

**Order No. 83/20**

**RURAL MUNICIPALITY OF ROSSER AND RURAL MUNICIPALITY OF ROCKWOOD  
GROSSE ISLE WATER AND WASTEWATER UTILITY  
WATER AND WASTEWATER RATES EFFECTIVE  
JULY 1, 2020, JANUARY 1, 2021, AND JANUARY 1, 2022**

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**JUNE 10, 2020**

**BEFORE: Shawn McCutcheon, Panel Chair  
Carol Hainsworth, C.B.A., Panel Member**

## Table of Contents

1.0	Executive Summary .....	3
2.0	Background .....	4
	Water Supply/Distribution .....	4
	Wastewater Collection/Treatment.....	4
	Unaccounted for Water .....	5
3.0	Application .....	5
	Working Capital Surplus/Deficit .....	7
	Contingency Allowance and Utility Reserves.....	7
	Cost Allocation Methodology .....	8
	Deficits.....	9
4.0	Board Findings.....	10
5.0	IT IS THEREFORE ORDERED THAT:.....	12
	SCHEDULE A – RM of Rosser .....	14
	SCHEDULE A – RM of Rockwood.....	27

## 1.0 Executive Summary

By this Order, the Public Utilities Board (Board) approves the water and wastewater rates as applied for jointly by the Rural Municipality of Rockwood (Rockwood) and the Rural Municipality of Rosser (Rosser), Grosse Isle Water and Wastewater Utility (Utility).

The approved rates are as follows:

	July 1, 2020	January 1, 2021	January 1, 2022
Water (per cubic meter)	\$3.11	\$3.13	\$3.15
Wastewater (per cubic meter)	\$3.36	\$3.44	\$3.51
Quarterly Service Charge	\$30.99	\$35.32	\$39.64
Minimum Quarterly Charge*	\$128.04	\$133.87	\$139.54
Wastewater Only Customers**	\$64.59	\$69.72	\$74.74
Water Only Customers*	\$77.64	\$82.27	\$86.89
Meter Testing	\$125.00	\$125.00	\$125.00
Reconnection Fee	\$50.00	\$50.00	\$50.00
Disconnection Fee	\$50.00	\$50.00	\$50.00
<b>Wastewater Tipping Fees</b>			
Wastewater Disposal Fee (per kiloliter)	\$6.75	\$6.75	\$6.75
Remote-Controlled Gate Opener – Initial Access Fee	\$150.00	\$150.00	\$150.00
Remote-Controlled Gate Opener – Annual Access Fee	\$50.00	\$50.00	\$50.00
Remote-Controlled Gate Opener – Replacement Fee	\$150.00	\$150.00	\$150.00
Remote-Controlled Gate Opener – Switch Vehicle Fee	\$125.00	\$125.00	\$125.00
Remote-Controlled Gate Opener – Reactivation Fee	\$125.00	\$125.00	\$125.00

\*Based on 15 cubic meters

\*\*Based on 10 cubic meters

Details of other rates may be found in the attached Schedule A.

Rationale for the Board's decisions may be found under the Board Findings section below.

## 2.0 Background

The Utility is jointly owned and operated by Rosser and Rockwood. It is mutually agreed by both Rural Municipalities that Rosser takes the lead administrative role for the Utility. Approved rates are implemented by both Rosser and Rockwood accordingly. Water and wastewater services are provided to 78 customers in the urban area of Grosse Isle, water only services are provided to 100 customers in Rosser and Rockwood, there are six water only customers in the Rural Municipality of Woodlands (located outside of Grosse Isle), and three wastewater only customers (or a total 187 customers).

Rates were last approved in Board Order No. 25/13 effective April 1, 2013, January 1, 2014, and January 1, 2015. The Board also approved the requisite Cost Allocation Methodology in Board Order No. 88/13.

The Board last approved actual operating deficits of \$44,475 for 2012 and \$70,183 for 2015 in Board Order No. 73/19 to be recovered through a rate rider of \$1.14 per cubic meter over three years or until the deficit is paid in full, whichever comes first, effective July 1, 2019.

### **Water Supply/Distribution**

The utility was constructed in 2009/2010 and treated water is purchased from the Cartier Regional Water Coop.

### **Wastewater Collection/Treatment**

The wastewater system was also constructed in 2009/2010. The lagoon is sized to service 559 people with a piped wastewater collection system and by trucked septic. The discharge from the lagoon is sent to Colony Creek.

## Unaccounted for Water

Unaccounted for water was 3% in 2018, which is within acceptable parameters.

### 3.0 Application

On January 8, 2020, Rosser and Rockwood jointly applied for revised water and wastewater rates for the Utility. The application was accompanied by a rate study prepared by Rosser and Rockwood's consultant, By-Law No. 8-19 for Rosser having had first reading on November 12, 2019, and By-Law No. 23/19 for Rockwood having received first reading on December 11, 2019.

A Public Notice of Application was issued on January 29, 2020 allowing for any questions or comments with respect to the proposed rate increases to the Board and/or Rosser/Rockwood on or before February 28, 2020. The Board received three responses from customers, primarily objecting to the increase requested to the Quarterly Service Charge.

When reviewing an application, the Board can either: hold a public hearing at which the applicant can present its case and customers can present their concerns; or where it is deemed to be in the best interests of a utility and its customers, the Board can review the application using a paper review process without holding a public hearing. The paper review process considers all written materials submitted by the Utility and the Public, as well as any information requests and responses between the Board and the Utility. Whenever reasonable, the Board will review the application using a paper review process which saves the cost of a public hearing process.

The Board has chosen a paper review process for Rosser/Rockwood's application.

The rates were calculated based on the following projections using an annual inflation rate of 2.0%:

	Year 1	Year 2	Year 3
<b>General Expenses</b>			
Administration	\$28,505	\$29,075	\$29,657
Total General Expenses	\$28,505	\$29,075	\$29,657
<b>General Revenue</b>			
Penalties	\$600	\$600	\$600
Total Revenue	\$600	\$600	\$600
<b>Net Costs General</b>	<b>\$27,905</b>	<b>\$28,475</b>	<b>\$29,057</b>
<b>Water Expenses</b>			
Purification and Treatment	\$3,468	\$3,537	\$3,608
Water Purchases	74,460	75,949	77,468
Transmission and Distribution	22,644	23,097	23,559
Amortization	94,735	94,735	94,735
Interest on Long-Term Debt	11,023	9,362	7,855
Contingency	9,828	9,828	9,828
Total Water Expenses	\$216,158	\$216,508	\$217,053
<b>Water Revenue</b>			
Manitoba Water Service Board Payment	\$5,000	\$5,000	\$5,000
Hydrant Rentals	3,450	3,450	3,450
Amortization of Capital Grants	18,190	18,190	18,190
Total Water Revenue	\$26,640	\$26,640	\$26,640
<b>Net Costs Water</b>	<b>\$189,518</b>	<b>\$189,868</b>	<b>\$190,413</b>
<b>Wastewater Expenses</b>			
Collection System	\$204	\$208	\$212
Treatment and Disposal	19,890	20,288	20,694
Lift Station	3,228	3,293	3,359
Other Sewage and Disposal	1,071	1,092	1,114
Amortization	59,968	59,968	59,968
Interest on Long-Term Debt	10,801	9,362	7,855
Total Wastewater Expenses	\$95,162	\$94,211	\$93,202
<b>Wastewater Revenue</b>			
Lagoon Land Lease	\$3,600	\$3,600	\$3,600
Tipping Fees	30,000	30,000	30,000
Amortization of Capital Grants	15,472	15,472	15,472
Total Wastewater Revenue	\$49,072	\$49,072	\$49,072
<b>Net Costs Wastewater</b>	<b>\$46,090</b>	<b>\$45,139</b>	<b>\$44,130</b>
<b>Net Operating Costs</b>	<b>\$263,513</b>	<b>\$263,482</b>	<b>\$263,600</b>

## Working Capital Surplus/Deficit

Board Order No. 93/09 established that utilities should maintain a minimum working capital surplus, in an amount equal to 20% of annual expenses. The working capital surplus/deficit is defined as the Utility fund balance, excluding any capital related items plus Utility reserves.

