

BY-LAW #09/23

OF THE

RURAL MUNICIPALITY OF ROCKWOOD

Being a By-Law of the Rural Municipality of Rockwood to regulate the Gunton Utility System and establish the new water, and wastewater rates.

WHEREAS, The Rural Municipality of Rockwood owns and operates the Utility System installed in Local Improvement District No. 3, the Gunton Sewer & Water Utility.

AND WHEREAS pursuant of Section 232(1) and (2) of The Municipal Act SM. 1996, c.58 provides in part, as follows:

232(1) A Council may pass by-laws for municipal purposes respecting the following matters:

1) Public Utilities

232(2) without limiting the generality of subsection (1) a Council may in a by-law passed under this Division:

(a) Regulate or prohibit;

(d) Establish fees or other charges for services, activities or things provided or done by the Municipality for use of property under the ownership, direction, management or control of the municipality;

(e) subject to the regulations, provide for a system of licences, permits or approvals including any of the following:

- (i) establishing fees and terms for payment of fees, for inspections, licences, permits and approvals including fees related to recovering the costs of regulation,
- (iii) prohibiting a development, activity, industry, business or thing until a licence, permit or approval is granted,
- (iv) providing that terms and conditions may be imposed on any licence, permit or approval, and providing for the nature of the terms and conditions and who may impose them,
- (v) providing for the duration of licences, permits and approvals and their suspension or cancellation or any other remedy, including undertaking remedial action, and charging and collection the cost of such action, for failure to pay a fee or to comply q a term or condition or with the by-law or any other reason specified in the by-law;

NOW THEREFORE BE IT ENACTED as a By-Law the Rural Municipality of Rockwood, in Council duly assembled as follows:

1. **THAT** all accounts for minimum quarterly charges for metered services as set forth in the Schedule of Quarterly Rates shall be billed quarterly in advance with any excess charges for metered water and sewer services for the preceding quarter. Consumers shall pay for water and sewer service supplied to them by the Rural Municipality of Rockwood at the rates and terms set out in Schedule "A" attached hereto and forming part of this By-law.
2. **THAT** the Rural Municipality of Rockwood regulate service costs and permit fees to be paid by the property owner at the rates and terms set out in Schedule "B" attached hereto and forming part of this By-law.
3. **THAT** the provisions of this By-Law shall apply to all property located within the limits of L.I.D. No. 3 (Local Improvement Plan #01/09) of the Municipality unless the provision of this By-Law indicates otherwise.
4. **THAT** no person shall connect to the Utility System located in Gunton without first obtaining a Permit from the Municipality. There shall be a fee payable for such Permit, and such fee shall be established in Schedule "B" by the Municipality and amended from time to time.
 - a) Any building located within L.I.D. No. 3 which is used or designed for human habitation, employment or recreation or any building used for commercial or industrial purposes wherein water is required, and sewage is generated must be connected to L.I.D. No. 3 Utility System.

- b) No person shall be permitted to drill a well on property located in L.I.D. No.3.
 - c) Any property owner who presently has a well-functioning upon their property will be permitted to retain such water system for the purposes of watering lawns only and no such water system shall be used for household purposes or watering vegetable/fruit gardens.
5. **THAT** no person shall connect by any means whatsoever an independent water supply to the Water Distribution System of L.I.D. No. 3. For the purposes of this paragraph, Water Distribution System includes all water supply lines of any nature whether on private or municipal property and includes all lines within a building.
6. **THAT** only the Municipality or its authorized representative shall be allowed to make connections to the Utility System. Any party wishing to connect to the Utility System must apply in writing to the Municipality and pay a service connecting fee, said fee to be determined annually by Resolution of Council, which shall represent the cost of installing the Utility lines from the main lines to the edge of the applicant's property.
- a) Any owner of property served by L.I.D. No. 3 Water Distribution System shall pay the cost of maintaining and or repairing the water supply lines from the building(s) to the Utility System Water Mains.
 - b) All connections to the Utility mains must be performed by a contractor certified to the system certifications. Example: Level II Distribution means contractor must be certified to a Level II Distribution, etc.
 - c) All persons making any connections to the Utility System must have such connections inspected and approved by the Designated Officer for the Municipality prior to the connections being covered up. The Municipality requires 24 hours' notice for inspections.
7. **THAT** the Municipality shall supply (but not install) one water meter for each water service connection; the costs of the new or replacement meters including the installation thereof shall be the sole responsibility of the property owner. Upon the installation of such meters, the ownership of all such meters shall vest in the Municipality.
- a) Upon any water meter being installed, the Municipality shall inspect such meter installation to ensure compliance with this By-Law. No person shall make water available to any building without first having the water meter installation inspected and sealed by the Designated Officer for the Municipality.
 - b)
 - i) The Municipality will replace, but not install, any water meter at no cost, if the meter fails such repairs or replacement are necessitated by normal deterioration of the meter.
 - ii) Should such repairs or replacement be necessitated by other than normal deterioration, then it shall be the responsibility of the property owner to pay for the cost of the repairs and/or replacement water meter. The Municipality shall be the sole party to determine whether a water meter needs replacement by virtue of normal deterioration or otherwise.
 - iii) All water meters shall be supplied by the Municipality; this is to ensure compliance with meter reading system. All water meters will that are supplied will be at the cost of the property owner.
 - c) Any party who is connected to L.I.D. No. 3 Water Distribution System must have a water meter duly connected on the incoming line from said system. All water which comes from said system must pass through the said water meter and this water meter shall not be bypassed in any form whatsoever.
 - d) The owner of any property shall be responsible to ensure that the seal on the water meter is not broken or tampered with. If such seal is broken or tampered with, then the owner of such property is liable upon summary conviction, to the penalties set forth in paragraph numbered 18 of this By-Law.

