



# The Municipal Corporation of the Town of Fort Erie

## By-law No. 5-2017

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### Being a By-law to Adopt the 2017 Water and Wastewater Budget, to Adopt Rates and Fees For The Year 2017 and to Repeal By-law No. 240-96

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**Whereas** Schedule "A" to By-law No. 240-96, as amended being a by-law "To Regulate the Management of a System of Water Works in the Town of Fort Erie" establishes rates, fees and charges for water and wastewater services; and

**Whereas** By-law No. 240-96 was repealed in part by By-law Nos. 199-04 and 3-2016 such that only Schedule "A" providing for the rates and fees for Water and Wastewater, remains; and

**Whereas** By-law No. 3-2016 adopted rates and fees for the year 2016 and continues in effect until superseded by the passage of this by-law; and

**Whereas** By-law Nos. 70-2016 and 71-2016 passed on November 17, 2016, by The Regional Municipality of Niagara set the rates for water and wastewater supplied to lower-tier municipalities for the period January 1, 2017 to December 31, 2017; and

**Whereas** Report No. CBC-03-2017 was considered at the Council-in-Budget Committee meeting held on December 7, 2016, as subsequently authorized and approved by Council, to:

**THAT:** Council approves the 2017 Water and Wastewater Operating Budget inclusive of the Supplementary Budget attached as Appendix "1" to Report No. CBC-03-2017, and further

**THAT:** Council revises the 2017 Water and Wastewater Base and Consumption rates, subject to Regional Council approval of forecasted treatment rates, effective with billing for January 2017 consumption as follows:

	2017 Water Rate	2016 Water Rate	2017 Wastewater Rate	2016 Wastewater Rate	2017 Combined Rate	2016 Combined Rate
Base Rate	\$ 25.02	\$ 24.77	\$ 41.06	\$ 40.65	\$ 66.08	\$ 65.42
Rate per m <sup>3</sup>	\$ 1.350	\$ 1.322	\$ 1.597	\$ 1.399	\$ 2.947	\$ 2.721

and further,

**THAT:** Council excludes the capital asset amortization of \$1,493,000 from the 2017 Water and Wastewater Operating Budgets, and further

**THAT:** Council directs staff to submit the 2017 Water and Wastewater Operating Budget and Rates By-law for Council approval on January 23, 2017, and further

**THAT:** Staff provide Council with a preliminary report on how to best to address the extraneous flows into the Town's wastewater system; and

**Whereas** in accordance with Public Notice Policy By-law No. 206-07 public notice of the budget meeting schedule and by-law adoption was published in the Fort Erie Times on December 15, 2016, posted on the Town of Fort Erie website and included in the Council-in-Committee Agendas; and

**Whereas** it is deemed necessary to repeal By-law No. 240-96 in its entirety;

**Now Therefore** the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** the 2017 Water and Wastewater Budget for the Town of Fort Erie as set out in Schedule "A" attached hereto and forming part of this by-law is approved and adopted.
2. **That** the Water and Wastewater Rates for 2017 and Fees and Charges as set out in Schedule "B" attached hereto and forming part of this by-law are established approved and adopted.
3. **That** the rates and fees and charges established herein shall remain in effect until repealed or superceded by another by-law.
4. **That** where any by-laws or amendments have been repealed or superseded with respect to the payment of rates and fees and charges, same are recognized to be in force and effect at that time and to continue in effect for collection purposes.
5. **That** By-law No. 240-96, as amended, is repealed.
6. **That** the Clerk of the Town is authorized to effect any minor modifications corrections or omissions solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

**Read a first, second and third time and finally passed this 23<sup>th</sup> day of January, 2017.**

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Mayor

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Clerk

I, Laura Bubanko, the Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 5 -2017 of the said Town. Given under my hand and the seal of the said Corporation, this \_\_\_\_\_ day of \_\_\_\_\_, 2017

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## Schedule "A" to By-law No. 5-2017

