

**MILL BAY WATERWORKS DISTRICT
BYLAW NO. 290
Water Tolls and Other Charges 2022**

**A BYLAW FOR FIXING TOLLS AND OTHER CHARGES PAYABLE TO THE
IMPROVEMENT DISTRICT AND THE TERMS OF PAYMENT THEREOF AND
PROVIDING FOR A PERCENTAGE ADDITION TO ENCOURAGE PROMPT
PAYMENT THEREOF.**

WHEREAS the Mill Bay Waterworks District has authority under Section 698 of the *Local Government Act* to establish tolls and other charges payable to the District and the times of their payment, to establish discounts or percentage additions to encourage the prompt payment of the tolls and other charges, and to establish penalties for failure to comply with the regulations.

The Trustees of the Mill Bay Waterworks District ENACT AS FOLLOWS:

Citation

1. This Bylaw may be cited for all purposes as the “Bylaw No. 290 Water Tolls and Other Charges 2022”.

Application

2. This Bylaw applies to all properties, which receive water from the Mill Bay Waterworks District (the “**District**”).

Interpretation

3. In this Bylaw:
 - (a) “**Additional Unit**” means an additional or secondary dwelling, home, suite, apartment, building, structure or space intended for occupation or residential business on a Property to which water is supplied through a single meter.
 - (b) “**Apartment**” and “**Condominium**” means multiple residential dwellings combined on multiple floors, under a common roof, accessed by common entry.
 - (c) “**Billing Date**” means the date a bill is prepared by the District and identified as “Billing Date” on the bill provided by the District to a property owner.
 - (d) “**Bulk Water Service**” means water supplied from other than a residential service from the District’s works, as applied for and approved by the District.
 - (e) “**CF**” means cubic feet.
 - (f) “**CM**” means cubic meters.
 - (g) “**Commercial Property**” means a property on which is zoned commercial.
 - (h) “**District**” means the Mill Bay Waterworks District.

- (i) **"Dwelling"** means a residence, manufactured home, townhouse, row house, suite, Airbnb, B&B or other similar residential unit whether occupied or not.
- (j) **"Institutional Property"** means a property which is used for public purposes or by a private institution that operates on a not-for-profit basis.
- (k) **"Multi Family Property"** means a property which is used or intended to be used as residential property with more than one dwelling serviced by a single water meter.
- (l) **"Property"** includes parcels, or lots serviced with water by the District.
- (m) **"Single Family Residential Property"** means a property used or intended to be used as a dwelling by no more than one family.
- (n) **"Strata Multi MFD"** means apartment and/or condominium building(s) serviced by a single water meter.
- (o) **"Strata Multi SFD"** means multiple residential dwellings serviced by a single water meter.
- (p) **"Tolls"** means a fee for potable water service.

Water Meter Requirement

- 4. All property receiving water from the District must have a water meter installed by the District at the property owners' expense. The installation is to occur at the convenience of the District.
- 5. The meter area must be kept clear of debris, plants, bushes and be accessible for meter reading and repairs. The District is not liable for anything impeding the accessibility to the meter area. If the water meter is inaccessible, notification will be given to the property owner. Failure to comply with the notification will result in a clearing charge as detailed under part 15 of the Bylaw.

Metered Rates

- 6. Following the December 2021 Billing Date, the following tolls are hereby fixed and are payable by the owners of land in the District to which water is delivered from the works of the District. The tolls referred to in this Bylaw supersede tolls applicable in Bylaw 285 Water Tolls and Other Charges, 2021.
 - (a) The user tolls set out in Schedule "A" hereto are established and imposed on all persons to whom water is supplied by the District.
 - (b) All metered rates shall be assessed and billed on a bi-monthly basis.
- 7. Meters will be read on or about the eight (8th) day of the month (depending on work schedules) with an approximate sixty day time period between meter reads, in the months of February, April, June, August, October and December, and the bills will be processed and then mailed or e-billed on or about the fifteenth (15th) day of the billing month.

Non-Metered Rates

8. A toll rate based on a previous year's reading (from the same billing period) may be allowed at the discretion of the District if for any reason a meter should not be working, or an estimated bill may be assessed at the discretion of the Trustees.

