

A BY-LAW TO ESTABLISH WATER RATES AND WASTEWATER RATES UPON THE OWNERS OR OCCUPANTS OF LANDS AND PREMISES CONNECTED TO MUNICIPAL WATER MAINS AND SANITARY SEWERS WITHIN THE TOWN OF COBOURG.

WHEREAS the Corporation of the Town of Cobourg (the "Town") owns, operates and maintains water distribution systems and water treatment plants, and owns, operates and maintains sanitary sewer system, sewage pumping stations and water pollution control plants in the Town;

AND WHEREAS the Municipal Act, 2001, Section 11(2) grants the Corporation of the Town of Cobourg jurisdiction over certain public utilities within the municipality, including municipal water and wastewater services;

AND WHEREAS Council considers it necessary and advisable to pass a by-law establishing water rates pursuant to the Municipal Act, 2001, upon rateable property and sewage service rates upon the owners or occupants of lands pursuant to the Municipal Act, 2001, in those areas of the municipality serviced with municipal water mains or sewers;

AND WHEREAS Council desires the monthly charges for water and sewer to be determined on the basis of a study as prepared for Council by Watson and Associates Economists Limited dated January 2021;

AND WHEREAS the study prepared by Watson and Associates Economists Limited recommended that the monthly charge be determined based on the number of users of sewer and water services within the Town of Cobourg;

AND WHEREAS Council desires to ensure that the monthly charge will be paid by all users within the Town of Cobourg to ensure that the costs of maintaining and operating the water system and sewer system is apportioned equitably among all users in the Town of Cobourg;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg hereby enacts as follows:

SECTION 1 - DEFINITIONS

1.1 For the purposes of this By-law, the following definitions shall apply:

- (a) "Apartment Building" shall mean a building or part thereof consisting of three or more dwelling units which have a common entrance from the street level, and the occupants of which have the right to use in common, halls and/or stairs and/or elevators and yards, but does not include a boarding or rooming house, bed and breakfast establishment, motel or hotel.
- (b) "Base monthly charge for water services" shall mean a monthly charge apportioned to each property connected to or having the

ability to connect to the Town's water works and which is designed to recover the capital costs of installing the water works and for life cycle financing of the water works;

- (c) "Base monthly charge for sewer" shall mean a monthly charge apportioned to each property connected to or having the ability to connect to the Town's sewage works and which is designed to recover the capital costs of installing the sewage works and for life cycle financing of the sewage works;
- (d) "Base monthly charge" when used without specific to water or sewer shall mean both the total of the base monthly charge for water services and the base monthly charge for sewer services.
- (e) "Customer" shall mean any person who enters into a verbal or written agreement for the supply of water to any property including but not limited to any dwelling unit located within the Town of Cobourg.
- (f) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied by an individual, individuals or family as an independent and separate housekeeping establishment, with separate kitchen and sanitary facilities provided for the use of such individual, individuals or family, with its own private entrance, but does not include a trailer, single-width mobile home or tent.
- (g) "Fire Protection Charge" shall mean a monthly charge apportioned to each property connected to the Town's Water Works and which is designed to recover the capital costs associated with the oversizing of mains, pumps and reservoirs and the installation and maintenance of the fire hydrant system.
- (h) "Fire Protection Suppression System" shall mean a system to extinguish a fire or substantially reduce the heat release rate of the fire.
- (i) "Industrial Water Users" shall mean customers whose properties are classified as an industrial property tax class and whose annual water consumption is over 6,000 m³/year.
- (j) "Meter" shall mean the water meter owned by the Town to measure the quantity of water used by the customer.
- (k) "Monthly consumption charge" shall mean a charge based on water consumption during the billing month designed to apportion the operating costs, administration costs, and maintenance costs of supplying treated water to customers and of treating sewage.
- (l) "Process Water" shall mean municipally supplied water consumed in an industrial activity that is not discharged to the Municipality's sewage system.
- (m) "Property" shall mean any parcel of land including individual dwelling units located within the Town.
- (n) "Sewage works" shall mean any public works for the collection, transmission, treatment or disposal of sewage, or any part of such works.

- (o) "Town" shall mean the Corporation of the Town of Cobourg.
- (p) "Water" shall mean potable water supplied by the Town.
- (q) "Water works" shall mean any public works for the collection, production, treatment, storage, supply or distribution of water and any part of such works.

