

Order No. 62/21

**MUNICIPALITY OF GRASSLAND
ELGIN WATER AND WASTEWATER UTILITY
REVISED RATES AND ACTUAL OPERATING DEFICITS**

JUNE 10, 2021

BEFORE: Shawn McCutcheon, Panel Chair
Marilyn Kapitany, B.Sc. (Hon), M.Sc., Panel Member

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1.0 Executive Summary

By this Order, the Public Utilities Board (Board) approves revised water and wastewater rates for the Municipality of Grassland (Municipality), Elgin Water and Wastewater Utility (Utility). The Board varies the effective dates to July 1, 2021, and January 1, 2022.

The approved rates are as follows:

	Current Rates	July 1, 2021	January 1, 2022
Quarterly Service Charge	\$ 7.58	\$ 9.80	\$ 10.00
Water (per cubic meter)	\$ 3.13	\$ 7.41	\$ 7.56
Wastewater (per cubic meter)	\$ 0.85	\$ 4.68	\$ 4.77
Minimum Quarterly Charge*	\$ 59.32	\$ 166.97	\$ 170.29
Minimum Quarterly Charge - Wastewater Only**	\$ 32.23	\$ 136.16	\$ 138.79
Treated Bulk Water (per cubic meter)	\$ 3.13	\$ 8.00	\$ 8.00
Treated Bulk Water - Minimum Charge (per cubic meter)	\$ 6.26	\$ 16.00	\$ 16.00
Untreated Bulk Water (per cubic meter)	\$ 3.13	\$ 3.13	\$ 3.13
Untreated Bulk Water - Minimum Charge (per cubic meter)	\$ 6.26	\$ 6.26	\$ 6.26
Disconnection/Reconnection Fee	\$ 25.00	\$ 50.00	\$ 50.00
Rate Rider (per cubic meter)	-	\$ 3.48	\$ 3.48

*Based on 13 cubic meters

**Based on 27 cubic meters

The Board varies the Municipality's request to recover actual operating deficits of \$12,333 for 2016, \$19,054 for 2017, \$25,129 for 2018, and \$59,630 for 2019 to be recovered by a rate rider of \$3.48 per cubic meter per customer, beginning July 1, 2021 for seven years and six months or until the four-year deficit of \$116,146 is fully recovered.

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

Rationale for the Board's decisions may be found under the heading Board Findings below.

2.0 Background

The Municipality owns and operates the Utility serving 59 water and wastewater customers, 1 water only customer, and 3 wastewater only customers (or a total of 63 customers). Rates were last approved/finalized for the Utility in 2011 in Board Order No. 11/11.

The Municipality last had a deficit approved in 2013 of \$27,747 for 2010, to be recovered by a rate rider over three years, in Board Order No. 50/13.

Water Supply/Distribution

The water system consists of a raw water supply well, a water treatment system, reservoir, and distribution system. The system was initially installed in the early 1980's and a new water well was installed in 2012. The Municipality is nearing completion of a pilot project to improve water quality, which the Municipality advises has been successful to date and will soon become permanent.

Wastewater Collection/Treatment

The wastewater system is a gravity collection system which discharges into a wastewater lagoon. All operators and back-up operators are fully certified.

Unaccounted for Water

The acceptable percentage of unaccounted for water is 10%, based on industry standards. If the percentage is above this amount, the applicant is to explain why and provide a plan to remedy.

The unaccounted for water noted in the Municipality's rate study is 70%. The Municipality advises the high levels of unaccounted for water are primarily due to leaks in the distribution system resulting from aging infrastructure requiring repairs, challenges associated with identifying leaks, and difficulties accessing customer's meters resulting in estimated meter readings for approximately 35% of the meters.

To address the deficiencies in the water system, the Municipality has purchased leak detection equipment and completed several valve installations to isolate leak locations. The equipment is being monitored on a continual basis. The Utility also plans to replace the water meters in 2021 to allow for remote meter reading which will eliminate estimated meter readings.

