

THE CORPORATION OF THE TOWNSHIP OF TAY

BY-LAW NO. 2023-52

Being a by-law to establish rates for water and wastewater services related to the operation of the systems and to repeal By-Law 2023-51 as of the first billing cycle of 2024

WHEREAS Section 391 of the Municipal Act, 2001 empowers Councils of local municipalities to pass a by-law for imposing upon owners or occupants of land a water and/or wastewater service rate;

AND WHEREAS the Township of Tay ensures the supply and maintenance of water supply systems, water works distribution systems, wastewater collection systems and wastewater treatment systems;

AND WHEREAS the Township of Tay deems it desirable to impose a water and/or wastewater rate upon owners of land who derive or may derive a benefit from the water and/or wastewater works.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF TAY ENACTS AND BE IT ENACTED AS FOLLOWS:

1.0 DEFINITION:

In this by-law, "**Improved Property**" means a property with an enclosed assessed structure but excluding buildings where zoning allows an accessory structure in the absence of a main building on that property and the accessory structure does not have any water plumbing installed;

2.0 GENERAL:

- a) That By-Law 2023-51 is hereby repealed as of the first billing cycle of 2024.
- b) That all owners of improved property whose property fronts on an adequate municipal water main and/or wastewater main, shall pay the annual flat water and/or wastewater rate or meter rate as set forth in Schedule "A" attached hereto and forming a part hereof.
- c) That the water and/or wastewater billing will commence when the water service inspection (connection to the lateral) is complete whether it has passed inspection or not.
- d) That the water and/or wastewater billing method will be determined based on the property assessment class assigned by Municipal Property Assessment Corporation (MPAC) and the number and make-up of the units on the property.

3.0 WATER AND WASTEWATER BILLING AND METER REQUIREMENTS:

- a) That those properties assessed residential only, including those containing 1 basement apartment unit, will be billed the residential flat water and/or wastewater rate.
- b) That properties assessed residential only, containing two units with separate entrances and cooking facilities, with a single service lateral, have the option as follows:
 - i) Be billed at 80% of the residential flat rate for each unit or
 - ii) Be billed on a monthly metered basis, with the monthly minimum amount being the single residential flat rate.

- c) That properties assessed residential only, containing two units with separate entrances and cooking facilities, and two service laterals be billed one residential flat rate for each unit.
- d) That those properties assessed residential only, containing three or more units be required to install a water meter, with the minimum billing amount set at the residential flat rate.
- e) That all owners of properties with Commercial and/or Industrial Property Tax Assessment be required to install a water meter. The minimum billing amount will be the commercial/industrial flat rate unless the property also has residential assessment in which case the minimum billing amount will be the residential flat rate.
- f) That improved properties with Commercial and/or Industrial Property Tax Assessment, where no plumbing or plumbing fixtures exist, not be required to install a water meter but be invoiced the corresponding minimum monthly water and/or wastewater rates.
- g) For those properties requiring a meter, until such time as a meter is installed, the flat rate per service lateral shall be two (2) times the residential flat rate for water and/or wastewater for each unit.
- h) That all owners of properties with Commercial and/or Industrial Property Tax Assessment, that have two service laterals be required to install two (2) meters. The minimum billing amount will be the commercial/industrial flat rate for each meter unless the property also has residential assessment in which the minimum billing amount will be the residential flat rate.
- i) Where a water meter is not advancing or has been removed for repair an estimated consumption will be used for billing purposes until the meter has been repaired. The estimated consumption will be calculated as a 50% increase of the 3-month average consumption immediately prior to the missing consumption data.
- j) Where a meter is not accessible to be read or repaired, an estimated bill will be issued for each month up to 3 consecutive monthly billings. If after 3 estimated billings the meter is still not accessible to be read or repaired, the monthly billings will be equal to two times the estimated amount or two times the minimum amount whichever is higher, plus an invoice processing fee as per the Township of Tay Fees and Service Charges By-Law.

4.0 WATER/WASTEWATER BILLING AND COLLECTION:

- a) The annual residential flat water and/or wastewater rates shall be billed quarterly as follows:
 - i) On or About Feb. 19th, Due March 20th
Covers Dec., Jan., and February
 - ii) On or About May 20th, Due June 20th
Covers March, April, and May
 - iii) On or About Aug. 20th, Due Sept. 20th
Covers June, July, and August
 - iv) On or About Nov. 19th, Due Dec. 20th
Covers Sept., Oct., and November

Or the next regular business day if the 20th falls on a weekend or statutory holiday.
- b) The commercial/industrial water and/or wastewater metered rates shall be billed monthly on or about the 25th of each month commencing January of each year and shall be payable no earlier than 21 days of said billing date each month.
- c) All charges and rates shall be due on demand and shall bear a one-time penalty charge of 5% on the first day after the due date.

- d) All owners on the quarterly flat water and/or wastewater billing shall be notified in writing of any account that is outstanding after the due date by a reminder notice. The accounts which remain outstanding for a period of 40 days after the due date shall be sent a final notice stating that the Township may on the expiration of an additional fourteen (14) days, in addition to all other remedies, add the outstanding amount to taxes. A fee for adding the invoice to taxes will also be charged as per the Township of Tay Fees and Service Charges By-Law.
- e) All owners on the monthly metered water and/or wastewater billing shall be notified of past due balances through the balance forward on their next billing. In addition to all other remedies, past due balances will be added to taxes 4 months after the due date. A fee for adding the water/wastewater invoice to taxes will also be charged as per the Township of Tay Fees and Service Charges By-Law.
- f) All delinquent water/wastewater amounts added to taxes under subsection 398(2) and Ontario Regulation 581/06 of the Municipal Act shall have a priority lien status.
- g) Where these collection methods do not result in payment of an account the Township may discontinue the supply of water.

