

BYLAW NO. 17/2017

The Water Service Charge Bylaw, 2018

The Council of the City of Melville enacts:

1. Short Title

- (a) This Bylaw may be cited as The Water Service Charge Bylaw, 2018.

2. Purpose

- (a) The purpose of this Bylaw is to govern charges for water service within the City of Melville.

3. Definitions

- (a) In this Bylaw, the words: Person, Consumer, Customer are synonymous, and mean the person or persons, organizations, corporations, etc. responsible for the payment of charges for water services and includes the owner, tenant or occupant of any real property connected with or supplied with water through a water connection to the City's water system
- (b) Public Works Department - means the person or persons employed by the City in the capacity of the Manager with the responsibility for administration of the Works Department, and shall also be deemed to include the meter person responsible for the installation, maintenance, and reading of water meters.
- (c) City - means the City of Melville and its employees.

4. Application

- (a) Every person desiring to have his/her premises connected to the waterworks system shall apply to the City for that service.
- (b) Every person shall provide at his/her own expense a place in his/her premises for the installation of the meter. The meter location must be acceptable to the Public Works Department and shall provide ready and easy means of access to the said meter for examination by the meter reader. Every consumer shall at all times properly and efficiently protect the service pipes and fixtures from frost or other injury so that the meter shall not in any way be damaged. Every consumer shall also provide at his/her own expense, a place, usually on the outside wall of his/her premises, where a remote read out unit may be installed. The location shall be convenient for the meter reader and acceptable to the Public Works Department.
- (c) Every customer intending to vacate any premises supplied with water from the waterworks system or who intends to discontinue the use of such water shall give notice of the same to the City.
- (d) The charges made for water supplied shall be according to the following month based schedule:
 - (i) The basic monthly charge to all users, with the exception of Yorkville Public Utility Board, shall be Forty Four Dollars and Three Cents (\$44.03)

- (ii) Subject to Section 4(d)(iii) and (iv) all water used shall be charged at \$2.396 per cubic metre.
- (iii) Pursuant to clause 4(d)(ii) all water used by Yorkville Public Utility Board, shall be charged at \$1.835 per cubic metre up to a maximum usage of 655 cubic metres per day. Any usage exceeding 655 cubic metres in a day shall be charged at a rate of \$2.441 per cubic metre.
- (iv) Pursuant to clause 4(d)(ii) and (iii) all water used by hotels and motels above one hundred and thirty-five (135) cubic metres per month will be charged at \$1.845 per cubic metre.
- (v) A Twenty Three Dollars and Twelve Cents (\$23.12) infrastructure levy shall be charged to all customers.

5. Billing Procedure

- (a) The billing of residential water accounts shall be done bimonthly with one half of the customers being billed one month and the other half the next month. All charges will be made based on the actual bimonthly meter reading.
- (b) The billing of commercial water accounts shall be done either monthly or bimonthly at the discretion of the Utilities Clerk. All charges will be made based on the actual monthly or bimonthly reading.

6. Payment Procedure

- (a) All accounts shall be payable when they are rendered. The due date for services rendered shall be the date as indicated on the invoice.

7. Non- Payment Procedure

- (a) If an account is not paid in full by the due date as indicated on the invoice a Final Warning Notice will be sent to the consumer stating that the arrears are to be paid within 15 days.
- (b) At the expiration of the date on the Final Warning Notice, if no payment has been received, the order for disconnection will be prepared by the Utilities Clerk and issued to the Public Works Department. The Public Works Department will tag the dwelling on the last Monday of the month following the expiration of the 15 days, with the disconnection being done on the Wednesday following the last Monday of the month. Disconnections will be scheduled between 9:00 a.m. and 12:00 p.m. A Fifty Dollar (\$50.00) Administration fee shall be charged on all accounts that remain unpaid after 9:00 a.m.
- (c) The only method of stopping the Final Warning or actual disconnection of the water service is payment of the arrears in full.
- (d) In order to protect the City from any liability for possible damage to a dwelling from disconnection of water services, no disconnections will be done where the Manager responsible has been notified that no sign of someone living at the dwelling is evident or where the door

tag has not been removed.

- (d) If any rate, charge, rent or fee remains unpaid on December 31 of the year in which it becomes payable, the amount of the rate, charge, rent or fee shall be added to and thereby form part of the taxes on the land or buildings with respect to which the service was provided.

8. Arrangements for Payment

- (a) Consumers may make arrangements for payment of utility arrears prior to the tagging of the dwelling in the following manner:
 - (i) by making a 50% payment of the amount indicated on the Final Warning Notice by the date stated in the Final Warning Notice Letter; and
 - (ii) by paying for the balance of the arrears within 7 days of the date stated in the Final Warning Notice Letter.
 - (iii) The Public Works Department will tag the dwelling on the Monday immediately following the date as arranged in clause 8.(a)(ii). Water disconnection will occur on the Wednesday immediately following the Monday when the dwelling was tagged and a Fifty Dollar (\$50.00) Administration fee will be charged to the account.

9. Re-Connections

- (a) No re-connections will be done after 4:00 p.m. Monday to Friday or on weekends or holidays. If the consumer requests that the re-connection happen on a Public Works Earned Day Off, the consumer will be required to pay an additional fee of One Hundred Fifteen (\$115.00) prior to the water being re-connected.