As per the 2018 Audited Financial Statements, the most recent information available, the working capital surplus for the Utility as at December 31, 2018 was:

	2018	2017
Fund Surplus/(Deficit)	\$2,385,720	\$2,714,666
Deduct: Tangible Capital Assets	(6,486,436)	(6,639,586)
Add: Long-Term Debt	4,236,128	2,229,990
Add: Utility Reserve	30,696	23,254
<b>Working Capital Surplus/(Deficit)</b>	<b>\$166,108</b>	<b>\$(1,671,676)</b>
Total Operating Expenses	\$642,116	\$426,124
<b>20% of Operating Expenses</b>	<b>\$128,423</b>	<b>\$85,225</b>

The Utility meets the Board minimum working capital surplus of 20% for 2018.

## Contingency Allowance and Utility Reserves

As per the Board's Water Rate Application Guidelines, a yearly allowance equal to 10% of the variable operating costs is recommended for a contingency allowance.

Rosser/Rockwood has included a contingency allowance of \$9,828 per year for water only.

The rate study notes the Utility has not identified any projects in its five-year capital plan and is forecasting a large working capital surplus by 2022. Rosser/Rockwood therefore is not requesting an annual transfer to reserves.

## Cost Allocation Methodology

The Board requires all municipal governments to review the costs shared between its general operations and the Utility, and to allocate appropriate and reasonable costs to the Utility, based on a policy known as a Cost Allocation Methodology. This allocation must be submitted to the Board for approval and cannot be changed without receiving approval from the Board. The Board's requirements regarding the cost allocation methodologies can be found in Board Order No. 93/09.

The Town's allocation plan for shared costs is as follows:

Rural Municipalities of Rosser and Rockwood Grosse Isle Water and Wastewater Utility Allocation Plan for Non-Direct Shared Services (see Note 1) as at October, 2019		
Category	Sub-category	Options
1.0	Administrative Staff	
		3.0% of general legislative expenses excluding assessment and grant expenses.
	1.1 Billing services – meter reading to receipting and collection.	Receipting and collection is part of the admin. staff allocation.
	1.2 Accounting/ auditing/ including bylaw making and enforcement.	3.0% of audit costs
	1.3 Common office space	3.0% of office costs, utilities.
	1.4 Office overheads (telephone, photocopier, computer, etc.)	3.0% of printing, postage, and stationary.
2.0	Operating, construction and maintenance costs	
	2.1 Vehicle – fuel, maintenance, lease costs, capital costs	A truck is shared between the Centreport and Grosse Isle Utilities. The Grosse Isle Utility pays 30% of vehicle costs.
	2.2 Labor – full time, part time, on call, sick time, vacation (see Note 2)	-
	2.3 Public works building and property.	-



	2.4 Road repairs and alike (see Note 3)	Based on actual costs		-
3.0 Major projects				
	Interest/ financing			N/A
	Labor	Based on actual costs		-
	External costs	Direct charge (dedicated consulting)		-

Note 1 – Allocation must be updated periodically to reflect impacts of inflation.

Note 2 – Including salaries and benefits.

Note 3 – If a project involves work benefitting both the Utility and general operations the costs may be shared (i.e. If reconstructing a road and replacing services at the same time, a portion of the roadwork costs may be allocated to the Utility.)

## Deficits

Board Order No. 73/19 noted actual operating deficits for the years 2012 to 2015, but also noted costs associated with the Grosse Isle Wastewater Project are under legal dispute and removed these figures from the actual operating deficit calculations due to the possibility these costs could be recovered once litigation has been settled. If litigation does not provide for the recovery of these costs, Rosser/Rockwood were directed to file deficit applications for the years in deficit accordingly. (Please see Board Order No. 73/19 for complete details and calculations.)

The rate study notes similar actual operating deficits for 2016 of \$167,694, 2017 of \$74,735, and \$288,284 for 2018 that may be impacted by the above-noted legal dispute.

The supporting calculations are as follows:

	2016	2017	2018
Actual Operating Deficit	\$(167,694)	\$(74,735)	\$(288,284)
Add: Legal Fees to be Recovered	27,884	17,444	100,038
Add: Treatment/Disposal Costs to be Recovered	219,820	95,302	215,614
<b>Net Operating Surplus Excluding Lawsuit Costs</b>	<b>\$80,010</b>	<b>\$38,011</b>	<b>\$27,368</b>

## 4.0 Board Findings

The Board has reviewed the rate application, the projections presented by Rosser/Rockwood, and the customer responses.

While the Board is sensitive to the effect of the increases to the Quarterly Service Charge on customers, the Board must balance this effect with the financial stability of the Utility when approving rates. Based on the financial projections included in the 2012 rate study used to calculate the most recent approved Quarterly Service Charge in Board Order No. 25/13 and the figures presented in Rosser/Rockwood's 2018 Audited Financial Statements, administration costs have increased from approximately \$15,000 per year to approximately \$30,000 per year. This increase in costs is representative of the increase to the Quarterly Service Charge requested by Rosser/Rockwood.

The Board therefore grants approval for the water and wastewater rates as applied for to be effective July 1, 2020, January 1, 2021, and January 1, 2022.

The Board approves the revised Cost Allocation Methodology and reminds Rosser/Rockwood this methodology must be used consistently. Any changes to the cost allocation methodology require Board approval prior to its enforcement.

The Board requires Rosser/Rockwood to review its water and wastewater rates for the Utility for adequacy and file a report with the Public Utilities Board, as well as an application for revised rates on or before December 31, 2022.

The Board notes if the costs from the legal dispute are not recovered (or partially recovered) once the litigation is complete, Rosser/Rockwood is directed to file a Deficit Application for each year the Utility is found to be in deficit as soon as possible.

The Board directs Rosser/Rockwood to provide an update regarding the court decisions pursuant to the Grosse Isle Wastewater Project lawsuit as soon as they are known. The Board also directs Rosser/Rockwood to consult with its auditor(s) and ensure all legal fees and court related costs are tracked and reported accordingly in the Rosser/Rockwood Audited Financial Statements.

The Board notes rates were last set for the Utility in 2013 and reminds Rosser/Rockwood regular rate reviews submitted every three years, as per the Board's Guidelines, protect the financial position of the Utility and may reduce the need for substantial rate increases in one year.

The Board notes Board Order No. 25/13 advised that Board Guidelines strongly recommend reserve funds be in place to handle unexpected expenditures. Rosser/Rockwood has not included a reserve allowance in its request due to no planned capital activities in its five-year capital plan. The Board recommends any unused contingency funds be transferred to the Utility Reserve Fund.

The Board notes Board Order No. 25/13 included an "equity surcharge" in the approved rates to assist the Utility in achieving a positive working capital balance. The rate study forecasts note the working capital for the Utility will be in a surplus position for 2020 up to and including 2023 and therefore no "equity surcharge" is included in the rates approved in this Order.

