

M A N I T O B A ) Order No. 36/04  
)  
THE PUBLIC UTILITIES BOARD ACT ) March 1, 2004

BEFORE: S. Proven, Acting Chair  
M. Girouard, Member

**THE TOWN OF HARTNEY  
WATER AND SEWER RATES  
BY-LAW NO. 906/04**

**WHEREAS** The Town of Hartney has applied to The Public Utilities Board for approval of By-law No. 906/04 to revise the schedule of water and sewer rates of the said Town;

**AND WHEREAS** after public notice of the application Mr. Don L. Morrison of the Town of Hartney wrote The Public Utilities Board on February 24, 2004 advising the Board of the impact the rate application will have on ratepayers in the Town of Hartney on fixed incomes;

**AND WHEREAS** the complainant's concerns were taken into account by the Board in the issuance of this Order and responded to by the Board in a letter dated March 1, 2004;

**AND WHEREAS** the Board notes that the utility rate study which accompanied the application provided for a sum of money to be placed in a utility reserve account, and the Board therefore desires to ensure that these moneys be expended in an appropriate fashion;

**AND WHEREAS** the Board deems its expedient to do so;

**IT IS THEREFORE ORDERED THAT:**

1. By-law No. 906/04 of The Town of Hartney BE AND THE SAME IS HEREBY APPROVED subject to amendment on second reading to amend Clause 8 of Schedule "A" to the By-law to read:

"Pursuant to Section 252(2) of The Municipal Act, the amount of all outstanding charges for water and sewer service are a lien and a charge upon the land serviced, and shall be collected in the same manner in which ordinary taxes upon the land are collectible and with like remedies."

2. The water and sewer rates set forth in Schedule "A" hereto shall apply to all customers of the utility effective on the next billing in the normal course after the date of this Order.
3. This Order is subject to moneys being expended from the utility reserve fund only to support existing infrastructure, unless the Board has authorized the expenditure pursuant to Section 168 of The Municipal and Various Acts Amendment Act, c. 58.

Fees payable upon this Order - \$50.00

THE PUBLIC UTILITIES BOARD

"S. PROVEN"  
\_\_\_\_\_  
Acting Chair

"H. M. SINGH"  
\_\_\_\_\_  
Acting Secretary

Certified a true copy of Order No.  
36/04 issued by The Public  
Utilities Board

\_\_\_\_\_  
Acting Secretary

SCHEDULE "A"

TO BOARD ORDER NO. 36/04

THE TOWN OF HARTNEY

WATER AND SEWER RATES

BY-LAW NO. 906/04

SCHEDULE OF QUARTERLY RATES:

1. Commodity Rates per thousand gallons:

<u>Water</u>	<u>Sewer</u>	<u>Water &amp; Sewer</u>
\$10.70	\$4.10	\$14.80

2. Minimum Quarterly Charges:

Notwithstanding the Commodity Rates set forth in Paragraph 1 hereof, all customers will pay the applicable minimum charges set out below, which will include water allowances indicated:

(a.) Water and Sewer Customers:

<u>Meter Size</u>	<u>Capacity Ratio</u>	<u>Min. Water Allow. Quarterly in Gallons</u>	<u>Quarterly Service Charge</u>	<u>Quarterly Commodity Charges</u>		<u>Minimum Quarterly Bill</u>
				<u>Water</u>	<u>Sewer</u>	
5/8"	1	3,000	\$15.85	\$ 32.10	\$ 12.30	\$ 60.25
3/4"	2	6,000	15.85	64.20	24.60	104.65
1"	4	12,000	15.85	128.40	49.20	193.45
1½"	10	30,000	15.85	321.50	123.00	459.85
2"	25	75,000	15.85	802.50	307.50	1,125.85

(b.) Water Only Customers:

Minimum quarterly charge will be the same for each meter size as shown above, but the sewer commodity charge will be excluded.

(c.) Sewer Only for Residential Customers:

The Town of Hartney will charge the owners or occupants of land serviced with sewer but no water the sum of \$28.15 per quarterly period.

3. Bulk Water Rates:

All water sold in bulk by the Town of Hartney shall be charged for the water at the rate of eleven dollars (\$11.00) per thousand gallons on a prorated basis for all quantities greater than five hundred (500) gallons. For any quantity of 500 gallons or less the minimum charge will be six (\$6.00) dollars.

4. Service to Customers Outside Town Limits:

The Council of the Town of Hartney may sign agreements with customers for the provision of water and/or sewer services to properties located outside the legal boundaries of the Town of Hartney. Such agreements shall provide for payment of the appropriate rates set out in the schedule, as well as a surcharge, set by resolution of council, which shall be the equivalent to the frontage levy, general taxes and special taxes for utility purposes in effect at the time, or may be in effect from time to time, and which would be levied on the property concerned if it were within these boundaries. In addition, all costs of connecting to the utility's mains and installing and maintaining service connections will be paid by the customer.

5. Billing and Penalties:

Meters are to be read March 1<sup>st</sup>, June 1<sup>st</sup>, September 1<sup>st</sup> and December 1<sup>st</sup> and shall be due and payable on the 20<sup>th</sup> day of the month of the reading. A penalty of 10% of the bill shall be added if not paid by the due date.

6. Disconnection:

Service may be disconnected and discontinued immediately and without further notice in the event of non-payment within 30 days of the due date.

7. Reconnection:

Any service disconnected due to non-payment of account shall not be reconnected until all arrears, penalties, the disconnection fee, the reconnection fee of forty dollars \$40.00 and the minimum advance payment for the next period have been paid. When a meter has been removed from a premises, a meter removal fee and reinstallation fee will be added to the charges listed and must be paid in full prior to reinstallation of meter.

8.) Outstanding Bills:

Pursuant to Section 252(2) of The Municipal Act, the amount of all outstanding charges for water and sewer services are a lien and the charge against the land serviced, and shall be collected in the same manner in which ordinary taxes upon the land are collectible and with like remedies.

9. Hydrant Rentals:

The Town of Hartney will pay to the Utility an annual rental of one hundred and twenty-five (\$125.00) dollars per annum for each hydrant connected to the system which includes the cost of water for firefighting.

10.) Water Allowance Due to Line Freezing:

That in the case where, at the request of the Council, a customer allows water to run continuously for any period of time to prevent water lines in the water system from freezing, the charge to the customer for the current quarter shall be the average of the billings for the previous two quarters to the same customer or the same premises if the occupant has changed.

11.) Sewer Surcharges:

(a) There may be levied, annually, in addition to the rates set forth above, a special surcharge on sewage having a Biochemical Oxygen demand in excess of 300 parts per million, to be set by resolution of council.

(b) A special surcharge for substances requiring special treatment shall be charged based on the actual costs of treatment required for the particular sewage or industrial wastes.

12.) Non-working Meters:

When a meter ceases to function and a correct reading cannot be recorded, the charge to that customer for the current quarter shall be the average of the billings for the last two quarters to the same customer or to the same premises if the occupant has changed.