

THE CORPORATION OF THE CITY OF ROSSLAND

BYLAW #2503

A BYLAW TO ESTABLISH WATER 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 treatment, distribution and sale of water, and

WHEREAS the Council of the City of Rossland has adopted a policy pursuant to which water 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 "**WATER RATE BYLAW (2011)**"

DEFINITIONS

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

“Private Water Service” shall mean a water line which serves a single service connection from the point where the line ends or enters a building to the curb stop (water shut off valve).

“Municipal Water Line” shall mean any water line, including but not limited to a main trunk line or an individual service line, that is not a *Private Water Service* line as defined in this section and shall include those water 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 Water Lines, and shall have the duties, responsibilities and liabilities associated with the ownership of an asset.
- (3) For the purposes of this Bylaw, every ratepayer, unless otherwise exempt, must install a water meter and remote reader by December 31, 2011 and the following rates shall apply.

USER RATES

- 3. (1) The 2011 user rates for treatment, distribution and sale of water shall be those established in Schedule “A” attached to and forming part of this Bylaw.
- (2) The 2011 rates for the installation of new water services or maintenance to private water 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 #2433 and amendments thereto are hereby repealed.
- (3) This Bylaw shall come into full force and effect upon the adoption thereof.

READ A FIRST TIME	this 14 th day of March, 2011
READ A SECOND TIME	this 14 th day of March, 2011
READ A THIRD TIME	this 14 th day of March, 2011
RECONSIDERED AND FINALLY ADOPTED	this 28 th day of March, 2011

Mayor

City Clerk

THE CORPORATION OF THE CITY OF ROSSLAND

BYLAW #2503**SCHEDULE "A"****USER FEES FOR WATER SERVICE**

1. Fixed residential flat rate:
 - (a) Single family residential - \$387.00 per year (flat rate).
 - (b) Multi-unit residential (2 or more units per building) - 70% of the flat rate per unit per year.
 - (b) 'Non-profit' multi-unit residential (2 or more units per building) - 50% of the flat rate per unit per year.
 - (c) 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 13 mm water service or less:
\$387.00 per year
 - (b) for a 19 mm water service or less:
\$662.00 per year
 - (c) for a 25 mm water service:
\$1,178.00 per year

3. Metered residential and non-residential base rates:
 - (a) Single family residential or single unit non-residential - \$16.75 per month (base water charge) plus consumption.
 - (b) Multi-unit residential or multi-unit non-residential (2 or more units per building) - 70% of the base water charge per month per unit plus consumption.
 - (c) 'Non-profit' multi-unit residential or multi-unit non-residential (2 or more units per building) - 50% of the metered base water charge per month per unit plus consumption.
 - (d) Residential secondary suites – 25% of the metered base water charge per month (no consumption charge)

4. Metered residential and non-residential consumption rates (per unit):

\$0.25 for the first 30 m³ consumed in each billing month.

\$0.40 for each additional m³ in excess of the first 30 m³ consumed in each billing month.

\$0.60 for each additional m³ in excess of the first 100 m³ consumed in each billing month.

** Consumption rates are in addition to the base rates.

5. Hydrant Use:

Bulk water hydrant use shall be charged at \$50.00 per day.

6. 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.

7. Late Payment Penalty:

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

8. Arrears:

A water 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 water service account on that date.

9. Refunds:

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

THE CORPORATION OF THE CITY OF ROSSLAND

BYLAW #2503

(AMENDING BYLAW #2503)

SCHEDULE "B"**NEW WATER SERVICE OR WATER SERVICE MAINTENANCE FEES**

Water service **maintenance fees** shall be a composite of the following charges, as they may apply:

1. (a) The charge for any maintenance work performed on a private water service by the City shall include the cost of labour, materials, and equipment plus an overhead charge for the actual costs incurred in the work.
- (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 shall be invoiced in addition to all other charges defined in this section.

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

2. 19 or 25 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 \$1,900.00.
 - (b) Each additional meter shall be \$80.00.
 - (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 water 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 and overhead.
3. Services exceeding 25 mm:
 - (a) For hook up to the main only, the fee shall be \$1,375.00.
 - (b) The fee for installing a service exceeding 25 mm shall consist of the \$1,375 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 2(d) to 2(h) of this schedule plus a 25% administration charge, as may be applicable.
4. A deposit may be required prior to the commencement of the work.

5. The City shall not perform service work on a private water service, unless the owner or a person acting on behalf of the owner has first signed an authorization as prescribed by the City.
6. All fees in this schedule are subject to federal and provincial taxes as required.