



## **The Corporation of the Town of Fort Erie**

### **By-law 174-2023**

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#### **Being a By-law to Adopt the 2024 Water and Wastewater Budget, to Adopt Rates, Fees and Charges for the Year 2024**

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**Whereas** By-law No. 4-2023 adopted rates, fees, and charges for the year 2023 and continues in effect until superseded by the passage of this by-law; and

**Whereas** Report No. CBC-03-2024 was considered and approved at the Council-in-Budget Committee meeting held on December 6, 2023, as follows:

**That:** Council approves the 2024 Water and Wastewater Operating Budget attached as Appendix "1" to Report No. CBC-03-2024, as amended, and further

**That:** Council sets the 2024 Water and Wastewater rates, subject to Regional Council approval of treatment rates, effective with billing for January 2024 as follows:

- 2024 water base rate per month: \$26.52
  - 2024 water rate per cubic metre: \$1.781
  - 2024 wastewater base rate per month: \$44.43
  - 2024 wastewater rate per cubic metre: \$2.684
- and further,

**That:** Council amends the 2024 Preliminary Capital Budget as per Appendix "4" to Report CBC-03-2024 to include Maintenance Hole Rehabilitation [MANR24] for \$400,000 with funding from the Sanitary Sewer Refurbishing Reserve, and further

**That:** Council amends the 2024 Preliminary Capital Budget as per Appendix "4" to Report CBC-03-2024 to include Geophone Digital Leak Detection Equipment [GEOP24] for \$25,000 with funding from the Water Refurbishing Reserve, and further

**That:** Council amends the 2024 Preliminary Capital Budget as per Appendix "4" to Report CBC-03-2024 to include Correlator Leak Detection Equipment [CORE24] for \$35,000 with funding from the Water Refurbishing Reserve, and further

**That:** Council excludes the capital asset amortization of \$1.8 million from the 2024 Water and Wastewater Operating Budgets, and further

**That:** Council directs staff to submit the 2024 Water and Wastewater Operating Budget and Rates By-law for Council approval on December 18, 2023

**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 Observer on October 26<sup>th</sup> and December 7<sup>th</sup>, 2023, 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 2024 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 2024 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 superseded by another by-law.
- 4. **That** the Clerk of the Town is authorized to affect 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 18th day of December 2023.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