10. Connection Procedure

- (a) The water meter deposits (refundable) to be charged to water users shall be as set out in the following:
 - (i) For a 5/8" meter - One Hundred and Thirty Dollars (\$130.00)
 - (ii) For a 3/4" meter - One Hundred and Seventy Dollars (\$170.00)
 - (iii) For a 1" meter - Two Hundred and Twenty Dollars (\$220.00)
 - (iv) For a 1½", 2", 3" meter - actual cost of the meter
- (b) A Twenty Five Dollar (\$25.00) (non-refundable) connection fee is payable at the same time the water meter deposit is paid and is deemed to be a service fee for parts and labour required to connect the water supply to the consumer.
- (c) The water meter deposit and water connection fee must be paid before connection to the water supply will be done.
- (d) Where a consumer requests a change in the size of the water meter

at any location in the City, the difference in the water meter and account deposit amount, as set out in the above, shall be charged or credited to the consumer as the case may be plus a Twenty Five Dollar (\$25.00) connection fee charged for parts and labour to supply the meter to the consumer.

- (e) Where any person requests water service connection, disconnection or service line location during a construction project, a Twenty Five Dollar (\$25.00) service fee shall be charged to that person in advance of each work.

11. Disconnection Procedure

- (a) Where a consumer requests disconnection of water service to move from one location to another within the City, the City shall transfer the refundable portion of the water meter deposit on the location being vacated and any amounts outstanding at that location to the new service location.
- (b) Where a consumer requests disconnection of water service and they are moving to a location not within the City, the City shall apply the refundable portion of the water meter deposit to the account of the location being vacated. Any remaining credit on the Account is to be refunded through a cheque payable in the name(s) that was listed as the account holder. Any remaining amount owed to the City shall be paid in accordance to clause 6.(a).
- (c) Where a consumer requests a temporary disconnection of water service, upon reconnection of the service, a connection fee of Twenty Five Dollar (\$25.00) shall be charged.

12. Water Meter Maintenance

- (a) The Public Works Department will repair or replace water meters where necessary due to normal wear, at no charge to the consumer. However, where repair or replacement of water meters is necessary due to physical damage to the meter caused by the consumer's negligence, a new meter will be installed by the City and the consumer will be charged the cost of the meter plus the cost of the labour to do the work and shall be added to the consumer's account.
- (b) Where a consumer permits a water meter to freeze and damage to the meter results, repairs shall be made by the City and the cost of materials and labour shall be added to the consumer's account.

13. Consumers With Shallow Water Lines

- (a) All consumers who have shallow water lines and who have a history of problems with water lines freezing shall be required to leave their water run in the winter months to avoid water line freezing. These consumers are identified at the discretion of the Public Works Department.
 - (i) All consumers who live on the West side of the City and are required to leave their water run will be billed for the winter months based on an average of the actual readings from the months of May, June, September and October.
 - (ii) All consumers who live on the East side of the City and are

required to leave their water run will be billed for the winter months based on an average of the actual readings from the months of April, May, October and November.

14. Complaint Procedure

- (a) Where a consumer registers a complaint with the City upon receiving his/her billing and demands a check on the reading taken of the water meter, the complaint will be handled as follows:
- (i) the City's records shall be checked and should the City's meter reading books indicate an obvious error in readings, the consumer shall be contacted for a recheck of the readings. No service fee will be charged in this instance and an adjustment shall be made to the billing;
 - (ii) if such error is not apparent in the meter reading books a minimum service fee of One Hundred Dollars (\$100.00) must be paid by the consumer prior to the meter technician's investigation;
 - (iii) upon payment of the service fee, the City General Office shall complete a Work Order for the meter technician, who shall then contact the consumer regarding the complaint;
 - (iv) the consumer shall be asked to be present at the time the meter technician attends;
 - (v) the technician shall remove the meter and ask the consumer if he wishes to accompany him to the Water Department to be present during the testing of the meter. Should the consumer not wish to be present, the meter shall be taken and tested for accuracy standards for cold water meters according to the American Water Works Association;
 - (vi) should the meter be found to be accurate according to the standards, the One Hundred Dollars (\$100.00) service fee shall be retained by the City;
 - (vii) should the meter be found to be inaccurate, the One Hundred Dollars (\$100.00) service shall be refunded to the consumer and the inaccuracy difference in percent (%) shall be used to adjust the account for one previous billing period;
 - (viii) should a consumer complaint not be resolved or should the consumer not be satisfied with the procedures mentioned above, the consumer may make a written request to Council for further consideration; and
 - (ix) should a location be equipped with an outside reading device, the reading on the inside meter shall be considered as the correct reading, if differences in the two readings occur. It shall be the consumers responsibility to regularly check for differences and notify the City immediately if the two readings are found to be over .5 cubic metres in difference.

15. Offences and Penalties

- (a) Where any person who:

- (i) willfully or maliciously hinders or interrupts the City of Melville in the exercise of providing water services;
- (ii) willfully or maliciously discharges water so that it is wasted;
- (iii) without the authorization of the City Manager, opens or closes any hydrant or obstructs free access to any hydrant;
- (iv) causes harmful or offensive matter to be added to or deposited into the water or waterworks or source of supply for such waterworks or in any way fouls the water or commits any willful damage or injury to the works or pipes;
- (v) willfully tampers with a meter connected to a service conduit within or outside a building or place so as to alter the amount of water registered by the meter, unless that person has the approval of the City Manager;
- (vi) attaches any line or pipe to the property of the City of Melville or obtains or uses a water service without the consent of the City of Melville;
- (vii) willfully, and without authority, hinders, interrupts or cuts off the supply of a water service;

is guilty of an offence and liable in accordance with the provisions of the City of Melville General Penalty and Enforcement Bylaw No. 3/2003.

16. Repeal Bylaw

- (a) Bylaw No. 20/2016 is hereby repealed.

17. Coming Into Force

This bylaw shall come into force and take effect on the 1st day of January, 2018.

Mayor

City Manager

INTRODUCED and READ A FIRST TIME this 18th Day of December, 2017 A.D.

READ A SECOND TIME this 19th Day of December, 2017 A.D.

READ A THIRD TIME AND PASSED by consent of members present this 19th Day of December, 2017 A.D.