

THE CORPORATION OF THE TOWN OF DEEP RIVER

BY-LAW NUMBER 01-2023

A BY-LAW TO ESTABLISH WATER AND SEWER RATES FOR THE  
TOWN OF DEEP RIVER FOR THE YEAR 2023

WHEREAS authority for this by-law is contained in Part XII of the *Municipal Act*, 2001, S.O. 2001, Chapter 25;

AND WHEREAS Council for the Town of Deep River deems it advisable to pass a by-law to set water and sewer rates for the year 2023;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Town of Deep River enacts as follows:

1. **Definitions**

In this by-law:

- 1.1 "Owner" shall mean the titleholder of the premises to which a water service is connected.
- 1.2 "Unit" shall mean a single-family dwelling unit or its equivalent in terms of use of water and sewer service.

2. **Water Flat Rates**

- 2.1 A rate of **\$813.82** per annum per unit is hereby imposed effective January 1, 2023 on all owners of units connected to the water system of the Town of Deep River.
- 2.2 Except as otherwise provided herein, any premises other than a single-family dwelling unit shall be rated, having regard to its apparent use of water, as a number of units and such number shall be determined by Council on the recommendation of the Public Works Department. No premises shall be deemed to be less than the equivalent of one unit.
- 2.3 Multi-residential buildings shall be charged for the number of units in the multi-residential building multiplied by the annual water and sewer rate prescribed within this by-law.

**3. Meter Rates**

- 3.1 The Corporation of the Town of Deep River may, at its option, install a water meter in the service line to any premises.
- 3.2 Water services provided to Canadian Nuclear Laboratories shall be metered. The rate shall be charged to Canadian Nuclear Laboratories in accordance with the service agreement in force and effect at the time of the billing. The charges for this service shall be invoiced to Canadian Nuclear Laboratories on a monthly basis and shall be due within 30 days. Payment not received by the due date shall be subject to the penalty terms outlined in Section 8 of this By-law.

**4. Fire Protection**

- 4.1 A rate shall be applied to all premises connected to the Town of Deep River water system, equipped with a fire hose rack.
- 4.2 The rate for fire hose racks shall be \$638.01 per year for any building equipped with a fire hose connection to the Town of Deep River water system.
- 4.3 The Town of Deep River shall be charged an annual rental fee for the fire hydrants included in the water distribution system equal to \$34,538.00.

**5. New Service Connections**

- 5.1 The municipality may enter into an agreement with any party for the supply of water and/or wastewater services. The terms and conditions agreed to within said agreements shall be binding upon the parties.
- 5.2 Any new construction within the service limits of the Town of Deep River shall be required to connect to the water and sewer service connections available at the property line of the property to which the construction is undertaken, unless an exemption has (in advance of construction commencing) been provided for said new construction by resolution of Council.

**6. Sewer Service – Flat Rate**

- 6.1 An annual rate for sewer services in the amount of \$603.03 per unit is hereby imposed effective January 1, 2023 on all owners of units connected to the Town of Deep River sewer system.
- 6.2 All premises shall be charged for the same number of sewer units as the premises is charged for water units.

**7. Collection**

- 7.1 The Treasurer shall cause notice of the final water and sewer rate levy to be mailed at least 21 days in advance of the respective due date hereinafter specified to the owner of each property connected to the Town of Deep River water system.
- 7.2 The First Bill, covering the period from January 1, 2023 to June 30, 2023 shall become due and payable on or before the 28<sup>th</sup> day of April, 2023.
- 7.3 The Final Bill, covering the period from July 1, 2023 to December 31, 2023, shall become due and payable on or before the 31<sup>st</sup> day of October 2023.

