

Corporation of the Township of Fauquier-Strickland

Municipalité du Canton de Fauquier-Strickland

By-Law / Arrêté 2010-11

BEING A BY-LAW TO ESTABLISH NEW WATER  
AND SEWER SERVICE RATES FOR 2010

**Whereas** Section 391 of the Municipal Act 2001, Part XII, as amended , authorizes municipalities to impose, by by-law, fees and charges for services provided upon owners or occupants of land who derive a benefit from the said service ,

**And Whereas** Section 396 provides for interest charges and other penalties, for fees and charges that are due and unpaid ,

**And Whereas** Section 28(3) of the Public Utilities Act, R.S.O. 1990, Chapter P.52 authorizes municipal corporations to shut off the supply in default of payment .

**And Whereas** Council of the Township of Fauquier-Strickland deems it desirable to establish water and waste water service rates and charges for the 2010 fiscal year .

**Therefore** Council of the Corporation of the Township of Fauquier-Strickland enacts as follows :

1. **Definition:**

1.1\_ **Municipality** shall mean, The Corporation of the Township of Fauquier-Strickland

1.2\_ **Dwelling units**, shall mean a room or suite of rooms occupied or capable of being occupied as an independant and separate housekeeping establishment .

1.3\_ **Credit** shall mean a monthly credit where a unit is vacant for more than 15 days in the said month starting with the third month of vacancy .

1.4\_ **Monthly credit** shall mean the set rate divided by 12, except where more than 2 residential dwelling units are found on a property , then the

following formula applies ;  $[(\text{rate} \div \# \text{ of dwelling units}) \div 12] \times \# \text{ of vacant unit(s)} =$

2. A combined water and waste water service rate is hereby imposed upon the owners of dwelling units and or lands, which are supplied with water and waste water services as per Schedule "A" for the 2010 fiscal year .

1. That the water and waste water billing shall be payable in four(4) instalments .

2. That the said four(4) instalments for the 2010 fiscal year shall be due and payable on the following dates :

4.1	First instalment	March 31, 2010
4.2	Second instalment	June 4, 2010
4.3	Third instalment	September 3, 2010
4.4	Fourth instalment	December 3, 2010

2. There shall be imposed a penalty for non-payment of rates, on the first day following the due dates described in paragraphs 4, or any instalments thereof, at the rate of 1.25% per month of the amount due and unpaid. An additional penalty of 1.25% per month shall be added on the first day of each month thereafter in which default continues, to the end of the year in which the service rates are levied.

3. Interests at the rate of 15% per annum will be added to unpaid water and waste water rates , after December 31 of each fiscal year .

4. Water service may be removed if an instalment is not paid before the next one is due. Re-establishing water service shall bear a fee of \$ 35.00 for each occurrence , and shall not be re-established until the instalment is paid in full along with the penalty and interest charges.

8. At the written request of the owner, where the owner shall specify the date and time of day, the municipality shall turn the water supply on or off during the municipality's normal working hours, for a particular property, for an additional fee of \$ 150.00 paid in advance, for each shut-off or turn-on. This additional fee does not apply to overdue accounts as specified in paragraph 7 .

9. Water conservation measures are in effect for the months of June, July , August and September for each calendar year. No one who derive benefits from the Fauquier Water Treatment Plant may be permitted to water his/her lawn and/or vegetable garden with outdoor watering systems outside the hours of 6:00 am through 8:00 am and 8:00 pm through 10:00 pm .

10. No credits shall be awarded to any residential , commercial or industrial units, except as follows :

10.1 Upon receiving written notice from the owner where more than one residential unit is present on a property, a credit may apply to the second and each additional dwelling unit(s) when the said dwelling unit(s) is (are) vacant after two consecutive months of vacancy, in accordance with paragraph 1.3

1. The written notice shall specify the date as to when the said additional dwelling unit became vacant .

10.2 The owner is responsible to advise the municipality in writing and provide the date as to when the conditions of paragraph 10.1 do not apply anymore .

10.3 Notwithstanding paragraphs 10.1 and 10.2, if the owner provides false information in order to obtain a credit for the additional dwelling unit, the

applied credit will be cancelled and become payable and a penalty equal to the credit will be added to the account .

11. The Treasurer and/or Deputy Clerk-Treasurer are hereby authorized to mail or cause to be mail, the notices to the address of residence or place of business of the person to whom such notice is required to be given.
12. The Treasurer and/or Deputy Clerk-Treasurer shall charge a special fee of twenty dollars (\$20.00) to any accounts for which payment was tendered by cheque, where such cheque is not honoured by the Bank or Trust Company named on such cheque.
13. Any net surplus generated from water and waste water services in any year shall be contributed to the Water Financing Reserve Fund and the Wastewater Financing Reserve Fund in a proportion determine by the yearly budget
14. The Clerk shall upon notice from the Treasurer enter the amount due and the person by whom it is due such unpaid amounts as fixed by any rates by-law, upon the Collector's Roll.
15. Schedule "A" is made part of this by-law
16. By-Law number 2009-12 is hereby repealed. Notwithstanding that repeal, rates and charges as established by the said by-law for the period ending December 31<sup>st</sup> 2009, will remain due and payable.
17. This by-law shall come into force on the day of its passing.

Read a first and second time,

this 8th day of March, 2010

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

Read a third and passed this 8th  
day of March, 2010.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

**SCHEDULE "A"**

**TO BY-LAW 2010-11**

**WATER AND WASTE WATER SERVICE RATES FOR 2010**

<u>CATEGORIES</u>	<u>CODE</u>	<u>RATE</u>
Residential (detached)		1 716.00
Residential (prepaid)	2	716.00
Multiple residential	3	11 416.00
Residential multiple (	4)	4 2 864.00
Residential multiple (2)	5	1 432.00
Commercial / Residential		7 1 458.00
Commercial		8 742.00
Fire / Recreation Dept		10 669.00
Transportation/Community Centre	11	12 795.00
Health Centre	12	5 119.00