- e) Upon the seal of any water meter becoming broken, then the owner of said property shall immediately advise the Municipality that such seal has been broken or tampered with and failing to advise the Municipality of such breakage or tampering shall be considered a separate offence under this By-Law and shall be subject to the penalties set forth in paragraph numbered 18 hereof.
8. **THAT** no sillage pits shall be installed within the limits of L.I.D. No. 3 after the date of passage of this By-Law.
9. **THAT** all sewage, other than rainwater, natural run-off or water used exclusively for cooling purposes, shall be discharged directly into L.I.D. No. 3 Sewage Collection System, and at no time shall any person discharge or dump sewage other than rainwater, natural run-off or water used exclusively for cooling purposes on or into the ground.
- a) No rainwater, natural run-off or water used exclusively for cooling purposes shall be discharged into L.I.D. No. 3 Sewage Collection System.
 - b) No person shall:
 - i) Alter the existing plumbing of any building such that water from the weeping tiles is discharged into L.I.D. No. 3 Sewer Collection System.
 - ii) Discharge / pump water from private wells, sump pump, swimming pools, weeping tiles, or buildings directly into municipal ditches, roads or neighbouring properties, unless authorized by resolution of council.
10. **THAT** no person shall discharge or cause to be discharged, any of the following kinds of sewage into L.I.D. No. 3 Sewer System:
- a) Any gasoline, benzene, naphtha, fuel oil, or other solvent or other flammable or explosive liquids, solids or gases.
 - b) Any garbage other than "properly shredded garbage" from a garbage disposal unit.
 - c) Any matter which may cause obstruction of flow or interference in the operation of the Municipal Wastewater System.
11. **THAT** any owner of property served by L.I.D. No. 3 Sewage Collection and Water Distribution System is responsible for maintaining all pipes and works of said system which are located on their property.
- a) Any owner of property served by L.I.D. No. 3 Sewage Collection System shall pay the cost of maintaining and or repairing the sewer service pipes from the building(s) to the property line.
 - b) Any and all connections and repairs to the Utility System other than those located upon a landowner's property, shall be performed by the Municipality's Utility Department or such other party as they may designate.
 - c) The Municipality / Utility Department is not responsible for frozen water lines or the cost of thawing or repairing frozen water lines on private property. The Municipality may perform the service of thawing frozen lines for a fee as set out in Schedule "A" attached hereto
12. **THAT** person shall not display upon their property any object which resembles a fire hydrant unless same is a fire hydrant connected to the Water Distribution System. The Designated Officer's decision as to whether an object resembles a fire hydrant shall be final and binding upon the property owner. If, after 30 days' notice, any property owner has refused or neglected to remove such object, then the Designated Officer shall be free to remove such object and the Municipality shall not be liable for any damages incurred by the property owner as a result of such object being removed.
13. **THAT** It is the responsibility of the property owner to maintain and or repair all water and sewer service lines from the building(s) to the property line.

14. **THAT** Disruption of water/sewer service to a property's service lines including curb stops, service boxes, rods, saddle, and main corp., i.e., leaks, plugs, etc. are the sole responsibility of the property owner to make necessary repairs in a timely manner:

- a) Disruptions of service to the above-mentioned service lines occur between the curb stops and the main line on municipal property, the repairs will be completed by the municipality and the property owners will be invoiced for all expenses associated with the repairs including any restoration work required, if the damages are due to the property owner's negligence.
- b) Disruption of service to the above-mentioned service lines occur between the curb stop and the building the repairs will be completed by the property owner in a timely manner. The repairs must comply with the municipal standard spec as per the by-law. The repairs must be inspected and approved by the utility manager or approved inspector. If repairs are not completed in a timely manner service can and will be turned off at the curb stop until necessary repairs are completed and inspected by the municipality.