3.0 Application

On May 8, 2020, the Municipality applied for revised water and wastewater rates, to be effective for July 1, 2020, January 1, 2021, and January 1, 2022 as outlined in By-Law No. 45-2020 having had first reading February 25, 2020. The application was supported by a rate study prepared by the Municipality's consultant.

A Public Notice of Application was issued on May 13, 2020 allowing for any questions or comments with respect to the proposed rate increases to the Board and/or the Municipality on or before June 12, 2020. Three responses to the Notice were received with respect to the magnitude of the proposed rate increases, deficits incurred by the Utility, and management of the Utility.

When reviewing an application the Board can either: hold a public hearing at which the applicant can present its case and customers can present their concerns; or where it is deemed to be in the best interests of a utility and its customers, the Board can review the application using a paper review process without holding a public hearing. The paper review process considers all written materials submitted by the Utility and the public, as well as any information requests and responses between the Board and the Utility. This process may reduce regulatory costs to the Utility.

A public hearing process allows the Utility and the public the opportunity to review the application and address any concerns with the Board present.

Whenever reasonable, the Board will review the application using a paper review process, which saves the cost of a public hearing process. The Board has chosen a paper review process for the Municipality's application.

The rates were calculated based on the following projections using an annual inflation rate of 2% in all calculations:

Schedule of Utility Rate Requirements Municipality of Grassland – Elgin Water and Wastewater Utility 2020 to 2022 Budget Forecasts (\$)			
	2020	2021	2022
	Forecast		
General Expenses			
Administration	2,911	2,969	3,028
Total General Expenses	2,911	2,969	3,310
Revenue			
Penalties	800	800	800
Other Income	200	200	200
Total General Revenues	1,000	1,000	1,000
Net Costs General	1,911	1,969	2,310
Water Expenses			
Purification and Treatment	35,441	36,150	36,873
Service of Supply	1,530	1,561	1,592
Transmission and Distribution	3,060	3,121	3,184
Other Water Supply Costs	4,080	4,162	4,245
Amortization	6,758	6,078	4,608
Interest on Long-Term Debt	-	2,250	2,178
Contingency	2,411	2,411	2,411
Total Water Expenses	53,280	55,733	55,091
Revenue			
Bulk Water Fees	20,000	20,000	20,000
Total Water Revenue	20,000	20,000	20,000
Net Water Costs	33,280	35,733	35,091
Wastewater Expenses			
Collection System	11,551	11,782	12,018
Lift Station	4,131	4,214	4,298

Amortization	2,764	2,764	2,764
Contingency	1,568	1,568	1,568
Total Wastewater Expenses	20,014	20,328	20,648
Net Wastewater Costs	20,014	20,328	20,648
Net Operating Costs	55,205	58,030	58,049

The proposed Utility rate increases are requested to increase rates to a current level that will financially sustain the Utility, given rates have not increased/been approved by the Board since 2010, and incorporate a 10% contingency.

Contingency Allowance and Utility Reserves

As per the Board's Water and Wastewater Rate Application Guidelines, a yearly allowance equal to 10% of the variable operating costs is recommended for a contingency allowance.

The Municipality has included a contingency allowance of \$2,411 for water and \$1,568 for wastewater (or a total contingency allowance of \$3,979) in its Application.

The Municipality advised it has not included a reserve allowance in its Application due to no major capital projects being budgeted for in the immediate future.

Working Capital Surplus/Deficit

Board Order No. 93/09 established that utilities should maintain a minimum working capital surplus, in an amount equal to 20% of annual expenses. The working capital surplus/deficit is defined as the Utility fund balance, excluding any capital related items plus Utility reserves.

