



**Rural Municipality of Whitehead
January 14, 2022 - Special Meeting - 03:00 PM**

- 1 Call to Order**
- 2 Adoption of The Agenda**
- 3 Delegations - Utility Rate Study - Dale Lyle**
- 4 Bylaws and Policies**
 - 4.1 Utility Rate Study By-law No. 2022-01
 - 📎 Utility Rate Study By-law No. 2022-01
 - 📎 Schedule A
- 5 New Business**
- 6 In Camera**
 - 6.1 In Camera
 - 6.2 Out of Camera
- 7 Adjournment**

Rural Municipality of Whitehead

By-Law No. 2022-01

BEING A BY-LAW OF THE RURAL MUNICIPALITY OF WHITEHEAD TO ESTABLISH WATER AND WASTEWATER RATES FOR THE WHITEHEAD UTILITY.

WHEREAS the Rural Municipality of Whitehead owns and operates the Whitehead Water and Wastewater Utility;

AND WHEREAS The Rural Municipality of Whitehead has undertaken a water and wastewater rate study for the Whitehead Utility that indicates water and wastewater rates require to be changed;

AND WHEREAS Section 232 (1) and (2) and 252 (1) of The Municipal Act, S.M. 1996, c. 58, provides in part as follows:

232(1) A council may pass by-laws for municipal purposes respecting the following matters:

(l) public utilities;

232(2) Without limiting the generality of subsection (1), a council may in a by-law passed under this Division....

(d) 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;

252(1) A municipality exercising powers in the nature of those referred to in clauses 250(2)(b), (c) and (e) may set terms and conditions in respect of users, including

(a) setting the rates or amounts of deposits, fees and other charges, and charging and collecting them;

AND WHEREAS it is deemed advisable to provide rates for January 1, 2023, 2024, 2025 and 2026 and thereafter to be paid by persons to whom water and wastewater collection is supplied by the Whitehead Utility and to provide for the collection thereof;

NOW THEREFORE THE COUNCIL OF THE RURAL MUNICIPALITY OF WHITEHEAD IN SESSION DULY ASSEMBLED, HEREBY ENACTS A BY-LAW AS FOLLOWS:

- 1) THAT all accounts for minimum quarterly charges for metered services for the Whitehead Utility as set forth in the Schedule of Quarterly Rates shall be billed quarterly. Consumers shall pay for water and wastewater service supplied to them by the Utility at the rates and terms set out in Schedule "A" attached hereto and forming part of this by-law.
- 2) THAT The Rural Municipality of Whitehead reserves the right to discontinue the supply of water for fountains, jets, hoses and sprinklers, or to limit the hours for use of the same, whenever, at the discretion of Council it is in the best interests of the public to do so.
- 3) THAT no person, other than the Fire Chief or someone acting on his/her behalf, or a representative of the Rural Municipality Whitehead 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.
- 4) THAT the meter shut off valve inside premises serviced with water by Whitehead Utility, 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 bypass 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.

- 5) THAT no person shall wilfully or maliciously hinder or cause to hinder The Rural Municipality of Whitehead or its representative in the exercise of their duties in relation to the operation and maintenance of the water or wastewater system.
- 6) THAT any person violating any provision of this by-law shall:
 - a) be guilty of an offence and, upon conviction, liable to a fine not exceeding one thousand dollars (\$1,000) and costs for each violation;
 - b) be liable to The Rural Municipality of Whitehead for any expense, loss or damage suffered by the Municipality as a result of the violation;
 - c) 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 Municipality may affect the repairs and charge the cost thereof to that persons, or add the cost to property taxes and collect those property taxes in the same manner as other property taxes.
- 7) This by-law and rates for January 1, 2023, 2024, 2025 and 2026 and thereafter, shall come into force and be effective on, from and after both approval of the Public Utilities Board of Manitoba and receipt of third and final reading thereof.
- 8) That By-law #2107 of the Rural Municipality of Whitehead be repealed as of January 1, 2023 and upon final approval of this By-law by the Public Utilities Board of Manitoba.

PASSED AND ENACTED BY THE RURAL MUNICIPALITY OF WHITEHEAD IN COUNCIL DULY ASSEMBLED
THIS day of , 2022.