Run Date: 1/19/17 11:51 AM

CORPORATION OF THE TOWN OF FORT ERIE  
2017 BUDGET REPORT

	2016 YTD Actuals	2016 Approved Budget	2017 Budget	2018 Forecast	2019 Forecast	2020 Forecast	2021 Forecast	2022 Forecast
<b>Revenue</b>								
Water/wastewater billings	(17,293,249)	(17,191,834)	(17,799,383)	(18,171,675)	(18,476,030)	(18,772,444)	(19,225,400)	(19,623,045)
Local Improvement Charges	(201,533)	(194,963)	(194,963)	(146,638)	(120,901)	(120,901)	(120,901)	(120,901)
Grants	(95,544)	(25,000)	0	0	0	0	0	0
Interest & Penalties	(46,616)	(48,000)	(48,000)	(48,000)	(48,000)	(48,000)	(48,000)	(48,000)
User Fees	(301,919)	(46,000)	(51,000)	(51,000)	(51,000)	(51,000)	(51,000)	(16,000)
<b>Total Revenue</b>	<b>(17,938,861)</b>	<b>(17,505,797)</b>	<b>(18,093,346)</b>	<b>(18,417,313)</b>	<b>(18,695,931)</b>	<b>(18,992,345)</b>	<b>(19,445,301)</b>	<b>(19,807,946)</b>
<b>Expenses</b>								
Wages & Benefits	1,706,504	1,871,896	1,964,027	2,040,993	2,081,814	2,133,259	2,185,974	2,240,000
Materials & Services	656,755	812,003	830,603	848,236	855,885	863,730	972,027	1,105,755
Debt Interest Charges	167,297	167,178	139,198	120,189	111,151	101,930	92,263	82,683
Regional Treatment Costs	10,712,834	10,695,378	10,948,589	11,091,898	10,804,536	11,021,427	11,242,655	11,468,309
<b>Total Expenses</b>	<b>13,243,390</b>	<b>13,546,455</b>	<b>13,882,417</b>	<b>14,101,316</b>	<b>13,853,386</b>	<b>14,120,346</b>	<b>14,492,919</b>	<b>14,896,747</b>
<b>NET BEFORE FINANCING AND TRANSFERS</b>	<b>4,695,471</b>	<b>3,959,342</b>	<b>4,210,929</b>	<b>4,315,997</b>	<b>4,842,545</b>	<b>4,871,999</b>	<b>4,952,382</b>	<b>4,911,199</b>
<b>FINANCING &amp; TRANSFERS</b>								
<b>Interdepartmental transfers</b>								
Fleet Related Charges	296,789	324,241	333,017	337,612	342,752	348,258	353,861	359,591
Program Support Charges	848,672	848,672	879,645	890,583	903,009	917,792	932,964	951,531
<b>Total Interdepartmental transfers</b>	<b>1,145,461</b>	<b>1,172,913</b>	<b>1,212,662</b>	<b>1,228,195</b>	<b>1,245,761</b>	<b>1,266,050</b>	<b>1,286,825</b>	<b>1,311,122</b>
<b>Debt principal (advances)/repayments</b>								
Repayment of Debt	604,363	604,363	623,639	258,808	260,750	262,773	264,880	267,075
<b>Total Debt principal (advances)/repayments</b>	<b>604,363</b>	<b>604,363</b>	<b>623,639</b>	<b>258,808</b>	<b>260,750</b>	<b>262,773</b>	<b>264,880</b>	<b>267,075</b>
<b>Reserve and Capital Fund Transfers</b>								

