I HEREBY CERTIFY THIS
TO BE A TRUE COPY.
SIGNATURE JMcGuslin

THE CORPORATION OF THE TOWNSHIP OF NORTH DUNDAS
BY-LAW 15-2011

A by-law of The Corporation of the Township of North Dundas setting the capital rate for water and sewer connections on Dawley Drive.

WHEREAS the Council of The Township of North Dundas authorized the construction of water and sanitary sewer mains on Dawley Drive in Winchester;

AND WHEREAS The *Municipal Act, 2001*, c.25 S.11 provides that a municipality may pass by-laws respecting matters within the sphere of public utilities;

AND WHEREAS The *Municipal Act, 2001.* S. O. 2001, c. 25, Section 391 authorizes a municipality to 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 and further that capital costs related to sewage or water services or activities including on persons not receiving an immediate benefit from the services or activities but who will receive a benefit at some later point in time;

AND WHEREAS The *Municipal Act, 2001*, c.25, s. 398 states that the Treasurer of a local municipality may add fees and charges imposed by the municipality to the tax roll for the property in the local municipality and collect them in the same manner as municipal taxes and, in the case of fees and charges for the supply of a public utility, the property to which the public utility was supplied and, in all other cases, any property for which all of the owners are responsible for paying the fees and charges;

AND WHEREAS at the time of the passage of this By-law, the total estimated construction cost of the water and sewer mains $325,000, shall be recovered from benefitting property owners;

AND WHEREAS Township of North Dundas By-Law 14-2011 that sets the sewer capital rate for sewer connections on County Rd. #3 applies to the properties on Dawley Drive;

NOW THEREFORE, the Council of The Corporation of the Township of North Dundas,

HEREBY ENACTS as follows;

1. WATER AND SEWER CAPITAL RATE CHARGE

Connections to the water and sanitary sewer mains on Dawley Drive shall be charged the capital rate as set out in Schedule "A" attached, including the appropriate cost from Schedule "A" of By-Law 14-2011. The capital rate from Schedule "A" of this By-law will be increased annually by the CPI factor to arrive at the new capital rate for the next year.

Example: For the year 2011 the amount for an **existing building** will be

$13,112.48 per *sewer unit* comprised of $8,597.50 + $4,514.98 as per By-Law 14-2011.
For the year 2011, the amount for a **new building** will be $14,114.44 comprised of $8,597.50 + $5,516.94 as per By-Law 14-2011.

The capital rate shall be due and payable when the property is connected to the mains and shall be collected at the time of connection permit issuance in addition to the regular permit fees.

In additional to the above capital charge, owners are responsible for the cost to install laterals from the mains to their building.

(i) Owners who connect to the water and sanitary sewer have the option of paying the capital rate by annual payments over a 15 year period by entry on the collector's roll, to be collected in the same way as municipal taxes are collected.

(ii) The interest rate utilized for the 15 year payment plan shall be equivalent to the Chartered Bank Prime Lending Rate at the time the payment plan agreement is signed.

2. WATER METER REQUIRED:

All properties connecting to the water and sewer systems will be required to install a water meter. A 5/8" water meter will be supplied at no charge to the customer. For customers requiring a larger meter, the meter will be purchased by the Township and the cost of the meter billed to the property owner. The meter shall be installed by a representative of the Township or a contractor approved by the Township. The cost of installation will be the responsibility of the property owner.

3. SEWER UNIT DETERMINATION:

(a) *Sewer units* will be calculated based on estimated sanitary sewage flow as determined on Tables 8.2.1.3.A and 8.2.1.3.B of the Ontario Building Code (OBC) 2006. (attached as schedule B)

(b) A *sewer unit* shall mean 1600L/day sanitary sewage flow (3 bedroom residential *dwelling unit*).

(c) A *dwelling unit* means a suite operated as a housekeeping unit, used or intended to be used as a domicile by 1 or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.

(d) The number of *sewer units* for a *dwelling unit* or non-residential building will

(d) The number of *sewer units* for a *dwelling unit* or non-residential building will be determined as follows:

Estimated sanitary sewage flow on Tables 8.2.1.3.A or.8.2.1.3.B of the OBC 2006
1600L/day

(e) Notwithstanding subsections 3(a) and (d), the minimum number of *sewer units* per dwelling unit or non-residential building shall be one (1).