CORPORATION OF THE TOWN OF FORT ERIE  
2024 BUDGET REPORT

Schedule A to By-law 174-2023

|   | 2023                | 2023                | 2024                | 2025                | 2026                | 2027                | 2028                | 2029                |
|---|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
|   | YTD Actuals         | Approved Budget     | Budget              | Forecast            | Forecast            | Forecast            | Forecast            | Forecast            |
| <b>Revenue</b>                            |                     |                     |                     |                     |                     |                     |                     |                     |
| Water/wastewater billings                 | (18,124,308)        | (21,571,607)        | (23,388,330)        | (25,294,831)        | (26,626,077)        | (28,002,727)        | (29,400,894)        | (31,081,958)        |
| Local Improvement Charges                 | (43,526)            | (43,555)            | (43,555)            | (22,397)            | (22,397)            | 0                   | 0                   | 0                   |
| Grants                                    | 0                   | (36,000)            | (36,000)            | (36,000)            | (36,000)            | (36,000)            | (36,000)            | (36,000)            |
| Interest & Penalties                      | (47,589)            | (46,000)            | (46,000)            | (46,000)            | (46,000)            | (46,000)            | (46,000)            | (46,000)            |
| User Fees                                 | (87,499)            | (90,500)            | (98,000)            | (98,000)            | (98,000)            | (98,000)            | (98,000)            | (98,000)            |
| <b>Total Revenue</b>                      | <b>(18,302,922)</b> | <b>(21,787,662)</b> | <b>(23,611,885)</b> | <b>(25,497,228)</b> | <b>(26,828,474)</b> | <b>(28,182,727)</b> | <b>(29,580,894)</b> | <b>(31,261,958)</b> |
| <b>Expenses</b>                           |                     |                     |                     |                     |                     |                     |                     |                     |
| Wages & Benefits                          | 2,051,970           | 2,337,220           | 2,479,342           | 2,628,306           | 2,707,115           | 2,783,781           | 2,862,756           | 2,944,098           |
| Materials & Services                      | 675,146             | 1,004,952           | 1,460,370           | 1,037,090           | 1,014,940           | 984,890             | 1,055,790           | 1,437,340           |
| Debt Interest Charges                     | 57,374              | 72,838              | 63,211              | 53,375              | 45,123              | 37,856              | 30,567              | 23,135              |
| Regional Treatment Costs                  | 11,355,446          | 13,360,150          | 14,165,489          | 15,145,871          | 16,649,341          | 17,911,966          | 19,274,225          | 20,744,212          |
| <b>Total Expenses</b>                     | <b>14,139,936</b>   | <b>16,775,160</b>   | <b>18,168,412</b>   | <b>18,864,642</b>   | <b>20,416,519</b>   | <b>21,718,493</b>   | <b>23,223,338</b>   | <b>25,148,785</b>   |
| <b>NET BEFORE FINANCING AND TRANSFERS</b> |                     |                     |                     |                     |                     |                     |                     |                     |
|   | 4,162,986           | 5,012,502           | 5,443,473           | 6,632,586           | 6,411,955           | 6,464,234           | 6,357,556           | 6,113,173           |
| <b>FINANCING &amp; TRANSFERS</b>          |                     |                     |                     |                     |                     |                     |                     |                     |
| <b>Interdepartmental Transfers</b>        |                     |                     |                     |                     |                     |                     |                     |                     |
| Fleet Related Charges                     | 222,327             | 369,488             | 390,473             | 397,000             | 403,408             | 409,918             | 416,236             | 278,483             |
| Program Support Charges                   | 1,066,604           | 1,066,604           | 1,190,277           | 1,275,556           | 1,343,265           | 1,381,767           | 1,421,482           | 1,147,420           |
| <b>Total Interdepartmental Transfers</b>  | <b>1,288,931</b>    | <b>1,436,092</b>    | <b>1,580,750</b>    | <b>1,672,556</b>    | <b>1,746,673</b>    | <b>1,791,685</b>    | <b>1,837,718</b>    | <b>1,425,903</b>    |
| <b>Debt Principal Charges</b>             |                     |                     |                     |                     |                     |                     |                     |                     |
| Repayment of Debt                         | 269,361             | 269,361             | 271,741             | 274,220             | 212,000             | 212,000             | 212,000             | 212,000             |
| <b>Total Debt Principal Charges</b>       | <b>269,361</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>212,000</b>      |
| <b>Reserve Transfers</b>                  |                     |                     |                     |                     |                     |                     |                     |                     |