As per the 2019 Audited Financial Statements, the most recent information available, the working capital deficit for the Utility at December 31, 2019 was:

	2019
Utility Fund Surplus/Deficit	\$(72,250)
Deduct: Tangible Capital Assets	128,525
Add: Long-Term Debt	-
Add: Utility Reserves	12,726
Equals Working Capital Surplus (Deficit)	\$(188,049)
Operating Expenses	102,793
20% of Operating Expenses (Target)	\$20,559

The Utility does not meet the Board minimum working capital surplus of 20%.

Cost Allocation Methodology

The Board requires all municipal governments to review the costs shared between its general operations and the Utility, and to allocate appropriate and reasonable costs to the Utility, based on a policy known as a Cost Allocation Methodology. This allocation must be submitted to the Board for approval and cannot be changed without receiving approval from the Board. The Board's requirements regarding cost allocation methodologies can be found in Board Order No. 93/09.

The Municipality's allocation plan for shared costs is as follows:

Municipality of Grassland – Elgin Water and Wastewater Utility Allocation Plan for Non-Direct Shared Services (see Note 1) as at December 2019			
Category	Sub-category	Options	
1.0 Administrative Staff			
			0.5% of General Legislative expenses, excluding assessment, taxation, and grant expenses
	1.1 Billing services –meter reading to receipting and collection.		Meter reading – N/A Receipting and collection part of administrative staff allocation
	1.2 Accounting/ auditing/ including bylaw making and enforcement.		0.5% of audit costs
	1.3 Common office space		0.5% of office costs
	1.4 Office overheads (telephone, photocopier, computer, etc.)		0.5% of printing, postage, and stationary
2.0 Operating, construction and maintenance costs			
	2.1 Vehicle – fuel, maintenance, lease costs, capital costs		One van is allocated 1/3 each to Elgin, Minto, and Hartney Utilities and repairs, maintenance, and fuel are allocated on that basis
	2.2 Labor – full time, part time, on call, sick time, vacation (see Note 2)		1/3 of one utility operator's time is charged to each of the Elgin, Minto, and Hartney Utilities
	2.3 Public works building and property.	Costs that could be charged to the Utility are minimal and at present nothing is allocated to the Utility	The is no charge to the Utility for the Public Works Building use
	2.4 Road repairs and alike (see Note 3)	Based on actual costs	-
3.0 Major projects			
	Interest/ financing		Debenture Debt & Manitoba Water Services Board carrying debt for Utility also

	Labor	Based on actual costs	-
	External costs	Direct charge (dedicated consulting)	-

Note 1 – Allocation must be updated periodically to reflect impacts of inflation.

Note 2 – Including salaries and benefits.

Note 3 – If a project involves work benefitting both the Utility and general operations the costs may be shared (i.e. if reconstructing a road and replacing services at the same time, a portion of the roadwork costs may be allocated to the Utility.)

Deficits

By law, Manitoba utilities are not allowed to incur deficits. In the event that a deficit does occur, the Utility is required by *The Municipal Act* to obtain Board approval for both the deficit and recovery methodology as soon as it is known.

The Municipality's Application noted the following deficits:

2016 Actual Operating Deficit -	\$12,333
2017 Actual Operating Deficit -	\$20,074
2018 Forecasted Operating Deficit -	\$28,311
2019 Forecasted Operating Deficit -	\$ 6,209
2020 Forecasted Operating Deficit -	<u>\$15,321</u>
Total	<u>\$82,248</u>

On May 5, 2020, the Municipality submitted a Deficit Application requesting approval of actual operating deficits of \$12,333 for 2016 and \$19,054 for 2017 or a total two-year actual operating deficit of \$31,387 to be recovered by a five-year rate rider of \$1.41 per cubic meter. The Municipality advises these deficits are primarily due to repair costs for aging infrastructure and reduced consumption due to poor water quality.

Subsequent to the Municipality's Application, the 2018 and 2019 Audited Financial Statements were completed. Upon review, Board staff noted additional, outstanding actual operating deficits of \$25,129 for 2018 and \$59,630 for 2019.

