

THE CORPORATION OF THE TOWN OF TECUMSEH

BY-LAW 2008-78

Being a by-law to establish the water and waste water rates for the year 2009.

WHEREAS the *Municipal Act*, 2001, S.O. 2001, c. 25 and in particular section 391 et seq. thereof, provide, inter alia, that a municipality may pass by-laws imposing fees or other charges for services or activities provided or done by it, for use of property under its control, and for capital costs payable by it;

AND WHEREAS in pursuance thereof, The Corporation of the Town of Tecumseh (the "Town") is desirous of enacting a by-law to impose fees or charges for use of its waste water system, and for use of its waterworks system and for the consumption of water supplied by the waterworks system;

AND WHEREAS public notice was given on the Town's website and in the Tecumseh Tribune on Thursday, November 20, 2008, of Council's intent to give consideration to the adoption of a by-law to impose fees or charges for use of its waste water management system, and for use of its waterworks system and for the consumption of water supplied by the waterworks system at their regular meeting to be held on Tuesday, December 9, 2008.

NOW THEREFORE the Council of The Corporation of the Town of Tecumseh enacts as follows:

PART 1: SHORT TITLE

1.1 The short title of this by-law is the Water and Waste Water Rates By-law.

PART 2: DEFINITIONS

2.1 In this by-law, the following words or expressions shall have the following meanings:

- a) "Customer" shall include any person, firm or corporation who receives, takes, uses or agrees to receive, take or use water from the Town;
- b) "Owner" shall include any person, firm or corporation who is the registered owner of, or is entitled to any estate or interest in land to which water from the Town is supplied;
- c) "Premises or Facilities" shall include any land, house, tenement, building, lot (or part thereof), or any facility to which water is supplied by the Town; and
- d) "Town" shall mean The Corporation of the Town of Tecumseh.

PART 3: WHEN RATES EFFECTIVE

3.1 The rates and charges imposed by this by-law shall be in effect and be imposed as of January 1, 2009, and thereafter until this by-law is replaced by a successor water rates by-law or amendment hereto.

PART 4: WATER RATES AND CHARGES

- 4.1 Before the initial supply of water to or the additional or subsequent connection for water to any Premises or Facility within the Town, the Owner shall make application therefore, and the Owner shall pay the water connection charges prescribed by Part I to the schedule to this by-law.
- 4.2 A Customer shall pay the fixed charges for the provision and supply of water, and for maintenance of the water supply and the waterworks system, based on water meter size, as are prescribed by Part II to the schedule to this by-law.
- 4.3 In addition to the said fixed charges, a Customer shall pay the water consumption charges for metered Premises or Facilities, the water consumption charges, based on volume of water consumption, as are prescribed by Part III to the schedule to this by-law.
- 4.4 A Customer shall pay, with respect to unmetered Premises or Facilities, the flat rate water consumption charges prescribed by Part IV to the schedule to this by-law.
- 4.5 A user of a fire hydrant shall pay the hydrant rental charge prescribed by Part V to the schedule to this by-law.

PART 5: WASTE WATER COLLECTION AND TREATMENT RATES AND CHARGES

- 5.1 A Customer shall pay the fixed charges for the collection and treatment of waste water, and for maintenance of the waste water system, based on water meter size, as are prescribed by Part II to the schedule to this by-law.
- 5.2 In addition to the said fixed charges, a Customer shall pay the waste water collection and treatment charges with respect to metered Premises or Facilities, the waste water collection and treatment charges, based on volume of water consumption, as are prescribed by Part VI to the schedule to this by-law.
- 5.3 A Customer shall pay, with respect to unmetered Premises or Facilities, the flat rate waste water collection and treatment charges prescribed by Part VII to the schedule to this by-law.

PART 6: ENFORCEMENT

- 6.1 Water meters may be read and accounts rendered monthly, bi-monthly or on any other basis that the Town may determine. All accounts shall be deemed to be served upon the Customer or Owner if delivered or sent by ordinary mail to the Premises or Facilities supplied.
- 6.2 All accounts shall be paid by the due date stated thereon. Thereafter, late payment charges shall be added to the account, as prescribed by Part VIII to the schedule to this by-law.
- 6.3 In the event a Customer or Owner neglects or refuses to pay any account rendered under authority of this by-law, the Town may in its discretion shut off or reduce the flow of water to the customer or to the Premises or Facility. In such event, the reconnection charges prescribed by Part I to the schedule to this by-law shall be imposed upon the Customer or Owner.

