have been turned off by Town staff.
- 1.3. Property owners are responsible for ensuring that they are being invoiced for the correct number of people and/or the correct services. When new residential accounts are established, they will be set up with the 3-5-person full-service rate unless written communication is received from the property owner. Corrections will only be made as of the date the Town is notified, in writing, of any discrepancy. Changes will not be backdated under any circumstances.

1.4. Effective January 1, 2024 the following schedule of quarterly charges shall apply for domestic water and sanitary sewer service billings:

1.4.1. Quarterly Rate for Each Residential Dwelling Unit

<b>NUMBER OF PEOPLE</b>	<b>* FULL SERVICE</b>	<b>SERVICE LESS OUTSIDE TAP</b>	<b>PRIVATE SWIMMING POOL</b>
1 or 2 persons	\$126.29	\$113.12	\$143.98
3, 4, or 5 persons	\$132.65	\$119.52	\$150.36
6, 7, or 8 persons	\$139.09	\$125.99	\$156.79
9 or 10 persons	\$143.30	\$130.06	\$160.99
Additional Persons	\$3.00	\$3.00	\$3.00

1.4.2. The flat rate charge for a private swimming pool is \$70.78 per year. To maintain uniform billings 25% of this charge is included in each quarterly billing.

1.5. Billings shall be issued quarterly in advance. The rates stated are net. A 10% penalty shall apply to all accounts remaining unpaid on the day following the "Due Date" shown on the billing. If the water and sewage service rates plus penalty are not paid within 90 days thereafter, the amount due shall be added to the Collector's Roll and collected in the same manner as municipal taxes.

1.6. Every residential dwelling which is provided with water and sewer service will be subject to a water and sewer charge unless the water supply to the dwelling is turned off by a municipal employee. In the case of a duplex or multi-family dwelling, it is the responsibility of the property owner to provide a shut-off valve in the main water supply to the dwelling which can be turned off and locked or sealed by the municipal employee. There shall be a charge of \$99.96 to turn on any water supply including new services.

## **2. SUMMER SERVICE**

2.1. The flat rate water usage charge for Summer Service for the season is \$473.67 payable in advance. If a private pool is present, an additional charge of \$120.22 shall apply, which is also payable in advance.

## **3. BILLING CRITERIA AND BILLING PROCEDURE FOR COMMERCIAL, INDUSTRIAL OR INSTITUTIONAL**

3.1. Each separate Commercial, Industrial, or Institutional entity shall receive a separate bill for each location they occupy.

3.2. If a property owner wishes to have their quarterly water bills directed to a tenant, said owner shall apply to the Town in writing and agree that any unpaid charges on the account remain the responsibility of the property owner.

- 3.3. Fees will be charged from the date services are connected to the property and turned on and will be charged until such time as services have been turned off by Town staff.
- 3.4. Property owners are responsible for ensuring that they are being invoiced for the correct number of employees and/or the correct services. Corrections will only be made as of the date the Town is notified, in writing, of any discrepancy. Changes will not be backdated under any circumstances.
- 3.5. Commercial, Industrial, or Institutional connections must be metered, and bills will be based on volume unless there is no provision for water to be used for any purpose other than washrooms for the exclusive use of employees.
- 3.6. When a building contains one or more consumers that must be metered, the entire building shall be metered with a common meter and the entire bill shall be sent to the owner unless the water supply to the customers that must be metered can be isolated and metered. In this case, individual tenants can be billed separately; some based on flat rate and others based on volume.

**4. BILLINGS AND RATES FOR COMMERCIAL, INDUSTRIAL AND/OR INSTITUTIONAL "FLAT RATE" WATER AND SEWER SERVICE**

4.1. Effective January 1, 2024, the following schedule of charges shall apply for flat rate Commercial, Industrial and/or Institutional water and sewer billing.

FEE DESCRIPTION	FEES
<b>Base Billing</b> (Base billing includes 5 employees working 60 hours per week)	<ul style="list-style-type: none"> <li>• .....\$102.89</li> </ul>
<b>Additional Charges</b> <ul style="list-style-type: none"> <li>○ For each additional employee</li> <li>○ For each additional hour of operation</li> </ul>	<ul style="list-style-type: none"> <li>• ..... \$7.25 per quarter</li> <li>• . \$0.15 x total number of employees</li> </ul>

- 4.2. The number of employees shall mean the number of people normally at a business at one time.
- 4.3. Billings will be made quarterly in advance. The rates stated are net. A 10% penalty shall apply to all accounts remaining unpaid on the day following the "Due Date" shown on the billing.
- 4.4. Commercial establishments using water-cooled air conditioning or refrigeration equipment shall be on metered service.

4.5. In cases where a business is operating out of a residential dwelling and it is determined that the nature of the business justifies a separate billing for water and sewer, the rate shall be ½ of the normal commercial flat rate. The residential billing would remain consistent with charges outlined in Section 1.

