

**RURAL MUNICIPALITY OF PORTAGE LA PRAIRIE**

**By-Law No. 3168**

**BEING a By-law of the Rural Municipality of Portage la Prairie to establish water and sewer rates for the RM of Portage la Prairie Water and Wastewater Utility.**

**WHEREAS** the Rural Municipality of Portage la Prairie owns and operates the Portage la Prairie Regional Water and Wastewater Utility and the Oakville Water and Wastewater Utility within the limits of the Municipality;

**AND WHEREAS** the Rural Municipality of Portage la Prairie by this by-law is combining the Portage la Prairie Regional Water and Wastewater Utility and the Oakville Water and Wastewater Utility;

**AND WHEREAS** the Rural Municipality of Portage la Prairie has undertaken a water and wastewater rate study of the combined utility which indicates water and sewer rates require to be adjusted;

**AND WHEREAS**, subject to The Public Utilities Board Act, Section 232(1) provides that a council may pass by-laws for municipal purposes respecting the following matters:

1) public utilities.

**AND WHEREAS**, Section 232(2) provides that without limiting the generality of Subsection (1), a council may in a by-law passed under this Division:

d) establish fees or other charges for services, activities or things provided or done by the municipality or for the use of property under the ownership, direction, management or control of the municipality.

**AND WHEREAS** it is deemed advisable to provide rates for April 1, 2021, January 1, 2022 and January 1, 2023 and thereafter to be paid by persons to whom water and sewer services are supplied by the Utility and to provide for the collection thereof;

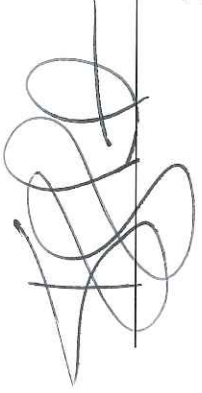
**NOW THEREFORE** the council of the Rural Municipality of Portage la Prairie in session duly assembled, hereby enacts a by-law as follows:

- 1) THAT the Portage la Prairie Regional Water and Wastewater Utility and the Oakville Water and Wastewater Utility be combined into one Utility to be known as the RM of Portage la Prairie Water and Wastewater Utility.
- 2) THAT all accounts for minimum quarterly charges for metered services for the RM of Portage la Prairie Water and Wastewater Utility as set forth in the Schedule of Quarterly Rates shall be billed quarterly. Consumers shall pay for water and sewer service supplied to them by the Utility at the rates and terms set out in Schedule "A" attached hereto and forming part of this by-law.
- 3) THAT the Rural Municipality of Portage la Prairie reserves the right to discontinue the supply of water for fountains, jets, hoses and sprinklers, or to limit the hours for use of the same, whenever, at the discretion of Council it is in the best interests of the public to do so.
- 4) THAT no person, other than the Fire Chief or someone acting on his/her behalf, or a representative of the Rural Municipality of Portage la Prairie duly authorized in writing by the Chief Administrative Officer, shall open or use any fire hydrant, either for construction purposes, street cleaning, or any other purpose.

- 5) THAT the meter shut off valve inside premises serviced with water by the RM of Portage la Prairie Water and Wastewater Utility, shall be readily accessible and not used by the owner except for the protection of the premises. No person shall tamper with the meter or cause the water supply to bypass the meter. All pipes and valves inside the premises shall be kept in good repair by the owner or occupant. Any damage through neglect or otherwise, by a contractor for the owner or occupant, to the water service pipes from the street to the premises including the meter shall be the responsibility of the owner or occupant.
- 6) THAT no person shall wilfully or maliciously hinder or cause to hinder the Rural Municipality of Portage la Prairie or its representative in the exercise of their duties in relation to the operation and maintenance of the water or sewer system.
- 7) THAT no customer or person shall connect, cause to be connected or allow to remain connected any piping, fixture, fitting, container or appliance in a manner which under any circumstances may allow unmetered water (including ground water), wastewater or any harmful liquid or substance to enter the Municipality's water or sewer system.  
If a condition is found to exist which, in the opinion of the Municipality, is contrary to the aforesaid, the Municipality may either:
  - a) Shut off the service or services; or
  - b) Give notice to the customer to correct the fault at his or her own expense within a specified time period. If the customer fails to comply with such notice the Municipality shall proceed to remedy the situation and charge the customer accordingly.A minimum charge of \$500.00 will be applied to the customer's account for the additional water directed to the utility system that was not metered.
- 8) THAT in the event that there are conditions of disrepair in the sewer and water works on a property that detrimentally affects the system as a whole and, upon the failure of the owner of the property to correct the condition within a reasonable time, the Municipality, or its agents, may enter the property, effect repairs and charge the cost thereof against the subject property as ordinary taxes.
- 9) THAT the Utilities Operations Supervisor, or other employee authorized by the Chief Administrative Officer or the Utilities Operations Supervisor, shall be authorized to enter upon any premise for the purpose of affixing to any pipe, wire or apparatus connected with any such utility, a meter or any other measuring or testing device; or taking readings from, repairing, inspecting or removing any meter or apparatus belonging to the Municipality; or inspecting connections to the water or sewer system.
- 10) THAT any person violating any provision of this by-law shall:
  - a) be guilty of an offence and, upon conviction, liable to a fine not exceeding one thousand dollars (\$1,000) and costs for each violation;
  - b) be liable to the Rural Municipality of Portage la Prairie for any expense, loss or damage suffered by the Municipality as a result of the violation;
  - c) be liable for the repairs and costs of the repairs to the system as a result of the violation. If that person is in default of effecting the repairs, the Municipality may affect the repairs and charge the cost thereof to that persons, or add the cost to property taxes and collect those property taxes in the same manner as other property taxes.
- 11) THAT this by-law and rates for April 1, 2021, January 1, 2022 and January 1, 2023 and thereafter, shall come into force and be effective on, from and after both approval of the Public Utilities Board of Manitoba and receipt of third and final reading thereof.