6.4 The Town may, in its discretion, as a pre-condition to the supply of water to a Premise or Facility, require a Customer or Owner to make a deposit of such sum of money as it may consider advisable. The deposit shall be held as security for payment of charges imposed in pursuance of this by-law. Such deposit may be applied by the Town in satisfaction of unpaid accounts.

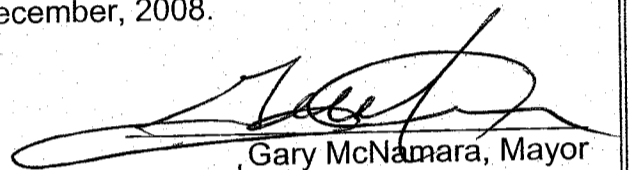
PART 7: REPEAL

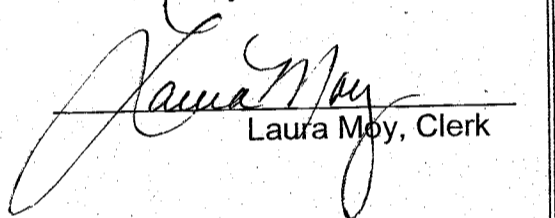
7.1 In the event of a conflict between the provisions of this by-law and the provisions of any other by-law of the Town, the provisions of this by-law shall prevail and govern and be paramount.

PART 8: EFFECTIVE DATE

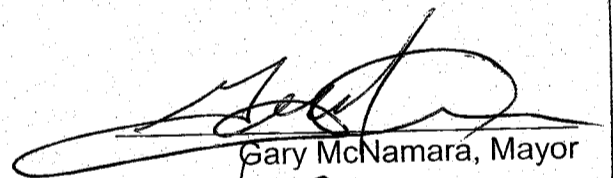
8.1 This by-law comes into force on January 1, 2009.

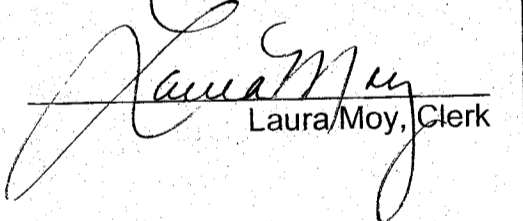
READ a first and second time this 9th day of December, 2008.


Gary McNamara, Mayor


Laura Moy, Clerk

READ a third time and finally passed this 9th day of December, 2008.


Gary McNamara, Mayor


Laura Moy, Clerk

THE CORPORATION OF THE TOWN OF TECUMSEH

**SCHEDULE TO WATER RATES BY-LAW
NO. 2008-78**

PART I: CONNECTION CHARGES FOR WATER SUPPLY

CONNECTION CHARGE - \$400.00 per meter
RECONNECTION CHARGE -\$60.00 per meter

PART II: FIXED CHARGES FOR WATER AND WASTE WATER SERVICE

METER SIZE	FIXED CHARGE PER MONTH	
	WATER	WASTE WATER
5/8" & 3/4"	\$10.59	\$10.59
1"	\$18.37	\$18.37
1 1/2"	\$36.05	\$36.05
2"	\$53.73	\$53.73
3"	\$90.21	\$90.21
4"	\$145.60	\$145.60
6"	\$258.91	\$258.91

PART III: METERED WATER CONSUMPTION CHARGES

\$4.82 per 1000 imperial gallons or
\$1.06 per cubic meter

PART IV: FLAT RATE WATER CONSUMPTION CHARGES

\$39.74 per month

PART V: HYDRANT RENTAL CHARGES

\$60.00 per day

PART VI: WASTE WATER COLLECTION AND TREATMENT CHARGES

\$3.14 per 1000 imperial gallon of water consumed or
\$0.69 per cubic meter

Bonduelle North America \$2.09 per 1000 imperial gallon of water
consumed or \$0.46 per cubic meter

PART VII: FLAT RATE UNMETRED WASTE WATER COLLECTION AND TREATMENT CHARGE

\$29.57 per month

PART VIII: MISCELLANEOUS CHARGES

LATE PAYMENT CHARGES: 1.5% per month charged to
overdue accounts

NSF CHEQUES: \$30.00 plus bank charges