On May 13, 2021, the Municipality submitted another Deficit Application requesting approval of actual operating deficits of \$25,129 for 2018 and \$59,630 for 2019 to be recovered by a ten-year rate rider of \$1.91 per cubic meter. The Municipality advises these deficits are

primarily due to repair costs for aging infrastructure and reduced consumption due to poor water quality. The 2019 deficit, more specifically, was also due to wastewater lift station repair costs resulting from frequent system malfunctions.

4.0 Board Findings

Rates

The Board has reviewed the application and the projections for rates presented by the Municipality in its rate study and finds them to be acceptable. The Board approves the revised rates as applied for by the Municipality, but varies the effective dates to July 1, 2021 and January 1, 2022.

The Board approves the Municipality's revised Cost Allocation Methodology and reminds the Municipality the methodology must be used consistently; any changes to the Cost Allocation Methodology require Board approval.

The Board requires the Municipality to review its water and wastewater rates for the Utility for adequacy and file a report with the Public Utilities Board, as well as an application for revised rates (if required) on or before September 30, 2022.

The Board is concerned by the length of time between rate applications for the Utility. It has been nine years since the Municipality has submitted a Rate Application to the Board, which has resulted in multiple deficits. In the Board's view, the period between rate reviews is unacceptable. Regular rate reviews submitted every three years, or more often if required to avoid deficits, protect the financial position of the Utility and may reduce the need for substantial rate increases in one year.

It is the Utility's responsibility to review the rates and ensure rates are adequate to recover the cost of service being provided to ratepayers. Ratepayers are generally more tolerant of regular, smaller increases. The Municipality needs to be much more diligent in conducting regular rate reviews of its revenue requirements.

Deficits

The Board has reviewed the Municipality's Deficit Applications and the Utility's corresponding Audited Financial Statements. The Board is concerned regarding the Utility's financial position. The Board notes the Utility is in a working capital deficit and has a utility fund deficit.

As per the Municipality's 2019 Audited Financial Statements, the Utility has a working capital deficit of \$188,149 for 2019 and a utility fund deficit of \$72,250 for 2019. The Board notes had the Municipality been more diligent in conducting rate reviews for the Utility and monitoring the Audited Financial Statements annually, it may have avoided the consecutive deficits incurred from 2016 up to and including 2019 (and possibly beyond).

The Board is also concerned in regards to the ten-year duration of the rate rider requested to recover the 2018 and 2019 deficits. In general, the Board recommends deficits be recovered as soon as feasible (usually in three years or less). The Board recognizes, however, that recovering the deficits incurred by the Utility over a period longer than three years will mitigate the impact of the rate rider.

The Board notes that utility deficits should ideally be paid by the customer base that existed when the deficits were incurred, however, the Municipality has neglected the Utility for many years, which has lead to multiple deficits. The Board therefore finds it must attempt to balance rate fairness and the mitigation of customer rate shock.

The Board notes that, given the rate increases required due to the length of time between rate requests by the Municipality, rate shock cannot be avoided. The Board finds, however, by extending the rate rider to seven years and six months (which is significantly longer than the Board generally recommends), to correspond with the end of the fiscal year, rate shock may be partially mitigated. The Board also notes, having two rate riders running concurrently may be administratively challenging and that having one rate rider would be simpler.

The Board therefore varies/combines the Municipality's Deficit Applications, varies the duration of the requested deficit recovery period to seven years and six months, and varies

the calculation of the rate rider to recover the Municipality's actual operating deficits from 2016 up to and including 2019 as per the below.

Based on the consultant's projections for water consumption included in the Municipality's Deficit Applications of 4,444 cubic meters per year, the Board calculates the required rate rider to recover the four-year \$116,146 deficit as follows:

Total Deficit	\$116,146
(Divided by: Annual Volume of Water Sold	4,444 cm ³
Multiplied by: Deficit Recovery Period	7.5 years)

i.e. $\frac{\$116,146}{(4,444 \times 7.5)}$

Required Rate Rider \$3.48 per customer per cm³

The Board approves a rate rider of \$3.48 per customer per cubic meter to recover the 2016 through 2019 deficits totalling \$116,146 for a period of seven years and six months, or until the deficit is fully recovered, beginning July 1, 2021.

