

THE CORPORATION OF THE CITY OF ROSSLAND

BYLAW #2476

A BYLAW TO ESTABLISH SEWER SERVICE RATES

WHEREAS section 194 of the *COMMUNITY CHARTER* (RS Chapter 26) authorizes the Council of the City of Rossland to establish a scale of charges payable for the collection and treatment of sewer, and

WHEREAS the Council of the City of Rossland has adopted a policy pursuant to which sewer services shall be provided on a user-pay basis,

NOW THEREFORE the Council of the City of Rossland, in open meeting assembled, ENACTS AS FOLLOWS:

SHORT TITLE

- (1) This Bylaw may be cited as the "**SEWER RATE BYLAW (2010)**"

DEFINITIONS

- (1) In this Bylaw, unless the context otherwise requires:

“Private Sewer Service” shall mean a sewer line which serves a single service connection from the point where the line ends or enters a building to the point where it joins a sewer main, being a sewer line which serves or is intended to serve two or more private sewer services.

“Municipal Sewer Line” shall mean any sewer line, including but not limited to a main trunk line, a main collector line, or an individual collector line, that is not a *Private Sewer Service* line as defined in this section and shall include those sewer lines that traverse private property for which the City of Rossland holds an easement.

“Property” shall include a parcel of land held in fee simple or under strata title.

“Residential Dwelling Unit” shall mean a self-contained dwelling, consisting of one or more rooms forming a single unit that is used or intended to be used as a residence and contains cooking, eating, sleeping and sanitary facilities (including manufactured homes and mobile homes) either as a single family home or part of a multi-family building, not including those dwellings defined as a secondary suite.

“Secondary Suite” shall mean a self-contained, accessory dwelling unit located within a single detached dwelling or in an accessory building. A secondary suite has its own separate cooking, sleeping and bathing facilities. It has direct access to outside without passing through any part of the principal unit. This use does not include townhouses, duplex housing or apartment housing.

“Senior Citizen” shall mean an individual 65 years of age or older.

- (2) For the purpose of this Bylaw, the City of Rossland shall be deemed to be the owner of all Municipal Sewer Lines, and shall have the duties, responsibilities, and liabilities associated with the ownership of an asset.

USER RATES

3. (1) The 2010 user rates for the collection and treatment of sewer shall be those established in Schedule "A" attached to and forming part of this Bylaw.
- (2) The 2010 rates for the installation of new sewer services shall be those established in Schedule "B" attached to and forming part of this Bylaw.
- (3) In the event of non-payment of any rates or charges invoiced pursuant to this Bylaw, any outstanding balance shall be collected pursuant to section 258 of the *Community Charter*.

ENACTMENT

4. (1) If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder.
- (2) Bylaw #2434 and amendments thereto are hereby repealed.
- (3) This Bylaw shall come into full force and effect upon the adoption thereof.

READ A FIRST TIME

READ A SECOND TIME

READ A THIRD TIME

RECONSIDERED AND FINALLY ADOPTED

this 22nd day of February, 2010

this 22nd day of February, 2010

this 22nd day of February, 2010

this 8th day of March, 2010

Mayor

City Clerk

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SCHEDULE "A"

USER FEES FOR SEWER SERVICE

1. Fixed rate residential base rates:
 - (a) Single family residential - \$280.00 per year (flat rate).
 - (b) Multi-unit residential (2 or more units per building) - 70% of the flat rate per unit per year.
 - (c) 'Non-profit' multi-unit residential (2 or more units per building) - 50% of the flat rate per unit per year.
 - (d) Residential secondary suites (forming part of a single family unit) – 25% of the flat rate per unit per year.

2. Fixed rate non-residential service:
 - (a) for a service in conjunction with a 13 mm water service or less:
\$280.00 per year
 - (b) for a service in conjunction with a 19 mm water service or less:
\$639.00 per year
 - (c) for a service in conjunction with a 25 mm water service:
\$1,132.00 per year

3. Residential and non-residential base rates in conjunction with a metered water service:
 - (a) Single family residential or non-residential - \$23.33 per month (base rate).
 - (c) Multi-unit residential or non-residential (2 or more units building) – 70% of the base rate per unit per month.
 - (d) 'Non-profit' multi-unit residential (2 or more units per building) – 50% of the base rate per unit per month.
 - (e) Residential secondary suites (forming part of a single family unit) – 25% of the base rate per unit per month.

