

THE CORPORATION OF THE MUNICIPALITY OF SIOUX LOOKOUT

BY-LAW NO. 29 - 24

BEING A BY-LAW TO ESTABLISH THE WATER AND WASTEWATER SERVICE RATES AND CHARGES FOR THE PRODUCTION, TREATMENT, STORAGE AND DISTRIBUTION OF WATER AND/OR WASTEWATER IN THE MUNICIPALITY OF SIOUX LOOKOUT, AND TO REPEAL BY-LAW NO. 19-22.

WHEREAS section 10(1) of the *Municipal Act, 2001, c. 25*, as amended, (hereinafter referred to as the *Municipal Act, 2001*), provides that a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public; and

WHEREAS section 10(2)(7) of the *Municipal Act, 2001* provides that a single-tier municipality may pass by-laws respecting services and things that the municipality is authorized to provide under Section 10(1) of the Act; and

WHEREAS section 8(1) of the *Municipal Act, 2001* provides that section 10 shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs and responsibilities as they consider appropriate and to improve their ability to respond to municipal issues; and

WHEREAS pursuant to Section 391 of the *Municipal Act, 2001*, a municipality may pass by-laws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of it, for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board, and for the use of its property including property under its control;

WHEREAS pursuant to Section 398 of the *Municipal Act, 2001*, fees and charges imposed under this By-law on a person constitute a debt of the person to the Municipality and have priority lien status under the *Municipal Act, 2001*, Ontario Regulation 581/06; and

WHEREAS the Council of The Corporation of the Municipality of Sioux Lookout (hereinafter referred to as the Municipality) deems it necessary and advisable to pass a water and wastewater and charges by-law;

NOW THEREFORE the Council of The Corporation of the Municipality Sioux Lookout hereby enacts as follows:

1. THAT the Water and Wastewater Service rates and charges as specified in Schedules "A" and "B" to this By-law, which are attached hereto and form an integral part hereof, shall be charged by the Municipality on and after the 1st day of April, 2024.
2. THAT By-law No. 19-22 is hereby repealed effective the 1st day of April 2024.
3. Notwithstanding Items 1 and 2 above, that this By-law shall come into force and take effect on the date of its final passing.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS TWENTIETH DAY OF MARCH, 2024.



Doug Lawrance, Mayor



Brian P. MacKinnon, Clerk

THE CORPORATION OF THE MUNICIPALITY OF SIOUX LOOKOUT

SCHEDULE "A" TO BY-LAW NO. 29-24

1.0 Interpretation

1.1 This By-law shall be read in conjunction with the Waterworks By-law and the words used in this By-law shall have the same meaning as those used in the Waterworks By-law unless otherwise indicated.

1.2 The following definitions shall apply throughout this By-law:

- a. "Building" means a structure supplied with Water by the Municipality.
- b. "Bulk Meter" means a Water Meter which measures the usage of Water for multiple units within a Building or group of Buildings;
- c. "Bulk Water Consumer" means a Consumer who obtains water from a bulk watering station and/or hydrant;
- d. "Consumer" means the Owner, occupant, builder or developer who enters into a verbal or written contract with the Municipality to use Water and/or Wastewater Services from the Municipality or to receive Water Related Services from the Municipality.
- e. "Consumption Block" means incremental volume of water consumed, as set out in Schedule "B";
- f. "Deposit" means security for future fees or charges and may be refunded on terms and conditions set out in Schedule "A";
- g. "Fixed Charge" means the monthly fixed (flat rate) charge comprised of the infrastructure connection and maintenance charge based on the size of the Meter or service line;
- h. "Manager" means the Manager of Public Works and Infrastructure for the Municipality of Sioux Lookout or his authorized representative;
- i. "Meter" or " Water Meter" means the Water Meter supplied and owned by the Municipality used to measure the quantity of water used by the consumer;
- j. "Municipality" means The Corporation of the Municipality of Sioux Lookout;
- k. "Owner" shall include any person who or any firm or corporation that is the registered owner of the property under consideration or any agent thereof, a person entitled to a limited estate in land, a trustee in whom land is vested, a committee of the estate of a mentally incompetent person, an executor, an administrator, or a guardian;
- l. "Remote Read-Out Unit" shall mean the device installed at a separate location from the water meter and used to provide electronic access to the register on the meter
- m. "Treasurer" means the Treasurer for the Municipality of Sioux Lookout or his authorized representative;
- n. "Unmetered Fire Protection Line" means a Water Service supplying Unmetered Water for the purpose of fire protection but does not include a water line serving hydrants owned and maintained by the Municipality;
- o. "Unmetered Water" means Water supplied to Consumers without the use of a Water Meter;
- p. "Usage Charge" means the sum charged to an Owner or Consumer for the quantity of Water supplied to him as measured by a Meter or for a service to his premises for a stated period.
- q. "Wastewater Collection System" means the collection, treatment and disposal of Wastewater (sanitary sewage);
- r. "Wastewater" means sanitary sewage and service provided by the Municipality;