(f) *FIRST YEAR, NON-RESIDENTIAL, CAPITAL RATE ADJUSTMENT*: 1 year after connection is made to the water and sanitary sewer systems, the municipality may determine the actual amount of metered water that was used over the year and recalculate the number of *sewer units* and the capital rate based on this flow. A refund for overpayment or a bill for additional amounts outstanding will be issued to the property owner.

4. REQUIREMENT TO CONNECT:
All new buildings (ie. buildings constructed after this by-law) that can be serviced by the existing municipal water and sanitary sewer must connect to the municipal systems.

Buildings that exist as of the passing of this by-law may make *repairs* or *alterations* to their existing septic system but cannot *replace* the leaching bed of their existing septic system. At such time as an existing building requires a new leaching bed, it must connect to the municipal sanitary sewer system and pay the fee as set out in section 1) of this by-law.

Buildings that exist as of the passing of this by-law may make repairs to their existing wells but cannot drill a new well.

When connecting to municipal services, buildings must be connected to **both** water and sewer systems. Connection to only one service will not be permitted.

Notwithstanding the above, all existing buildings on Dawley Drive must connect to municipal water and sewer services by December 31, 2035.

5. If any provision or requirement of this by-law, or the application thereof to any person or land shall, to any extent, be held to be invalid or unenforceable by any court of competent jurisdiction, the remainder of the by-law, or the application of it to all persons other than those in respect of whom it is held to be invalid or unenforceable, shall not be affected thereby, and each provision and requirement of this by-law shall be separately valid and enforceable.

READ A FIRST, SECOND AND THIRD TIME AND PASSED ON THIS 1 DAY OF FEBRUARY 2011.

MAYOR, CLERK

Schedule "A" of By-law 15-2011

Capital Rate

Buildings that connect to the municipal systems on Dawley Drive shall be charged the following capital rate:

Effective Date	Cost per *sewer unit*	Additional Cost per *sewer unit* as per By-Law 14-2011	
		Existing building	New Building
January 1 – December 31, 2011	$8,597.50	$4,514.98	$5,516.94

2011 rates passed on February / , 2011, By-law 15-2011.

(Schedule "B")

(4) Where an *occupancy* is not listed in Table 8.2.1.3.B., the highest of metered flow data from at least 3 similar establishments shall be acceptable for determining total daily design *sanitary sewage* flow.

Table 8.2.1.3.A.
Residential Occupancy
Forming Part of Sentence 8.2.1.3.(1)

Residential Occupancy	Volume, litres
Apartments, Condominiums, Other Multi-family Dwellings - per person[1]	275
Boarding Houses	
(a) Per person,	
i) with meals and laundry facilities, or,	200
ii) without meal or laundry facilities, and	150
(b) Per non-resident staff per 8 hour shift	40
Boarding School - per person	300
Dwellings	
(a) 1 bedroom dwelling	750
(b) 2 bedroom dwelling	1100
(c) 3 bedroom dwelling	1600
(d) 4 bedroom dwelling	2000
(e) 5 bedroom dwelling	2500
(f) Additional flow for[2]	
i) each bedroom over 5,	500
ii) A) each 10 m^2 (or part of it) over 200 m^2 up to 400 m^2 [3],	100
B) each 10 m^2 (or part of it) over 400 m^2 up to 600 m^2 [3], and	75
C) each 10 m^2 (or part of it) over 600 m^2 [3], or	50
iii) each fixture unit over 20 fixture units	50
Hotels and Motels (excluding bars and restaurants)	
(a) Regular, per room	250
(b) Resort hotel, cottage, per person	500
(c) Self service laundry, add per machine	2500
Work Camp/Construction Camp, semi-permanent per worker	250
Column 1	2

Notes to Table 8.2.1.3.A.:

(1) The *occupant load* shall be calculated using Subsection 3.1.17.

(2) Where multiple calculations of sewage volume is permitted the calculation resulting the highest flow shall be used in determining the design daily *sanitary sewage* flow.

(3) Total finished area, excluding the area of the finished *basement*.

