



# The Municipal Corporation of the Town of Fort Erie

## By-law No. 4-2023

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### **Being a By-law to Adopt the 2023 Water and Wastewater Budget, to Adopt Rates, Fees and Charges For The Year 2023**

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**Whereas** By-law No. 3-2022 adopted rates, fees, and charges for the year 2022 and continues in effect until superseded by the passage of this by-law; and

**Whereas** Report No. CBC-03-2023 was approved, as amended, at the Council-in-Budget Committee meeting held on January 18, 2023, to utilize \$210,000 from the Water Wastewater Reserve Fund or a combination of Reserve Funds to reduce the Water and Wastewater Budget increase from 5.25% to 4.25% overall, as follows:

**THAT:** Council approves the 2023 Water and Wastewater Operating Budget attached as Appendix "1" to Report No. CBC-03-2023, as amended, and further

**THAT:** Council sets the 2023 Water and Wastewater rates, subject to Regional Council approval of treatment rates, effective with billing for January 2023 as follows:

- 2023 water base rate per month: \$25.50
  - 2023 water rate per cubic metre: \$1.570
  - 2023 wastewater base rate per month: \$42.72
  - 2023 wastewater rate per cubic metre: \$2.452
- and further,

**THAT:** Council excludes the capital asset amortization of \$1.8 million from the 2023 Water and Wastewater Operating Budgets, and further

**THAT:** Council directs staff to submit the 2023 Water and Wastewater Operating Budget and Rates By-law for Council approval on January 23, 2023; and

**Whereas** in accordance with Public Notice Policy By-law No. 206-07 public notice of the budget meeting schedule and by-law adoption was published in the Post on November 24<sup>th</sup>, 2022, posted on the Town of Fort Erie website and included in the Council Agendas;

**Now therefore** the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** the 2023 Water and Wastewater Budget for the Town of Fort Erie as set out in Schedule "A" attached to and forming part of this by-law is approved and adopted.
2. **That** the Water and Wastewater Rates for 2023 Rates, Fees, and Charges as set out in Schedule "B" attached and forming part of this by-law are established approved and adopted.
3. **That** the rates and fees and charges established herein shall remain in effect until repealed or superceded by another by-law.

- 4. **That** where any by-laws or amendments have been repealed or superseded with respect to the payment of rates and fees and charges, same are recognized to be in force and effect at that time and to continue in effect for collection purposes.
  
- 5. **That** the Clerk of the Town is authorized to effect any minor modifications corrections or omissions solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

**Read a first, second and third time and finally passed this 23<sup>rd</sup> day of January, 2023.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

I, Carol Schofield, the Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 4-2023 of the said Town. Given under my hand and the seal of the said Corporation, this \_\_\_\_\_ day of \_\_\_\_\_, 2023

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Schedule "A" to By-law No. 4-2023