- s. "Wastewater Service" means a pipe connecting a sanitary sewermain to a building or facility for domestic or commercial purposes consisting of a Wastewater Service connection to the Municipality's Wastewater Collection System;
- t. "Water" means potable water supplied by the Municipality;
- u. "Water Charges" means Water and Wastewater Service Charges;
- v. "Water Distribution System" means mains with connections to feeder mains, feeder mains within lands, private mains, services, fire hydrants, and shut-off valves and all other appurtenances thereto;
- w. "Water Related Services" includes but is not limited to those items set out under the heading "Miscellaneous Water Rates and Charges" in Schedule "B" of this By-law;
- x. "Water Service" means a pipe connecting a watermain to a building or facility for domestic, commercial or fire protection purposes consisting of a Water Service connection to the Municipality's Water Distribution System.
- y. "Hudson WTP Fee" means an additional fee which is applied to Customers in Hudson to assist with the Long Term Debt payment for the construction of the Water Treatment Plant (WTP). Fee to be removed when loan is completed.

2.0 Water Rates and Charges and Wastewater Surcharges

- 2.1 The supply of Water and Wastewater services in the Municipality shall be governed by the requirements of this By-law. This By-law shall be read in conjunction with the Waterworks By-law.
- 2.2 Every Consumer or Owner of a premises in the Municipality who receives Water and/or Wastewater services or Water Related Services shall pay a rate and charge comprised of a Fixed (flat rate) Charge for Water and Wastewater and a Usage Charge for Water and Wastewater as defined in this By-law and as set out in attached Schedule "B".
 - 2.2.1 The monthly Fixed (Flat Rate) Charge is the sum of an infrastructure connection and maintenance charge based on the size of the Meter as noted in Section 2.1 of attached Schedule "B".
- 2.3 Water meters shall be billed and accounts rendered monthly or on any other basis at the discretion of the Municipality. The bill shall be deemed to be served upon the customer if it is delivered or sent by mail to the premises supplied with the service.
- 2.4 When Water and Wastewater rates change through a billing period, the Fixed Charge and Usage Charge shall be prorated for that billing period.
- 2.5 When an account is not paid by the due date on the bill, a late payment charge, as indicated in Section 4 of attached Schedule "B", will be levied on the account.
- 2.6 If the account remains unpaid for thirty (30) days after the due date stated on the bill, the Treasurer may deliver or cause to be delivered to the premises, a notice of disconnection advising the Consumer that unless payment is received within fifteen (15) business days, the Water Service will be disconnected.
 - 2.6.1 In the case the premises is occupied by a tenant, notice of disconnection shall also be given in writing to the landlord at least fifteen (15) business days before the Water Service is disconnected.
 - 2.6.2 In the case the Owner does not permit or otherwise wishes to prevent the disconnection of the Water Service, the Owner shall be deemed to have assumed responsibility for the account and shall be responsible for all Water Charges billed by the Municipality after the scheduled disconnection date.
- 2.7 If the Consumer omits, neglects or refuses to pay any bill rendered, whether for Water Charges, Water Related Services or any other monies to which the

Municipality may be entitled in respect of Water and Wastewater Service supplied to such premises, the Municipality may, at the discretion of the Treasurer, shut off the flow of the Water to the premises. The Municipality will provide the required notices as per Section 2.6 of this by-law prior to the shut-off to the Consumer and occupants of the premises by personal service or prepaid mail or by posting the notice on the premises in a conspicuous place.

2.7.1 Unpaid charges have priority lien status and may be collected in accordance with the Municipal Act, 2001, and may be added to the tax roll against the premises in respect of which the Water was supplied.

