

(Office Consolidation as of February 13, 2024)

Corporation of the Town of Greater Napanee

By-law No. 2011-0007

A By-law Respecting Water and Sewage Service Charges in the Town of Greater Napanee

Originally Passed: January 25, 2011

As Amended By:

By-law Number:	Date Passed:
2012-0017	April 24, 2012
2013-0028	May 28, 2013
2015-0015	March 10, 2015
2021-0001	January 12, 2021
2021-0059	December 14, 2021
2022-0013	March 8, 2022
2023-0001	January 10, 2023
2023-0082	December 19, 2023

Note: This consolidation is provided for convenience purposes only. Every effort is made to ensure the accuracy of this information, however it is not to be used in place of actual by-laws. Users should consult the original by-laws for purposes of interpretation and application.

The Corporation of the Town of Greater Napanee

By-law No. 2011 – 07

A By-law Respecting Water and Sewage Service Charges in the Town of Greater Napanee

WHEREAS The Corporation of The Town of Greater Napanee (the “Town”) owns, operates and maintains the A.L. Dafoe Water Works and the Sandhurst Shores Water Works;

AND WHEREAS the Town owns, operates and maintains the Greater Napanee Sewage Works;

AND WHEREAS Section 11(3) of the *Municipal Act, 2001*, S.O. 2001, Chapter 25 authorizes the Town to pass by-laws respecting public utilities that includes water and sewage works and services;

AND WHEREAS the Council of the Town deems it desirable and expedient to pass a by-law respecting water and sewage services in order to ensure a continued supply of water and sewage services to those persons in the Town of Greater Napanee to whom such services are supplied by the Town;

AND WHEREAS Section 391(1) and (2) of the *Municipal Act, 2001*, authorizes the Town 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 the Town and for capital costs payable by the Town for sewage and water services which the Town will provide to those persons after the fees and charges are imposed;

AND WHEREAS section 81(1) and (2) of the *Municipal Act, 2001*, authorizes the municipality to shut off the supply of a public utility to land if fees or charges payable by the owners or occupants of the land for the supply of the utility are overdue;

AND WHEREAS section 83 of the *Municipal Act, 2001*, authorizes a municipality to require, as a condition of supplying or continuing to supply a public utility, reasonable security be given for the payment of fees and charges for the supply of the public utility;

AND WHEREAS Section 398 of the *Municipal Act, 2001*, authorizes the Treasurer to add fees and charges imposed by the municipality to the tax roll for a property to which a public utility has been supplied and to collect them in the same manner as municipal taxes;

AND WHEREAS Ontario Regulation 581/06 made under the *Municipal Act, 2001*, authorizes that fees and charges imposed by the municipality to the tax roll have priority lien status;

AND WHEREAS Council of the Town wishes to impose fees and charges to recover the costs of providing water and sewage services to the users thereof;

NOW THEREFORE the Council for The Corporation of The Town of Greater Napanee hereby enacts as follows:

1. Definitions

- 1.1. "A.L. Dafoe Water Works" shall mean the A.L. Dafoe Water Treatment Plant located at 75 East Street, Greater Napanee, including pumping stations, distribution mains and water storage facilities serviced by the A.L. Dafoe Water Treatment Plant.
- 1.2. "Bill date" shall mean the date on which a bill for a water service charge and/or sewage service charge is rendered.
- 1.3. "Council" shall mean the Council of The Corporation of The Town of Greater Napanee.
- 1.4. "Due date" shall mean the date by which payment is due for a bill for a water service charge and/or sewage service charge as listed on the bill.
- 1.5. "Greater Napanee Sewage Works" means the Water Pollution Control Plant located at 300 Water Street, West, Greater Napanee, including pumping stations, sanitary sewages and force mains serviced by the Greater Napanee Water Pollution Control Plant.
- 1.6. "occupant" means any person other than the owner who occupies property, and any reference in this by-law to an occupant in the singular shall be deemed to include the plural, where applicable
- 1.7. "owner" means the registered owner or owners of a property and any reference in this by-law to an owner in the singular shall be deemed to include the plural, where applicable.
- 1.8. "Penalty date" means the date that is 3 business days after the due date of the bill.
- 1.9. "Sandhurst Shores Water Works" shall mean the Sandhurst Shores water filtration plant located at 100 Shore Road, Greater Napanee, and related pumping stations, distribution mains and water storage facilities.
- 1.10. "Sewage Works" shall mean all public works for the collection, transmission, treatment or disposal of sewage or any part of any such works.
- 1.11. "Town" shall mean The Corporation of The Town of Greater Napanee.
- 1.12. "Water Works" shall mean all water treatment, distribution, storage and pumping systems now or in the future owned and operated by or for the Town.