SECTION 2- MONTHLY WATER RATES AND WASTEWATER RATES

- 2.1 It is and always has been the intention of Council that the base monthly charge for sewer rates and water rates shall be based upon the number of properties in the Town that are connected to the Town's sewer system and water system.
- 2.2 The owner or occupant of property connected to the water works through which water is supplied by the Town shall pay a Water Works Rate and a Wastewater Rate.
- 2.3 The Water Rate and Wastewater Rate shall consist of four parts as follows:
 - (a) The base monthly charge for water services ;
 - (b) The base monthly charge for fire protection;
 - (c) The base monthly charge for sewer services; and
 - (d) The monthly consumption charge(s).
- 2.5 Any fees or charges imposed by this By-law are due and payable upon the receipt of any invoice issued by the Lakefront Utility Services Incorporated (LUSI) to any person or party in connection with a fee or charge imposed by this By-law.

SECTION 3 - BASE MONTHLY CHARGES FOR WATER SERVICES AND SEWAGE SERVICES

- 3.1 Base monthly charges for water and sewer services shall be applied to all properties in the Town in accordance with Schedule A which is attached to and forms part of this By-law.
- 3.2 Despite Section 3.1, dwelling units not possessing an individual water meter for that dwelling unit alone, shall be assessed for the base monthly charges at the rate corresponding to a 5/8", 3/4" meter in Schedule "A".
- 3.3 The base monthly charges for apartment buildings containing three or more dwelling units that are not equipped with individual water meters shall be calculated by:
 - a) multiplying the number of dwelling units by the base monthly charge corresponding to the 5/8", 3/4" meter in Schedule "A", and
 - b) adding a single base monthly charge corresponding to the 5/8", 3/4" meter in Schedule "A" representing the apartment building's common services.

This calculation shall apply despite the fact that the apartment building may have a single water meter measuring the total quantity of water consumed by all occupants of the building.

- 3.4 (a) The monthly fire protection charge shall be set at the same rate for all residential accounts and shall include those as defined in 3.3(a) and (b), as per Schedule 'A'.
- (b) The monthly fire protection charge shall be set at the same rate for all non-residential accounts, as per Schedule 'A'.
- (c) Despite Section 3.4(a) and (b) any residential or non-residential service incorporating a fire protection suppression system shall pay a separate fixed monthly fire protection charge as per Schedule 'A'.

SECTION 4 - MONTHLY CONSUMPTION CHARGES FOR WATER SERVICES AND SEWAGE SERVICES

- 4.1 The charge for water consumption and sewage treatment for all properties in the Town shall be charged on a per cubic metre of water consumed basis for each respective customer at the rates as indicated in Schedule "B" which is attached to and forms part of this By-law.
- 4.2 Non-metered dwelling units or dwelling units where meter access is not provided will be billed estimated consumption charges for water of \$48.00 per month and sewer of \$72.00 per month.

SECTION 4B - REDUCED SEWAGE TREATMENT RATE

- 4.3 Industrial Water Users may apply to the Town for a reduced Sewage Treatment Rate based on a portion of water used being consumed in the process and not entering the sanitary sewer system.
- 4.4 To qualify for a Reduced Sewage Treatment Rate, an Industrial Water User must:
- (i) submit an annual application to the Town's Environmental Services Department containing:
 - (ii) submit calculations showing the analysis and quantification of industrial process water which does not enter the sewage collection system;
 - (iii) submit a description of the means used to measure or otherwise determine the process water including estimates of any uncertainties in the measurement or analysis;
 - (iv) submit the application fee stipulated in Schedule "D";
 - (v) satisfy the Town's Environmental Services Department that the measurements, calculations and analyses submitted are justified based on sound engineering principles and statistics and that process water exceeds 20% of the water supplied by the Town.

- 4.5 Should an Industrial Water User be successful in its application for a Reduced Sewage Treatment Rate, the Sewage Treatment Rate shall be calculated as follows:
- (a) where a sewage meter exists, on the basis of the measured flow entering the sewer times the Sewage Treatment Rate defined in Schedule "B";
 - (b) where no sewage meter exists, on the basis of the measured water supplied to the user multiplied by the Sewage Treatment Rate defined in Schedule "B" multiplied by a reduction factor. The reduction factor shall be the volume of water entering the property minus the process water as calculated per Section 4.4 all divided by the volume of water entering the property.
- 4.6 Each application for a Reduced Sewage Treatment Rate shall apply for one year only. If an application is not submitted or renewed each year, the full sewer rates shall apply.

SECTION 5 - MISCELLANEOUS WATER RATES AND CHARGES

- 5.1 Miscellaneous charges shall be applied in accordance with Schedule "C" which is attached to and forms part of this By-law.
- 5.2 Other water charges and capital contributions shall be applied in accordance with Schedule "D" which is attached to and forms part of this By-law.
- 5.3 Billing adjustment shall be applied in accordance with Schedule "E" which is attached to and forms part of this by-law.