Table 8.2.1.3.B.
Other Occupancies
Forming Part of Sentence 8.2.1.3.(2)

Establishments[1]	Volume, litres
Airports, Bus Terminals, Train Stations, Dock/Port Facilities (Food Services excluded)	
(a) Per passenger, and	20
(b) Per employee per 8 hour shift	40
Assembly Hall - per seat	
(a) No food service, or	8
(b) Food service provided	36
Barber Shop/Beauty Salon - per service chair	650
Bowling Alleys (Food Service not included) - per lane	400
Churches and Similar Places of Worship - per seat	
(a) No kitchen facilities, or	8
(b) Kitchen facilities provided	36
Country Club (excluding Food Service)	
(a) Per resident,	375
(b) Per employee per 8 hour shift, and	50
(c) Per member or patron	40
Day Care Facility per person (staff and children)	75
Dentist Office	
(a) Per wet service chair, and	275
(b) Per dry service chair	190
Doctors Office	
(a) Per practitioner, and	275
(b) Per employee per 8 hour shift	75
Factory (excluding process or cleaning waters) - per employee per 8 hour shift	
(a) No showers, or	75
(b) Including showers	125
Flea Markets[2] (open not more than 3 days per week)	
(a) Per non-food service vendor space,	60
(b) Per food service establishment / 9.25 m^2 of floor space, and	190
(c) Per limited food service outlet	95
Column 1	2

Table 8.2.1.3.B. (Cont'd)
Other Occupancies
Forming Part of Sentence 8.2.1.3.(2)

Establishments[1]	Volume, litres
Food Service Operations	
(a) Restaurant (not 24 hour), per seat	125
(b) Restaurant (24 hour), per seat	200
(c) Restaurant on controlled access highway, per seat	400
(d) Paper service restaurant, per seat	60
(e) Donut shop, per seat	400
(f) Bar and cocktail lounge, per seat	125
(g) Drive-in restaurant per parking space	60
(h) Take-out restaurant (no seating area)	
i) per 9.25 m^2 of floor area, and	190
ii) per employee per 8 hour shift	75
(i) Cafeteria - per meal	12
(j) Food outlet	
i) excluding delicatessen, bakery and meat department, per 9.25 m^2 of floor space,	40
ii) per 9.25 m^2 of delicatessen floor space	190
iii) per 9.25 m^2 of bakery floor space	190
iv) per 9.25 m^2 of meat department floor space, and	380
v) per water closet	950
Hospitals - per bed	
(a) Including laundry facilities, or	750
(b) Excluding laundry facilities	550
Nursing Homes, Rest Homes, etc. - per bed	450
Office Building[3]	
(a) Per employee per 8 hour shift, or	75
(b) Per each 9.3 m^2 of floor space	75
Public Parks	
(a) With toilets only per person, or	20
(b) With bathhouse, showers, and toilets per person	50
Recreational Vehicle or Campground Park	
(a) Per site without water or sewer hook-up, or	275
(b) Per site with water and sewer hook-up	425
Column 1	2

Table 8.2.1.3.B. (Cont'd)
Other Occupancies
Forming Part of Sentence 8.2.1.3.(2)

Establishments[1]	Volume, litres
Schools - per student	
(a) Day school,	30
(b) With showers,	30
(c) With cafeteria, and	30
(d) Per non-teaching employee per 8 hour shift	50
Service Stations (no vehicle washing)[3]	
(a) Per water closet, and	950
i) per fuel outlet[4], or	560
ii) per vehicle served	20
Shopping Centre (excluding food and laundry) - per 1.0 m^2 of floor space	5
Stadiums, Race Tracks, Ball Parks - per seat	20
Stores[3]	
(a) Per 1.0 m^2 of floor area, or	5
(b) Per water closet	1230
Swimming and Bathing Facilities (Public) - per person	40
Theatres	
(a) Indoor, auditoriums per seat,	20
(b) Outdoor, drive-ins per space, or	40
(c) Movie theatres per seat	15
Veterinary Clinics	
(a) Per practitioner,	275
(b) Per employee per 8 hour shift, and	75
(c) Per stall, kennel, or cage if floor drain connected	75
Warehouse	
(a) Per water closet, and	950
(b) Per loading bay	150
Column 1	2

Notes to Table 8.2.1.3.B.:
(1) The *occupant load* shall be calculated using Subsection 3.1.17.
(2) Flea markets open more than 3 days per week shall be assessed using the volumes stated under the heading "Stores".
(3) Where multiple calculations of *sanitary sewage* volume is permitted the calculation resulting in the highest flow shall be used in determining the design daily *sanitary sewage* flow.
(4) The number of fuel outlets is considered the maximum number of gas nozzles that could be in use at the same time.