**CORPORATION OF THE TOWN OF FORT ERIE**  
**2024 BUDGET REPORT**

## Schedule A to By-law 174-2023

|   | 2023        | 2023            | 2024        | 2025        | 2026        | 2027        | 2028        | 2029        |
|---|-------------|-----------------|-------------|-------------|-------------|-------------|-------------|-------------|
|   | YTD Actuals | Approved Budget | Budget      | Forecast    | Forecast    | Forecast    | Forecast    | Forecast    |
| Transfers from Reserves                       | (563,368)   | (894,000)       | (701,700)   | (154,000)   | (124,000)   | (124,000)   | (284,000)   | (124,000)   |
| Transfers to Reserves                         | 4,480,036   | 4,480,036       | 4,989,489   | 5,104,329   | 4,834,405   | 4,834,405   | 4,834,405   | 4,834,405   |
| Transfers from Development Charges Reserve    | 13,581      | (278,987)       | (696,807)   | (264,519)   | (257,123)   | (249,856)   | (242,567)   | (235,135)   |
| <b>Total Reserve Transfers</b>                | 3,930,249   | 3,307,049       | 3,590,982   | 4,685,810   | 4,453,282   | 4,460,549   | 4,307,838   | 4,475,270   |
| <b>NET FINANCING &amp; TRANSFERS</b>          | 5,488,541   | 5,012,502       | 5,443,473   | 6,632,586   | 6,411,955   | 6,464,234   | 6,357,556   | 6,113,173   |
| <b>(SURPLUS)/DEFICIT CARRYFORWARD</b>         | 0           | 0               | 0           | 0           | 0           | 0           | 0           | 0           |
| <b>DEPARTMENT NET REVENUE /( EXPENDITURE)</b> | (1,325,555) | 0               | 0           | 0           | 0           | 0           | 0           | 0           |
| <b>Reconciliation to Accrual Basis</b>        |             |                 |             |             |             |             |             |             |
| Reserve Transfers                             |             |                 |             |             |             |             |             |             |
| Transfers from Reserves                       | (563,368)   | (894,000)       | (701,700)   | (154,000)   | (124,000)   | (124,000)   | (284,000)   | (124,000)   |
| Transfers to Reserves                         | 4,480,036   | 4,480,036       | 4,989,489   | 5,104,329   | 4,834,405   | 4,834,405   | 4,834,405   | 4,834,405   |
| Transfers from Development Charges Reserve    | 13,581      | (278,987)       | (696,807)   | (264,519)   | (257,123)   | (249,856)   | (242,567)   | (235,135)   |
| <b>Total Reserve Transfers</b>                | 3,930,249   | 3,307,049       | 3,590,982   | 4,685,810   | 4,453,282   | 4,460,549   | 4,307,838   | 4,475,270   |
| Debt Principal Charges                        |             |                 |             |             |             |             |             |             |
| Repayment of Debt                             | 269,361     | 269,361         | 271,741     | 274,220     | 212,000     | 212,000     | 212,000     | 212,000     |
| <b>Total Debt Principal Charges</b>           | 269,361     | 269,361         | 271,741     | 274,220     | 212,000     | 212,000     | 212,000     | 212,000     |
| Accrual Entries                               |             |                 |             |             |             |             |             |             |
| Amortization                                  | 0           | (1,798,300)     | (1,829,320) | (1,829,320) | (1,829,320) | (1,829,320) | (1,829,320) | (1,829,320) |
| <b>Total Accrual Entries</b>                  | 0           | (1,798,300)     | (1,829,320) | (1,829,320) | (1,829,320) | (1,829,320) | (1,829,320) | (1,829,320) |
| <b>ACCRUAL BASIS SURPLUS/(DEFICIT)</b>        | 2,874,055   | 1,778,110       | 2,033,403   | 3,130,710   | 2,835,962   | 2,843,229   | 2,690,518   | 2,857,950   |

**Water & Wastewater**

## SCHEDULE “B” TO BY-LAW 174-2023

### 1. WATER AND WASTEWATER RATES FOR 2024

#### 1.1 RATES SCHEDULE

The following rates shall apply to all water and wastewater bills issued after February 1<sup>st</sup>, 2024.

| Metered Consumption Rate           |  |  | (\$)   |
|------------------------------------|--|--|--------|
| Per Cubic Metre                    |  |  |        |
| (1 Cubic Metre equals 1000 liters) |  |  |        |
| Water                              |  |  | 1.781  |
| Wastewater                         |  |  | 2.684  |
| Total                              |  |  | 4.465  |
| Water Only Commercial Users        |  |  | 1.831  |
| Per 1000 Gallons                   |  |  |        |
| (1 Cubic Metre equals 220 gallons) |  |  |        |
| Water                              |  |  | 8.095  |
| Wastewater                         |  |  | 12.200 |
| Total                              |  |  | 20.295 |

| Flat Rates Per Month   |  |  |        |
|--|--|--|--------|
| (Base Rate plus Consumption Rate Estimate for a less than 25 mm meter) |  |  |        |
| Water  |  |  | 55.02  |
| Wastewater   |  |  | 87.37  |
| Total  |  |  | 142.39 |
|  |  |  |        |
| Wastewater Only  |  |  | 87.37  |

| Monthly Base Rates Per Meter Size |          |                   |            |                 |               |
|-----------------------------------|----------|-------------------|------------|-----------------|---------------|
| Meter Size                        |          | Meter Size Factor | Water (\$) | Wastewater (\$) | Combined (\$) |
| (mm)                              | (Inches) |                   |            |                 |               |
| Base Meter Rate                   |          |                   | 26.52      | 44.43           | 70.95         |
| Less than 25mm                    |          | 1                 | 26.52      | 44.43           | 70.95         |
| 25                                | 1        | 1.4               | 37.13      | 62.20           | 99.33         |
| 38                                | 1.5      | 1.8               | 47.74      | 79.97           | 127.71        |
| 50                                | 2        | 2.9               | 76.91      | 128.85          | 205.76        |
| 75                                | 3        | 11                | 291.72     | 488.73          | 780.45        |
| 100                               | 4        | 14                | 371.28     | 622.02          | 993.30        |
| 150                               | 6        | 21                | 556.92     | 933.03          | 1,489.95      |
| 200                               | 8        | 29                | 769.08     | 1,288.47        | 2,057.55      |
| 250                               | 10       | 40                | 1,060.80   | 1,777.20        | 2,838.00      |