12) THAT Rural Municipality of Portage la Prairie By-law #3045, #3097, #3136, #3155 and #3157 be repealed as of April 1, 2021 and upon final approval of this By-law by the Public Utilities Board of Manitoba.

PASSED AND ENACTED BY RURAL MUNICIPALITY OF PORTAGE LA PRAIRIE IN COUNCIL DULY ASSEMBLED THIS 9th day of February, 2021.



Reeve  
Kam Blight



Chief Administrative Officer  
Nettie Neudorf

READ a first time this 1st day of December, 2019.  
READ a second time 9th day of February, 2021.  
READ a third time 9th day of February, 2021.

RURAL MUNICIPALITY OF PORTAGE LA PRAIRIE  
 WATER & SEWER RATES BY-LAW NO. 3168  
 SCHEDULE "A"

SCHEDULE OF QUARTERLY RATES

Water & Sewer or Water Only Customers

1. Rates per 1,000 gallons

April 1, 2021

Water per 1,000 gallons

Water System – including Peony Farm  
 Pine Crescent

\$18.28

\$13.57

Sewer per 1,000 gallons

\$6.83

Sewer

2. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges set out below, which includes the water allowance as listed.

a. **Regional Water & Sewer or Water Only Customers (excluding Pine Crescent)**

Meter Size	Group Capacity Ratio	Water Included Thousands of Gallons	Customer Service Charge		Water Commodity Charge		Sewer Commodity Charge		Water & Sewer Total Quarterly Minimum		Water Only Quarterly Minimum	
			Charge	Minimum	Charge	Minimum	Charge	Minimum	Charge	Minimum	Charge	Minimum
5/8 inch	1	3,000	\$11.73	\$11.73	\$54.84	\$20.49	\$87.06	\$66.57				
3/4 inch	2	6,000	\$11.73	\$11.73	\$109.68	40.98	\$162.39	\$121.49				
1 inch	4	12,000	\$11.73	\$11.73	\$219.36	81.96	\$313.05	\$231.09				
1 ½ inch	10	30,000	\$11.73	\$11.73	\$548.40	204.90	\$765.03	\$560.13				
2 inch	25	75,000	\$11.73	\$11.73	\$1,371.00	512.25	\$1,894.98	\$1,382.73				

b. **Sewer Only Residential Customers**

The sewer only charge is based on average quarterly consumption of 10,000 gallons plus the quarterly customer service charge.

The quarterly charge for sewer only customers is  $(10 * \$6.83) + \$11.73 = \$80.03$ .

Rates per 1,000 gallons

January 1, 2022

Water per 1,000 gallons

Water System - including Peony Farm  
Pine Crescent

\$18.82

\$14.11

Sewer per 1,000 gallons

Sewer

\$6.83

1. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges set out below, which includes the water allowance as listed.

a. **Water & Sewer or Water Only Customers (excluding Pine Crescent)**

Meter Size	Group Capacity Ratio	Water Included Thousands of Gallons	Customer Service Charge	Water		Sewer		Water & Sewer	
				Commodity Charge	Commodity Charge	Commodity Charge	Commodity Charge	Total Quarterly Minimum	Water Only Quarterly Minimum
5/8 inch	1	3,000	\$11.73	\$56.46	\$20.49	\$88.68	\$68.19		
3/4 inch	2	6,000	\$11.73	\$112.92	40.98	\$165.63	\$124.65		
1 inch	4	12,000	\$11.73	\$225.84	\$1.96	\$319.53	\$237.57		
1 ½ inch	10	30,000	\$11.73	\$564.60	204.90	\$781.23	\$576.33		
2 inch	25	75,000	\$11.73	\$1,411.50	512.25	\$1,935.48	\$1,423.23		

b. **Sewer Only Residential Customers**

The sewer only charge is based on average quarterly consumption of 10,000 gallons plus the quarterly customer service charge.

