

**Order No. 73/20**

**RIVERDALE MUNICIPALITY  
RIVERS WATER AND WASTEWATER UTILITY  
ADDITION OF CLAUSES TO UTILITY BY-LAW**

---

**May 26, 2020**

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

**Table of Contents**

**1.0 Executive Summary ..... 3**

**2.0 Background ..... 3**

**3.0 Application..... 3**

**4.0 Board Findings ..... 4**

**5.0 IT IS THEREFORE ORDERED THAT: ..... 5**

**Schedule A..... 6**

## 1.0 Executive Summary

By this Order, the Public Utilities Board (Board) grants approval of the Municipality of Riverdale's (Municipality) application to add three clauses to the Utility By-law for the Rivers Water and Wastewater 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 Rivers Water and Wastewater Utility were last set in Board Order No. 75/15, and the current Utility By-law is By-law No. 2015-08.

## 3.0 Application

On May 7, 2020 the Board received Council Resolution No. 104-20 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

Where there is evidence of meter tampering a minimum charge of \$500.00 will be applied to the customer's account in addition to an amount calculated to adjust for the tampering based on historical usage.

#### 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.

## **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 three (3) additional clauses for the Municipality of Riverdale – Rivers Water and Wastewater 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](http://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. 73/20  
issued by The Public Utilities Board



\_\_\_\_\_  
Assistant Associate Secretary

## Schedule A

### 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

Where there is evidence of meter tampering a minimum charge of \$500.00 will be applied to the customer's account in addition to an amount calculated to adjust for the tampering based on historical usage.

### 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.