- 1.13. “Works” for the purpose of this by-law shall mean “Water Works” and/or “Sewage Works”.

2. Authority

- 2.1. Council shall be responsible for the operation of the Works, including the setting of fees and charges, the engaging of employees, the payment of accounts and all other things necessary for the successful operation of the Works.

3. Water Service Charges

- 3.1. Every owner and occupant of property to which the Town supplies water from the Water Works shall be jointly and severally responsible for payment of a water service charge for the property consisting of a monthly base rate and a consumption rate determined in accordance with this by-law.
- 3.2. The bi-monthly base rate component of the water service charge for a property shall be calculated by the size of the water meter on the property in Schedule ‘1’ to this by-law.
- 3.3. The consumption rate component of the water service charge for a property shall be calculated by multiplying the metered amount of water consumed in cubic metres by the consumption rate in Schedule ‘1’ to this by-law.
- 3.4. Miscellaneous fees and charges associated with water services that may be charged are listed in Schedule ‘4’ of this By-law.

4. Sewage Service Charges

- 4.1. Every owner and occupant of property to which the Town supplies sanitary sewage services from the Sewage Works shall be jointly and severally responsible for payment of a sewage service charge for the property consisting of a bi-monthly base rate and a consumption rate determined in accordance with this by-law, with the exception that properties which have never been occupied and for which no occupancy permit has been issued are exempt from sewage service charges.
- 4.2. The bi-monthly base rate component of the sewage service charge for a property shall be calculated by the size of the water meter on the property in Schedule ‘2’ to this by-law.
- 4.3. The consumption rate component of the sewage service charge for a property shall be calculated by multiplying the metered amount of water in cubic metres by the consumption rate in Schedule ‘2’ to this by-law.
- 4.4. Miscellaneous fees and charges associated with sewage services that may be charged are listed in Schedule ‘4’ of this By-law.

5. Billing, Payment and Security Deposits

- 5.1. A water service charge and a sewage service charge payable in accordance with this by-law shall be billed to the owner of the property on a bi-monthly basis at the owner's address as shown on the last revised assessment roll and shall be deemed to have been received on the third business day after the date on which the bill was mailed.
- 5.2. Despite section 5.1, the Treasurer may, if requested in writing by the owner, send the bill for payment of a water or sewage service charge to the occupant of the property at the address of the property, but nothing herein relieves the owner or occupant of their joint and several obligations to pay the bill when due.
- 5.3. All amounts owing on account of a water service charge or sewage service charge shall be paid to the Town by the due date at the Town utilities office or at such other place as may be set out on the bill.
- 5.4. If the Town is requested to send the bill for water and sewage services to a person who is a new owner or occupant of the property, the Treasurer may, as a condition of the Town supplying water to the property, require the owner or occupant to post security for payment of future water or sewage service charges, or both.
- 5.5. The amount of security that the Treasurer may request be posted in accordance with section 5.4 shall equal the amount of the water service charge and sewage service charge for two months for the property as estimated by the Treasurer based on previous levels of consumption on the property or, if the Town has not previously supplied water to the property, the levels of consumption for similar properties elsewhere in the Town.
- 5.6. If the Town has shut off the supply of water to a property, or if the Treasurer has reasonable grounds to believe based on past payment history that an owner or occupant of a property may be unable to pay or continue paying a water or sewage service charge when due, the Treasurer may, as a condition of the Town supplying or continuing to supply water to the property, require the owner or occupant, as the case may be, to post security for payment of future water or sewage service charges, or both.
- 5.7. The amount of security that the Treasurer may request be posted in accordance with section 5.6 shall equal the greater of:
 - 5.7.1. \$150.00, or
 - 5.7.2. the amount of the water service charge and sewage service charge for two months for the property as estimated by the Treasurer based on previous levels of consumption on the property.
- 5.8. The Treasurer may accept security in the form of cash or any other type of negotiable security suitable to the Treasurer.