Reeve

Chief Administrative Officer

Read a first time this day of , 2022
Read a second time this day of , 2022
Read a third time day of , 2022

**RURAL MUNICIPALITY OF WHITEHEAD
WHITEHEAD WATER & WASTEWATER UTILITY
SCHEDULE "A" – BY-LAW NO.
SCHEDULE OF QUARTERLY RATES**

1. Schedule of Commodity Rates & Quarterly Service Charge

January 1, 2023

Rates per 1,000 Gallons

1,000 Gallons per quarter

	Water	Wastewater	Water & Wastewater
	\$11.43	\$4.07	\$15.50

Quarterly Service Charge \$11.42

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**

						Water & Wastewater	Water Only
Meter Size	Group Capacity Ratio	Water Included Gallons	Customer Service Charge	Water Commodity Charge	Wastewater Commodity Charge	Total Quarterly Minimum	Total Quarterly Minimum
5/8 inch	1	3,000	\$11.42	\$34.29	\$12.21	\$57.92	\$45.71
3/4 inch	2	6,000	\$11.42	\$68.58	\$24.42	\$104.42	\$80.00
1 inch	4	12,000	\$11.42	\$137.16	\$48.84	\$197.42	\$148.58
1 ½ inch	10	30,000	\$11.42	\$342.90	\$122.10	\$476.42	\$354.32
2 inch	25	75,000	\$11.42	\$857.25	\$305.25	\$1,173.92	\$868.67

b) **Septic Truck Lagoon Tipping Fee Rate**

Septic truck haulers shall remit \$50.00 per load for septage hauled from customers located outside the boundaries of the RM of Whitehead.

Septic service haulers shall remit \$20.00 per load for septage hauled from customers located within the boundaries of the RM of Whitehead.

c) **Bulk Water**

All water sold in bulk shall be charged for at a rate of \$29.50 per 1,000 gallons on a pro rated basis for all quantities.

1. Schedule of Commodity Rates & Quarterly Service Charge

January 1, 2024

Rates per 1,000 Gallons

1,000 Gallons per quarter

	Water	Wastewater	Water & Wastewater
	\$11.61	\$5.39	\$17.00

Quarterly Service Charge \$13.99

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 Gallons	Customer Service Charge	Water Commodity Charge	Wastewater Commodity Charge	Water & Wastewater Total Quarterly Minimum	Water Only Total Quarterly Minimum
5/8 inch	1	3,000	\$13.99	\$34.83	\$16.17	\$64.99	\$48.82
3/4 inch	2	6,000	\$13.99	\$69.66	\$32.34	\$115.99	\$83.65
1 inch	4	12,000	\$13.99	\$139.32	\$64.68	\$217.99	\$153.31
1 ½ inch	10	30,000	\$13.99	\$348.30	\$161.70	\$523.99	\$362.29
2 inch	25	75,000	\$13.99	\$870.75	\$404.25	\$1,288.99	\$884.74

b) **Septic Truck Lagoon Tipping Fee Rate**

Septic truck haulers shall remit \$50.00 per load for septage hauled from customers located outside the boundaries of the RM of Whitehead.

Septic service haulers shall remit \$20.00 per load for septage hauled from customers located within the boundaries of the RM of Whitehead.

c) **Bulk Water**

All water sold in bulk shall be charged for at a rate of \$29.50 per 1,000 gallons on a pro rated basis for all quantities.

1. Schedule of Commodity Rates & Quarterly Service Charge

January 1, 2025

Rates per 1,000 Gallons

1,000 Gallons per quarter

Water	Wastewater	Water & Wastewater
\$11.79	\$6.71	\$18.50

Quarterly Service Charge \$16.56

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 Gallons	Customer Service Charge	Water Commodity Charge	Wastewater Commodity Charge	Water & Wastewater Total Quarterly Minimum	Water Only Total Quarterly Minimum
5/8 inch	1	3,000	\$16.56	\$35.37	\$20.13	\$72.06	\$51.93
3/4 inch	2	6,000	\$16.56	\$70.74	\$40.26	\$127.56	\$87.30
1 inch	4	12,000	\$16.56	\$141.48	\$80.52	\$238.56	\$158.04
1 ½ inch	10	30,000	\$16.56	\$353.70	\$201.30	\$571.56	\$370.26
2 inch	25	75,000	\$16.56	\$884.25	\$503.25	\$1,404.06	\$900.81

b) Septic Truck Lagoon Tipping Fee Rate

Septic truck haulers shall remit \$50.00 per load for septage hauled from customers located outside the boundaries of the RM of Whitehead.

