

MANITOBA ) Order No. 93/13  
 )  
THE PUBLIC UTILITIES BOARD ACT ) August 12, 2013

BEFORE: Susan Proven, P.H.Ec., Acting Chair  
Marilyn Kapitany, B.Sc. (Hons.), M.Sc., Member

RURAL MUNICIPALITY OF KELSEY  
L.U.D. OF CRANBERRY PORTAGE  
WATER AND SEWER UTILITY  
TIPPING FEES FOR OUT OF BOUNDARY SEPTIC HAULING  
AUGUST 12, 2013

### **Summary**

By this Order, the Public Utilities Board (Board) approves the amendment to By-law No. 02/10 as applied for by the Rural Municipality of Kelsey for the L.U.D. of Cranberry Portage.

Details of other rates may be found in the attached Schedule "A".

### **Background**

The Rural Municipality of Kelsey applied in August of 2012 for tipping fees for the L.U.D. of Cranberry Portage. The application was accompanied by Resolution of Council No. 87/12. After reviewing the application, the Board requested that the RM provide Notice to the affected stakeholders. This Notice was provided and Resolution of Council No. 144 dated June 13, 2013 to amend the Water and Sewer By-law No. 02/10 was passed.

This Resolution seeks approval to the Board to amend the Water and Sewer By-law No. 02/10 to include section 12, which reads as follows:

*Approved septic service haulers shall remit \$40.00 per load for septic hauled from residents outside the boundaries of Cranberry Portage specifically Reed Lake Camp. The septic services haulers shall maintain a log of the lagoon use, including the recording of septic service provided to residents outside the boundaries of Cranberry Portage. No loads of sewage from other communities or properties outside the boundaries of Cranberry Portage will be accepted in the Cranberry Portage lagoon unless special provisions have been made with the L.U.D. Committee.*

**Board Findings**

The Board will approve the amendment of the RM of Kelsey's Water and Sewer By-law No. 02/10 as applied for by the RM effective October 1, 2013.

Board decisions may be appealed in accordance with the provisions of Section 58 of *The Public Utilities Board Act*, or reviewed in accordance with Section 36 of the Board's Rules of Practice and Procedure.

**IT IS THEREFORE ORDERED THAT:**

1. The Rural Municipality of Kelsey By-law No. 02/10 BE AND IS HEREBY APPROVED as amended.

Fees payable upon this Order - \$150.00

THE PUBLIC UTILITIES BOARD

"SUSAN PROVEN, P.H.Ec."  
Acting Chair

"JENNIFER DUBOIS, CMA"  
Acting Secretary

Certified a true copy of Order No.  
93/13 issued by The Public  
Utilities Board

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

**Schedule "A"**  
**By-Law No.02/10**

1. Commodity Rates

Water per 1,000 gallons	4.95
Sewer per 1,000 gallons	2.10

2. Minimum Charge per Quarter

A. Water and Sewer

Notwithstanding the commodity rates set forth in paragraph 1, all consumers shall pay the quarterly minimum charges as set out below, such minimum charges to include the quarterly water allowance indicated:

<i>Customer</i>	<i>Residential Equivalent Units</i>	<i>Minimum Water Allowance in Gallons</i>	<i>Quarterly Commodity Water</i>	<i>Minimum Charge Sewer</i>	<i>Quarterly Service Charge</i>	<i>Minimum Charges Sewer &amp; Water</i>
Single Family Residence	1	2,500	12.38	5.25	20.00	37.63
All other users not specifically identified	1	2,500	12.38	5.25	20.00	37.63
Petryk Bros. Shop	3	7,500	37.12	15.75	20.00	72.87
Take A Break	4	10,000	49.50	21.00	20.00	90.50
Coffee Shop	5	12,500	61.88	26.25	20.00	108.13
South Side Convenience	12.5	31,250	154.68	65.63	20.00	240.31
Northern Inn	30	75,000	371.25	157.50	20.00	548.75
<b><u>Frontier School Division</u></b>						
Single Family Residence	1	2,500	12.38	5.25	20.00	37.63
All other buildings not specifically identified	1	2,500	12.38	5.25	20.00	37.63
Laundromat	1	2,500	12.38	5.25	20.00	37.63
Arts Centre	1	2,500	12.38	5.25	20.00	37.63
Elementary School East	10	25,000	123.75	52.50	20.00	196.25