SECTION 6 - NON-PAYMENT & LATE PAYMENT

- 6.1 Fees and charges imposed under this By-law on a person constitute a debt of the person to the Town. The Town's Treasurer may add fees and charges imposed by this By-law to the tax roll for the property to which the services were supplied and may collect them in the same manner as municipal taxes.
- 6.2 Late payment charges of 1.50% per month, compounded monthly shall be applied to any fees or charges remaining unpaid following the due date on the invoice sent to the customer.

SECTION 7 - SEVERABILITY

7.1 If any section, clause or provision of this By-law, including anything contained in the Schedules attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof other than the section, clause or provision so declared to be invalid; and it is hereby declared to be the intention of Council for the Town that all remaining sections, clauses or provisions of this By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof may have been declared invalid.

SECTION 8 - SHORT TITLE

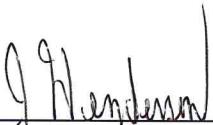
8.1 The short title of this By-law shall be the "Water and Sewer Rates and Charges By-law."

SECTION 9 - EFFECTIVE DATE

9.1 This By-law comes into force and effect on January 1, 2021.

THAT By-law Number 089-2019 be hereby repealed.

By-law read and passed in Open Council this 11th day of January, 2021.


MAYOR


MUNICIPAL CLERK

SCHEDULE "A"

BASE MONTHLY CHARGES FOR WATER SERVICES AND SEWAGE SERVICES

(Effective January 1, 2021)

Water Meter Size	Base Charge for Water Services	Base Charge for Sewage Services
5/8", 3/4"	\$14.74	\$15.70
1"	\$56.50	\$60.20
1 1/2"	\$81.06	\$86.38
2"	\$105.62	\$112.55
3"	\$163.17	\$173.87
4"	\$227.57	\$242.49
6"	\$355.35	\$378.66
8"	\$484.03	\$515.79

BASE CHARGE FOR FIRE PROTECTION:

Residential service	\$.54
Non-residential service	\$ 1.07
Residential or non-residential Service with fire protection suppression system	\$26.78

SCHEDULE "B"

MONTHLY CONSUMPTION CHARGES FOR WATER SERVICES AND SEWAGE SERVICES

(Effective January 1, 2021)

Water Consumption	Water Rate (\$/m³)	Sewage Treatment Rate (\$/m³ of water)
First 22.73 m ³ (5000 gallons) water consumed	\$1.47	\$1.61
Second Block consumption beyond 22.73 m ³ to 35m ³ water consumed	\$1.83	\$2.01
* Third Block over 35 m ³ water consumed	\$2.30	\$2.01

Note: *The increase for the third block rate will apply to residential water rates only.

SCHEDULE C
MISCELLANEOUS WATER RATES AND CHARGES
(Effective January 1, 2021)

CUSTOMER ADMINISTRATION

Returned/Non-Sufficient Payment	\$15
Arrears certificate	\$15
Statement of account	\$15
Change of occupancy	\$30
Pulling post-dated cheques	\$15
Request for other billing information	\$15
Easement letter	\$15
Income tax letter	\$15
Credit reference/credit check (plus credit agency costs)	\$15
Legal letter charge	\$15
Special meter reads	\$300
Locate – remark (< 60days)	\$35
Locate – request for locate (>60 days)	\$65
Data Logging Report	\$30
Lead testing services – customer requested	\$90

Note:

1. Special meter reads are for meters checked for accuracy at a customer's request and found to be accurate.
2. A Data Logging Report can be requested for meter read verifications, daily usage review, and leak detections for radio frequency meters only.

NON-PAYMENT OF ACCOUNT

Late payment – per month	1.50%
Late payment – per annum	19.56%
Collection of account charge – no disconnection	\$30
Collection of account charge – no disconnection – after regular hours	\$165
Disconnect/Reconnect – during regular hours (charged once, upon reconnection)	\$65
Disconnect/Reconnect – after regular hours (charged once, upon reconnection)	\$185

CONNECTION CHARGES

Turning Water off/on at shut-off valve – with 48 hours' notice – regulatory hours	\$65
Turning Water off/on at shut-off valve – without 48 hours' notice – regulatory hours	\$130
Turning Water off/on at shut-off valve – emergency – after hours	\$185
Temporary Water Meter Removal – resident's request – regular work hours	\$135
Temporary Water Meter Removal – resident's request – after regular work hours	\$185

**TOWN OF COBOURG
WATER DEPARTMENT
WATER CHARGES/CAPITAL CONTRIBUTIONS
EFFECTIVE JANUARY 1, 2021**

SCHEDULE D

GENERAL

Water services are not installed in the winter due to the frost in the ground, except by special arrangement with Lakefront Utility Services. The charge for the service is based on time and material with the Minimum Charge as set out in the rates below.