## 5.0 IT IS THEREFORE ORDERED THAT:

1. The water and wastewater rates for the Rural Municipality of Rosser and the Rural Municipality of Rockwood, Grosse Isle Water and Wastewater Utility, BE AND ARE HEREBY APPROVED in accordance with the attached Schedule A, effective July 1, 2020, January 1, 2021, and January 1, 2022.
2. The Shared Cost Allocation Methodology for the Rural Municipality of Rosser and the Rural Municipality of Rockwood BE AND IS HEREBY APPROVED.
3. The Rural Municipality of Rosser and the Rural Municipality of Rockwood amend its water and wastewater By-Laws for the Grosse Isle Water and Wastewater Utility to reflect the decisions in this Order and file a copy with the Public Utilities Board, as soon as it has received third and final reading.
4. The Rural Municipality of Rosser and the Rural Municipality of Rockwood provide notice to its customers, including the decisions in this Order and submit a copy to the Public Utilities Board.
5. The Rural Municipality of Rosser and the Rural Municipality of Rockwood review its water and wastewater rates for adequacy for the Grosse Isle Water and Wastewater Utility and file a report with the Public Utilities Board, as well as an application for revised rates if required, by no later than December 31, 2022.
6. The Rural Municipality of Rosser and/or the Rural Municipality of Rockwood submit a report to the Public Utilities Board regarding the court decisions pursuant to the Grosse Isle Wastewater Project as soon as they are known, and file applicable Deficit Applications as soon as possible.

Board decisions may be appealed in accordance with the provisions of Section 58 of *The Public Utilities Board Act*, or reviewed in accordance with Section 36 of the Board's Rules of Practice and Procedure.

Fees payable upon this Order – \$500.00

THE PUBLIC UTILITIES BOARD

“Shawn McCutcheon”  
Panel Chair

“Frederick Mykytyshyn”  
Assistant Associate Secretary

Certified a true copy of Order No. 83/20  
issued by The Public Utilities Board

  
Assistant Associate Secretary

**SCHEDULE A**

**RURAL MUNICIPALITY OF ROSSER  
BY-LAW NO. 8-19  
GROSSE ISLE WATER AND WASTEWATER UTILITY  
SCHEDULE OF QUARTERLY RATES**

1. Schedule of Commodity Rates**July 1, 2020**

<u>Rates per Cubic Meter</u>	<u>Water</u>	<u>Wastewater</u>	<u>Water and Wastewater</u>
	\$3.11	\$3.36	\$6.47

<u>Quarterly Service Charge</u>	\$30.99
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2. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges per quarter set out below, which includes the water allowance as listed.

**a) Water & Wastewater Customers**

Meter Size	Group Capacity Ratio	Water Included C.M.	Customer Service Charge	Water Commodity Charge	Wastewater Commodity Charge	Water and Wastewater Total Quarterly Minimum	Water Only Total Quarterly Minimum
15mm (5/8")	1	15	\$30.99	\$46.65	\$50.40	\$128.04	\$77.64
19mm (3/4")	2	30	\$30.99	\$93.30	\$100.80	\$225.09	\$124.29
25mm (1")	4	60	\$30.99	\$186.60	\$201.60	\$419.19	\$217.59
38mm (1½")	10	150	\$30.99	\$466.50	\$504.00	\$1,001.49	\$497.49
50mm (2")	25	375	\$30.99	\$1,166.25	\$1,260.00	\$2,457.24	\$1,197.24

**b) Water Only Customers**

The minimum charge will be the same for each meter size as shown above, but the Wastewater Commodity Charge will be excluded.

**c) Wastewater Only for Residential Customers**

The wastewater only charge is based on average quarterly consumption of 10 cubic meters plus the quarterly customer service charge.

The quarterly charge for Wastewater only is  $(10 * \$3.36) + \$30.99 = \$64.59$

**d) Basic Quarterly Charge**

Basic Quarterly Charges are applicable to Rural Regional Water customers that have the services installed onto their properties, but are not receiving the service to date. Once water is provided, these customers will then be subject to the then-approved volumetric charges.

1. Schedule of Commodity Rates

**January 1, 2021**

<u>Rates per Cubic Meter</u>	<u>Water</u>	<u>Wastewater</u>	<u>Water and Wastewater</u>
	\$3.13	\$3.44	\$6.57
 <u>Quarterly Service Charge</u>	 \$35.32		

2. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges per quarter set out below, which includes the water allowance as listed.

**a) Water & Wastewater Customers**

Meter Size	Group Capacity Ratio	Water Included C.M.	Customer Service Charge	Water Commodity Charge	Wastewater Commodity Charge	Water and Wastewater Total Quarterly Minimum	Water Only Total Quarterly Minimum
15mm (5/8")	1	15	\$35.32	\$46.95	\$51.60	\$133.87	\$82.27
19mm (3/4")	2	30	\$35.32	\$93.90	\$103.20	\$232.42	\$129.22
25mm (1")	4	60	\$35.32	\$187.80	\$206.40	\$429.52	\$223.12
38mm (1½")	10	150	\$35.32	\$469.50	\$516.00	\$1,020.82	\$504.82
50mm (2")	25	375	\$35.32	\$1,173.75	\$1,290.00	\$2,499.07	\$1,209.07

**b) Water Only Customers**

The minimum charge will be the same for each meter size as shown above, but the Wastewater Commodity Charge will be excluded.

**c) Wastewater Only for Residential Customers**

The wastewater only charge is based on average quarterly consumption of 10 cubic meters plus the quarterly customer service charge.

The quarterly charge for Wastewater only is  $(10 * \$3.44) + \$35.32 = \$69.72$

**d) Basic Quarterly Charge**

Basic Quarterly Charges are applicable to Rural Regional Water customers that have the services installed onto their properties, but are not receiving the service to date. Once water is provided, these customers will then be subject to the then-approved volumetric charges.

1. Schedule of Commodity Rates

**January 1, 2022**

<u>Rates per Cubic Meter</u>	<u>Water</u>	<u>Wastewater</u>	<u>Water and Wastewater</u>
	\$3.15	\$3.51	\$6.66
 <u>Quarterly Service Charge</u>	 \$39.64		

2. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges per quarter set out below, which includes the water allowance as listed.

**a) Water & Wastewater Customers**

Meter Size	Group Capacity Ratio	Water Included C.M.	Customer Service Charge	Water Commodity Charge	Wastewater Commodity Charge	Water and Wastewater Total Quarterly Minimum	Water Only Total Quarterly Minimum
15mm (5/8")	1	15	\$39.64	\$47.25	\$52.65	\$139.54	\$86.89
19mm (3/4")	2	30	\$39.64	\$94.50	\$105.30	\$239.44	\$134.14
25mm (1")	4	60	\$39.64	\$189.00	\$210.60	\$439.24	\$228.64
38mm (1½")	10	150	\$39.64	\$472.50	\$526.50	\$1,038.64	\$512.14
50mm (2")	25	375	\$39.64	\$1,181.25	\$1,316.25	\$2,537.14	\$1,220.89

**b) Water Only Customers**

The minimum charge will be the same for each meter size as shown above, but the Wastewater Commodity Charge will be excluded.



**c) Wastewater Only for Residential Customers**

The wastewater only charge is based on average quarterly consumption of 10 cubic meters plus the quarterly customer service charge.

The quarterly charge for Wastewater only is  $(10 * \$3.51) + \$39.64 = \$74.74$

**d) Basic Quarterly Charge**

Basic Quarterly Charges are applicable to Rural Regional Water customers that have the services installed onto their properties, but are not receiving the service to date. Once water is provided, these customers will then be subject to the then-approved volumetric charges.