CORPORATION OF THE TOWN OF FORT ERIE  
2023 BUDGET REPORT

Run Date: 19/01/23 9:17 AM

	2022	2022	2023	2024	2025	2026	2027	2028
	YTD Actuals	Approved Budget	Budget	Forecast	Forecast	Forecast	Forecast	Forecast
<b>Revenue</b>								
Water/wastewater billings	(20,873,884)	(20,352,134)	(21,571,607)	(23,370,645)	(24,719,697)	(26,101,031)	(27,683,701)	(29,348,236)
Local Improvement Charges	(120,872)	(120,901)	(43,555)	(43,555)	(22,397)	(22,397)	(22,397)	(22,397)
Grants	0	(18,000)	(36,000)	(36,000)	(7,500)	(7,500)	(7,500)	(7,500)
Interest & Penalties	(47,106)	(46,000)	(46,000)	(46,000)	(46,000)	(46,000)	(46,000)	(46,000)
User Fees	(100,209)	(103,000)	(90,500)	(90,500)	(90,500)	(90,500)	(90,500)	(90,500)
<b>Total Revenue</b>	<b>(21,142,071)</b>	<b>(20,640,035)</b>	<b>(21,787,662)</b>	<b>(23,586,700)</b>	<b>(24,886,094)</b>	<b>(26,267,428)</b>	<b>(27,850,098)</b>	<b>(29,514,633)</b>
<b>Expenses</b>								
Wages & Benefits	2,227,430	2,253,092	2,337,220	2,378,110	2,428,051	2,479,043	2,531,107	2,584,252
Materials & Services	706,680	964,100	1,004,952	1,366,054	909,654	908,304	917,254	1,182,704
Debt Interest Charges	63,873	82,683	72,838	63,211	53,375	45,123	37,856	30,567
Regional Treatment Costs	12,577,538	12,319,094	13,360,150	13,888,328	15,519,532	16,863,575	18,331,227	19,934,309
<b>Total Expenses</b>	<b>15,575,521</b>	<b>15,618,969</b>	<b>16,775,160</b>	<b>17,695,703</b>	<b>18,910,612</b>	<b>20,296,045</b>	<b>21,817,444</b>	<b>23,731,832</b>
<b>NET BEFORE FINANCING AND TRANSFERS</b>	<b>5,566,550</b>	<b>5,021,066</b>	<b>5,012,502</b>	<b>5,890,997</b>	<b>5,975,482</b>	<b>5,971,383</b>	<b>6,032,654</b>	<b>5,782,801</b>
<b>FINANCING &amp; TRANSFERS</b>								
<b>Interdepartmental Transfers</b>								
Fleet Related Charges	236,513	365,343	369,488	373,785	378,443	383,052	388,822	391,225
Program Support Charges	969,670	969,670	1,066,604	1,181,242	1,212,302	1,258,418	1,306,652	1,357,107
<b>Total Interdepartmental Transfers</b>	<b>1,206,183</b>	<b>1,335,013</b>	<b>1,436,092</b>	<b>1,555,027</b>	<b>1,590,745</b>	<b>1,641,470</b>	<b>1,695,474</b>	<b>1,748,332</b>
<b>Debt Principal Charges</b>								
Repayment of Debt	267,075	267,075	269,361	271,741	274,220	212,000	212,000	212,000
<b>Total Debt Principal Charges</b>	<b>267,075</b>	<b>267,075</b>	<b>269,361</b>	<b>271,741</b>	<b>274,220</b>	<b>212,000</b>	<b>212,000</b>	<b>212,000</b>
<b>Reserve Transfers</b>								

**CORPORATION OF THE TOWN OF FORT ERIE  
2023 BUDGET REPORT**

	2022	2022	2023	2024	2025	2026	2027	2028
	YTD Actuals	Approved Budget	Budget	Forecast	Forecast	Forecast	Forecast	Forecast
Transfers from Reserves	(224,195)	(450,828)	(894,000)	(124,000)	(105,000)	(105,000)	(105,000)	(415,000)
Transfers to Reserves	4,156,289	4,156,289	4,480,036	4,880,036	4,480,036	4,480,036	4,480,036	4,480,036
Transfers from Development Charges Reserve	(210,192)	(286,483)	(278,987)	(691,807)	(264,519)	(257,123)	(249,856)	(242,567)
<b>Total Reserve Transfers</b>	3,721,902	3,418,978	3,307,049	4,064,229	4,110,517	4,117,913	4,125,180	3,822,469
<b>NET FINANCING &amp; TRANSFERS</b>	5,195,160	5,021,066	5,012,502	5,890,997	5,975,482	5,971,383	6,032,654	5,782,801
<b>(SURPLUS)/DEFICIT CARRYFORWARD</b>	0	0	0	0	0	0	0	0
<b>DEPARTMENT NET REVENUE /( EXPENDITURE)</b>	371,390	0	0	0	0	0	0	0
<b>Reconciliation to Accrual Basis</b>								
Reserve Transfers								
Transfers from Reserves	(224,195)	(450,828)	(894,000)	(124,000)	(105,000)	(105,000)	(105,000)	(415,000)
Transfers to Reserves	4,156,289	4,156,289	4,480,036	4,880,036	4,480,036	4,480,036	4,480,036	4,480,036
Transfers from Development Charges Reserve	(210,192)	(286,483)	(278,987)	(691,807)	(264,519)	(257,123)	(249,856)	(242,567)
<b>Total Reserve Transfers</b>	3,721,902	3,418,978	3,307,049	4,064,229	4,110,517	4,117,913	4,125,180	3,822,469
Debt Principal Charges								
Repayment of Debt	267,075	267,075	269,361	271,741	274,220	212,000	212,000	212,000
<b>Total Debt Principal Charges</b>	267,075	267,075	269,361	271,741	274,220	212,000	212,000	212,000
Accrual Entries								
Amortization	(899,169)	(1,783,300)	(1,798,300)	(1,798,300)	(1,798,300)	(1,798,300)	(1,798,300)	(1,798,300)
<b>Total Accrual Entries</b>	(899,169)	(1,783,300)	(1,798,300)	(1,798,300)	(1,798,300)	(1,798,300)	(1,798,300)	(1,798,300)
<b>ACCRUAL BASIS SURPLUS/(DEFICIT)</b>	3,461,198	1,902,753	1,778,110	2,537,670	2,586,437	2,531,613	2,538,880	2,236,169