A charge of **\$65** will be made during regular working hours (**with 48 hours' notice**) for turning the water off or on at the shut off valve. **If 48 hours' notice is not provided**, the charge will be \$130 to turn the water off or on at the shut off valve. Furthermore, if the water is turned off or on at the shut off valve in an **emergency and after regular hours**, then the charge will be **\$185**. The situations above are for any other purpose than commencing or terminating contract or for maintenance of our system.

Temporary water meter removal at resident's request, remove and reconnect during regular work hours \$135.00.

Temporary water meter removal at resident's request, remove and reconnect after regular work hours \$185.00.

Temporary water usage during construction etc. is based on estimated usage at regular rates.

Hamilton Township Residential and General Service Water Rate Charge same as Town of Cobourg plus:

Residential - monthly surcharge: 2015 - \$8.10; 2016 - \$8.30; 2017 - \$8.50; 2018 - \$8.70; 2019 - \$9.00; 2020 - \$9.20; 2021 - \$9.40

General Service - monthly surcharge: 2016 - \$13.10; 2017 - \$13.40; 2018 - \$13.70; 2019 - \$14.00; 2020 - \$13.73; 2021 - \$14.60

Industrial rates: first 22.73 cubic meters \$0.92 balance at \$1.13 per cubic meter, plus monthly surcharge.

Water from hydrant, with special approval, or from pump house/fire department shall be 2011 - \$1.60; 2012 - \$1.65; 2013 - \$1.70; 2014 - \$1.75; 2015 - \$1.80; 2016 - \$1.85; 2017 - \$1.90; 2018 - \$1.95; 2019 - \$2.00; 2020 - \$2.05; 2021 - \$2.06 per cubic meter. Key holders service charge \$7.00 per month plus usage.

Bulk metered residential customers, as approved, for using water conservation methodologies first rate up to 11.35 cubic meters per month, 2nd rate up to 35 cubic meters and balance at 3rd rate.

The annual application fee for reduced industrial sewer rates will be the actual cost to the municipality to a maximum of \$260.00.

Hamilton Township Fire Protection per hydrant charge: 2011 - \$15.63; 2012 - \$15.75; 2013 - \$15.90; 2014 - \$16.07; 2015 - \$16.23; 2016 - \$16.40; 2017 - \$16.57; 2018 - \$16.74; 2019 - \$16.91; 2020 - \$17.08; 2021 - \$17.25

Security Deposits

A "Customer" who has not established a good payment history with Lakefront Utilities Services Inc. (LUSI) will be required to pay a security deposit. The security deposit amount will be 2.5 times the property's or customer's average monthly consumption based on the most recent 12 consecutive months in the past two years. Where relevant usage information is not available, the customer's average monthly consumption shall be based on a reasonable estimate by LUSI. The security deposit will be applicable for both water and sewer services.

The deposit shall be returned to a customer after one year of good payment history. A customer is deemed to have a good payment history unless, during the most recent 12 months have received more than one disconnection notice from LUSI, more than one cheque given to LUSI by the customer has been returned for insufficient funds, more than one pre-authorized payment to LUSI has been returned for insufficient funds or a disconnect / collection trip has occurred.

**TOWN OF COBOURG
WATER DEPARTMENT
BUILDING ADJUSTMENTS
EFFECTIVE JANUARY 1, 2021**

SCHEDULE E

Over or under-billing adjustments are permitted over a period of up to two years for all classes of customers.

If a customer has been over-billed by an amount equal to or greater than the customer's average bill, the customer has the option of receiving a cheque or a credit on their next bill.

If a customer has been over-billed and the amount is less than the customer's average bill, the customer will receive a credit on their next bill. If the customer has outstanding arrears, the Municipality may apply the over-billed amount to the arrears first, and may credit or repay the balance to the customer.

If a customer is under-billed and is not responsible for the error, the customer is allowed to pay the under-billed amount in equal instalments over the same amount of time as they were under-billed for up to a maximum of two years. (e.g. if a customer has been under-billed for five months, they will have five months to pay the under-billed amount).

When a customer is responsible for the under-billing error, the Municipality may require payment of the full amount on the next bill or on a separate bill.

These rules do not apply when a Municipality has under-billed or over-billed a customer but issues a corrected bill within 16 days of the date the incorrect bill was issued.