15. **THAT** every person who contravenes or refuses, neglects, or fails to obey or observe any provision of this By-Law is guilty of an offence and is liable upon summary conviction to a fine not exceeding \$2,000.00, or to imprisonment for a term not exceeding one month, or both such fine and imprisonment.

16. **THAT** should any provisions of this By-Law or the Code hereby adopted be declared to be invalid by a court of competent jurisdiction, it is the intent of Council that it would have passed all other provisions of this By-Law and the Code independent of the elimination of any such portion as may be declared invalid.

17. **THAT** By-Law #13/15 and By-Law #06/12 are hereby repealed on the day following the date of final passage of this By-Law, #09/23.

18. **THAT** By-Law #09/23 shall come into full force and effect upon the day following the date of final passage.

DONE AND PASSED by the Council of the Rural Municipality of Rockwood, in meeting duly assembled, at the Town of Stonewall, in the Province of Manitoba,

THE RURAL MUNICIPALITY OF ROCKWOOD



WESLEY TAPLIN, REEVE



CHRIS LUELLEMAN, CAO



GIVEN First Reading this 14 day of June, A.D. 2023.

GIVEN Second Reading this 8 day of November, A.D. 2023.

GIVEN Third Reading this 14th day of December, A.D. 2023: 2024 (JP).

**SCHEDULE "A"
TO
BY-LAW #09/23**

THE GUNTON WATER & SEWER UTILITY SYSTEM

SCHEDULE OF QUARTERLY RATES

1. **COMMODITY RATES PER CUBIC METRE:**

	WATER	SEWER	COMBINED
2025	\$3.00	\$2.53	\$5.53

2. **MINIMUM QUARTERLY RATES:**

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

WATER & SEWER CUSTOMERS:

2025:

Meter Size	Group Capacity Ratio	Minimum Quarterly Volume	Service Charge	Commodity Rates		Minimum Quarterly Charges
				Water	Sewer	
15 (5/8")	1	15	\$23.50	\$ 45.00	\$37.95	\$106.45
25 (1")	4	60	\$23.50	\$180.00	\$151.80	\$355.30

3. **SERVICE TO CUSTOMERS OUTSIDE THE BOUNDARIES:**

The Council of the Rural Municipality of Rockwood may sign Agreements with customers for the provision of water and sewer services to properties located outside the legal boundaries of the Community of Gunton. 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 equivalent to the frontage levy, general taxes, and special taxes for the 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 the Community boundaries. In addition, all costs of connecting to the Utility's mains, installing, and maintaining, the customer will pay service connections.

4. **BILLINGS AND PENALTIES:**

Accounts shall be billed quarterly, and the due date shall be at least 14 days after the date on the bills.

A late payment charge of 1.25% per month shall be charged on the dollar amount owing after the billing due date.

5. **DISCONNECTION:**

The Public Utilities Board has approved the Conditions Precedent attached hereto as Appendix B, 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.

SCHEDULE "A"
TO
BY-LAW #09/23

6. **RECONNECTION:**

Any service disconnected due to non-payment of account shall not be reconnected until all arrears, penalties, and a reconnection fee of \$100.00 have been paid.

Upon written request and payment of the applicable fee to the Rural Municipality of Rockwood as noted hereunder, service may be:

- i) Disconnected - \$100.00
- ii) Removed - \$100.00
- iii) Reconnected - \$100.00

7. **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 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. Upon doing so, the RM of Rockwood will charge a (\$100.00) service fee to the utility account.

In order to satisfy provisions of the Freedom of Information and Protection of Privacy Act, the RM of Rockwood has developed an agreement between the utility, the account holder/customer, and the property owner with provisions that establish recourse for unpaid bills, and for renter's acknowledgement that information relating to their account status and other information may be released to the property owner to assist with collections.

8. **HYDRANT CHARGES:**

The Rural Municipality of Rockwood shall pay to the Utility an annual hydrant charge of \$200.00 for each hydrant connected to the System, which includes the cost of water for firefighting.

9. **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.

10. **WATER ALLOWANCE DUE TO LINE FREEZING:**

Where, at the request of Council, a customer is allowed to run water continuously for any period of time to prevent the water lines in the Water System from freezing, the charge to that customer for the current quarter shall be the average of billings for the last two quarters for the same customer, or the same premises if the occupant has changed.