Time of Payment

9. The aforementioned tolls shall be due and payable bi-monthly, on March 31, May 31, July 31, September 30, November 30, and January 31. Any tolls remaining unpaid after the due date shall have added thereto a percentage addition of ten (10%) percent of the amount unpaid.
10. If payment received is charged back and returned from the MBWD bank account, payment applied to the Water Toll account will be reversed and a Charge Back fee of \$25.00 will be applied. The Water Toll account will have the status of unpaid and any penalties for late payment will apply.

Non-Payment

11. The Trustees may, by resolution, order that the water be shut off to any property where any toll or other charge remains owing 90 days after the Billing Date.
12. Where water has been shut off pursuant to Section 11, an additional charge of \$80.00 shall apply at the time the water is shut off. A further charge of \$80.00 shall apply at the time the water supply is turned back on.

Additional Charges and Landowner Responsibilities

13. When a property within the Mill Bay Waterworks District is sold to a new landowner, a Property Transfer Fee of \$30.00 is charged to the Water Toll account of the new landowner.
14. A Final or Interim Read can be requested from the District for a current water meter reading if the date falls outside the scheduled meter reads. A charge of \$50.00 plus consumption will be applied to the Water Toll account.
15. A landowner is responsible to inform MBWD to any changes in land use and demand on the District's water system at their property.
16. A minimum \$80.00 charge shall apply to clear meter box areas or install meter box risers if the landowner does not comply with the requirement to keep the area accessible and visible. All water meter boxes must maintain clearance and accessibility of one (1) meter on all sides and one and a half (1.5) meters above. Water meter box lids should remain five (5) centimetres above property grade. In the event that extensive work is required to achieve these clearances, the cost including expenses for equipment will be charged to the landowner. Additional charges outstanding thirty (30) days after the billing date shall have added thereto a percentage addition of ten (10%) percent of the amount unpaid.
17. If a landowner requests MBWD to test the calibration of their water meter because they are concerned that the meter is not recording accurately, MBWD will either

complete a field test or remove and send the water meter to a certified testing facility. If the water meter is found to be recording accurately or in the landowner's favour, the landowner will be required to pay for the water meter testing at a minimum charge of \$200.00 for a field test, or up to the total cost of sending the meter to a certified testing facility and reinstalling it as appropriate. If the testing reveals that the calibration is in MBWD's favour, then MBWD will pay for the expense incurred and make appropriate adjustments to the landowner's Water Tolls account.

Water Shut Off for Other Reasons

18. Upon application by the owner of the property, the District may temporarily, discontinue the provision of water to a property upon payment of a \$80.00 shut off charge.
19. Where water has been shut off pursuant to Section 17, an additional charge of \$80.00 shall apply at the time the water is turned back on.

Penalty

20. A person who contravenes this Bylaw commits an offence and is punishable in accordance with the *Offence Act*.

Repeal

This Bylaw repeals Bylaw 285 "2021 Water Tolls and Other Charges Bylaw".

INTRODUCED and given first reading by the Trustees on the 14th day of December 2021.

RECONSIDERED and finally passed by the Trustees on the 14th day of December 2021.



Brian Young (Chairman)



Paul Carver (District Manager)

I hereby certify that this is a true copy of Bylaw No. 290 of the Mill Bay Waterworks District, passed by the Trustees on the 14th day of December 2021.



(District Manager)

Date

December 14, 2021

SCHEDULE "A"
MILL BAY WATERWORKS DISTRICT
BYLAW NO. 290 Water Tolls and Other Charges 2022

Metered Rates

The following metered rates shall apply with respect to the service indicated for each bi-monthly billing period. Rates are applied on water consumption following December 2021 Billing Date to and including December 2022 Billing Date.

<u>Single Family Dwelling Service</u>				
A Base Charge of \$86.11 to include an allowance of 0 – 1999 CF (or 0 – 56.606 CM) will be charged. Any consumption over 1999 CF (or 56.606 CM) will be charged as outlined below:				
Tier	Quantity – CF	Cost per CF	Quantity – CM	Cost per CM
1	2000 - 2999	\$0.0485	56.607 - 84.924	\$1.7124
2	3000 – 3999	\$0.0512	84.925 - 113.237	\$1.8065
3	4000 – 4999	\$0.0832	113.238 - 141.554	\$2.9388
4	5000 – 7999	\$0.1645	141.555 - 226.501	\$5.8082
5	8000 +	\$0.2511	226.502 +	\$8.8674