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CORPORATION OF THE TOWN OF FORT ERIE  
2017 BUDGET REPORT

	2016 YTD Actuals	2016 Approved Budget	2017 Budget	2018 Forecast	2019 Forecast	2020 Forecast	2021 Forecast	2022 Forecast
Transfers from reserves	(1,072,582)	(935,127)	(770,560)	(650,000)	(150,000)	(150,000)	(100,000)	(50,000)
Transfers to reserves	3,480,985	3,472,985	3,472,985	3,809,485	3,809,485	3,809,485	3,809,485	3,809,485
Transfers Development Chgs Reserve	(582,882)	(355,792)	(327,797)	(330,491)	(323,451)	(316,309)	(308,808)	(426,483)
<b>Total Reserve and Capital Fund Transfers</b>	<b>1,825,521</b>	<b>2,182,066</b>	<b>2,374,628</b>	<b>2,828,994</b>	<b>3,336,034</b>	<b>3,343,176</b>	<b>3,400,677</b>	<b>3,333,002</b>
<b>NET FINANCING &amp; TRANSFERS</b>	<b>3,575,345</b>	<b>3,959,342</b>	<b>4,210,929</b>	<b>4,315,997</b>	<b>4,842,545</b>	<b>4,871,999</b>	<b>4,952,382</b>	<b>4,911,199</b>
<b>(SURPLUS)/DEFICIT CARRYFORWARD</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>DEPARTMENT NET REVENUE /( EXPENDITURE)</b>	<b>1,120,126</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Reconciliation to Accrual Basis</b>								
Reserve and Capital Fund Transfers								
Transfers from reserves	(1,072,582)	(935,127)	(770,560)	(650,000)	(150,000)	(150,000)	(100,000)	(50,000)
Transfers to reserves	3,480,985	3,472,985	3,472,985	3,809,485	3,809,485	3,809,485	3,809,485	3,809,485
Transfers Development Chgs Reserve	(582,882)	(355,792)	(327,797)	(330,491)	(323,451)	(316,309)	(308,808)	(426,483)
<b>Total Reserve and Capital Fund Transfers</b>	<b>1,825,521</b>	<b>2,182,066</b>	<b>2,374,628</b>	<b>2,828,994</b>	<b>3,336,034</b>	<b>3,343,176</b>	<b>3,400,677</b>	<b>3,333,002</b>
Debt principal (advances)/repayments								
Repayment of Debt	604,363	604,363	623,639	258,808	260,750	262,773	264,880	267,075
<b>Total Debt principal (advances)/repayments</b>	<b>604,363</b>	<b>604,363</b>	<b>623,639</b>	<b>258,808</b>	<b>260,750</b>	<b>262,773</b>	<b>264,880</b>	<b>267,075</b>
Accrual Entries								
Amortization	(746,883)	(1,445,100)	(1,493,000)	(1,493,000)	(1,493,000)	(1,493,000)	(1,493,000)	(1,493,000)
Write-off on Disposal	(20,403)	0	0	0	0	0	0	0
<b>Total Accrual Entries</b>	<b>(767,286)</b>	<b>(1,445,100)</b>	<b>(1,493,000)</b>	<b>(1,493,000)</b>	<b>(1,493,000)</b>	<b>(1,493,000)</b>	<b>(1,493,000)</b>	<b>(1,493,000)</b>
<b>ACCRUAL BASIS SURPLUS/(DEFICIT)</b>	<b>2,782,724</b>	<b>1,341,329</b>	<b>1,505,267</b>	<b>1,594,802</b>	<b>2,103,784</b>	<b>2,112,949</b>	<b>2,172,557</b>	<b>2,107,077</b>

## SCHEDULE "B" TO BY-LAW NO. 5-2017

### 1. WATER AND WASTEWATER RATES FOR 2017

#### 1.1 RATES SCHEDULE

The following rates shall apply to all water and wastewater bills issued after February 1<sup>st</sup>, 2017.

Metered Consumption Rate			(\$)
Per Cubic Metre			
(1 Cubic Metre equals 1000 liters)			
Water			1.350
Wastewater			1.597
Total			2.947
Water Only Commercial Users			1.400
Per 1000 Gallons			
(1 Cubic Metre equals 220 gallons)			
Water			6.136
Wastewater			7.259
Total			13.395

Flat Rates Per Month			
(Base Rate plus Consumption Rate Estimate for a less than 25 mm meter)			
Water			46.62
Wastewater			66.61
Total			113.23
Wastewater Only			66.61

Monthly Base Rates Per Meter Size					
Meter Size		Meter Size Factor	Water (\$)	Wastewater (\$)	Combined (\$)
(mm)	(Inches)				
Base Meter Rate			25.02	41.06	66.08
Less than 25mm		1	25.02	41.06	66.08
25	1	1.4	35.03	57.48	92.51
38	1.5	1.8	45.04	73.91	118.95
50	2	2.9	72.56	119.07	191.63
75	3	11	275.22	451.66	726.88
100	4	14	350.28	574.84	925.12
150	6	21	525.42	862.26	1,387.68
200	8	29	725.58	1,190.74	1,916.32
250	10	40	1,000.80	1,642.40	2,643.20

*(For clarification; the first bill utilizing the 2017 rates will be mailed February 15<sup>th</sup>, 2017 and will include the January 2017 consumption and base period. The due date of the bill will be March 3<sup>d</sup>, 2017.)*

- 1.2 The base rate set out in Section (1.1) above, applies to all buildings in a serviced area provided with a water service connection, or a wastewater service connection, or both.
- 1.3 The monthly water and wastewater flat rates for 25 mm or greater meter sizes shall be calculated on the basis of the applicable meter rate plus the estimated monthly usage established by engineering study.
- 1.4 A monthly rate shall be applied in accordance with Section (1.1) herein, and collected from customers connected to the wastewater collection system but not connected to the water system.
- 1.5 The monthly wastewater flat rate for customers provided with wastewater services only shall include the minimum base rate for wastewater as set out in Section (1.1) herein.
- 1.6 The minimum monthly billing for water or wastewater or both shall be the base rate according to meter size.
- 1.7 Notwithstanding any other provisions of this by-law, where a single meter is installed for the servicing of a multi-unit complex, the monthly water and wastewater base rate shall be the base rate for a meter size less than 25 mm multiplied by the number of units in the complex or such other base rate established in any development agreement entered into between the Town and the property owner.

