

**VILLAGE OF BINSCARTH
BY-LAW #501**

BEING a by-law of the Village of Binscarth to revise water & sewer rates within the said Village;

WHEREAS the Village of Binscarth owns and operates a water and sewer facility within the limits of the said Village;

WHEREAS under Section 232 (1) (1) of the Municipal Act being the Statute of Manitoba, L.M. 1996, c. 58 a municipality which operates a sewage system may, subject to the approval of the Public Utilities Board, pass municipal purposes respecting public utilities;

AND WHEREAS under Section 232 (2) (d) the Municipal Act being the Statute of Manitoba, S.M. 1996 c. 58 a municipality may, subject to the approval of the Public Utilities Board, pass by-laws to establish fees or other charges for services, activities or things provided or done by the municipality or for the use of property under the ownership, direction, management or control of the municipality;

NOW THEREFORE BE IT AND IT IS HEREBY PASSED AND ENACTED as a by-law of the Village of Binscarth, in council duly assembled as follows:

THAT By-Law No. 474 of the Village of Binscarth is hereby repealed.

THAT the Village of Binscarth, in response to a formal application, shall provide and install, connect, disconnect and/or remove a water meter from a premise using water supplied by the Village. The fees for such services shall be as follows:

<u>METER</u>	<u>INSTALLATION</u>	<u>DISCONNECTION</u>	<u>REMOVAL</u>	<u>RECONNECTION*</u>
5/8"	\$25.00	\$5.00	\$10.00	\$15.00
3/4"	25.00	5.00	10.00	15.00
1"	25.00	5.00	10.00	15.00
1 1/2"	50.00	5.00	10.00	15.00
2"	125.00	5.00	15.00	15.00

* Does not include re-installation fee.

THAT all accounts for minimum quarterly charges for metered services as set forth in the Schedule of Quarterly Rates shall be billed quarterly in advance together with any excess charges for metered water and sewer services supplied to them by the Village of Binscarth at the rates and terms set out in Schedule "A" attached hereto and forming part of this by-law. No reduction of minimum rates will be made because of the stoppage of water supply due to frozen service lines or frozen pipes inside the premises of the owner of the property without just cause.

THAT the Village reserves the right to discontinue the supply of water for fountains, jets, hoses and sprinklers, or to limit the hours for the use of the same, whenever, at the discretion of the Council it is in the best interest of the public.

THAT no person, other than the Fire Chief or someone acting on his behalf, or a representative of the Village, unless duly authorized in writing by the Chief Administrative Officer, shall open or use any fire hydrant, either for construction purposes, street cleaning or any other purpose.

THAT no person shall willfully or maliciously hinder or cause to hinder the Village or its representatives in the exercise of their duties in relation to the operation and maintenance of the water and sewerage systems.

THAT the meter and shut off valve inside the premises shall be readily accessible and not used by the owner except for the protection of the premises. No person shall tamper with the meter or cause the water supply to by-pass the meter. All pipes and valves inside the premises shall be kept in good repair by the owner or occupant. Any damage through neglect or otherwise by a contractor for the owner or occupant to the water service pipes from the street to the premises including the meter shall be the responsibility of the owner or occupant.

THAT any person violating any provisions of this by-law shall:

1. be guilty of an offence and upon conviction liable to a fine not exceeding fifty dollars (\$50.00) and costs for each violation.
2. be liable to the Village for any expense, loss or damage suffered by the Village as a result of the violation.
3. be liable for the repairs and costs of the repairs to the system as a result of the violation. If that person is in default of effecting the repairs, the Village may effect the repairs and charge the cost thereof to that person, or add the cost to the taxes and collect the same in the same manner as ordinary taxes.

THAT this by-law shall come into force and become effective on, from and after both approval by the Public Utilities Board and receipt of third and final reading thereof.

PASSED AND ENACTED by the Village of Binscarth, in council duly assembled this 14th day of May, 1997.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

FIRST READING	29 January 1997
SECOND READING	14 May 1997
THIRD READING	14 May 1997

SCHEDULE "A"
THE VILLAGE OF BINSCARTH
WATER & SEWER RATES
BY-LAW NO. 501

SCHEDULE OF QUARTERLY RATES:

1. Commodity Rates per M.G.

<u>Water</u>	<u>Sewer</u>	<u>Water & Sewer</u>
\$3.65	\$0.85	\$4.50

2. Minimum Charges, Quarterly

Notwithstanding the Commodity rates set forth in paragraph 1 hereof, all customers will pay the applicable minimum charges set out below, which will include the water allowances indicated:

a) Water & Sewer Customers

METER SIZE	GALLONS MINIMUM	CUSTOMER SERVICE CHARGE	COMMODITY CHARGES		TOTAL QUARTERLY MINIMUM
			WATER	SEWER	
5/8"	3,000	\$8.00	10.95	2.55	21.50
3/4"	6,000	8.00	21.90	5.10	35.00
1"	12,000	8.00	43.80	10.20	62.00
1½"	30,000	8.00	109.50	25.50	143.00
2"	75,000	8.00	273.75	63.75	345.50

b) Water Only Customers

Minimum Charge will be the same for each above, but the Sewer Commodity Charge will be excluded.

c) Sewer Only Customers

There are no sewer only customers in the Village of Binscarth

3. Bulk Sales

All water sold in bulk by the Village of Binscarth shall be charged for at the rate of \$0.60 per 100 gallons.

4. Service to Customers outside Village Limits

The Council of the Village of Binscarth may sign agreements with customers for the provision of water & sewer services to properties located outside the legal boundaries of the Village of Binscarth. Such agreements shall provide for payment of the appropriate rates set out

in the 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 these boundaries. In addition, all costs at connection to the utility's mains and installing and maintaining service connections will be paid by the customer.

5. Billings and Penalties

Accounts shall be billed quarterly, and shall be due and payable 20 days after date of billing. A penalty of 10% of the amount of the bill shall be added if not paid by the due date.

6. Non-Payment of Accounts

Service may be disconnected and discontinued immediately and without further notice in the event of non-payment of the account within 20 days after due date. Any service disconnected due to non-payment of account shall not be reconnected until all areas, penalties and a reconnection fee of \$15.00 have been paid.

7. Outstanding Bills

Pursuant to Section 236 (1) (b) (iii) of The Municipal Act, the amount of all outstanding charges for water and sewer service shall be collected in the same manner in which ordinary taxes upon the land are collectible, and with like remedies.

8. Hydrant Rentals

The Village of Binscarth will pay to the utility an annual rental fee of \$75.00 for each hydrant connected to the system which includes the cost of water for fire fighting.