**SCHEDULE "B" TO BY-LAW NO. 4-2023**

**1. WATER AND WASTEWATER RATES FOR 2023**

**1.1 RATES SCHEDULE**

The following rates shall apply to all water and wastewater bills issued after February 1<sup>st</sup>, 2023.

<b>Metered Consumption Rate</b>			<b>(\$)</b>
<b>Per Cubic Metre</b>			
<i>(1 Cubic Metre equals 1000 liters)</i>			
Water			1.570
Wastewater			2.452
Total			4.022
<b>Water Only Commercial Users</b>			1.620
<b>Per 1000 Gallons</b>			
<i>(1 Cubic Metre equals 220 gallons)</i>			
Water			7.136
Wastewater			11.145
Total			18.281

<b>Flat Rates Per Month</b>			
<i>(Base Rate plus Consumption Rate Estimate for a less than 25 mm meter)</i>			
Water			50.62
Wastewater			81.95
Total			132.57
Wastewater Only			81.95

<b>Monthly Base Rates Per Meter Size</b>					
<b>Meter Size</b>		<b>Meter Size Factor</b>	<b>Water (\$)</b>	<b>Wastewater (\$)</b>	<b>Combined (\$)</b>
<b>(mm)</b>	<b>(Inches)</b>				
<b>Base Meter Rate</b>			25.50	42.72	68.22
<b>Less than 25mm</b>			25.50	42.72	68.22
25	1	1.4	35.70	59.81	95.51
38	1.5	1.8	45.90	76.90	122.80
50	2	2.9	73.95	123.89	197.84
75	3	11	280.50	469.92	750.42
100	4	14	357.00	598.08	955.08
150	6	21	535.50	897.12	1,432.62
200	8	29	739.50	1,238.88	1,978.38
250	10	40	1,020.00	1,708.80	2,728.80

*(For clarification; the first bill utilizing the 2023 rates will be mailed February 15<sup>th</sup>, 2023 and will include the January 2023 consumption and base period. The due date of the bill will be March 3<sup>rd</sup>, 2023.)*

- 1.2 The base rate set out in Section (1.1) above, applies to all buildings in a serviced area provided with a water service connection, or a wastewater service connection, or both.
- 1.3 The monthly water and wastewater flat rates for 25 mm or greater meter sizes shall be calculated on the basis of the applicable meter rate plus the estimated monthly usage established by engineering study.
- 1.4 A monthly rate shall be applied in accordance with Section (1.1) herein, and collected from customers connected to the wastewater collection system but not connected to the water system.
- 1.5 The monthly wastewater flat rate for customers provided with wastewater services only shall include the minimum base rate for wastewater as set out in Section (1.1) herein.
- 1.6 The minimum monthly billing for water or wastewater or both shall be the base rate according to meter size.
- 1.7 Notwithstanding any other provisions of this by-law, where a single meter is installed for the servicing of a multi-unit complex, the monthly water and wastewater base rate shall be the base rate for a meter size less than 25 mm multiplied by the number of units in the complex or such other base rate established in any development agreement entered into between the Town and the property owner.

