

Order No. 74/20

**RIVERDALE MUNICIPALITY
RURAL WATER UTILITY
ADDITION OF CLAUSES TO UTILITY BY-LAW**

May 26, 2020

**BEFORE: Carol Hainsworth, C.B.A., Panel Chair
Mike Watson, Panel Member**

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1.0 Executive Summary

By this Order, the Public Utilities Board (Board) grants approval of the Municipality of Riverdale's (Municipality) application to add five clauses to the Utility By-law for the Rural Water Utility (Utility).

Details of the new clauses can be found in Schedule A.

The reasons for the Board's decisions are under Board Findings.

2.0 Background

Rates for the Rural Water Utility were last set in Board Order No. 65/19, and the current Utility By-law is By-law No. 2018-08.

3.0 Application

On May 7, 2020 the Board received Council resolution no. 105-20 from the Municipality requesting the Board's approval to add new clauses to the Utility By-law. The following additional clauses were proposed to be added to the By-law:

Meter Testing

That in any case where a utility customer requests that a meter be tested for accuracy, the customer will provide the Municipality with a deposit of \$100. The Municipality will then remove the subject meter and send it to an independent lab for testing. If the meter is found to be faulty, all costs associated with the testing process will be borne by the Municipality and the deposit will be refunded to the customer and the customer's account will be adjusted for the preceding four (4) months. If the meter is found to be in proper

working order, all costs associated with the testing process will be borne by the customer and the customer will be billed or refunded any balance owing.

Meter Tampering

At no time will a property owner attempt to repair, replace or adjust a meter. Where there is evidence of meter tampering, (ie. Removing the head or bypassing the meter to provide for a lower consumption read) a minimum charge of \$500.00 will be applied to any account plus the value of the estimated unmetered water consumed (if applicable). Estimated consumption may be calculated by using the 4 consecutive months from the previous year for that time period.

Cross Connections

No customer or person shall connect, cause to be connected or allow to remain connected any piping, fixture, fitting, container or appliance in a manner which under any circumstances may allow water, wastewater or any harmful liquid or substance to enter the Municipality's water system.

If a condition is found to exist which, in the opinion of the Municipality, is contrary to the aforesaid, the Municipality may either:

Shut off the service or services; or

Give notice to the customer to correct the fault at his or her own expense within a specified time period.

Conditions of Disrepair

In the event that there are conditions of disrepair in the sewer and water works on a property that detrimentally affects the system as a whole and, upon the failure of the owner of the property to correct the condition within a reasonable time, the Municipality, or its agents, may enter the property, effect repairs and charge the cost thereof against the subject property as ordinary taxes.

Authorization For Officer To Enter Upon Premises

The Public Works Manager, or other employee authorized by the Municipality in the absence of the Public Works Manager, shall be authorized to enter upon any premise for the purpose of:

Affixing to any pipe, wire or apparatus connected with any such utility, a meter or any other measuring or testing device; or taking readings from, repairing, inspecting or removing any meter or apparatus belonging to the Municipality.

4.0 Board Findings

The Board considered the Municipality's request to amend the Utility By-law to allow for the proposed clauses to be added and grants approval to the proposed changes. The clauses requested are standard and in use throughout the province of Manitoba. The clauses will allow the Municipality to manage the Utility in the best interests of all ratepayers.

5.0 IT IS THEREFORE ORDERED THAT:

1. The five (5) additional clauses for the Municipality of Riverdale – Rural Water Utility, BE AND ARE HEREBY APPROVED in accordance with the attached Schedule A.
2. The Municipality of Riverdale amend its Utility rate By-law to reflect the decisions in this Order, and submit a copy to the Board once it has received third and final reading.

Fees payable upon this Order - \$150.00

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. The Board's Rules may be viewed on the Board's website at www.pubmanitoba.ca.

THE PUBLIC UTILITIES BOARD

"Carol Hainsworth, C.B.A."
Panel Chair

"Jennifer Dubois, CPA, CMA"
Assistant Associate Secretary

Certified a true copy of Order No. 74/20
issued by The Public Utilities Board



Assistant Associate Secretary

Schedule A

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