**The following clauses take effect July 1, 2020:**

3. Service to Customers Outside Utility's Limits

- a. The Council of The Rural Municipality of Rosser may sign Agreements with customers for the provision of water and wastewater services to properties located outside the boundaries of Grosse Isle Utility. Such Agreements shall provide for payment of the appropriate rates set out in this Schedule, as well as a surcharge set by Resolution of Council, which shall be equivalent to the frontage levy, general taxes, and special taxes for the Utility purposes in effect at the time or may be in effect from time to time, and which would be levied on the property concerned, if it were within Grosse Isle Utility boundaries. In addition, all costs of connecting to the Utility's mains, and installing and maintaining service connections, will be paid by the customer.
- b. All costs of connecting to the Utility's water and wastewater mains and installing service connections will be paid by the customer.

4. Billings and Penalties

Accounts shall be billed quarterly based on water used. A late payment penalty charge of 1.25% compounded monthly shall be charged on the dollar amount owing after the billing due date. The due date will be at least twenty (20) days after the mailing of the bills.

5. Disconnection and Reconnection

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 Rural Municipality's office.

Any service disconnected due to non-payment of account shall not be reconnected until all arrears, penalties and a reconnection fee of \$50.00 have been paid.

Any customer requesting a service disconnection shall pay a fee of \$50.00 and if the customer requests a reconnection that occurs at another date or time, a reconnection fee of \$50.00 will apply.

6. Hydrant Charges

The Rural Municipality of Rosser, or any other hydrant owner, will pay to the Utility a fee of \$150.00 per hydrant for the purpose of maintaining and repairing all fire hydrants connected to the system, which shall include the cost of water used for firefighting.

7. Outstanding Bills

Pursuant to Section 252 (2) of *The Municipal Act*, the amount of all outstanding charges for water and wastewater services, including fines and penalties, are a lien and charge upon the land serviced, and may be collected in the same manner in which ordinary taxes upon the land are collectible, and with like remedies.

8. Water Allowance Due to Line Freezing

That in any case where, at the request of Council, a customer allows water to run continuously for any period of time to prevent the water lines in the water system from freezing, the charge to that customer for the current quarter shall be the average of the billings for the last two previous quarters to the same customer, or to the same premises if the occupant has changed.

9. Meter Testing

Any customer wishing to have a meter tested for accuracy will pay in advance a fee of \$125.00, plus any applicable meter testing costs. In the event that the meter tests proves that the meter is recording water flows in excess of actual flows, the meter testing fee and associated costs will be refunded to the customer, and the customer's account will be reviewed and adjusted accordingly.

10. Wastewater Surcharges

a) There may be levied annually, in addition to the rates set forth above, a special surcharge on sewage having a Biochemical Oxygen Demand in excess of 300 parts per million, to be set by Resolution of Council.

b) A special surcharge for substances requiring special treatment shall be charged based on the actual costs of treatment required for the particular sewage or industrial waste.

### 11. Water Meters

- (a) The RM shall supply an appropriate size water meter and remote read touchpad at the customer's cost.
- (b) The meter and touch pad shall be installed by a registered plumber and the costs shall be the responsibility of the property owner. The remote touch pad shall be located at a point easily accessible at all times and approved by the RM.
- (c) The meter shall be installed 75cm above the floor or as approved by the RM.
- (d) The meter shall be located as close as practical to the point of entry of the water line. Ample room must be provided for access to the meter and main valve at all times.
- (e) The meter shall be in a horizontal position with the main shut off valve immediately before the meter. Another valve shall be installed downstream of the meter before any distribution piping or ports.
- (f) No distribution piping or ports shall be allowed before the meter.
- (g) The meter shall be protected from any type of damage including freezing.
- (h) The meter shall be protected from any type of damage including freezing.
- (i) Costs for any damage and labour for repairs to the water meter and associated equipment shall be the responsibility of the property owner.

### 12. Service Permit Fee

Any person wishing to install a new water service pipe, reuse or repurpose an existing water service pipe, or abandon a water service pipe must apply for and receive a water service pipe permit. The cost of the permit includes approval of the plan, inspection of the connection and record keeping.

### 13. Cross Connections

No customer or person shall connect, cause to be connected or allow to remain connected any piping, fixture, fitting, container or appliance in a manner which under any circumstances may allow water, wastewater or any harmful liquid or substance to enter the Rural Municipality's water system.

If a condition is found to exist which, in the opinion of the Rural Municipality, is contrary to the aforesaid, the Rural Municipality may either:

Shut off the service or services; or

Give notice to the customer to correct the fault at his or her own expense within a specified time period.

### 14. Conditions of Disrepair

In the event that there are conditions of disrepair in the wastewater and water works on a property that detrimentally affects the system as a whole and, upon the failure of the owner of the property to correct the condition within a reasonable time, the Rural Municipality, or its agents, may enter the property, effect repairs and charge the cost thereof against the subject property as ordinary taxes.

15. Authorization for Officer to Enter Upon Premises

The Public Works Supervisor, or other employee authorized by the Rural Municipality in the absence of the Public Works Supervisor, shall be authorized to enter upon any premises for the purpose of:

Affixing to any pipe, wire or apparatus connected with any such utility, a meter or any other measuring or testing device; or taking readings from, repairing, inspecting or removing any meter or apparatus belonging to the Rural Municipality.

16. Volumetric Charge per Kiloliter for Wastewater Disposal Vehicle Tipping Fee

a. Disposal Fee

\$6.75 per kiloliter until further notice. The fee is based on 85% of volume capacity of the Wastewater Disposal Vehicle tank. For example, if the wastewater Disposal Vehicle holds 11,365 liters or 2,500 gallons, they will be deemed to have deposited 85% of the 11,365 liters each time they deposit into the lagoon.

b. Remote Control Gate Opener

- i. Initial Access Fee - \$150.00, for each septic truck;
- ii. Annual Access Fee - \$50.00, for each septic truck. The Wastewater Disposal Vehicle Licence must be renewed by paying the Annual Access Fee for each registered septic truck which is due and payable on the first business day in January of each year;
- iii. Replacement of Remote Control Gate Opener - \$150.00;
- iv. Switch Remote from one Vehicle to another Vehicle - \$125.00

c. Billings

The Due date will be thirty (30) days from the date of the issuance of the invoice.

d. Reactivation of Remote Control Gate Opener

Any deactivation of the Remote Control Gate Opener due to the suspension or cancellation of the Wastewater Disposal Vehicle Licence due to non-payment of account, failure to submit the monthly Record of Wastewater Pickup and Disposal Report by the 15<sup>th</sup> day of the following month, or any infraction under current Lagoon Licensing By-Law, shall not be reactivated until all reports are submitted, arrears and a reconnection fee of \$125.00 has been paid.

**SCHEDULE B**

**CONDITIONS PRECEDENT ALLOWING FOR COLLECTION**

**AND DISCONNECTION OF WATER AND/OR WASTEWATER SERVICES**

**FOR NON-PAYMENT OF ACCOUNTS**

**1.0 PURPOSE:**

- 1.1 The purpose of this document is to outline and define the disconnection and reconnection policies and procedures for customers with water and/or wastewater services.
- 1.2 Disconnection, in accordance with the steps outlined in the following policy and procedures may occur if a customer is in arrears and full payment or payment arrangements suitable to the utility have not been made and if so, such disconnections must occur in conformance with these conditions precedent.
- 1.3 Reconnection, in accordance with the following policy and procedures will occur as soon as it is reasonably possible after the account returns to good standing. This Policy and Procedure does not apply to disconnection practices for routine maintenance of the utility including emergencies.