**2. CONSTRUCTION, RENOVATION, COMMERCIAL OR OTHER USE OF UNMETERED WATER**

- 2.1 Except as approved by separate agreement, where water is obtained from the Corporation for building construction or renovation purposes, prior to water meter installation, the charges shall be calculated as follows:

A one-time initial flat rate fee of:	\$229.00	Up to 3,000 square feet of gross floor area
	\$345.00	3,000 to 6,000 square feet gross floor area
	\$461.00	6,000 square feet and over

to be paid upon the issuance of the building permit or a conditional building permit. This fee covers the cost of water used and an estimate of contributions to the sanitary system through direct inflow during new construction or renovation for a maximum period of 90 days after which time a monthly flat rate fee for water and wastewater as established by the Engineer, or his designate, shall apply until the meter is installed. The 90-day period may be extended with cause, in writing, by the Engineer or designate on the payment of a pro-rated fee based on the initial flat rate fee.

## 2.2 Other Unmetered Usage

Except as approved by separate agreement, where unmetered water is obtained from the Corporation for commercial or social usages and where such water is provided unmetered, the Engineer or his designate shall approve the manner in which the water is obtained and discharged and shall calculate the appropriate fees, both base rates and consumption rates, to be applied, based on estimated water usage, and estimated return of water to the wastewater collection system, the applicable water and wastewater rates and the duration of time services will be supplied. The calculated fees shall be paid upon the issuance of permission to obtain water.

## 2.3 Water Returned to the Wastewater Collection System

Except as authorized by the Engineer or designate, only water originating from the water works system may be returned to the wastewater collection system. Storm, surface and ground waters shall be directed to the appropriate storm water drainage system.

# 3. WASTEWATER SERVICE RATES

## 3.1 Metered Non-Domestic Wastewater Users

Metered non-domestic wastewater users shall be charged a usage rate and a monthly base rate and as set out below in sub-paragraphs a) and b) respectively:

### a) Usage Rate

A usage rate per metered volume of wastewater discharged to the wastewater collection system as per sub-section 1.1

### b) Base Rates

#### (i) Water and Wastewater Non-domestic Customers

Non-domestic customers receiving both metered water and metered wastewater services shall pay a monthly single wastewater base rate based on the water meter size as set out in sub-section 1.1

#### (ii) Non-domestic Wastewater Only Customers

Non-domestic customers receiving metered wastewater services only shall pay a monthly wastewater base rate calculated, by the Engineer or his designate, based on the equivalent water meter size for the peak rate of wastewater discharge.

**4. PENALTY**

- 4.1** The water and wastewater rates set out in Section (1.1) and not paid in full on or before the due date will be charged a penalty of one and one half percent (1.5%). If a water and/or wastewater account is partially paid, payment of the penalty is required on the unpaid portion.
- 4.2** Senior citizens upon proof of age of sixty-five will not be charged a penalty on the water and wastewater rates for their primary residence.

**5. METER BILLING CALCULATION – FIRST TIME CUSTOMER**

- 5.1** Where a customer paying for water and wastewater services on a meter rate basis is first added to the municipal metered billing system, the first metered bill shall be issued on the next regularly scheduled billing date following the date of installation to the date on which the meter was read.

**6. NON SUFFICIENT FUND (NSF) CHARGES**

- 6.1** NSF payments shall result in a fee of \$30.00 exclusive of any applicable taxes. Two NSF payments made within a one (1) year period shall result in the suspension of cheque writing privileges to the Town of Fort Erie for a period of one year from the date of the last NSF payment.

**7. MISCELLANEOUS SERVICE FEES**

All fees and charges are exclusive of any taxes

<b>7.1</b>	Issue of a duplicate/second copy of a bill for an account	\$	6.77
<b>7.2</b>	Reminder or Final/Disconnect Notice for overdue account	\$	6.77
<b>7.3</b>	Hard copy of water account history for property owner	\$	13.45
<b>7.4</b>	New account/transfer account	\$	53.60
<b>7.5</b>	Bulk Water Hauler Activation	\$	53.60
<b>7.6</b>	Additional/replacement of water key tags	\$	30.40
<b>7.7</b>	Water Service turn on during normal business hours	\$	109.10
	- after business hours	\$	193.20
	<i>(Water Service turn on fees do not apply to first time connections)</i>		
<b>7.8</b>	Water Service turn off during normal business hours	\$	109.10
	- after business hours	\$	193.20
<b>7.9</b>	Water Service turn off resulting from an illegal turn on	\$	219.00
<b>7.10</b>	Analog water meter read – monthly charge	\$	20.00