5.0 OTHER:

- a) Homeowners and builders/contractors may apply to the Township for a rebate of Water and/or Wastewater charges for a maximum of three months for the period commencing after the 3rd month of vacancy for a newly constructed house or a house under construction that is not habitable.
- b) Buildings that are billed for multiple units can apply in writing to the Township for consideration of reduction of their billing, upon the abandonment of the building.
- c) Notwithstanding any arrangements between property owners and tenants or users of the property, the property owner shall be responsible for payment of all rates and charges for water/wastewater service. Any such bills shall be under the owner's name.
- d) The Township will provide a duplicate bill to a tenant where the owner of the property submits a completed Tenant-Owner Agreement Form to the Township and the water account is paid in full.
- e) That the disconnection and re-connection of services be in accordance with the applicable Township By-law and be billed according to the applicable Township Fee and Service Charges By-Law.
- f) Any property which fronts on an adequate Municipal Water main, who requests to have the service permanently disconnected, shall pay the annual flat water and/or wastewater rates as set forth in Schedule "A" attached hereto. If the property owner requests to have the service reinstated he/she shall pay the Inspection Fee and Turn On Fee as set forth in the Township of Tay Fees and Service Charges By-law.
- g) No person shall make any connection to a water and/or wastewater service line until a building permit has been obtained and an inspection has been scheduled with the building department.
- h) All rates, provisions and regulations of this By-law shall come into force and take effect for the February residential billing (covering December, January and February) and the January metered billing (consumption read in January) following the final passing hereof.

6.0 WATER/WASTEWATER SUPPLY AGREEMENTS:

- a) Where, another Municipality supplies water and/or wastewater service to properties within Tay Township municipal boundaries, it shall be ensured that benefitting users exclusively bear the costs associated with these services. Users shall be billed:

- a. The basic fee consumption rate for the services charged established by the providing municipality, increased by a factor of 20 percent; and the greater of
 - i. The per unit rate for the services charged established by the providing municipality, increased by a factor of 20 percent; or
 - ii. The Tay Township metered rates as set forth in Schedule "A" item 1.2 and 2.2.
- b) Where the Township supplies water and or wastewater service to property owners outside the municipal boundaries, the applicable water/wastewater rates shall be established from time to time.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 22nd DAY OF NOVEMBER, 2023.

THE CORPORATION OF THE TOWNSHIP OF TAY



DEPUTY MAYOR, Barry Norris



CLERK, Katelyn Johns

SCHEDULE "A"

TO BY-LAW NO. 2023-52

1) WATER RATES

1. Residential Flat Rate Water

Residential Flat Rate	\$ 833.00/year
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2. Cubic Meter

Cubic Meter Rate	\$ 3.09/m ³
<i>*Residential Flat Rate/Average Annual Water Consumption</i>	

a. Residential Metered Water

Base Cubic Meter Usage	270 m ³ /year
Minimum Monthly Charge	\$ 69.42/service lateral
<i>*Base Annual Consumption Estimate x Cubic Meter Rate</i>	

b. Commercial/Industrial/Non-Residential Water

Base Cubic Meter Usage	216 m ³ /year
Minimum Monthly Charge	\$ 55.53/service lateral
<i>*Base Annual Consumption Estimate x Cubic Meter Rate</i>	

3. Vacant Lot Levy/Infrastructure Fee

Vacant Lot Levy/Infrastructure Fee	\$ 178.00/year
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4. Municipal Water Supply Agreement – Town of Midland Connections

Basic Fee	\$ 777.26/mo
<i>*Rate based on a 30-day month, prorated based on the number of months in the billing period.</i>	
<i>**Town of Midland Bylaw No. 2023-07 basic charge \$647.72/mo</i>	
Cubic Meter Rate	\$ 3.09
<i>*Town of Midland Bylaw No. 2023-07 rate per cubic meter \$1.80 therefore Tay Township m³ rate is used</i>	

2) WASTEWATER RATES

1. Residential Flat Rate Wastewater

Residential Flat Rate	\$ 1065.00/year
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2. Cubic Meter

Cubic Meter Rate	\$ 3.94/m ³
<i>*Residential Flat Rate/Average Annual Water Consumption</i>	

a. Residential Metered Wastewater Rate

Base Cubic Meter Usage	270 m ³ /year
Minimum Monthly Charge	\$ 88.65/service lateral
<i>*Base Annual Consumption Estimate x Cubic Meter Rate</i>	

b. Commercial/Industrial/Non-Residential Water Rate

Base Cubic Meter Usage	216 m ³ /year
Minimum Monthly Charge	\$ 70.92/service lateral
<i>*Base Annual Consumption Estimate x Cubic Meter Rate</i>	

3. Vacant Lot Levy/Infrastructure Fee

Vacant Lot Levy/Infrastructure Fee	\$ 189.00/year
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4. Municipal Wastewater Supply Agreement – Town of Midland Connections

<p>Basic Fee <i>*Rate based on a 30-day month, prorated based on the number of months in the billing period. **Town of Midland Bylaw No. 2023-07 basic charge \$629.39/mo</i></p>	<p>\$ 755.27/mo</p>
<p>Cubic Meter Rate <i>*Town of Midland Bylaw No. 2023-07 rate per cubic meter \$2.02 therefore Tay Township m³ rate is used</i></p>	<p>\$ 3.94</p>

* The meter rate for wastewater is applied to the metered amount of water consumption