

BYLAW NO. 01/2018

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:
- (e) 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.
- (f) For the purpose of making repairs to the mains or of connecting or repairing service pipes or constructing extension or new work or any other work, the City shall have the right to shut off the water from any customer without notice and to keep it shut off as long as may be necessary to enable the work to be completed. Whenever feasible, the customer shall be notified in advance.

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.
- (c) Where a meter reading is not obtained by the City for a billing period, consumption may be based on a reading provided by the primary customer or co-applicant or estimated based on an amount determined by the City to be representative of that account's usage.
- (d) Where water consumption has not been properly recorded on the water meter, consumption may be determined based on an amount deemed by the City to be representative of that account's usage.
- (e) Where a meter is found not in use, fails to register, is not working properly, a scheduled reading is not obtained, or where no meter is installed, the City may estimate the consumption used based on the consumers previous usage. Such estimate shall be the basis for billing the customer for the water used. All estimates will be calculated at the discretion of the Utility Billing Clerk, with final approval by the Director of Finance.
- (f) If a meter reader cannot enter a premises to obtain a reading, a card will be left requesting the customer to notify the City with the reading. The consumer shall phone in the meter reading or deliver the water meter card to City Hall prior to the end of the month. If a reading is not supplied, an estimate will apply.

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) Any amounts not paid prior to the due date indicated on the invoice shall be subject to a late payment charge based on the monthly rate of interest as set out in Schedule "A".

If an account is not paid in full by the due date as indicated on the invoice a Reminder Notice letter will be sent to the consumers with overdue accounts stating that the arrears and interest are to be paid by the date indicated on the Reminder Notice Letter.

- (b) At the expiration of the date on the Reminder Notice letter, if no payment has been received, a disconnection notice tag will be prepared by the Utilities Clerk and issued to the Public Works Department. The Public Works Department will tag the dwelling on the Monday following the expiration of the due date on the reminder notice letter, with the disconnection being done on the last Wednesday 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. on disconnection day.
- (c) The only method of stopping the reminder notice letter or disconnection notice tag is payment of the arrears in full. After 9:00 a.m. on disconnection day, the only method of stopping the actual disconnection is:
 - (i) Payment of arrears in full (plus interest); and
 - (ii) Payment of the \$50.00 administration fee
- (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.
- (e) 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 Reminder Notice by the date stated in the Reminder Notice Letter; and
 - (ii) by paying for the balance of the arrears within 14 days of the date stated in the Reminder 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, request approvals will be under the discretion of the Director of Public works and if approved, 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) Every person desiring that premises be supplied with water from the waterworks system shall complete the 'Water and Sewer Utility Services Application' form attached to this bylaw as Schedule "B" and produce at least two (2) pieces of government issued identification in such for as establishes the identity of the applicant to the satisfaction of the Director of Finance.
- (b) 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 Seventy Five Dollars (\$175.00)
 - (ii) For a 3/4" meter – Two Hundred Dollars (\$200.00)
 - (iii) For a 1", 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 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 over \$5.00 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).
- (b) Any amount in arrears constitutes a debt owing to the City. All debt is recoverable by any or all of the following methods:
 - (i) Upon notice to the customer, the City may discontinue provision of utility services or remove the system or works used to provide the utility services;
 - (ii) The City may add the outstanding account balance to the tax roll of a property owner if the account was in the property owner's or tenants name;
 - (iii) The City may draw on any deposit by the customer to the City, whether in relation to the unpaid account or otherwise;
 - (iv) The City may send the customer's account to an external collection company;
 - (v) The City may initiate action in any court of competent jurisdiction.

12. Landlord/Tenant Agreements

- (b) A landlord may enter into a Landlord-Tenant Agreement with the City of Melville in the form attached to this Bylaw as Schedule "C".
- (b) Upon receiving notice by a tenant that they are moving and a final billing for water consumption is produced; the account will automatically be set up in the name of the landlord. The consumption of water and base charges from this time onwards will be the responsibility of the landlord until the City is advised of a new tenant and the appropriate new account information.

13. Seasonal/Temporary Disconnections

- (a) Where a consumer requests a temporary disconnection of water service, the City will disconnect the water (curb box) at the street and leave the water meter inside the premises, the water meter deposit shall be retained by the City. Upon reconnection of the service, a connection fee of Twenty Five Dollar (\$25.00) shall be charged. Temporary disconnections shall be granted at the discretion of the Director of Public Works.
- (b) When a consumer requests a seasonal disconnection of water services (for a minimum of 1 month or greater), the City will disconnect the water (curb box) at the street and leave the water meter inside the premises, the water meter deposit shall be retained by the City. Seasonal consumers shall be charged the minimum infrastructure levy as set out in section 4.(d)(v) of this bylaw.

14. Service Charges

- (a) When a primary customer or co-applicant fails to pay any of the rates, charges or fees contained in the Bylaw, the City, in an effort to collect the amounts due shall:
 - (i) Notify the account holder and the property owner via regular mail that their account is overdue and payment must be received in full, by the date indicated in the letter.
 - (ii) If payment is not made in full by the date indicated in the letter, the Director of Finance shall charge a fee as prescribed in Schedule "A" and transfer the outstanding amount to the taxes on the land or building of the owner in accordance with section 333 of *The Cities Act*.
- (b) When a customer schedules an appointment or work order with the City,

but fails to attend the scheduled meeting place with 15 minutes of the scheduled meeting time, the consumer will be charged a fee as prescribed in Schedule "A". Not applicable when customers call to reschedule or cancel an appointment with at least 24 hours notice.