*(For clarification; the first bill utilizing the 2024 rates will be mailed February 15<sup>th</sup>, 2024 and will include the January 2024 consumption and base period. The due date of the bill will be March 5<sup>th</sup>, 2024.)*

- 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: | \$246.00 | Up to 3,000 square feet of gross floor area |
|                                      | \$371.00 | 3,000 to 6,000 square feet gross floor area |
|                                      | \$495.00 | 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                  | \$ 6.99   |
| <b>7.2</b>  | Reminder or Final/Disconnect Notice for overdue account                    | \$ 6.99   |
| <b>7.3</b>  | Hard copy of water account history for property owner                      | \$ 13.94  |
| <b>7.4</b>  | New account/transfer account   | \$ 55.55  |
| <b>7.5</b>  | Bulk Water Hauler Activation   | \$ 55.55  |
| <b>7.6</b>  | Additional/replacement of water key tags                                   | \$ 31.50  |
| <b>7.7</b>  | Water Service turn on during normal business hours                         | \$ 113.00 |
|             | - after business hours   | \$ 200.00 |
|             | <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                        | \$ 113.00 |
|             | - after business hours   | \$ 200.00 |
| <b>7.9</b>  | Water Service turn off resulting from an illegal turn on                   | \$ 227.00 |
| <b>7.10</b> | Analog water meter read – monthly charge                                   | \$ 20.75  |



|             |  |                   |
|-------------|--|-------------------|
| <b>7.11</b> | Request confirmation of meter read<br>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. | \$ 66.85          |
| <b>7.12</b> | Missed appointment with meter technician   | \$ 66.85          |
| <b>7.13</b> | Installation by a private contractor   |                   |
|             | New Water Service Connection Inspection and Permit Issue   | \$ 317.50         |
|             | New Wastewater Service Connection Inspection and Permit Issue  | \$ 317.50         |
|             | New Storm Water Service Connection Inspection and Permit Issue   | \$ 317.50         |
| <b>7.14</b> | Owner requested meter test<br>(Refundable if meter determined to be faulty)  | \$ 548.75         |
| <b>7.15</b> | Water Meter including Ground Strap & Remote Reader:  |                   |
|             | 5/8" x 3/4" T-10 R-900i E-coder  | \$ 499.07         |
|             | 3/4" T10 R-900i E-coder  | \$ 641.73         |
|             | 1" T10 R-900i E-coder  | \$ 783.80         |
|             | 1 1/2" Mach10 R-900i E-coder   | \$1,664.00        |
|             | 2" Mach10 R-900i E-coder   | \$1,979.00        |
|             | 3" or larger   | cost + overhead   |
|             | Frost Plate  | \$ 40.66          |
|             | Frost Plate Replacement  | \$ 226.50         |
|             | Other Water Meter Parts Replacement  | cost + overhead   |
|             | Meter Pit for 5/8" x 3/4" T-10 R-900i E-coder-supply   | \$1,723.19        |
|             | <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>\$1,094.95</u> |
|             |  | \$2,818.14        |
| <b>7.16</b> | Private fire hydrant annual inspection   | \$ 172.85         |
| <b>7.17</b> | Fire hydrant flow inspection   | \$ 153.45         |
| <b>7.18</b> | New service tap  | \$ 205.80         |

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

| <u>Type</u>                     | <u>Frequency</u> |            |
|---------------------------------|------------------|------------|
| Microbiological Sampling        | Weekly           | \$9,118.76 |
| Free Chlorine Sampling          | Weekly           | \$5,311.42 |
| pH/Alkalinity Sampling          | Quarterly        | \$482.83   |
| THM Sampling                    | Quarterly        | \$819.65   |
| HAA Sampling                    | Quarterly        | \$1,616.37 |
| Lead Sampling                   | Bi-annually      | \$354.96   |
| Backflow Device Testing each    | Annually         | \$988.72   |
| Annual Reporting                | Annually         | \$96.55    |
| <u>Maintenance if required</u>  | <u>Frequency</u> |            |
| Hydrant Inspection/Testing each | Annually         | \$306.64   |
| Leak Detection                  | Annually         | \$264.42   |
| <u>Additional Fees</u>          | <u>Frequency</u> |            |
| Adverse Response/Reporting      | As required      | \$533.63   |
| 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.