Frontier School						
East	10	25,000	123.75	52.50	20.00	196.25
Frontier School						
South	1	2,500	12.38	5.25	20.00	37.63
Single Parent	20	50,000	247.50	105.00	20.00	372.50
Residence						
Elementary School	10	25,000	123.75	52.50	20.00	196.25
Boys Residence	40	100,000	495.00	210.00	20.00	725.00
Girls Residence	1	2,500	12.38	5.25	20.00	37.63
Cafeteria	100	250,000	1237.50	525.00	20.00	1782.50

**(B) Water Only**

Single Family						
Residence	1	2,500	12.38		20.00	32.38
Home Ec.	1	2,500	12.38		20.00	32.38
Industrial Arts	1	2,500	12.38		20.00	32.38
Infirmary	1	2,500	12.38		20.00	32.38
Gym #1	1	2,500	12.38		20.00	32.38
Elementary Gym	1	2,500	12.38		20.00	32.38
Hangar	1	2,500	12.38		20.00	32.38
South Gym	1	2,500	12.38		20.00	32.38

3. Bulk sales of water at the treatment plant shall be charged at the rate of \$5.00 per thousand gallons with a minimum of \$5.00 per load;
4. All water connections shall be metered. The meter shall be purchased by the consumer but shall remain the property of the Rural Municipality of Kelsey. All normal repair and maintenance shall be the responsibility of the Rural Municipality of Kelsey. Cost of meter repair do to freezing, tampering or vandalism shall be the responsibility of the property owner;
5. The minimum charge set forth above shall be payable in advance quarterly, together with any charges for consumption in excess of the minimum amount for the previous quarter. Unused portion of minimum allowable cannot be carried forward to subsequent billings;

6. All accounts billed to customer under paragraph 1 and 2 hereof
  - a) Shall be issued quarterly and shall be due and payable thirty (30) days after the billing date. And additional charge of ten percent (10%) as a penalty shall be paid on any such accounts or bills remaining unpaid on the due date.
  - b) The Public Utilities Board has approved the Condition Precedent to be followed by the municipality with respect to the disconnection of service for non-payment including, such matters, as notice and the right to appeal such action to The Public Utilities Board. A copy of the Conditions Precedent is available for inspection at the Municipality's office.
7. Meters are read quarterly. If meter reader is unable to gain access to read the meter, and the reading is not phoned in promptly, service may be discontinued and a reconnection fee of \$25.00 will be applicable;
8. All new service/hookups shall pay an advance minimum charge of \$34.00 which will be non-refundable.
9. Any service disconnected due to non-payment of account shall not be reconnected until all arrears, penalties and a reconnection fee of Twenty-five (\$25.00) dollars have been paid to the Local Urban District of Cranberry Portage office. Reconnections will only be completed during normal business hours;
10. All accounts owed by an individual for a previous service must be paid in full before being reconnected to the system;
11. Pursuant to Section 236(1)(b) of The Municipal Act, the amount of all outstanding charges for sewer and water are a lien and charge upon the land serviced and shall be collected in the same manner in which ordinary taxes upon the land are collectable and with like remedies.
12. Approved septic service haulers shall remit \$40.00 per load for septic hauled from residents outside the boundaries of Cranberry Portage specifically Reed Lake Camp. The septic services haulers shall maintain a log of the lagoon use, including the recording of septic service provided to residents outside the boundaries of Cranberry Portage. No loads of sewage from other communities or properties outside the boundaries of Cranberry Portage will be accepted in the Cranberry Portage lagoon unless special provisions have been made with the L.U.D. Committee.