**2.0 SCOPE:**

- 2.1 The policy and procedures apply to customers receiving water and/or wastewater services. The procedures are detailed to reflect the variety of situations that may occur for each of the following customers.
  - 2.1.1 All property owners and/or tenants responsible for water and/or wastewater services.
  - 2.1.2 All landlords responsible for providing tenant water and/or wastewater services covered under The Residential Tenancies Act (C.C.S.M. c R119).
  - 2.1.3 Where water and/or wastewater services are added to taxes.
  - 2.1.4 Where water is sold in bulk.
  - 2.1.5 Where sewage is dumped into a treatment facility.
  - 2.1.6 Where water and/or wastewater service is provided beyond the boundaries of a municipality, if applicable.

**3.0 DEFINITIONS:**

- 3.1 **Account Holder/Customer** – shall refer to the person or persons who have applied for water and/or wastewater service at a particular residence, whether it be the property owner or renter

- 3.2 **Property Owner** – shall refer to the person or persons who are listed on the title of a specific property.
- 3.3 **Renter** – is not the property owner of the subject property and shall refer to the utility account holder/customer of the subject property.
- 3.4 **Security Deposit** – shall be based on the risk to the utility and should not exceed an estimated bill for three months.

#### 4.0 POLICY:

- 4.1 The Utility will normally confine collection activity to the person(s) identified on the account who requested the service(s) with an implied agreement to pay or the person or agency who has agreed to pay for the service(s), with the following exception: where a reasonable person would expect that a customer not named on the bill is implicitly responsible for the service(s), i.e. husband or wife (legal or common-law), that person will also be presumed to have liability for the outstanding balance.
- 4.2 In order to satisfy provisions of *The Freedom of Information and Protection of Privacy Act*, Utilities are encouraged to develop an agreement between the utility and the account holder/customer, with provisions that establish at minimum conditions for service, recourse for unpaid bills, deposits required, and for renter's acknowledgement that information relating to their account status and other information may be released to the property owner to assist with collections.
- 4.3 The Public Utilities Board (Board) may, on its own initiative, or at the request of a customer review a Utility's action and make recommendations and/or orders with respect to same as the Board may determine.
- 4.4 Every effort is to be made by the Utility to resolve outstanding accounts, disconnection and reconnection issues directly with its customer(s). If a solution cannot be reached the customer may apply to the Board for dispute resolution.
- 4.5 The Utility should familiarize itself with legislated provisions and the duty to report when a child is in need of protection and/or where the life, health or emotional well-being of the child (or children) is endangered. These provisions are contained in Part III – Child Protection - of *The Child and Family Services Act*.
- 4.6 The Utility must make special application to the Board prior to disconnecting service to a community or multiple residences/properties. Such an application must be shared with the affected community (ies) and/or multiple residences/properties. The Board will consider the circumstances and particulars of the application and provide the Utility with direction, following such process as the Board may deem appropriate.

- 4.7 If a landlord is responsible for the provision of water and/or wastewater services to tenant occupied premises, arrears will be based on the outstanding account balance and will be subject to Residential Tenancy Branch (RTB) procedures at the tenant occupied premises. Landlords failing to bring their outstanding account balance to good standing will be subject to disconnection of services of the same utility at their personal residence and any vacant premises under the same name.
- 4.8 This policy does not affect the Utility's right to disconnect in times of emergency and/or for reasons of safety or for failure to comply with water rationing requirements.
- 4.9 The Utility will keep current data of all disconnected customers in accordance with the following procedures.
- 4.10 The Utility may seek Board exemption from full disconnection procedures when faced with customers who consistently and deliberately show patterns of payment avoidance and who clearly understand the consequences of their actions.

## 5.0 PROCEDURES

### 5.1 DISCONNECTION PROCEDURE

Steps 1, 2 and 3 must be followed on water and/or wastewater services in arrears.

#### Step 1

Customers shall receive a billing statement each billing cycle for services. In some cases the bill is for past consumption and/or minimum quarterly bill for the prior quarter and in other cases, for past consumption over the minimum quarterly bill in the prior quarter plus the next minimum quarterly bill in advance. The due date which appears on the bill shall be no less than 14 days after the billing date. Bulk water customers or customers dumping sewage may have special billing arrangements. However, failure to pay an outstanding bill may result in the removal of the right to use the service.

#### Step 2

If payment is not received within 31 days from the last billing date, a message similar to the following shall appear on a reminder statement:

**“Our records indicate your account is past due. Please give this your prompt attention.**

**If payment or payment arrangements have been made, kindly disregard this notice.”**

[The following is applicable to residential premises.]

**“Information on service disconnection, payment arrangements and financial assistance is enclosed.”**

Sample Insert:

<p>If your account is past due and you have not made payment arrangements, your water and/or wastewater service could be disconnected.</p>	<p>To make payment arrangements, please contact the utility at:  <i>204-467-5711</i></p>	<p>Financial assistance may be available through Employment and Income Assistance:  • 1-800-626-4862</p>
<p>The Public Utilities Board adopted Order No. 39/09 governing the disconnection of water and/or wastewater service for non-payment of account.</p>	<p>If you have already made payment arrangements, please disregard this notice.</p>	<p>Additional financial counseling and support may be available through Community Financial Counseling Services:  • 1-888-573-2383</p>

**Step 3**

If payment is not received within 45 days of the last billing date, a message similar to the following shall appear on the second and final reminder notice. Reconnection fees will be charged as approved by the Board from time to time:

**IMPORTANT PAST DUE NOTICE**

Your **account** is past due. If suitable payment arrangements or full payment of the arrears are not made on or before (*enter Date {14 calendar days from date of issue}*) your account will be subject to disconnection. If payment of the arrears has already been made, please notify us immediately. If payment arrangements have already been made kindly disregard this notice.

If your service(s) is disconnected, full payment of the arrears balance plus a reconnection fee will be required before service is fully restored. A security deposit may also be required.

Customers may appeal the Utility's action by contacting the Public Utilities Board.

The Utility is not responsible for any damages or losses that may occur as a result of services which are disconnected for non-payment. Please ensure you protect people, animals and property that may be impacted by disconnection of service.

Reconnect Fees are \$ 50.00.



Your service will be disconnected on \_\_\_\_\_ in the a.m. or p.m.

- 5.2** Where the Utility bills the minimum quarterly bill in advance, and where service is not reconnected, the bill should be adjusted and prorated accordingly, for the period from the date of disconnection to the end of the next quarter.
- 5.3** The following are exceptions to the above notice requirements before disconnection:
- (a) Where the customer's account was past due and where a payment arrangement was made and subsequently broken, the Utility may disconnect the customer's service with 7 calendar days notice.
  - (b) Where the customer's account was past due for services billed at a previous premise, the Utility may, with 10 days notice, disconnect the customer's service at the new premise if the customer fails to make a payment arrangement.

The Utility shall take all reasonable steps to collect the arrears from its account holder/customer before adding any arrears to taxes.

- 5.4** A message similar to the following shall appear on any future billing statements where services have been disconnected:
- "Your account remains outstanding despite previous requests for payment. Failure to pay the outstanding account balance may make your account subject to legal action. Please call the phone number on the front of your billing statement or pay in person. If payment of the arrears has already been made please notify the Utility immediately. If payment arrangements have already been made kindly disregard this notice."

## **6.0 RECONNECTION OR RESTORATION OF SERVICE PROCEDURE:**

- 6.1** No reconnection of service(s) shall occur unless full payment of the arrears or payment arrangements is made suitable to the Utility including a reconnection fee. Reconnection terms may also include the payment of a security deposit.
- 6.2** All reasonable efforts shall be made to reconnect or restore the service as soon as possible.