Septic service haulers shall remit \$20.00 per load for septage hauled from customers located within the boundaries of the RM of Whitehead.

c) Bulk Water

All water sold in bulk shall be charged for at a rate of \$29.75 per 1,000 gallons on a pro rated basis for all quantities.

1. Schedule of Commodity Rates &

January 1, 2026

Quarterly Service Charge

Rates per 1,000 Gallons

1,000 Gallons per quarter

Water	Wastewater	Water & Wastewater
\$11.95	\$8.02	\$19.97

Quarterly Service Charge \$19.13

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

					Water &	Water
Meter	Group	Water	Customer	Water	Wastewater	Only
Size	Capacity	Included	Service	Commodity	Commodity	Total Quarterly
	Ratio	Gallons	Charge	Charge	Charge	Minimum
						Minimum
5/8 inch	1	3,000	\$19.13	\$35.85	\$24.06	\$79.04
3/4 inch	2	6,000	\$19.13	\$71.70	\$48.12	\$138.95
1 inch	4	12,000	\$19.13	\$143.40	\$96.24	\$258.77
1 ½ inch	10	30,000	\$19.13	\$358.50	\$240.60	\$618.23
2 inch	25	75,000	\$19.13	\$896.25	\$601.50	\$1,516.88

b) Septic Truck Lagoon Tipping Fee Rate

Septic truck haulers shall remit \$50.00 per load for septage hauled from customers located outside the boundaries of the RM of Whitehead.

Septic service haulers shall remit \$20.00 per load for septage hauled from customers located within the boundaries of the RM of Whitehead.

c) Bulk Water

All water sold in bulk shall be charged for at a rate of \$30.00 per 1,000 gallons on a pro rated basis for all quantities.

The following clauses take effect January 1, 2023:

3. Billings and Penalties

Accounts shall be billed quarterly based on water used. A late payment penalty charge of 1 ¼% compounded monthly shall be charged on the dollar amount owing after the billing due date. The due date will be at least fourteen (14) days after the mailing of the bills.

4. Disconnection and Reconnection

a) The Public Utilities Board has approved the Conditions Precedent to be followed by the Municipality with respect to 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 Municipality's office.

b) Any service disconnected due to non-payment of account shall not be reconnected until all arrears, penalties and a reconnection fee of \$25.00 have been paid.

5. Liability for Charges

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

6. Service to Customers Outside Municipality's Limits

The Council of the Rural Municipality of Whitehead may sign Agreements with customers for the provision of Water and Wastewater services to properties located outside the boundaries of the Rural Municipality of Whitehead. 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 Whitehead 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.

7. Hydrant Charges

The Rural Municipality of Whitehead, or any other hydrant owner, will pay to the Utility an annual fee of \$200.00 for each hydrant connected to the system which shall include the cost of water used for firefighting.

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. 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.

10. Water Meters

Water meters are owned by the Municipality but are the responsibility of the utility customer to maintain. If the water meter is broken, frozen, etc., the utility customer will be billed for a new meter at the current cost of replacement.

11. Meter Testing

That in any case where a utility customer requests that a meter be tested for accuracy, the customer will provide the Municipality with a deposit of \$150. The Municipality will then remove the subject meter and send it to an independent lab for testing. If the meter is found to be faulty, all costs associated with the testing process will be borne by the Municipality and the deposit will be refunded to the customer and the customer's account will be adjusted for the preceding four (4) months. If the meter is found to be in proper working order, all costs associated with the testing process will be borne by the customer and the customer will be billed or refunded any balance owing.

12. 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 Municipality's water system.

If a condition is found to exist which, in the opinion of the Municipality, is contrary to the aforesaid, the 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.

13. 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 Municipality, or its agents, may enter the property, effect repairs and charge the cost thereof against the subject property as ordinary taxes.

14. Authorization for Officer to Enter Upon Premises

Whitehead Regional Water Cooperative Employees, or other employee authorized by the Municipality in the absence of the be Whitehead Regional Water Cooperative Employees, shall be authorized to enter upon any premise 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 Municipality.