The Board reminds the Municipality, by law Manitoba utilities are not allowed to incur deficits. In the event that a deficit does occur, the Utility is required by *The Municipal Act* to obtain Board approval for both the deficit and recovery methodology as soon as it is known.

Unaccounted for Water

The Board is concerned regarding the exceptionally high levels of unaccounted for water for the Utility of 70%. In the Board's view, the substantial levels of water loss are a significant factor contributing to the current high water rates requested for the Utility. The Board directs the Municipality to submit reports to the Board on unaccounted for water and progress on water loss mitigation by January 1, 2022 and July 1, 2022.

The Board commends the Municipality on its plan to reduce water loss and notes the Municipality advises it is currently seeking alternative funding sources on an ongoing basis, such as grants, to provide for the costs of repairing the water system's aging infrastructure and therefore mitigate its effect on future rates.

5.0 IT IS HEREBY ORDERED THAT:

1. The revised water and wastewater rates for the Municipality of Grassland, Elgin Water and Wastewater Utility, BE AND ARE HEREBY VARIED in accordance with the attached Schedule A, effective July 1, 2021 and January 1, 2022.
2. The Shared Cost Allocation Methodology for the Municipality of Grassland BE AND IS HEREBY APPROVED.
3. The Municipality of Grassland is to provide a notice of the decisions found in this Order to its customers as soon as possible, with a copy provided to the Public Utilities Board.
4. The Municipality of Grassland amend its water and wastewater 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.
5. The Municipality of Grassland review its water and wastewater rates for the Elgin Water and Wastewater Utility for adequacy and file a report with the Public Utilities Board, as well as an application for revised rates if required, by no later than September 30, 2022.
6. The actual operating deficits of \$12,333 for 2016, \$19,054 for 2017, \$25,129 for 2018, and \$59,630 for 2019 when calculated for regulatory purposes, incurred in the Municipality of Grassland, Elgin Water and Wastewater Utility, are HEREBY VARIED and are to be recovered by a rate rider of \$3.48 per cubic meter per customer, beginning July 1, 2021 for a period of seven years and six months or until the total deficit of \$116,146 is fully recovered, whichever comes first.
7. The Municipality of Grassland submit Deficit Applications to the Board, including a recovery methodology, for the Elgin Water and Wastewater Utility for any future year's deficits as soon as they are known.
8. The Municipality of Grassland submit reports to the Board on unaccounted for water and progress on water loss mitigation by January 1, 2022 and July 1, 2022.

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

Fees payable upon this Order - \$650.00

THE PUBLIC UTILITIES BOARD

"Shawn McCutcheon"
Panel Chair

"Frederick Mykytyshyn"
Assistant Associate Secretary

Certified a true copy of Order No. 62/21
issued by The Public Utilities Board


Assistant Associate Secretary

SCHEDULE A

MUNICIPALITY OF GRASSLAND ELGIN WATER AND WASTEWATER UTILITY WATER AND WASTEWATER UTILITY RATES BY-LAW NO. 45-2020 SCHEDULE OF QUARTERLY RATES

1. Schedule of Commodity Rates & Quarterly Service Charge

July 1, 2021

Rates per cubic meter

per Cubic Meter

Water	Wastewater	Water & Wastewater
\$7.41	\$4.68	\$12.09

Quarterly Service Charge \$9.80

2. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges per quarter set out below, which includes the water allowance as listed.

a) **Water & Wastewater Customers**

Meter Size	Group Capacity Ratio	Water Included (Cubic Meters)	Customer Service Charge	Water Commodity Charge	Wastewater Commodity Charge	Water & Wastewater Total Quarterly Minimum
5/8 inch	1	13	\$9.80	\$96.33	\$60.84	\$166.97

b) **Water Only Customers**

The minimum charge will be the same for each meter size as shown above, but the Wastewater Commodity Charge will be excluded.

c) **Wastewater Only for Residential Customers**

The wastewater only charge is based on an average quarterly consumption of 27 cubic meters plus the quarterly service charge.