6. Remedy if Default of Payment

- 6.1. If an amount owing on account of a water service charge or sewage service charge is not paid on or before the penalty date, a penalty of 10% of the billed amount owing shall be added to the amount owing and be payable to the Town.
- 6.2. A water service charge or sewage service charge payable by the owner and occupant of a property constitutes a joint and several debt of the owner and occupant to the Town.
- 6.3. If a water service charge or sewage service charge is not paid within 90 days from the penalty date, the Treasurer may, in addition to any other remedies available to the Town, add the amount owing including the added penalty to the tax roll of the property to which the utility was supplied and the Town may proceed to collect it in the same manner as municipal taxes.
- 6.4. Any amount owing on account of a water service charge or sewage service charge that is added to the tax roll of a property shall bear interest at the rate of 1.25% per month (15% per annum) from the first day of the month after the date on which the amount is added to the tax roll to the date of payment.
- 6.5. If an owner or occupant fails to pay a water service charge or sewage service charge when due, the Town may, in addition to any other remedies available to it, shut off the supply of water to the property.
- 6.6. If the supply of water to a property is shut off by the Town in accordance with section 6.5, it shall not be turned on until after payment of all overdue amounts owing to the Town, including any charge for turning off and on the supply of water as set out on Schedule '3' to this by-law or payment arrangements have been made.

7. Validity

- 7.1. It is declared that notwithstanding that any part or parts of this by-law, or sections thereof, that may be found by any court of law to be invalid or illegal or beyond the power of the Town to enact, such part or parts or sections thereof shall be deemed to be severable and that all other parts or sections of this by-law are separate and independent there from and enacted as such.

8. By-law Administration

- 8.1. The Treasurer shall be responsible for the administration of this by-law.

9. By-laws Repealed

- 9.1. Any and all by-laws or portions thereof of the Greater Napanee Water Supply and Pollution Control Public Utilities Commission or Town of Greater Napanee

conflicting with this by-law are hereby repealed.

10. Short Title

10.1. This by-law may be referred to as the "Water and Sewage Service Charges By-law".


11. Effective Date


11.1. This by-law shall come into force and take effect on the date it is finally passed.


Read a first and second time and finally passed this 25th day of January 2011.

Gordon Schermerhorn, Mayor

Rebecca Murphy, Clerk

 Town of Greater Napanee 2024 Utilities Budget		2023 Budget	Projected Year End Balance	2024 Budget
Utilities Projected Revenues				
3	Sewer Charges - Commercial	-653,962	-690,756	-711,479
4	Sewer Charges - Residential	-1,283,089	-1,304,597	-1,343,734
5	Water Charges - Commercial	-737,652	-797,489	-821,413
6	Water Charges - Residential	-1,166,215	-1,183,082	-1,218,574
7	Penalty and Interest	-57,057	-77,780	-80,113
8	Hydrants, Sprinklers, Sump Pumps	-10,000	-8,295	-8,544
9	Capital and Maintenance Surcharge	-2,484,922	-2,550,378	-2,626,889
10	Grant - Federal	-2,400,000	-2,400,000	-2,700,000
11	Grant - Provincial	-527,480	-527,480	0
12	Cost Recovered - Termination/Restorat, Camera Inspec	-18,970	-19,151	-19,725
13	Special Recoveries	-2,000	-2,000	-2,000
14	Septic and Leachate	-245,905	-241,803	-249,057
15	Cost Recovered - Hydro	-1,500	-1,500	-1,500
16	Cost Recovered - Meter Sales	-25,000	-19,200	-25,000
17	Total Utilities Projected Revenues	-9,613,751	-9,823,508	-9,808,028
Utilities Salaries & Benefits				
20	Wages and Benefits	2,118,506	1,952,027	1,950,083
21	Total Utilities Salaries & Benefits	2,118,506	1,952,027	1,950,083
Utilities Operating Expenditures				
24	Administrative Expenses	434,492	428,048	487,000
25	Transfer to Reserves	5,520,252	3,436,900	2,965,892
26	Utilities Garage	106,500	99,450	110,500
27	Wastewater Treatment - WPCP	502,209	514,820	557,120
28	Wastewater Collection - Flushing	30,600	30,600	30,600
29	Wastewater Collection - Mains	50,250	93,763	53,850
30	Wastewater Collection - Clarksville LS	3,280	3,115	3,280