## 2. **CONSTRUCTION, RENOVATION, COMMERCIAL OR OTHER USE OF UNMETERED WATER**

- 2.1 Except as approved by separate agreement, where water is obtained from the Corporation for building construction or renovation purposes, prior to water meter installation, the charges shall be calculated as follows:

A one-time initial flat rate fee of:	\$197.00	Up to 3,000 square feet of gross floor area
	\$294.00	3,000 to 6,000 square feet gross floor area
	\$392.00	6,000 square feet and over

to be paid upon the issuance of the building permit or a conditional building permit. This fee covers the cost of water used and an estimate of contributions to the sanitary system through direct inflow during new construction or renovation for a maximum period of 90 days after which time a monthly flat rate fee for water and wastewater as established by the Engineer, or his designate, shall apply until the meter is installed. The 90-day period may be extended with cause, in writing, by the Engineer or designate on the payment of a pro-rated fee based on the initial flat rate fee.

## **2.2 Other Unmetered Usage**

Except as approved by separate agreement, where unmetered water is obtained from the Corporation for commercial or social usages and where such water is provided unmetered, the Engineer or his designate shall approve the manner in which the water is obtained and discharged and shall calculate the appropriate fees, both base rates and consumption rates, to be applied, based on estimated water usage, and estimated return of water to the wastewater collection system, the applicable water and wastewater rates and the duration of time services will be supplied. The calculated fees shall be paid upon the issuance of permission to obtain water.

## **2.3 Water Returned to the Wastewater Collection System**

Except as authorized by the Engineer or designate, only water originating from the water works system may be returned to the wastewater collection system. Storm, surface and ground waters shall be directed to the appropriate storm water drainage system.

# **3. WASTEWATER SERVICE RATES**

## **3.1 Metered Non-Domestic Wastewater Users**

Metered non-domestic wastewater users shall be charged a usage rate and a monthly base rate and as set out below in sub-paragraphs a) and b) respectively:

### **a) Usage Rate**

A usage rate per metered volume of wastewater discharged to the wastewater collection system as per sub-section 1.1

### **b) Base Rates**

#### **(i) Water and Wastewater Non-domestic Customers**

Non-domestic customers receiving both metered water and metered wastewater services shall pay a monthly single wastewater base rate based on the water meter size as set out in sub-section 1.1

#### **(ii) Non-domestic Wastewater Only Customers**

Non-domestic customers receiving metered wastewater services only shall pay a monthly wastewater base rate calculated, by the Engineer or his designate, based on the equivalent water meter size for the peak rate of wastewater discharge.

**4. PENALTY**

- 4.1** The water and wastewater rates set out in Section (1.1) and not paid in full on or before the due date will be charged a penalty of one and one half percent (1.5%). If a water and/or wastewater account is partially paid, payment of the penalty is required on the unpaid portion.
- 4.2** Senior citizens upon proof of age of sixty-five will not be charged a penalty on the water and wastewater rates for their primary residence.

**5. METER BILLING CALCULATION – FIRST TIME CUSTOMER**

- 5.1** Where a customer paying for water and wastewater services on a meter rate basis is first added to the municipal metered billing system, the first metered bill shall be issued on the next regularly scheduled billing date following the date of installation to the date on which the meter was read.

**6. NON SUFFICIENT FUND (NSF) CHARGES**

- 6.1** NSF payments shall result in a fee of \$30.00 exclusive of any applicable taxes. Two NSF payments made within a one (1) year period shall result in the suspension of cheque writing privileges to the Town of Fort Erie for a period of one year from the date of the last NSF payment.