The quarterly charge for wastewater only customers is $(27 * \$4.68) + \$9.80 = \$136.16$

d) Bulk Water Sales Rate

- i. Treated Bulk Water Sales – All treated water sold in bulk by the Elgin Utility shall be charged at the rate of \$8.00 per cubic meter with a minimum charge of \$16.00.
- ii. Untreated Bulk Water Sales – All untreated water sold in bulk by the Elgin Utility shall be charged at the rate of \$3.13 per cubic meter with a minimum charge of \$6.16.

1. Schedule of Commodity Rates & Quarterly Service Charge

January 1, 2022

Rates per cubic meter

per Cubic Meter

Water	Wastewater	Water & Wastewater
\$7.56	\$4.77	\$12.33

Quarterly Service Charge \$10.00

2. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges per quarter set out below, which includes the water allowance as listed.

a) Water & Wastewater Customers

Group	Water	Customer	Water	Wastewater	Water & Wastewater
Capacity	Included	Service	Commodity	Commodity	Total Quarterly
<u>Meter Size</u>	<u>Ratio</u>	<u>(Cubic Meters)</u>	<u>Charge</u>	<u>Charge</u>	<u>Minimum</u>
5/8 inch	1	13	\$10.00	\$98.28	\$62.01 \$170.29

b) Water Only Customers

The minimum charge will be the same for each meter size as shown above, but the Wastewater Commodity Charge will be excluded.

c) Wastewater Only Customers

The wastewater only charge is based on an average quarterly consumption of 27 cubic meters plus the quarterly service charge.

The quarterly charge for wastewater only customers is (27*\$4.77) + \$10.00 = \$138.79

d) Bulk Water Sales Rate

- i. Treated Bulk Water Sales – All treated water sold in bulk by the Elgin Utility shall be charged at the rate of \$8.00 per cubic meter with a minimum charge of \$16.00.
- ii. Untreated Bulk Water Sales – All untreated water sold in bulk by the Elgin Utility shall be charged at the rate of \$3.13 per cubic meter with a minimum charge of \$6.16.

The following clauses take effect July 1, 2021:**3. Service to Customers Outside Utility's Limits**

The Council of The Municipality of Grassland may sign Agreements with customers for the provision of water and wastewater services to properties located outside the boundaries of Elgin Local Improvement District. Such agreements shall provide for payment of the appropriate rates set out in this Schedule, as well as a surcharge, set by resolution of Council, which shall be 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 Elgin Local Improvement District boundaries. In addition, all costs of connecting to the Utility's mains and installing and maintaining service connections will be paid by the customer.

4. Billings And Penalties

Accounts shall be billed quarterly based on water used. A late payment penalty charge of 1.25% compounded monthly shall be charged on the dollar amount owing after the billing due date. The due date will be at least thirty (30) days after the mailing of the bills. This applies to water, wastewater and bulk water accounts.

5. Disconnection and Reconnection

The Public Utilities Board has approved the Conditions Precedent to be followed by the Municipality with respect to 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.

Any service disconnected due to non-payment of account shall not be reconnected until all arrears, penalties and a reconnection fee of \$50.00 have been paid.

6. Liability for Charges

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

7. Wastewater 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 waste.

8. Water Meters

Water meters are owned by the Municipality but are the responsibility of the utility customer to maintain. If the water meter is broken, frozen, etc., the utility customer will be billed for a new meter at the current cost of replacement.

9. 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.

10. 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 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.

11. 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.

12. Authorization for Officer to Enter Upon Premises

The Public Works Supervisor, or other employee authorized by the Municipality in the absence of the Public Works Supervisor, 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.