<b>7.11</b>	Request confirmation of meter read Note: A one-time meter read at no charge will be permitted per customer. If a meter read has already occurred in response to an estimate, it will act as the one-time exemption.	\$ 64.50
<b>7.12</b>	Missed appointment with meter technician	\$ 64.50
<b>7.13</b>	Installation by a private contractor	
	New Water Service Connection Inspection and Permit Issue	\$ 306.45
	New Wastewater Service Connection Inspection and Permit Issue	\$ 306.45
	New Storm Water Service Connection Inspection and Permit Issue	\$ 306.45
<b>7.14</b>	Owner requested meter test <i>(Refundable if meter determined to be faulty)</i>	\$ 529.65
<b>7.15</b>	Water Meter including Ground Strap & Remote Reader:	
	5/8" x 3/4" T-10 R-900i E-coder	\$ 481.73
	3/4" T10 R-900i E-coder	\$ 619.43
	1" T10 R-900i E-coder	\$ 756.55
	1 1/2" Mach10 R-900i E-coder	\$1,586.77
	2" production T-10 R-900i E-coder	\$1,436.73
	2" compound meter R900 E-coder	\$3,699.43
	3" or larger	cost + overhead
	Frost Plate	\$ 39.25
	Frost Plate Replacement	\$ 218.63
	Other Water Meter Parts Replacement	cost + overhead
	Meter Pit for 5/8" x 3/4" T-10 R-900i E-coder-supply	\$1,663.32
	<i>Note: Supply costs for pits for other sizes will be provided as required</i>	
	<i>Note: "Supply only" rate is subject to the approval by the     Manager, Water and Wastewater Services</i>	
	Meter Pit - install	<u>\$1,056.90</u>
		<u>\$2,720.22</u>
<b>7.16</b>	Private fire hydrant annual inspection	\$ 166.85
<b>7.17</b>	Fire hydrant flow inspection	\$ 148.10
<b>7.18</b>	New service tap	\$ 198.65

**7.19 Non-Municipal Year Round Residential Systems**  
(fee quoted is annual cost)

<u>Type</u>	<u>Frequency</u>	
Microbiological Sampling	Weekly	\$8,801.90
Free Chlorine Sampling	Weekly	\$5,126.86
pH/Alkalinity Sampling	Quarterly	\$466.06
THM Sampling	Quarterly	\$791.15
HAA Sampling	Quarterly	\$1,560.22
Lead Sampling	Bi-annually	\$342.61
Backflow Device Testing each	Annually	\$954.34
Annual Reporting	Annually	\$93.19
<u>Maintenance if required</u>	<u>Frequency</u>	
Hydrant Inspection/Testing each	Annually	\$295.97
Leak Detection	Annually	\$255.22
<u>Additional Fees</u>	<u>Frequency</u>	
Adverse Response/Reporting	As required	\$515.09
Time & Materials	As required	cost

**8. INDEXING OF SERVICE FEES**

**8.1** The service fees set out in Section 7 hereto shall be adjusted without amendment to this By-law annually for all billings issued after February 1<sup>st</sup> in each year, based on the 12 months to September 30<sup>th</sup> Statistics Canada *Consumer Price Index (CPI)*.

**9. FAILURE TO RECEIVE BILL**

**9.1** Failure to receive a bill for services rendered does not preclude payment.

**10. WATER/WASTEWATER RATE STRUCTURE**

**10.1** Water and wastewater rates established herein shall be adjusted without by-law amendment to this schedule, to reflect changes in rates charged by the Regional Municipality of Niagara for water and wastewater treatment as charges become effective.

**10.2** Water and wastewater rates shall be adjusted annually to reflect Council approved water and wastewater budgets.

**10.3** Water rates shall include a consumption rate that recovers the costs of Regional water supply, as well as a portion of the water and wastewater utility operating costs.

- 10.4** Water rates shall include a base rate that recovers all other costs related to water not recovered through the consumption rate and other miscellaneous water revenues as detailed in the annual water budget approved by Council.
- 10.5** Wastewater rates shall include a consumption rate that recovers the cost of wastewater services, maintenance and all costs of Regional treatment.
- 10.6** Wastewater rates shall include a base rate that recovers all other costs related to wastewater services not recovered through the wastewater consumption rate and other miscellaneous wastewater revenues as detailed in the annual wastewater budget approved by Council, including wastewater system operations, extraneous flow and capital programs.