 Town of Greater Napanee 2024 Utilities Budget		2023 Budget	Projected Year End Balance	2024 Budget
Utilities Operating Expenditures				
34	Wastewater Collection - Grange LS	4,950	3,870	4,950
35	Wastewater Collection - Dundas LS	13,740	12,340	13,740
36	Wastewater Collection - Hwy 41 LS	11,930	55,031	11,930
37	Wastewater Collection - Napier LS	1,000	750	1,000
38	Wastewater Collection - Victoria LS	5,690	5,840	6,340
39	Wastewater Treatment - Lagoons	95,000	95,000	95,000
40	Wastewater Collection - Jim Kimmett LS	2,940	2,516	2,940
41	Wastewater Collection - EnviroPark Station	5,600	3,755	5,600
42	Wastewater Collection - Sewer Repair	46,200	40,000	46,200
43	Water Distribution - Watermains	59,850	49,750	59,750
44	Water Distribution - Water Meters	4,750	1,500	4,750
45	Water Distribution - Lead Testing	0	0	0
46	Water Distribution - Bulk Loading Station	1,950	15,150	1,950
47	Quarry	9,303	9,091	9,364
48	Water Distribution - Reservoir	2,700	2,356	2,900
49	Water Distribution - Treated Water Tower	6,555	7,101	7,455
50	Water Treatment - A.L. Dafoe	293,390	291,186	333,250
51	Water Distribution - Branden BS	20,250	13,412	20,250
52	Water Treatment - Lake Station	102,750	116,697	115,950
53	Water Distribution - McCabe BS	6,500	4,951	6,500
54	Water Distribution - Treated Water Storage Tank	4,300	1,550	3,000
55	Water Treatment - Sandhurst Shores	83,764	64,392	116,334
56	Water Distribution - Water Service Repairs	55,200	42,000	55,200
57	Water Distribution - Hydrants	9,350	7,347	9,350
58	Total Utilities Operating - Materials & Supplies	1,433,606	1,383,875	1,494,688
59	Total Utilities Operating - Contracted Services	537,687	627,806	680,945
60	Total Utilities Operating - Financial Expenses	3,700	3,700	3,700
Total Utilities Operating Expenses		1,974,993	2,015,381	2,176,053

 Town of Greater Napanee 2024 Utilities Budget		2023 Budget	Projected Year End Balance	2024 Budget
Utilities Capital Expenditures				
65	Inground Works (including engineering)	2,000,000	2,000,000	650,000
66	A.L. Dafoe DWS - Raw Water Reservoir Liner Replacement	280,000	320,000	
67	A.L. Dafoe DWS - Lake Station Pump Replacement	60,000	60,000	
68	A.L. Dafoe DWS - Lake Station Chlorine Pump Replacement			10,000
69	Sandhurst Shores DWS - Data Historian	20,000	20,000	
70	Water Distribution - Valve Exercising Equipment	36,000	36,914	
71	WPCP - Upgrades	4,500,000	4,500,000	5,400,000
72	WPCP - Sludge Loading Pump Installation			25,000
73	WPCP - Heat Exchanger			139,000
74	Maintenance Garage - Forklift			80,000
75	Maintenance Garage - Replacement Truck			90,000
76	Maintenance Garage - Plow & Mount	11,000	0	11,000
77	Health & Safety Equipment - Gas Detectors	10,000	10,907	
78	General - SCADA			54,000
79	General - Water Meter Purchase	96,500	96,500	108,321
80	General - Portable Traffic Light Purchase (w/ Public Works)			15,000
81	General - Utilities Billing Software Update			15,000
Total Capital Expenses		7,013,500	7,044,322	6,597,321
Utilities Budget Summary				
85	Operating Expenditures	\$1,974,993	\$2,015,381	\$2,176,053
86	Salaries and Benefits	\$2,118,506	\$1,952,027	\$1,950,083
87	Capital Expenditures	\$7,013,500	\$7,044,322	\$6,597,321
Total Budget		\$11,106,999	\$11,011,730	\$10,723,457
89	Revenue	\$9,613,751	\$9,823,508	\$9,808,028
90	Surplus (-\$) to / or Funded (\$) from Reserves	\$1,493,248	\$1,188,222	\$915,429