- (c) Where the City has notified a primary customer or co-applicant in writing that the number assigned to their account has changed and that all future payments tendered electronically must reference the new account number, if the primary customer or co-applicant subsequently tenders payment of an account electronically using an incorrect or inactive account number and, as a result, their payment is applied to an incorrect or inactive account, the City shall charge the primary customer or co-applicant a handling fee in an amount as set out in Schedule "A" for each payment that is required to be manually transferred to the correct account.

15. 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.

16. 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. If a consumer has no previous consumption history to obtain an average, they shall be charged a minimum of 10 cubic meters consumption.

- (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. If a consumer has no previous consumption history to obtain an average, they shall be charged a minimum of 10 cubic meters consumption.

17. Plumbing Leaks and Bill Adjustments

- (a) If a customer detects a plumbing leakage problem, the Billing Department is to be notified immediately. The customer is encouraged to fix the problem as soon as possible and retain any receipts for the repairs and provide copies of same to the City in accordance with Policy No. U 20
- (b) The Billing Department shall perform a consumption test to ascertain if the problem is fixed. If an adjustment is warranted, only the most recent bill will be adjusted. The City shall only adjust an account once as an incentive for water conservation. The customer is only entitled to a one (1) time adjustment. In the event the adjustment is disputed, the Director of Finance will conduct a review and the decision is final. Adjustments are available for all accounts.

18. 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.

19. 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.

20. Repeal Bylaw

- (a) Bylaw No. 17/2017 is hereby repealed.

21. Coming Into Force

This bylaw shall come into force and take effect on the 20th day of February, 2018.

Mayor

City Manager

INTRODUCED and READ A FIRST TIME this 20th Day of February, 2018 A.D.

READ A SECOND TIME this 20th Day of February, 2018 A.D.

READ A THIRD TIME AND PASSED by consent of members present this 20th Day of February, 2018 A.D.

Schedule "A"
Fees and Penalties

Section 7. (a)	Monthly interest rate on overdue accounts	1.15%
Section 14. (a)(ii)	Fee for collecting or transferring overdue charges to property taxes	\$20.00
Section 14. (b)	Failure to attend scheduled appointment (work order)	\$10.00
Section 14. (c)	Transfer of Misapplied Payments	\$5.00

Schedule "B"

Water and Sewer Utility Services Application

P.O. Box 1240
 430 Main Street
 Phone (306)728-6840
 Melville, SK S0A 2P0
 Fax (306) 728-5911



WATER AND SEWER UTILITY SERVICES APPLICATION

APPLICANT INFORMATION

Name:		Date of birth:
Home Phone:	Cell Phone:	Additional:
Email:		
Mailing address:		
City:	Prov:	Postal Code:
Employer name:		Employer phone number:

CO-APPLICANT INFORMATION

(Note: the account deposit will be held in both names. Signature required below for both applicants)

Name:		Date of birth:
Home Phone:	Cell Phone:	Additional:
Email:		
Mailing address:		
City:	Prov:	Postal Code:
Employer name:		Employer phone number:

EMERGENCY CONTACT

Name of relative not residing with you:		Relationship:
Home Phone:	Cell Phone:	Additional:
Address:		Phone:
City:	Prov:	Postal Code:

SERVICE INFORMATION

Start Date for Service:

Service Address:	
Billing Address (if different than above):	
Own or Rent:	
If renting, provide Landlord's Name and Phone Number:	
Have you had previous water service in the City of Melville? Y N	
If yes, previous address or account number: (If applicable, previous unpaid utility charges must be paid prior to new service connections or may be transferred to the new account)	
SIGNATURES	
<i>In signing this agreement, I authorize the City of Melville to forward a copy of my utility bills to the registered owner of the property.</i>	
<i>In signing this agreement, I am aware that water services will be automatically disconnected in occurrence of consistent arrears.</i>	
Signature of applicant:	Date:
Signature of co-applicant:	Date:
FOR OFFICE USE ONLY	
Connection fee: \$25 Deposit: \$175 \$200	Receipt #:
I have reviewed and verified that the applicant's identification matches the information provided on this form.	
Name:	Signature: Date:

WATER AND SEWER SERVICE CONFIRMATION			
Service Address:			
Service will be connected on:	Date:	Time:	Presence: required not required
Utility Account Number:			
Please use the above account number when making telephone or online banking payments. If you are transferring your service to another address, please be sure to update your banking information to reflect the new account number above.			

Schedule "C"
Landlord – Tenant Agreement

LANDLORD – TENANT AGREEMENT		
LANDLORD (INDIVIDUAL)		
Name:		
Home Phone:	Cell Phone:	
Business Phone:	Email:	
Mailing address:		
City:	Prov:	Postal Code:
LANDLORD (CORPORATION)		
Name:		
Mailing Address:		
City:	Prov:	Postal Code:
Corporate Officer in Charge:		
Home Phone:	Cell Phone:	
Business Phone:	Email:	
LANDLORD PROPERTY MANAGER OR CONTACT PERSON		
Name:		
Home Phone:	Cell Phone:	
Business Phone:	Email:	
CIVIC ADDRESS SUBJECT TO AGREEMENT		
Address:		
Add: <input type="checkbox"/>	Date:	Landlord Initials:
Remove: <input type="checkbox"/>	Date:	Landlord Initials: