

Municipality of Boissevain-Morton
By-Law No 2018-05

BEING A BY-LAW OF THE MUNICIPALITY OF BOISSEVAIN-MORTON TO ESTABLISH WATER AND SEWER RATES FOR THE BOISSEVAIN UTILITY.

WHEREAS The Municipality of Boissevain-Morton has undertaken a water and sewer rate study for the Boissevain Utility that indicates water and sewer rates require to be increased;

AND WHEREAS, subject to The Public Utilities Board Act, Section 232(1) provides that a council may pass by-laws for municipal purposes respecting the following matters:

- 1) public utilities.

AND WHEREAS, Section 232(2) provides that without limiting the generality of Subsection (1), a council may in a by-law passed under this Division:

- d) establish fees or other charges for services, activities or things provided or done by the municipality or for the use of property under the ownership, direction, management or control of the municipality.

AND WHEREAS it is deemed advisable to provide rates for February 1, 2019, February 1, 2020 and February 1, 2021 and thereafter to be paid by persons to whom water and sewer collection is supplied by the Boissevain Utility and to provide for the collection thereof;

NOW THEREFORE THE COUNCIL OF THE MUNICIPALITY OF BOISSEVAIN-MORTON IN SESSION DULY ASSEMBLED, HEREBY ENACTS A BY-LAW AS FOLLOWS:

- 1) THAT all accounts for minimum quarterly charges for metered services for the Boissevain Utility as set forth in the Schedule of Quarterly Rates shall be billed quarterly. Consumers shall pay for water and sewer service supplied to them by the Utility at the rates and terms set out in Schedule "A" attached hereto and forming part of this by-law.
- 2) THAT the Municipality of Boissevain-Morton reserves the right to discontinue the supply of water for fountains, jets, hoses and sprinklers, or to limit the hours for use of the same, whenever, at the discretion of Council it is in the best interests of the public to do so.
- 3) THAT no person, other than the Fire Chief or someone acting on his/her behalf, or a representative of the Municipality of Boissevain-Morton duly authorized in writing by the Chief Administrative Officer, shall open or use any fire hydrant, either for construction purposes, street cleaning, or any other purpose.
- 4) THAT the meter shut off valve inside premises serviced with water by the Municipality of Boissevain-Morton's Boissevain Utility, shall be readily accessible and not used by the owner except for the protection of the premises. No person shall tamper with the meter or cause the water supply to bypass the meter. All pipes and valves inside the premises shall be kept in good repair by the owner or occupant. Any damage through neglect or otherwise, by a contractor for the owner or occupant, to the water service pipes from the street to the premises including the meter shall be the responsibility of the owner or occupant.
- 5) THAT no person shall wilfully or maliciously hinder or cause to hinder the Municipality of Boissevain-Morton or its representative in the exercise of their duties in relation to the operation and maintenance of the water or sewer system.
- 6) THAT any person violating any provision of this by-law shall:
 - a) be guilty of an offence and, upon conviction, liable to a fine not exceeding five hundred dollars (\$500) and costs for each violation;

- b) be liable to the Municipality of Boissevain-Morton for any expense, loss or damage suffered by the Municipality as a result of the violation;
 - c) be liable for the repairs and costs of the repairs to the system as a result of the violation. If that person is in default of effecting the repairs, the Municipality may effect the repairs and charge the cost thereof to that persons, or add the cost to property taxes and collect those property taxes in the same manner as other property taxes.
- 7) This by-law and rates for February 1, 2019, February 1, 2020 and February 1, 2021 and thereafter, shall come into force and be effective on, from and after both approval of the Public Utilities Board of Manitoba and receipt of third and final reading thereof.
- 8) That By-law Number 2009-22 be repealed as of February 1, 2019 and upon final approval of this By-law by the Public Utilities Board of Manitoba.

PASSED AND ENACTED BY MUNICIPALITY OF BOISSEVAIN-MORTON IN COUNCIL
DULY ASSEMBLED THIS 20th day of September, 2018.

David Stead, Mayor

Leo Poulin, Chief Administrative Officer

Read a first time this 22nd day of February, 2018.
Read a second time this 15th day of March, 2018.
Read a third time this 20th day of September, 2018.