- 2.8 If the Consumer and/or occupant of any premises neglects or refuses to allow the Municipality or persons authorized by the Municipality entry to the premises to inspect, install, repair, replace or alter the Meter and/or Remote Read-Out Unit, the Municipality may, at its discretion, shut off or reduce the flow of Water to the premises.
- 2.9 When there is a change of occupancy, an administrative charge as indicated in Section 4 of attached Schedule "B" shall be levied by the Municipality to the new Consumer to cover the administrative costs of the work. The administrative charge will be included on the first billing to the new Consumer.
- 2.10 The Water Charges for providing and maintaining Water supply to any premises are applicable for every Meter located on the premises. In instances where the Consumer terminates their account with the Municipality, subsequent Water Charges will be rendered to the Owner of the premises until such a time when a new Consumer applies to the Municipality for the supply of Water.
- 2.11 If a Consumer requests the Municipality to replace the Meter and/or the Remote Read-Out Unit and that Meter is not due for replacement, then the Consumer shall pay the Municipality as indicated in Section 3 of attached Schedule "B". If the Meter is scheduled for replacement by the Municipality, then no charge shall be assessed to the Consumer.
- 2.12 Any refund for previous Water Charges collected shall be the lesser of either payments for two years prior to the discovery of the error; or, the duration of the current account.

3.0 Security Deposits

- 3.1 Whenever an application is made to the Municipality for a new account for the supply of Water and/or Wastewater Services, the Municipality may require a Consumer to pay a deposit of \$275.00 as security for payment on all new accounts. The Municipality shall refund the deposit with interest at the time the Customer closes the account, provided there is no outstanding balance on the account; or the Municipality may apply the deposit as payment with interest upon determination that the Consumer has demonstrated a satisfactory payment history, as determined by the Treasurer.
- 3.2 Non-payment of a security deposit shall be subject to the standard collection procedures including the disconnection of Water Services.

THE CORPORATION OF THE MUNICIPALITY OF SIOUX LOOKOUT

SCHEDULE “B” TO BY-LAW NO. 29-24

Water and Sanitary Sewer Rates and Charges

1. Monthly Water and Wastewater Usage Charges – Water and Sewer Rates

The Water consumed on all properties in the Municipality shall be charged on a per cubic metre basis for each respective Meter at the rate(s) indicated in the following Table.

The Wastewater produced on all properties in the Municipality shall be charged on a per cubic metre basis that is equal to the total metered Water consumption and charged at the rate(s) set out in the following Table.

Range within Block (m³)	Monthly Water Consumption	Rate (\$/m³) Effective 2024		
		Water	Wastewater	Total
0 - 45	First 45	1.72	1.50	3.22
46 - 500	Next 455	1.89	1.62	3.51
500 +	Over 500	1.86	1.59	3.45

Range within Block (m³)	Monthly Water Consumption	Rate (\$/m³) Effective 2025		
		Water	Wastewater	Total
0 - 45	First 45	1.79	1.57	3.36
46 - 500	Next 455	1.96	1.69	3.65
500 +	Over 500	1.93	1.66	3.59

The total Water usage and Wastewater charge is the sum of usage in all blocks at the rate for each block.

2. Monthly Water and Wastewater Fixed Charges

Water and Wastewater monthly Fixed Charges shall be the sum of an infrastructure connection and maintenance charge as set out in the following Tables.

In the event that the Municipality is unable to restore water and/or wastewater service connection due to frozen service lines, the Municipality may provide the consumer with an alternative service connection. In such instances, the consumer will be charged a fixed monthly charge based on the consumer’s average monthly historical consumption, until the service connection is restored.

2.1 Infrastructure Connection and Maintenance Charge

All Consumers shall be charged an infrastructure connection and maintenance charge based on the Meter size as set out in the following Table.