11. **DISCONNECT WATER – NON-EMERGENCY - \$100.00 per Disconnection**

a) **Temporary Disconnection:**

- Renovations; or
- Property Owner is out of town for more than 30 days due to vacation or work.
- Water to be reconnected upon completion of renovations or Property Owner has returned from vacation/work as described in previous paragraph.

Responsibility of Property Owner:

- "Request for temporary disconnection from Utility System at curb stop" Form shall be completed by the Property Owner;
- Fee/cost of \$100.00 to be paid by the Property Owner to the Rural Municipality of Rockwood prior to the Municipality disconnecting the water;
- Property Owner or representative to be present when water is disconnected; and
- The Property Owner shall be responsible for the flat-rate quarterly billings while the water is disconnected

b) **Permanent Disconnection:**

- Due to Demolition/Removal of Building with Property to remain vacant;
- Fee/cost of \$100.00 to be paid by the Property Owner to the Rural Municipality of Rockwood prior to the Municipality disconnecting the water;
- Property Owner or representative to be present when water is disconnected.

Responsibility of Property Owner:

- "Request for permanent disconnection from Utility System at Curb stop" Form shall be completed by the Property Owner;
- Fee/cost of \$100.00 to be paid by the Property Owner to the Rural Municipality of Rockwood prior to the Municipality disconnecting the water;
- Property Owner or representative to be present when water is disconnected;
- The sewer line must be immediately detached and capped-off at the property line/curb stop with the Property Owner responsible for having this work completed and for all costs involved. The detachment and capping-off of the sewer line must be inspected and approved by the Municipality.

12. **DISCONNECT WATER - EMERGENCY** - No Charge

- Due to emergency repairs being required to the water and/or sewer lines on private property, being between the curb stop and the outside meter on the serviced building;
- Re-connection must take place within 48 hours of the disconnection.

Responsibility of Property Owner:

- "Request for Disconnection from Utility System at Curb stop due to Emergency Repairs" Form shall be completed by the Property Owner prior to the Municipality disconnecting the water; and
- Property Owner or representative to be present when water is disconnected.

13. **RE-CONNECT WATER – NON-EMERGENCY** - \$100.00 per Connection

Responsibility of Property Owner:

- "Request for Re-Connection to Utility System at Curb stop" Form shall be completed by the Property Owner;
- That a fee/cost of \$100.00 to be paid by the Property Owner to the Rural Municipality of Rockwood per re-connect request and inspections;
- Property Owner or representative to be present when water is re-connected.

14. **RE-CONNECT WATER – EMERGENCY** - No Charge

- Water to be re-connected after emergency repairs being completed to the water and/or sewer lines on private property, being between the curb stop and the outside meter on the serviced building.

Responsibility of Property Owner:

- "Request for Re-connection to Utility System at Curb stop due to Emergency Repairs" Form shall be completed by the Property Owner prior to the Municipality re-connecting the water; and
- Property Owner or representative to be present when water is re-connected; and

SCHEDULE "A"
TO
BY-LAW #09/23

15. **Thaw Frozen Water Lines on Private Property** - Actual costs

16. **Installation of Water & Sewer for New Construction from the Main Line to the Property Line:**

a) **Service Application Information**

- All applicants must fill out the application for service connections as well as pay the fees associated with the application before work is to commence.
- Should any of the costs below be more than the fees collected the Rural Municipality of Rockwood shall invoice the applicant for the balance.

b) **Service Fee Information**

i) **Residential:**
Connections

- **Fees Associated with connections:**

Permit Fee	\$125.00
Connection Fee	\$8,500.00
Water Meter	\$675.00
Inspection Fee	\$300.00
<u>Restoration Fee</u>	<u>\$950.00</u>
Total	\$10,550.00

ii) **Commercial / Industrial:**
Connections

- **Fees Associated with connections:**

Permit Fee	\$125.00
Connection Fee	\$8,500.00
Water Meter	\$675.00
Inspection Fee	\$300.00
<u>Restoration Fee</u>	<u>\$950.00</u>
Total	\$10,550.00

SCHEDULE "B"
TO
BY-LAW #09/23

SPECIFICATIONS FOR UTILITY HOOK-UPS:

A. SEWER SERVICE PIPE

- certified CSA; PVC PSM SDR 35 / 100mm (4")

The sewer piping will be installed in common trench with the water pipe. Where connection takes place onto existing (exterior) piping, the process will be referred to as **connection at the building**. The ground cover of the pipe will be a minimum of six (6) feet; variation to this may only occur at the discretion of the Municipality. To meet the elevation of existing piping and to maintain positive flow characteristics, the installation will, where deemed by the Contractor or directed by the Municipality, include 45 degree long sweep bends or standard (22 ¼ or 45 degree) elbows for grade and alignment.