4. For a non-residential service in conjunction with a metered water service:
- (a) Except as otherwise provided in this section, \$0.46 for each additional m³ of water consumed in excess of 30 m³ per unit per month. These charges are in addition to the base rate.
 - (c) For a non-residential service with a metered water service, where water is primarily used for cooling purposes and the cooling water is discharged in a storm drain and not in a sanitary sewer, the rate shall be as established in section 2(b) of this schedule.
 - (d) For an institutional service with a metered water service, where water is primarily used for external purposes such as watering lawns, the rate shall be as established in section 2(b) of this schedule.

5. Senior Citizen Allowance:

Residential dwelling units, used as the principal residence of a Senior Citizen, shall be eligible for a senior's allowance of \$20.00 per unit for the year in which the user rate is invoiced and this allowance applies to both metered and non-metered accounts.

6. Late Payment Penalty:

Non-metered accounts: A penalty of 15% (fifteen percent) shall be imposed upon the balance that is unpaid 30 days from the billing date.

Metered accounts: A penalty of 2.2% (two point two percent) per month shall be imposed upon the balance that is unpaid after the last business day of the current month.

7. Arrears:

A sewer service account balance which remains unpaid on December 31 in any year, including an account relating to service work as defined in this schedule, shall be transferred to the tax account of the property being serviced by such sewer service account on that date.

8. Service Work Charges:

- (a) The charge for any maintenance work performed on a private sewer service by the City shall include the cost of materials, plus the cost of equipment rental at the current City equipment rental rate, plus the cost of labour at the current City shop labour rate, plus a 25% administration charge and all applicable federal and provincial taxes.
- (b) Where the City is requested to provide service work outside of regular working hours, being Monday to Friday, 7:00 AM to 3:30 PM, except statutory holidays, a basic call out charge of \$200.00 shall be invoiced in addition to all other charges defined in this section.
- (c) The City shall not perform service work on a private sewer service, unless the owner or a person acting on behalf of the owner has first signed an authorization as prescribed by the City.

8. Refunds:

Service fees invoiced and paid pursuant to sections 1 to 4 inclusive of this schedule shall not be refunded.

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SCHEDULE "B"

SEWER SERVICE CONNECTION FEES

Sewer service connection fees shall be a composite of the following charges, as they may apply:

1. 100 mm service:
 - (a) For the installation of the first 20 m, measured from the main to the property line, including hook up to the main and five square meters of asphalt restoration, the fee shall be \$2,200.00.
 - (b) Each additional meter shall be \$85.00.
 - (c) Additional asphalt repairs shall be \$80.00 per m².
 - (d) Concrete curb repairs required after installation shall be \$120.00 per linear meter or a minimum \$300.00 charge.
 - (e) Sidewalk repairs required after installation shall be \$120.00 per linear meter.
 - (f) Excess excavation, to a depth of more than 1.2 m, shall be \$18.00 per m³.
 - (g) Work required due to extraordinary conditions (e.g. rock blasting, swamp trenching, etc.) shall be charged at cost.
 - (h) The maximum service length shall not exceed 50 m. Any service connection of a greater distance shall require the extension of the sewer main subject to the City's *Subdivision and Development Servicing Bylaw*, and the cost of such extension shall be charged to the applicant on the basis of actual costs.
2. Services exceeding 100 mm:
 - (a) For hook up to the main only, the fee shall be \$970.00.
 - (b) The fee for installing a service exceeding 100 mm shall consist of the \$970 hook up fee, the cost of materials, the equipment rental at current City equipment rental rates, the cost of labour at current City shop labour rates and the cost of any item listed in sections 1(d) to 1(I) of this schedule plus a 25% administration charge, as may be applicable.
3. All fees in this schedule are subject to federal and provincial taxes as required.