**7.0 GENERAL GUIDELINES FOR RENTAL PROPERTIES:**

- 7.1 The renter and property owner are both responsible for providing notice and meter readings to the utility when vacating or renting a premise for the first time.
- 7.2 If the new renter has an unpaid amount, the utility may refuse service to the tenant.
- 7.3 The departing tenant will be responsible for services to the date of departure and the arriving tenant or the property owner will be responsible on the date the new tenant takes occupancy.
- 7.4 If there is a period of time between departing tenant and the arriving tenant the property owner will be responsible for the service charge.
- 7.5 The renter's deposit, if applicable, will be applied to the utility bill at this time. In the case where the amount of the deposit, if applicable, exceeds the amount of the final bills and a credit is shown on the utility account, the credit is then refunded to the renter in the form of a cheque.

**8.0 REPORTING REQUIREMENTS:**

- 8.1 The Utility shall record the following information which the Board may request at any time:
  - (a) the name of the account holder disconnected;
  - (b) efforts made by the Utility to contact the customer (bill messages, letters, telephone calls, personal visits) and the results of such efforts.

**SCHEDULE A**

**RURAL MUNICIPALITY OF ROCKWOOD  
BY-LAW NO. 23/19  
GROSSE ISLE WATER AND WASTEWATER UTILITY  
SCHEDULE OF QUARTERLY RATES**

1. Schedule of Commodity Rates**July 1, 2020**

<u>Rates per Cubic Meter</u>	<u>Water</u>	<u>Wastewater</u>	<u>Water and Wastewater</u>
	\$3.11	\$3.36	\$6.47
<u>Quarterly Service Charge</u>	\$30.99		

2. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges per quarter set out below, which includes the water allowance as listed.

**a) Water & Wastewater Customers**

Meter Size	Group Capacity Ratio	Water Included C.M.	Customer Service Charge	Water Commodity Charge	Wastewater Commodity Charge	Water and Wastewater Total Quarterly Minimum	Water Only Total Quarterly Minimum
15mm (5/8")	1	15	\$30.99	\$46.65	\$50.40	\$128.04	\$77.64
19mm (3/4")	2	30	\$30.99	\$93.30	\$100.80	\$225.09	\$124.29
25mm (1")	4	60	\$30.99	\$186.60	\$201.60	\$419.19	\$217.59
38mm (1½")	10	150	\$30.99	\$466.50	\$504.00	\$1,001.49	\$497.49
50mm (2")	25	375	\$30.99	\$1,166.25	\$1,260.00	\$2,457.24	\$1,197.24

**b) Water Only Customers**

The minimum charge will be the same for each meter size as shown above, but the Wastewater Commodity Charge will be excluded.

**c) Wastewater Only for Residential Customers**

The wastewater only charge is based on average quarterly consumption of 10 cubic meters plus the quarterly customer service charge.

The quarterly charge for Wastewater only is  $(10 * \$3.36) + \$30.99 = \$64.59$

**d) Basic Quarterly Charge**

Basic Quarterly Charges are applicable to Rural Regional Water customers that have the services installed onto their properties, but are not receiving the service to date. Once water is provided, these customers will then be subject to the then-approved volumetric charges.

**1. Schedule of Commodity Rates****January 1, 2021**

<u>Rates per Cubic Meter</u>	<u>Water</u>	<u>Wastewater</u>	<u>Water and Wastewater</u>
	\$3.13	\$3.44	\$6.57
 <u>Quarterly Service Charge</u>	 \$35.32		

**2. Minimum Charges per Quarter**

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges per quarter set out below, which includes the water allowance as listed.

**a) Water & Wastewater Customers**

Meter Size	Group Capacity Ratio	Water Included C.M.	Customer Service Charge	Water Commodity Charge	Wastewater Commodity Charge	Water and Wastewater Total Quarterly Minimum	Water Only Total Quarterly Minimum
15mm (5/8")	1	15	\$35.32	\$46.95	\$51.60	\$133.87	\$82.27
19mm (3/4")	2	30	\$35.32	\$93.90	\$103.20	\$232.42	\$129.22
25mm (1")	4	60	\$35.32	\$187.80	\$206.40	\$429.52	\$223.12
38mm (1½")	10	150	\$35.32	\$469.50	\$516.00	\$1,020.82	\$504.82
50mm (2")	25	375	\$35.32	\$1,173.75	\$1,290.00	\$2,499.07	\$1,209.07

**b) Water Only Customers**

The minimum charge will be the same for each meter size as shown above, but the Wastewater Commodity Charge will be excluded.

**c) Wastewater Only for Residential Customers**

The wastewater only charge is based on average quarterly consumption of 10 cubic meters plus the quarterly customer service charge.

The quarterly charge for Wastewater only is  $(10 * \$3.44) + \$35.32 = \$69.72$

**d) Basic Quarterly Charge**

Basic Quarterly Charges are applicable to Rural Regional Water customers that have the services installed onto their properties, but are not receiving the service to date. Once water is provided, these customers will then be subject to the then-approved volumetric charges.

1. Schedule of Commodity Rates

**January 1, 2022**

<u>Rates per Cubic Meter</u>	<u>Water</u>	<u>Wastewater</u>	<u>Water and Wastewater</u>
	\$3.15	\$3.51	\$6.66
 <u>Quarterly Service Charge</u>	 \$39.64		

2. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges per quarter set out below, which includes the water allowance as listed.

**a) Water & Wastewater Customers**

Meter Size	Group Capacity Ratio	Water Included C.M.	Customer Service Charge	Water Commodity Charge	Wastewater Commodity Charge	Water and Wastewater Total Quarterly Minimum	Water Only Total Quarterly Minimum
15mm (5/8")	1	15	\$39.64	\$47.25	\$52.65	\$139.54	\$86.89
19mm (3/4")	2	30	\$39.64	\$94.50	\$105.30	\$239.44	\$134.14
25mm (1")	4	60	\$39.64	\$189.00	\$210.60	\$439.24	\$228.64
38mm (1½")	10	150	\$39.64	\$472.50	\$526.50	\$1,038.64	\$512.14
50mm (2")	25	375	\$39.64	\$1,181.25	\$1,316.25	\$2,537.14	\$1,220.89

**b) Water Only Customers**

The minimum charge will be the same for each meter size as shown above, but the Wastewater Commodity Charge will be excluded.

**c) Wastewater Only for Residential Customers**

The wastewater only charge is based on average quarterly consumption of 10 cubic meters plus the quarterly customer service charge.

The quarterly charge for Wastewater only is  $(10 * \$3.51) + \$39.64 = \$74.74$

**d) Basic Quarterly Charge**

Basic Quarterly Charges are applicable to Rural Regional Water customers that have the services installed onto their properties, but are not receiving the service to date. Once water is provided, these customers will then be subject to the then-approved volumetric charges.

**The following clauses take effect July 1, 2020:**

3. Service to Customers Outside Utility's Limits

- a. The Council of The Rural Municipality of Rockwood may sign Agreements with customers for the provision of water and wastewater services to properties located outside the boundaries of Grosse Isle Utility. Such Agreements shall provide for payment of the appropriate rates set out in this Schedule, as well as a surcharge, set by Resolution of Council, which shall be equivalent to the frontage levy, general taxes, and special taxes for the Utility purposes in effect at the time or may be in effect from time to time, and which would be levied on the property concerned if it were within Grosse Isle Utility boundaries. In addition, all costs of connecting to the Utility's mains, and installing and maintaining service connections, will be paid by the customer.
- b. All costs of connecting to the Utility's water and wastewater mains and installing service connections will be paid by the customer.

4. Billings and Penalties

Accounts shall be billed quarterly based on water used. A late payment penalty charge of 1.25% compounded monthly shall be charged on the dollar amount owing after the billing due date. The due date will be at least twenty (20) days after the mailing of the bills.