Where the Contractor is required to terminate the service into the building, the process will be referred to as "entry into building". In this process, the entry may simply be through a wall opening. In some cases, it may require the Contractor to mine (burrow) under the footing to an existing opening in the basement floor. **Where this process takes place, the pipe under the footing or through the wall will be C.S.A. B181.1 ABS drain waste pipe or C.S.A. B181.2 P.V.C. drain waste pipe. The connection to the SDR 35 pipe shall be a minimum of three (3) feet away from the exterior basement wall. The couplers joining the two pipes shall be Fernco 1056.44 or 1056.66.**

- Main line connections will be by saddle with stainless steel band clamps on Tee's.
- Bell & Spigot 45 degree long sweep shall be certified C.S.A. for PVC PSM SDR 35 piping
- Bell & Spigot (22 ½ or 45 degree) standard for SDR 35 piping
- Only one (1) sewer service line to service one (1) building

B. WATER SERVICE PIPE

- O.D. Tubing sizes series 160 HDPE potable water polyethylene C.S.A. certified and factory marked CAS B137.1 / 25mm (1")
- 25 mm (1") compression with stainless steel insert to a 25 mm (1") ball valve

All services to be installed with continuous pipe lengths. Where distances may require joining pipe ends, the use of couplers will adhere to manufacturer's recommendations for connection to polyethylene tubing. Only brass Mueller compression stainless steel inserts for poly tubing is approved. At the curb stop, inserts must be used and at valve connections in building.

The installation of water pipe will be in common trench with the sewer. The pipe will be connected to the existing compression-type end Mueller curb stop at the property line. A minimum cover of 2.43 metre (8 feet) will be maintained up to the "entry into building".

The Municipality may approve some deviation at the building provided the piping is insulated by an approved insulating material. Rigid 50mm (2") sm will be a preferred choice. The water and sewer lines running across the driveway or roadway **MUST** be insulated.

Entry into the building in the case where the sewer pipe is connected at the building will be through an opening by the Contractor or by others. The pipe will be placed alongside the sewer in the case of sewer entry into building. **Requirement is for all outside taps to have vacuum breakers on for backflow prevention.**

- Only one (1) water service line to service one (1) building

SCHEDULE "B"
TO
BY-LAW #09/23

C. SERVICE LINES

i) **Residential Water Service Line**

Residential water service line shall be 25mm (1") Series 200 / 160 poly, no copper service line. Each service line shall include a dual check valve connected directly to water meter and have an expansion tank installed on the system after the check valve under sewer line to curb stop.

ii) **Commercial / Industrial Water Service Line**

Commercial / Industrial water service line shall be 38mm (1 ½") line size. Series 200 poly (municipal tubing), no copper service line and must have lockable meter by-pass in accordance with MPC / AWWA Specs. Industrial, commercial and institutional buildings will have testable backflow prevention installed. The backflow to be tested each year at property owner's expense.

iii) **Sewer Service Line**

Sewer service line pipe shall be 100mm (4") SDR 35 bell & spigot.

iv) **Size of Sewer & Water Lines**

Pending the usage of the building and at the discretion of the Municipality, the size of the sewer and water lines may be required to be increased. Example: school, commercial building, etc.

D. CURB STOP

All curb stops shall be Mueller compression-type ends, be visible and accessible and clearly marked with 2"x 6" board on 4 sides of curb stop, 1.2 meters (4 feet) above ground and painted blue so water may be turned on by the Municipality. If not visible, it shall be the property owner's responsibility to make said curb stop visible and accessible at all times. Services boxes to be poly boot only and marked "Water".

Curb stop to be operated by Municipal Utility Department / Designated Officer only.
Curb stops shall not be located in a driveway or pathway.

E. RESTORATION OF CURB STOP

Leaking curb stops will be repaired by the Municipality, including topsoil and grass seed, "only" if the leak is on Municipal property. If the leak is on private property, the Municipality will invoice the property owner for the repairs deemed necessary by the Municipality.

F. BEDDING AND INSTALLATION

- All pipe installations will adhere to manufacturer's recommendations.
- As a minimum requirement, all sewer pipe will be supported along its entire length by a layer of no less than 100mm (4") in thickness of sand. Sand shall also be placed around and above both sewer and water pipes by hand shovel and hand-tamped to no less than 200mm (8") above the pipes.

G. INSPECTION

- All work, prior to being covered, is to be inspected by a duly authorized certified representative of the Rural Municipality of Rockwood.
- Twenty-four (24) hours' notice is required for an inspection.