

THE CORPORATION OF THE TOWNSHIP OF NORTH DUNDAS

BYLAW NO. 15-2011

Being a Bylaw 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 bylaws 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 bylaws 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 Bylaw, 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 Bylaw 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 enacts as follows:

1.0 WATER AND SEWER CAPITAL RATE CHARGE

- 1.1 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 Bylaw 14-2011. The capital rate from Schedule "A" of this Bylaw 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 Bylaw 14-2011.

- 1.2 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 Bylaw 14-2011.
- 1.3 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.
- 1.4 In addition to the above capital charge, owners are responsible for the cost to install laterals from the mains to their building.

- 1.4.1 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.
- 1.4.2 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.

2.0 WATER METER REQUIRED

- 2.1 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.

3.0 SEWER UNIT DETERMINATION

- 3.1 *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)
- 3.2 A *sewer unit* shall mean 1600L/day sanitary sewage flow (3-bedroom residential *dwelling unit*).
- 3.3 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.
- 3.4 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

- 3.5 Notwithstanding subsections 3.1 and 3.4, the minimum number of *sewer units* per dwelling unit or non-residential building shall be one (1).
- 3.6 *FIRST YEAR, NON-RESIDENTIAL, CAPITAL RATE ADJUSTMENT*: One 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.

4.0 REQUIREMENT TO CONNECT

- 4.1.1 All new buildings (i.e., buildings constructed after this bylaw) that can be serviced by the existing municipal water and sanitary sewer must connect to the municipal systems.
- 4.1.2 Buildings that exist as of the passing of this bylaw 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 1.0 of this bylaw.

- 4.1.3 Buildings that exist as of the passing of this bylaw may make repairs to their existing wells but cannot drill a new well.
- 4.1.4 When connecting to municipal services, buildings must be connected to **both** water and sewer systems. Connection to only one service will not be permitted.
- 4.1.5 Notwithstanding the above, all existing buildings on Dawley Drive must connect to municipal water and sewer services by December 31, 2035.

5.0 If any provision or requirement of this bylaw, 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 bylaw, 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 bylaw shall be separately valid and enforceable.

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

- 2011 rates passed on February 1, 2011, Bylaw 15-2011.
- 2012 rates passed on March 26, 2012, Resolution #
- 2013 rates passed on January 15, 2013, Resolution #16
- 2014 rates passed on December 10, 2013 Resolution #17
- 2015 rates passed on December 10, 2014 Resolution #21
- 2016 rates passed on December 8, 2015 Resolution #26
- 2017 rates passed on December 13, 2016 Resolution #12
- 2018 rates passed on December 12, 2017 Resolution #18
- 2019 rates passed on December 11, 2018 Resolution #09
- 2020 rates passed on December 10, 2019 Resolution #18
- 2021 rates passed on December 15, 2020 Resolution #14
- 2022 rates passed on January 25, 2022 Resolution #2022-30
- 2023 rates passed on December 6, 2022 Resolution #2022 - _____

MAYOR

CLERK

Schedule "A" of Bylaw 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 Bylaw 14-2011	
		Existing building	New Building
January 1 – December 31, 2011	\$8,597.50	\$4,514.98	\$5,516.94
January 1 – December 31, 2012	\$8,812.44	\$4,514.98	\$5,674.17
January 1 – December 31, 2013	\$9,076.81	\$4,514.98	\$5,844.39
January 1 – December 31, 2014	\$9,349.11	\$4,514.98	\$6,019.72
January 1 – December 31, 2015	\$9,610.88	\$4,514.98	\$6,188.27
January 1 – December 31, 2016	\$9,697.37	\$4,514.98	\$6,243.96
January 1 – December 31, 2017	\$9,901.01	\$4,514.98	\$6,375.08
January 1 – December 31, 2018	\$10,029.72	\$4,514.98	\$6,457.96
January 1 – December 31, 2019	\$10,280.47	\$4,514.98	\$6,619.41
January 1 – December 31, 2020	\$10,455.23	\$4,514.98	\$6,731.93
January 1 – December 31, 2021	\$10,517.96	\$4,514.98	\$6,772.32
January 1 – December 31, 2022	\$11,064.89	\$4,514.98	\$7,124.48
January 1 – December 31, 2023	\$11,828.37	\$4,514.98	\$7,616.07