5. Disconnection and Reconnection

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 Rural Municipality's office.

Any service disconnected due to non-payment of account shall not be reconnected until all arrears, penalties and a reconnection fee of \$50.00 have been paid.

Any customer requesting a service disconnection shall pay a fee of \$50.00 and if the customer requests a reconnection that occurs at another date or time, a reconnection fee of \$50.00 will apply.

6. Hydrant Charges

The Rural Municipality of Rockwood, or any other hydrant owner, will pay to the Utility a fee of \$150.00 per hydrant for the purpose of maintaining and repairing all fire hydrants connected to the system which shall include the cost of water used for firefighting.

7. Outstanding Bills

Pursuant to Section 252 (2) of *The Municipal Act*, the amount of all outstanding charges for water and wastewater services, including fines and penalties, are a lien and charge upon the land serviced, and may be collected in the same manner in which ordinary taxes upon the land are collectible, and with like remedies.

8. Water Allowance Due to Line Freezing

That in any case where, at the request of Council, a customer allows water to run continuously for any period of time to prevent the water lines in the water system from freezing, the charge to that customer for the current quarter shall be the average of the billings for the last two previous quarters to the same customer, or to the same premises if the occupant has changed.

9. Meter Testing

Any customer wishing to have a meter tested for accuracy will pay in advance a fee of \$125.00, plus any applicable meter testing costs. In the event that the meter tests proves that the meter is recording water flows in excess of actual flows, the meter testing fee and associated costs will be refunded to the customer, and the customer's account will be reviewed and adjusted accordingly.

10. Wastewater Surcharges

a) There may be levied annually, in addition to the rates set forth above, a special surcharge on sewage having a Biochemical Oxygen Demand in excess of 300 parts per million, to be set by Resolution of Council.

b) A special surcharge for substances requiring special treatment shall be charged based on the actual costs of treatment required for the particular sewage or industrial waste.

### 11. Water Meters

- (a) The RM shall supply an appropriate size water meter and remote read touchpad at the customer's cost.
- (b) The meter and touch pad shall be installed by a registered plumber and the costs shall be the responsibility of the property owner. The remote touch pad shall be located at a point easily accessible at all times and approved by the RM.
- (c) The meter shall be installed 75cm above the floor or as approved by the RM.
- (d) The meter shall be located as close as practical to the point of entry of the water line. Ample room must be provided for access to the meter and main valve at all times.
- (e) The meter shall be in a horizontal position with the main shut off valve immediately before the meter. Another valve shall be installed downstream of the meter before any distribution piping or ports.
- (f) No distribution piping or ports shall be allowed before the meter.
- (g) The meter shall be protected from any type of damage including freezing.
- (h) The meter shall be protected from any type of damage including freezing.
- (i) Costs for any damage and labour for repairs to the water meter and associated equipment shall be the responsibility of the property owner.

### 12. Service Permit Fee

Any person wishing to install a new water service pipe, reuse or repurpose an existing water service pipe, or abandon a water service pipe must apply for and receive a water service pipe permit. The cost of the permit includes approval of the plan, inspection of the connection and record keeping.

### 13. Cross Connections

No customer or person shall connect, cause to be connected or allow to remain connected any piping, fixture, fitting, container or appliance in a manner which under any circumstances may allow water, wastewater or any harmful liquid or substance to enter the Rural Municipality's water system.

If a condition is found to exist which, in the opinion of the Rural Municipality, is contrary to the aforesaid, the Rural Municipality may either:

Shut off the service or services; or

Give notice to the customer to correct the fault at his or her own expense within a specified time period.

### 14. Conditions of Disrepair

In the event that there are conditions of disrepair in the wastewater and water works on a property that detrimentally affects the system as a whole and, upon the failure of the owner of the property to correct the condition within a reasonable time, the Rural Municipality, or its agents, may enter the property, effect repairs and charge the cost thereof against the subject property as ordinary taxes.



15. Authorization for Officer to Enter Upon Premises

The Public Works Supervisor, or other employee authorized by the Rural Municipality in the absence of the Public Works Supervisor, shall be authorized to enter upon any premises for the purpose of:

Affixing to any pipe, wire or apparatus connected with any such utility, a meter or any other measuring or testing device; or taking readings from, repairing, inspecting or removing any meter or apparatus belonging to the Rural Municipality.

16. Volumetric Charge per Kiloliter for Wastewater Disposal Vehicle Tipping Fee

a. Disposal Fee

\$6.75 per kiloliter until further notice. The fee is based on 85% of volume capacity of the Wastewater Disposal Vehicle tank. For example, if the wastewater Disposal Vehicle holds 11,365 liters or 2,500 gallons, they will be deemed to have deposited 85% of the 11,365 liters each time they deposit into the lagoon.

b. Remote Control Gate Opener

- i. Initial Access Fee - \$150.00, for each septic truck;
- ii. Annual Access Fee - \$50.00, for each septic truck. The Wastewater Disposal Vehicle Licence must be renewed by paying the Annual Access Fee for each registered septic truck which is due and payable on the first business day in January of each year;
- iii. Replacement of Remote Control Gate Opener - \$150.00;
- iv. Switch Remote from one Vehicle to another Vehicle - \$125.00

c. Billings

The Due date will be thirty (30) days from the date of the issuance of the invoice.

d. Reactivation of Remote Control Gate Opener

Any deactivation of the Remote Control Gate Opener due to the suspension or cancellation of the Wastewater Disposal Vehicle Licence due to non-payment of account, failure to submit the monthly Record of Wastewater Pickup and Disposal Report by the 15<sup>th</sup> day of the following month, or any infraction under current Lagoon Licensing By-Law, shall not be reactivated until all reports are submitted, arrears and a reconnection fee of \$125.00 has been paid.

**SCHEDULE B**

**CONDITIONS PRECEDENT ALLOWING FOR COLLECTION**

**AND DISCONNECTION OF WATER AND/OR WASTEWATER SERVICES**

**FOR NON-PAYMENT OF ACCOUNTS**

**1.0 PURPOSE:**

- 1.4 The purpose of this document is to outline and define the disconnection and reconnection policies and procedures for customers with water and/or wastewater services.
- 1.5 Disconnection, in accordance with the steps outlined in the following policy and procedures may occur if a customer is in arrears and full payment or payment arrangements suitable to the utility have not been made and if so, such disconnections must occur in conformance with these conditions precedent.
- 1.6 Reconnection, in accordance with the following policy and procedures will occur as soon as it is reasonably possible after the account returns to good standing. This Policy and Procedure does not apply to disconnection practices for routine maintenance of the utility including emergencies.

**3.0 SCOPE:**

- 2.1 The policy and procedures apply to customers receiving water and/or wastewater services. The procedures are detailed to reflect the variety of situations that may occur for each of the following customers.
  - 2.1.1 All property owners and/or tenants responsible for water and/or wastewater services.
  - 2.1.2 All landlords responsible for providing tenant water and/or wastewater services covered under The Residential Tenancies Act (C.C.S.M. c R119).
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  - 2.1.4 Where water is sold in bulk.
  - 2.1.5 Where sewage is dumped into a treatment facility.
  - 2.1.6 Where water and/or wastewater service is provided beyond the boundaries of a municipality, if applicable.

**3.0 DEFINITIONS:**

- 3.1 **Account Holder/Customer** – shall refer to the person or persons who have applied for water and/or wastewater service at a particular residence, whether it be the property owner or renter

- 3.2 **Property Owner** – shall refer to the person or persons who are listed on the title of a specific property.
- 3.3 **Renter** – is not the property owner of the subject property and shall refer to the utility account holder/customer of the subject property.
- 3.4 **Security Deposit** – shall be based on the risk to the utility and should not exceed an estimated bill for three months.