<u>Multi Family Property Service</u>				
A Base Charge of \$86.11 for the first unit to include an allowance of 0 – 1999 CF (or 0 – 56.606 CM) will be charged. Each Additional Unit will have a charge of \$43.57 for an additional allowance of 1000 CF or 28.317 CM. Any consumption over the combined base allowances will be charged as outlined below:				
Tier	Above Allowance Quantity – CF	Cost per CF	Above Allowance Quantity – CM	Cost per CM
1	First 1000	\$0.0485	First 28.317	\$1.7124
2	Second 1000	\$0.0512	Second 28.317	\$1.8065
3	Third 1000	\$0.0832	Third 28.317	\$2.9388
4	Balance of Use	\$0.1645	Balance of Use	\$5.8082

Strata Multi MFD Service

A Base Charge of \$86.11 for the first unit to include an allowance of 0 – 1999 CF (or 0 – 56.606 CM) will be charged. Each Additional Unit will have a charge of \$43.57 for an additional allowance of 1000 CF or 28.317 CM. Any consumption over the combined base allowances will be charged as outlined below:

Tier	Above Allowance Quantity – CF	Cost per CF	Above Allowance Quantity – CM	Cost per CM
1	First 1000	\$0.0485	First 28.317	\$1.7124
2	Second 1000	\$0.0512	Second 28.317	\$1.8065
3	Third 1000	\$0.0832	Third 28.317	\$2.9388
4	Balance of Use	\$0.1645	Balance of Use	\$5.8082

Strata Multi SFD Service

A Base Charge of \$86.11 per unit to include an allowance of 0 – 1999 CF (or 0 – 56.606 CM) per unit. Any consumption over the combined base allowances of 1999 CF (or 56.606 CM) per unit will be charged as outlined below.

Tier	Quantity – CF Per unit	Cost per CF	Quantity – CM Per unit	Cost per CM
1	2000 - 2999	\$0.0485	56.607 - 84.924	\$1.7124
2	3000 – 3999	\$0.0512	84.925 - 113.237	\$1.8065
3	4000 – 4999	\$0.0832	113.238 - 141.554	\$2.9388
4	5000 – 7999	\$0.1645	141.555 - 226.501	\$5.8082
5	8000 +	\$0.2511	226.502 +	\$8.8674

Commercial Service

A Base Charge of \$107.31 to include an allowance of 0 – 1999 CF (or 0 – 56.606 CM). Any consumption over 1999 CF (or 56.606 CM) will be charged as outlined below:

Tier	Quantity – CF	Cost per CF	Quantity – CM	Cost per CM
1	2000 - 2999	\$0.0596	56.607 – 84.924	\$2.1058
2	3000 +	\$0.0723	84.925 +	\$2.5517

Multi Unit Commercial Service

A Base Charge of \$107.31 for the first unit to include an allowance of 0 – 1999 CF (or 0 – 56.606 CM) will be charged. Each Additional Unit will have a charge of \$52.69 for an additional allowance of 1000 CF or 28.317 CM. Any consumption over the combined base allowances will be charged as outlined below:

Tier	Above Allowance Quantity – CF	Cost per CF	Above Allowance Quantity – CM	Cost per CM
1	First 1000	\$0.0596	First 28.317	\$2.1058
2	Balance of Use	\$0.0723	Balance of Use	\$2.5517

Institutional Service

A Base Charge of \$87.81 to include an allowance of 0 – 1999 CF (or 0 – 56.606 CM). Any consumption over 1999 CF (or 56.606 CM) will be charged as outlined below:

Tier	Quantity – CF	Cost per CF	Quantity – CM	Cost per CM
	2000 +	\$0.0511	56.607 +	\$1.8038

Multi Unit Institutional Service

A Base Charge of \$87.81 for the first unit to include an allowance of 0 – 1999 CF (or 0 – 56.606 CM) will be charged. Each Additional Unit will have a charge of \$43.91 for an additional allowance of 1000 CF or 28.317 CM. Any consumption over the combined base allowances will be charged as outlined below:

Tier	Quantity – CF	Cost per CF	Quantity – CM	Cost per CM
	2000 +	\$0.0511	56.607 +	\$1.8038

Bulk Water Service

A Base Charge of \$80.00 for set up per day of use. Any consumption will be charged as outlined below:

Tier	Quantity – CF	Cost per CF	Quantity – CM	Cost per CM
		\$0.0596		\$2.1058