	Monthly Charge Effective 2024		
Meter Size (inches)	Water	Wastewater	Total
5/8"	\$47.27	\$43.50	\$90.77
3/4"	\$47.27	\$43.50	\$90.77
1"	\$123.80	\$113.92	\$237.72
1 1/2"	\$207.91	\$191.30	\$399.21
2"	\$254.13	\$233.86	\$487.99
3"	\$423.73	\$389.91	\$813.64
4"	\$994.77	\$915.38	\$1,910.15
6"	\$1,598.61	\$1,471.03	\$3,069.64

	Monthly Charge Effective 2025		
Meter Size (inches)	Water	Wastewater	Total
5/8"	\$49.07	\$45.46	\$94.53
3/4"	\$49.07	\$45.46	\$94.53
1"	\$128.50	\$119.05	\$247.55
1 1/2"	\$215.81	\$199.91	\$415.72
2"	\$263.79	\$244.38	\$508.17
3"	\$439.83	\$407.46	\$847.29
4"	\$1,032.57	\$956.57	\$1,989.14
6"	\$1,659.36	\$1,537.23	\$3,196.59

2.2 Unmetered Water and Wastewater Fixed Charges

2.2.1 In the event that an Owner of a property does not have a Meter installed on the premises, the Consumer shall be charged a Fixed Charge based on the service line size as set out in the following Table.

	Monthly Charge Effective 2024		
Line Size (inches)	Water	Wastewater	Total
5/8"	\$73.06	\$67.33	\$140.39
3/4"	\$73.06	\$67.33	\$140.39
1"	\$235.25	plus estimated consumption	
1 1/2"	\$393.96	plus estimated consumption	
2"	\$481.56	plus estimated consumption	
3"	\$802.94	plus estimated consumption	
4"	\$1,885.04	plus estimated consumption	
6"	\$3,029.29	plus estimated consumption	

	Monthly Charge Effective 2025		
Line Size (inches)	Water	Wastewater	Total
5/8"	\$75.84	\$70.36	\$146.20
3/4"	\$75.84	\$70.36	\$146.20
1"	\$244.19	plus estimated consumption	
1 1/2"	\$408.93	plus estimated consumption	
2"	\$499.86	plus estimated consumption	
3"	\$833.45	plus estimated consumption	
4"	\$1,956.67	plus estimated consumption	
6"	\$3,144.40	plus estimated consumption	

- 2.2.2
In the event that an Owner only has Water or Wastewater Services installed on the premises, the Consumer shall be charged a Fixed Charge based on line size of that particular service as set out in Section 2.2.1 of Schedule “B”.
- 2.2.3
Despite section 2.2.2, the Treasurer and Manager reserve the right to establish an alternative Fixed Charge as deemed appropriate and necessary with the Owner and Consumer of a property.
- 2.2.4
In the event that an Owner of a property in Hudson is connected to the Water Distribution System with an active Water Service, the Consumer shall be charged the Hudson WTP Fee as set out in the following Table below.

Monthly Charge – Hudson WTP Fee
\$19.97

3. Unmetered Fire Protection Line

All Consumers with Unmetered Fire Protection Lines shall pay the rates set out in the following Table.

Effective 2024	
Line Size (inches)	Monthly Charge(\$)
1"	101.19
1 1/2"	106.87
2"	122.14
3"	153.98
4"	199.46
6"	234.41

Effective 2025	
Line Size (inches)	Monthly Charge(\$)
1"	105.04
1 1/2"	110.93
2"	126.78
3"	159.83
4"	207.04
6"	243.32

4. Miscellaneous Water and Wastewater Rates and Charges

Miscellaneous charges shall be charged as per the table below to both Residential and Commercial Consumers.

Miscellaneous Charges	Charges (\$)
Change of occupancy/Account set-up fee	30.00
Late payment charge	1.5% per month 19.56% per annum
NSF Cheques & Pre-Authorized Payments	20.00
Arrears Certificate	50.00
Security Deposit	275.00
Disconnection of Service During regular hours After regular hours	50.00 Overtime rates apply
Reconnection of Service During regular hours After regular hours	50.00 Overtime rates apply
Install Water Meter and Remote Read-out Unit at Consumer's request	Actual costs
Meter checked for accuracy at customer's Request and found to be accurate	100.00
Repair damaged Water Meter Up to ¾ inch Over ¾ inch	170.00 Time and Materials
Builder and Developer Charges: Service Installation	Actual Costs (as per the service installation agreement)
Illegal Connection Charge	500.00/occurrence + water consumption
Final Reading for move out	15.00
Shut off Notice Delivery	20.00 per occurrence
Collection Fee or Fee for transferring outstanding balances to a third party collection agency	Actual Cost