**7. MISCELLANEOUS SERVICE FEES**

All fees and charges are exclusive of any taxes

<b>7.1</b>	Issue of a duplicate/second copy of a bill for an account	\$	5.66
<b>7.2</b>	Reminder or Final/Disconnect Notice for overdue account	\$	5.66
<b>7.3</b>	Hard copy of water account history for property owner	\$	11.33
<b>7.4</b>	New account/transfer account	\$	45.20
<b>7.5</b>	Bulk Water Hauler Activation	\$	45.20
<b>7.6</b>	Additional/replacement of water key tags	\$	25.66
<b>7.7</b>	Water Service turn on during normal business hours	\$	92.00
	- after business hours	\$	163.00
	<i>(Water Service turn on fees do not apply to first time connections)</i>		
<b>7.8</b>	Water Service turn off during normal business hours	\$	92.00
	- after business hours	\$	163.00
<b>7.9</b>	Water Service turn off resulting from an illegal turn on	\$	185.00
<b>7.10</b>	Analog water meter read – monthly charge	\$	16.85



<b>7.10</b>	Request confirmation of meter read Note: A one-time meter read at no charge will be permitted per customer. If a meter read has already occurred in response to an estimate, it will act as the one-time exemption.	\$ 54.25
<b>7.11</b>	Missed appointment with meter technician	\$ 54.25
<b>7.12</b>	Installation by a private contractor	
	New Water Service Connection Inspection and Permit Issue	\$ 169.50
	New Wastewater Service Connection Inspection and Permit Issue	\$ 169.50
	New Storm Water Service Connection Inspection and Permit Issue	\$ 169.50
<b>7.13</b>	Owner requested meter test (Refundable if meter determined to be faulty)	\$ 447.00
<b>7.14</b>	Water Meter including Ground Strap & Remote Reader:	
	5/8" x 3/4" T-10 R-900i E-coder	\$ 406.55
	3/4" T10 R-900i E-coder	\$ 522.70
	1" T10 R-900i E-coder	\$ 638.36
	1 1/2" T10 R-900i E-coder	\$1,013.32
	2" T-10 R-900i E-coder	\$1,212.39
	3" or larger	cost + overhead
	Frost Plate Replacement	\$ 184.47
	Other Water Meter Parts Replacement	cost + overhead
	Meter Pit for 5/8" x 3/4" T-10 R-900i E-coder-supply	\$ 812.79
	<i>Note: Supply costs for pits for other sizes will be provided as required</i>	
	<i>Note: "Supply only" rate is subject to the approval by the Manager, Water and Wastewater Services</i>	
	Meter Pit - install	<u>\$ 892.00</u>
		\$1,704.79
<b>7.15</b>	Private fire hydrant annual inspection	\$ 140.75
<b>7.16</b>	Fire hydrant flow inspection	\$ 125.00
<b>7.17</b>	New service tap	\$ 167.50

<b>7.17</b> Watermain Connection - Initial Deposit:	
Residential Streets*	\$2,374.00
Three or Four Lane Roads*	\$4,097.00

*(Actual costs, including applicable HST, incurred by the Town in excess of the initial deposit will be invoiced on a time and material basis)*

\*Rock excavation at actual additional cost

<b>7.18</b> Storm Water/Wastewater Connection – Initial Deposit:	
Residential Streets*	\$2,448.00
Three or Four Lane Roads*	\$4,260.00

*(Actual costs, including applicable HST, incurred by the Town in excess of the initial deposit will be invoiced on a time and materials basis.)*

\*Rock excavation at actual additional cost

## **8. INDEXING OF SERVICE FEES**

**8.1** The service fees set out in Section 7 hereto shall be adjusted without amendment to this By-law annually for all billings issued after February 1<sup>st</sup> in each year, based on the 12 months to September 30<sup>th</sup> Statistics Canada *Consumer Price Index (CPI)*.

## **9. FAILURE TO RECEIVE BILL**

**9.1** Failure to receive a bill for services rendered does not preclude payment.

## **10. WATER/WASTEWATER RATE STRUCTURE**

**10.1** Water and wastewater rates established herein shall be adjusted without by-law amendment to this schedule, to reflect changes in rates charged by the Regional Municipality of Niagara for water and wastewater treatment as charges become effective.

**10.2** Water and wastewater rates shall be adjusted annually to reflect Council approved water and wastewater budgets.

**10.3** Water rates shall include a consumption rate that recovers the costs of Regional water supply, as well as a portion of the water and wastewater utility operating costs.

**10.4** Water rates shall include a base rate that recovers all other costs related to water not recovered through the consumption rate and other miscellaneous water revenues as detailed in the annual water budget approved by Council.

**10.5** Wastewater rates shall include a consumption rate that recovers the cost of wastewater services, maintenance and all costs of Regional treatment.

- 10.6** Wastewater rates shall include a base rate that recovers all other costs related to wastewater services not recovered through the wastewater consumption rate and other miscellaneous wastewater revenues as detailed in the annual wastewater budget approved by Council, including wastewater system operations, extraneous flow and capital programs.