

**THE CORPORATION OF THE TOWNSHIP OF NORTH DUNDAS
BY-LAW 36-2006**

A by-law of The Corporation of the Township of North Dundas setting the sewer capital rate for sewer connections on County Road #3 (West of Main St.).

WHEREAS the Council of The Township of North Dundas authorized the construction of a sanitary sewermain on County Road #3 from the Village limit, westerly to the intersection of County Road #3 and County Road #31;

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 capital costs related to sewage or water services or activities including on persons not receiving an immediate benefit;

AND WHEREAS at the time of the passage of this By-law, the total estimated construction cost of the sewermain extension \$869,092.97, including \$109,533.70 for laterals, shall be recovered from benefitting property owners;

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

HEREBY ENACTS as follows;

1. SEWER CAPITAL RATE CHARGE

Connections to the sanitary sewermain on County Road #3, (west of Main St.) shall be charged the following sewer capital rate:

- (a) Existing Buildings:** (i) \$4,514.98 per *sewer unit* and,
(ii) \$4,978.80 where a lateral has been installed by the municipality to the property line.

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

(i) Owners who connect to the sanitary sewer have the option of paying the sewer 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.

(b) New Buildings:

The sewer capital rate shall be set out in Schedule A and shall be payable in full at the time of the Building Permit Application.

2. WATER METER REQUIRED:

All properties connecting to the sanitary sewer will be required to install a water meter on their water supply. 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 homeowner.

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) 1997. (attached as schedules A and 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 be determined as follows:

Estimated sanitary sewage flow on Tables 8.2.1.3.A or 8.2.1.3.B of the OBC 1997
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, SEWER CAPITAL RATE ADJUSTMENT:*

1 year after connection is made to the sanitary sewer, 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 sewer 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 that can be serviced by the existing municipal sanitary sewer must connect to the municipal sanitary sewer system. Existing buildings may make *repairs* or *alterations* to their existing septic system but cannot *replace* the leaching bed of their existing sewage 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 a) of this by-law.

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.

6. EFFECTIVE PERIOD:

This by-law is in effect until December 31, 2010.

READ A FIRST AND SECOND TIME THIS ____ DAY OF DECEMBER 2006.

_____, _____
MAYOR CLERK

READ A THIRD AND FINAL TIME AND PASSED ON THIS ____ DAY OF JANUARY, 2007.

_____, _____
MAYOR CLERK

Schedule AA@ of By-law 36-2006

Sewer Capital Rate for New Buildings

New buildings that connect to the municipal sanitary sewer system on County Road #3, (west of Main St.) shall be charged the following sewer capital rate:

Effective Date	Cost per <i>sewer unit</i>	Cost for a lateral, if installed*
September 11 – December 31, 2006	\$4,514.98	\$4,978.80
January 1 – December 31, 2007	\$4,709.12	\$5,192.89

*The cost for a lateral is only payable if a lateral was installed by the municipality to the property line.