**8. General**

- 8.1 Where payment of sewer and/or water rates is made after the due date, an interest charge will be assessed on any outstanding balance due at the rate of 1.25% per month applied on the first day of each month.
- 8.2 Notwithstanding the other provisions of this by-law, where any premises is connected to the water supply of the Town of Deep River, and the water supply through such connection has been temporarily shut off at the request of the owner, the annual amount charged for sewer and/or water rates shall be reduced by five per cent for each complete calendar month that the water service is shut off. These reduced amounts shall be credited to the account and reconciled in the next billing following the billing period the credit was incurred in.
- 8.3 A connection/disconnection charge of \$33.15 shall be made for each time a water connection is turned on or shut off.
- 8.4 A charge shall be levied for a certificate issued to confirm the balance for any sewer and/or water account which is listed in the Municipal User Fees, Rates and Charges list.
- 8.5 Reminder notices shall be mailed out to owners of properties who have unpaid balances after the original billing due date. Reminder notices, informing the owner of the arrears, shall be mailed out right after the due date, after 60 days and after 90 days. The 90-day final reminder notice shall inform the owner that they have 14 days to pay the balance owing in full. Any unpaid balance owing after the 14 days will be transferred to the property tax account associated with the water account.
- 8.6 Any account that is paid by means that are determined to have Non-Sufficient Funds (NSF) shall be charged an NSF administration fee each and every time an NSF payment is used to pay an account.

- 8.7 Septage hauled to and disposed of at the Wastewater Treatment Plant will be charged at a rate in accordance with the Fees and Charges By-law as approved by Council.
- 8.8 Sewer backups serviced or repaired by Town Staff and determined to originate within the confines of the property owner's property boundaries shall be charged to the property owner at a rate in accordance with the Fees and Charges By-law as approved by Council. Additional charges will apply to service outside of regular business hours. These charges will be determined by the Public Works Department, and mailed to the property owner separately from the Water/Sewer bill. Failure to pay these Sewer service charges will result in a 1.25% interest charge being added to the account at the beginning of every month that the charge remains unpaid. Charges that remain unpaid will be transferred to the property owner's Sewer account in accordance with the provisions of this By-law. Sewer backups that are determined to originate within the Town collection system shall be remedied at the expense of the sewer collection system budget.

**9. Services outside the Geographic Boundaries of the Town of Deep River**

- 9.0 Additional charges are applied to owners of properties, outside the geographic boundaries of the Town of Deep River, who are connected to the water system of the Town of Deep River in accordance with By-law 28-1993.
- 9.1 Reminder Notices shall be mailed out to owners of properties who have unpaid balances after the original due date. Reminder notices, informing the owner of the arrears, shall be mailed out right after the due date, after 60 days and after 90 days. This notice will include a 1.25% interest penalty on arrears as prescribed in Section 8 of this Water and Sewer Rate By-law.
- 9.2 Disconnection Notices will be sent (using a traceable delivery mechanism) to accounts with arrears in exceedance of 90 days. These accounts will be provided 14 days to pay the outstanding balance in full. Customers shall be notified of the date that services will be disconnected in the Disconnection Notice. The Notice will provide the disconnection date which shall be not less than 15 days from the date of the Disconnection Notice.
- 9.3 If a customer is not able to make payment in full, arrangements may be made by contacting the Treasurer to create a payment plan. Failure to adhere to the payment plan will result in the services being disconnected immediately following default of the agreed upon payment plan. Only one opportunity will be provided to enter into and adhere to a payment plan.
- 9.4 Disconnection of services shall be no less than 15 days after mailing the Disconnection Notice (except in the event of default of a payment plan).

Services shall never be disconnected the day before a holiday, weekend or any other day the Municipal Office will be closed. In order to avoid disconnection of water service, the account holder must pay the outstanding account balance by 4:00PM on the day before the day services are scheduled for disconnection. All payments must comply with the payment terms described in the Disconnection Notice.

9.5 Disconnection and Reconnection Fees: A disconnection fee of **\$33.15** shall be applied to the account and a reconnection fee of **\$33.15** shall be applied at the time service is reconnected. Municipal staff may revoke the disconnection of service at the time payment has been made in full or a payment plan has been implemented to the satisfaction of the Treasurer.

9.6 Service Reconnection: Reconnection of water service will only occur during regular business hours. Water connections will be restored within 3 hours of receipt of payment in full. If an emergency situation arises, the Director of Public Works or designate has sole authority to authorize overtime to reconnect a water service. The account shall be charged an additional fee for overtime incurred by the Municipality.

9.7 Payments made after regular business hours will be processed on the next business day.

**10. Enactment & Repeal**

9.1 By-law 03-2022 and all predecessor By-laws are hereby repealed.

9.2 This By-law shall come into force and effect on January 18<sup>th</sup>, 2023.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 18<sup>TH</sup> DAY OF January, 2023.**



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Suzanne D'eon, Mayor



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Jackie Mellon, Clerk