**TOWN OF GREATER NAPANEE
2024 UTILITIES RATE SCHEDULE SUMMARY**

WATER SERVICE AND SEWER SERVICE BASE CHARGES

Water Meter Size	Bi-Monthly Base Rate for Water	Bi-Monthly Base Rate for Sewer
20mm or less (5/8")	\$33.44	\$33.44
25mm (1")	\$48.07	\$48.07
32mm (1 1/4")	\$80.63	\$86.06
37mm (1 1/2")	\$107.66	\$116.08
50mm (2")	\$194.49	\$211.08
75mm (3")	\$291.28	\$316.62
100mm (4")	\$388.39	\$422.16
150mm (6") or larger	\$435.73	\$476.46

Note: Where multiple meters are present in one facility, the base rate charge (only one) shall be based upon the largest meter size for water and/or sewer plus \$23.36 for each extra meter provided that the billing for each meter is sent to one individual customer and that the meters service facilities within the same rate class (that is to say only residential or only industrial/commercial/institutional).

WATER AND SEWER CONSUMPTION CHARGES

	Water Rate	Sewer Rate (see note below)
Residential	\$1.09 /m ³	\$1.42 /m ³
Industrial/Commercial		
0 to 1,000 m ³	\$1.09 /m ³	\$1.42 /m ³
greater than 1,000 m ³	\$1.04 /m ³	\$1.33 /m ³

Note: Sewer charges will be based on metered water consumption, unless a sewage meter is installed. Where residential customers are connected to the sewer only - no meter, a rate of 2 m³/day will be applied.

OTHER CHARGES AND ADJUSTMENTS

RESIDENTIAL SERVICES WITHOUT METERS	\$191.51 /30 day for Water only \$430.91 /30 day for Water & Sewer
PRIVATE HYDRANT ANNUAL INSPECTION	\$111.82 /Hydrant (upon request)
TEMPORARY SERVICE CONNECTION	No Charge for the first one day use \$44.47 /day for services less than 50mm
HYDRANT USE	as per bylaw plus commercial water use charges apply
BULK WATER	\$2.52 /m ³ metered consumption \$54.71 /month minimum charge \$54.71 /load - assisted loading \$2.00 /m ³ - Medium Fill Station
ACCOUNT CHANGES AT CUSTOMER'S REQUEST AND METER READING	\$41.02 /event
TEMPORARY SERVICE DISCONNECTION OR RESTORATION	\$46.84 includes meter reading
SERVICES RENDERED	Cost plus 5% (+HST if applicable)
SEWER VIDEO INSPECTION	\$70.37
NEW WATER METER AND APPURTENANCES	Cost with installation at customer's expense
ACCOUNTS IN ARREARS	10% on-time charge on billed amount
TRANSACTION HISTORY/ COPY OF BILL	\$5.00

SURCHARGES

MAINTENANCE RESERVE FUND	66% of Water & Sewer Charges
TSS in excess of 350 mg/L	\$0.84 /kg
PHENOL in excess of 1 mg/L	\$0.84 /kg
BOD in excess of 300 mg/L	\$0.84 /kg
PHOSPHORUS in excess of 10 mg/L	\$14.94 /kg
TKN in excess of 100 mg/L	\$3.33 /kg
LEACHATE Volume	\$9.72 /m ³
LEACHATE based on COD	\$0.42 /COD Value
HAULED SEWAGE	\$15.76 /m ³
SUMP PUMP 1/6 hp	\$61.50 /Bi-Monthly
SUMP PUMP 1/4 hp	\$90.71 /Bi-Monthly
SUMP PUMP 1/3 hp	\$120.93 /Bi-Monthly