The quarterly charge for sewer only customers is  $(10 * \$6.83) + \$11.73 = \$80.03$ .

1. Rates per 1,000 gallons

January 1, 2023

Water per 1,000 gallons

Water System - including Peony Farm  
Pine Crescent

\$19.37

\$14.66

Sewer per 1,000 gallons

Sewer

\$6.83

2. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges set out below, which includes the water allowance as listed.

**a. Water & Sewer or Water Only Customers (excluding Pine Crescent)**

Meter Size	Group Capacity Ratio	Water Included Thousands of Gallons	Customer Service Charge	Water Commodity Charge	Sewer Commodity Charge	Water & Sewer Total Quarterly Minimum	Water Only Quarterly Minimum
5/8 inch	1	3,000	\$11.73	\$58.11	\$20.49	\$90.33	\$69.84
3/4 inch	2	6,000	\$11.73	\$116.22	40.98	\$168.93	\$127.95
1 inch	4	12,000	\$11.73	\$232.44	81.96	\$326.13	\$244.17
1 ½ inch	10	30,000	\$11.73	\$581.10	204.90	\$797.73	\$592.83
2 inch	25	75,000	\$11.73	\$1,452.75	512.25	\$1,976.73	\$1,464.48

**b. Sewer Only Residential Customers**

The sewer only charge is based on average quarterly consumption of 10,000 gallons plus the quarterly customer service charge.

The quarterly charge for sewer only customers is  $(10 * \$6.83) + \$11.73 = \$80.03$ .

**The following clauses are Effective April 1, 2021**

1. Service to Customers outside RM of Portage la Prairie limits  
The Council of the Rural Municipality of Portage la Prairie may sign agreements with customers for the provision of water and sewer services to properties located outside the legal boundaries of the RM. Such agreements shall provide for payment of the appropriate rates set out in the schedule, as well as a surcharge, set by resolution of Council which shall be equivalent to the frontage levy, general taxes and special taxes for utility purposes in effect at the time, or may be in effect from time to time, and which would be levied on the property concerned if it were within these boundaries. In addition, all costs of connection to the Utility's mains and installing and maintaining service connections will be paid by the customer.
2. Billings and Penalties  
Accounts shall be billed quarterly based on water used. A late payment penalty charge of 1 ¼% compounded monthly shall be charged on the dollar amount owing after the billing due date. The due date will be at least fourteen (14) days after the mailing of the bills.
3. Disconnections  
The Public Utilities Board has approved the Conditions Precedent to be followed by the RM with respect to the disconnection of service for non-payment including such matters as notice and the right to appeal such action to the Public Utilities Board. A copy of the Conditions Precedent are available for inspection at the RM office.
4. Reconnection  
Any service disconnected due to non-payment of account shall not be reconnected until all arrears, penalties and a reconnection fee of \$50.00 have been paid.
5. Outstanding Bills  
Pursuant to Section 252(2) of the Municipal Act, the amount of all outstanding charges for water and sewer services, including fines and penalties, are a lien and charge upon the land serviced, and shall be collected in the same manner in which ordinary taxes upon the land are collectible, and with like remedies.
6. Water Allowance Due to Lime Freezing  
That in any case where, at the request of the Council, a customer allows water to run continuously for any period of time to prevent the water or sewer lines in the water or sewer system from freezing, the charge to that customer for the current quarter shall be the average of the billings for the last two previous quarters to the same customer, or to the same premises if the occupant has changed.
7. Sewage Surcharges
  - (a) There may be levied annually, in addition to rates set forth above, a special surcharge on sewage having a Biochemical Oxygen Demand in excess of 300 parts per million, to be set by resolution of Council.
  - (b) A special surcharge for substances requiring special treatment shall be charged based on the actual costs of treatment required for the particular sewage or industrial wastes.

8. Meter Testing

Any customer wishing to have a meter tested for accuracy will pay in advance a fee of \$100, plus any applicable meter testing costs. In the event the meter tests prove that the meter is recording water flows in excess of actual flows, the meter testing fee and associated costs will be refunded to the customer and the customer's account will be reviewed and adjusted accordingly.

9. Meter Tampering

Where there is evidence of meter tampering a minimum charge of \$500 will be applied to the customer's account in addition to an amount calculated to adjust for the tampering based on historical usage.

10. Change of Water or Water & Sewer

That a charge for change of water or water and sewer to recover the cost of completing the change of user or service, for a service that has changed users or service shall be:

- a. during normal working hours - \$35.00
- b. outside of normal working hours - \$80.00