#### 4.0 POLICY:

- 4.1 The Utility will normally confine collection activity to the person(s) identified on the account who requested the service(s) with an implied agreement to pay or the person or agency who has agreed to pay for the service(s), with the following exception: where a reasonable person would expect that a customer not named on the bill is implicitly responsible for the service(s), i.e. husband or wife (legal or common-law), that person will also be presumed to have liability for the outstanding balance.
- 4.2 In order to satisfy provisions of *The Freedom of Information and Protection of Privacy Act*, Utilities are encouraged to develop an agreement between the utility and the account holder/customer, with provisions that establish at minimum conditions for service, recourse for unpaid bills, deposits required, and for renter's acknowledgement that information relating to their account status and other information may be released to the property owner to assist with collections.
- 4.3 The Public Utilities Board (Board) may, on its own initiative, or at the request of a customer review a Utility's action and make recommendations and/or orders with respect to same as the Board may determine.
- 4.4 Every effort is to be made by the Utility to resolve outstanding accounts, disconnection and reconnection issues directly with its customer(s). If a solution cannot be reached the customer may apply to the Board for dispute resolution.
- 4.5 The Utility should familiarize itself with legislated provisions and the duty to report when a child is in need of protection and/or where the life, health or emotional well-being of the child (or children) is endangered. These provisions are contained in Part III – Child Protection - of *The Child and Family Services Act*.
- 4.6 The Utility must make special application to the Board prior to disconnecting service to a community or multiple residences/properties. Such an application must be shared with the affected community (ies) and/or multiple residences/properties. The Board will consider the circumstances and particulars of the application and provide the Utility with direction, following such process as the Board may deem appropriate.

- 4.7 If a landlord is responsible for the provision of water and/or wastewater services to tenant occupied premises, arrears will be based on the outstanding account balance and will be subject to Residential Tenancy Branch (RTB) procedures at the tenant occupied premises. Landlords failing to bring their outstanding account balance to good standing will be subject to disconnection of services of the same utility at their personal residence and any vacant premises under the same name.
- 4.8 This policy does not affect the Utility's right to disconnect in times of emergency and/or for reasons of safety or for failure to comply with water rationing requirements.
- 4.9 The Utility will keep current data of all disconnected customers in accordance with the following procedures.
- 4.10 The Utility may seek Board exemption from full disconnection procedures when faced with customers who consistently and deliberately show patterns of payment avoidance and who clearly understand the consequences of their actions.

## 5.0 PROCEDURES

### 5.1 DISCONNECTION PROCEDURE

Steps 1, 2 and 3 must be followed on water and/or wastewater services in arrears.

#### Step 1

Customers shall receive a billing statement each billing cycle for services. In some cases the bill is for past consumption and/or minimum quarterly bill for the prior quarter and in other cases, for past consumption over the minimum quarterly bill in the prior quarter plus the next minimum quarterly bill in advance. The due date which appears on the bill shall be no less than 14 days after the billing date. Bulk water customers or customers dumping sewage may have special billing arrangements. However, failure to pay an outstanding bill may result in the removal of the right to use the service.

#### Step 2

If payment is not received within 31 days from the last billing date, a message similar to the following shall appear on a reminder statement:

**“Our records indicate your account is past due. Please give this your prompt attention.**

**If payment or payment arrangements have been made, kindly disregard this notice.”**

[The following is applicable to residential premises.]

**“Information on service disconnection, payment arrangements and financial assistance is enclosed.”**

Sample Insert:

<p>If your account is past due and you have not made payment arrangements, your water and/or wastewater service could be disconnected.</p>	<p>To make payment arrangements, please contact the utility at:  <i>204-467-5711</i></p>	<p>Financial assistance may be available through Employment and Income Assistance:  • 1-800-626-4862</p>
<p>The Public Utilities Board adopted Order No. 39/09 governing the disconnection of water and/or wastewater service for non-payment of account.</p>	<p>If you have already made payment arrangements, please disregard this notice.</p>	<p>Additional financial counseling and support may be available through Community Financial Counseling Services:  • 1-888-573-2383</p>

**Step 3**

If payment is not received within 45 days of the last billing date, a message similar to the following shall appear on the second and final reminder notice. Reconnection fees will be charged as approved by the Board from time to time:

**IMPORTANT PAST DUE NOTICE**

Your **account** is past due. If suitable payment arrangements or full payment of the arrears are not made on or before (*enter Date {14 calendar days from date of issue}*) your account will be subject to disconnection. If payment of the arrears has already been made, please notify us immediately. If payment arrangements have already been made kindly disregard this notice.

If your service(s) is disconnected, full payment of the arrears balance plus a reconnection fee will be required before service is fully restored. A security deposit may also be required.

Customers may appeal the Utility's action by contacting the Public Utilities Board.

The Utility is not responsible for any damages or losses that may occur as a result of services which are disconnected for non-payment. Please ensure you protect people, animals and property that may be impacted by disconnection of service.

Reconnect Fees are \$ 50.00.

Your service will be disconnected on \_\_\_\_\_ in the a.m. or p.m.

- 5.2** Where the Utility bills the minimum quarterly bill in advance, and where service is not reconnected, the bill should be adjusted and prorated accordingly, for the period from the date of disconnection to the end of the next quarter.
- 5.3** The following are exceptions to the above notice requirements before disconnection:
- (a) Where the customer's account was past due and where a payment arrangement was made and subsequently broken, the Utility may disconnect the customer's service with 7 calendar days notice.
  - (b) Where the customer's account was past due for services billed at a previous premise, the Utility may, with 10 days notice, disconnect the customer's service at the new premise if the customer fails to make a payment arrangement.

The Utility shall take all reasonable steps to collect the arrears from its account holder/customer before adding any arrears to taxes.

- 5.4** A message similar to the following shall appear on any future billing statements where services have been disconnected:
- "Your account remains outstanding despite previous requests for payment. Failure to pay the outstanding account balance may make your account subject to legal action. Please call the phone number on the front of your billing statement or pay in person. If payment of the arrears has already been made please notify the Utility immediately. If payment arrangements have already been made kindly disregard this notice."

## **6.0 RECONNECTION OR RESTORATION OF SERVICE PROCEDURE:**

- 6.1** No reconnection of service(s) shall occur unless full payment of the arrears or payment arrangements is made suitable to the Utility including a reconnection fee. Reconnection terms may also include the payment of a security deposit.
- 6.2** All reasonable efforts shall be made to reconnect or restore the service as soon as possible.

## **7.0 GENERAL GUIDELINES FOR RENTAL PROPERTIES:**

- 7.1** The renter and property owner are both responsible for providing notice and meter readings to the utility when vacating or renting a premise for the first time.
- 7.2** If the new renter has an unpaid amount, the utility may refuse service to the tenant.
- 7.3** The departing tenant will be responsible for services to the date of departure and the arriving tenant or the property owner will be responsible on the date the new tenant takes occupancy.
- 7.4** If there is a period of time between departing tenant and the arriving tenant the property owner will be responsible for the service charge.
- 7.5** The renter's deposit, if applicable, will be applied to the utility bill at this time. In the case where the amount of the deposit, if applicable, exceeds the amount of the final bills and a credit is shown on the utility account, the credit is then refunded to the renter in the form of a cheque.

## **8.0 REPORTING REQUIREMENTS:**

- 8.1** The Utility shall record the following information which the Board may request at any time:
  - (a) the name of the account holder disconnected;
  - (b) efforts made by the Utility to contact the customer (bill messages, letters, telephone calls, personal visits) and the results of such efforts.