**5. BILLINGS AND RATES FOR RESIDENTIAL, COMMERCIAL AND INDUSTRIAL METERED WATER AND SEWER SERVICE**

5.1. Effective October 1, 2023 the following schedule of charges shall apply for metered residential, commercial, and industrial service:

FEE DESCRIPTION	FEES
<b>Minimum Quarterly Billing (plus meter rental)</b> <ul style="list-style-type: none"> <li>○ For the first 45,000 gal.</li> <li>○ For the next 45,000 gal.</li> <li>○ For the next 765,000 gal.</li> <li>○ Additional over 810,000 gal.</li> </ul>	<ul style="list-style-type: none"> <li>• ..... \$85.50</li> <li>• ..... \$6.179 per 1,000 gal.</li> <li>• ..... \$5.575 per 1,000 gal.</li> <li>• ..... \$4.926 per 1,000 gal.</li> <li>• ..... \$3.720 per 1,000 gal.</li> </ul>
<b>Meter Rentals Quarterly Net:</b> <ul style="list-style-type: none"> <li>○ 5/8" or less</li> <li>○ 3/4" or less</li> <li>○ 1" or less</li> <li>○ 1.5" or less</li> <li>○ 2" or less</li> <li>○ 3" or less</li> <li>○ 4" or less</li> <li>○ over 4"</li> </ul>	<ul style="list-style-type: none"> <li>• ..... \$17.39</li> <li>• ..... \$21.76</li> <li>• ..... \$27.00</li> <li>• ..... \$56.05</li> <li>• ..... \$72.91</li> <li>• ..... \$118.25</li> <li>• ..... \$202.14</li> <li>• ..... \$412.11</li> </ul>

5.2 In all cases, meters shall be supplied by, and remain the property of, the Corporation of the Town of Carleton Place. These meters shall be installed by a municipal employee or a plumber authorized by the Town of Carleton Place. The cost of meter installation shall be the responsibility of the customer but the cost of any required maintenance resulting from normal wear and tear will be borne by the Municipality. Costs incurred in repairing a meter where damage was caused from the meter having been hit or otherwise subjected to misuse or abuse, shall be the responsibility of the customer.

5.3 In cases where more than one (1) meter is used to supply one (1) customer, the total water consumption, as registered on all meters, shall be used in calculating the quarterly billing.

5.4 In cases where one (1) meter is used to service more than one (1) commercial enterprise, more than one (1) industrial enterprise or more than one (1) living accommodation or in cases where there is any combination of commercial,

industrial and residential consumers using a common meter, the following fees shall be charged over and above the consumer to whom the billing is made.

FEE DESCRIPTION	FEES
<b>Quarterly Fees for Additional Water Meters</b>	
<b>(Commercial, Industrial or Residential Consumers)</b>	
<ul style="list-style-type: none"> <li>• 2nd unit</li> </ul>	<ul style="list-style-type: none"> <li>• ..... \$66.74</li> </ul>
<ul style="list-style-type: none"> <li>• 3rd unit</li> </ul>	<ul style="list-style-type: none"> <li>• ..... \$44.14</li> </ul>
<ul style="list-style-type: none"> <li>• 4th+ unit</li> </ul>	<ul style="list-style-type: none"> <li>• ..... \$33.39</li> </ul>

5.5 The rates are net. A 10% penalty shall apply to all accounts remaining unpaid on the day following the "Due Date" shown on the billing. If the water and sewage service rates plus penalty are not paid within 90 days thereafter, the amount due shall be added to the Collector's Roll and collected in the same manner as municipal taxes.

**6. SURCHARGE**

6.1 All rates established by this By-law, with the exceptions noted below, are subject to a surcharge as described below:

6.1.1 Surcharge:

That a Sewage Service Rate shall be charged on the sewer and water billing as one hundred percent (100%) of the total water charges as noted in Sections 1.2.1, 1.2.2, 4.1, 4.5, 5.1 and 5.4 of this By-law. The said surcharge shall apply equally to all user groups including Residential, Commercial, Industrial and Institutional.

6.1.2. Billings for water service to a dwelling, business or industry that is not connected to the municipal sanitary sewer system shall be exempt from the surcharge noted in Section 6.1.1.

**7. MISCELLANEOUS**

8.1 All new buildings shall have remote reading meters installed at the owner's expense during construction if required by the Town.

8.2 Hauled Sewage by truck to the Sewage Treatment Plant shall be charged \$160.55 per load (maximum of 3,000 gallons). Permission to discharge must be pre-approved by Council.

8.3 By-law No. 01-2023 and any other By-law or parts of by-laws which are inconsistent with the provisions of this By-law are hereby repealed.

READ A FIRST TIME, A SECOND TIME, A THIRD TIME AND FINALLY PASSED THIS 7<sup>TH</sup> DAY OF NOVEMBER 2023.