

Authority: Item 2, Committee of the Whole
Report 08-035
CM: December 10, 2008

Bill No. 303

CITY OF HAMILTON

BY-LAW NO. 08-303

To Amend the Waterworks By-law R84-026, as amended, And Implement the 2009 Water Fees and Charges

WHEREAS on March 20, 1984, the Council of The Regional Municipality of Hamilton-Wentworth passed and enacted Regional By-law R84-026, being a by-law respecting the management and maintenance of the waterworks system of The Regional Municipality of Hamilton-Wentworth and the establishment of water rates and charges;

AND WHEREAS pursuant to the *City of Hamilton Act, 1999*, S.O. 1999, c. 14, Schedule "C", The Regional Municipality of Hamilton-Wentworth was dissolved on January 1, 2001 and the City of Hamilton stands in the place of The Regional Municipality of Hamilton-Wentworth for all purposes;

AND WHEREAS pursuant to the *City of Hamilton Act, 1999*, S.O. 1999, c. 14, Schedule "C", every by-law of an old municipality, such as the former Regional Municipality of Hamilton-Wentworth, that is in force on December 31, 2000 shall be deemed to be a by-law of the City of Hamilton until it expires or is repealed or amended to provide otherwise;

AND WHEREAS pursuant to section 391 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, sections 9 and 10 of the said Act authorize a municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of the municipality and for the use of the municipality's property, including property under its control;

AND WHEREAS on the 10th day of December, 2008, the Council of the City of Hamilton did approve of Item 2 of Committee of the Whole Report 08-035 and did authorize the 2009 water and wastewater fees and charges, including but not limited to the fees and charges set out herein;


AND WHEREAS notice of the 2009 fees and charges set out herein has been given in accordance with the provisions of the City of Hamilton's Public Notice Policy By-law No. 07-351.


NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 4(18) of By-law No. R84-026, as amended, is repealed and the following substituted therefor:
 - (18) Where a parcel of land abuts a highway or other public communication, in which there is no public watermain to which such parcel may readily be connected, but there is some other public watermain to which the land may be readily connected, and for the cost of which such parcel has not been specially assessed, such parcel may be connected to such other public watermain only after the owner of the parcel has applied to and received written permission from the City of Hamilton to enter into a Special Water Service Agreement or joint water service agreement for such parcel. Upon the owner receiving the written consent, the owner must execute and register on title the said Agreement, and the owner of the parcel must pay to the City of Hamilton the fees or charges set forth in the applicable City of Hamilton by-laws.
2. By-law R84-026, as amended, is further amended by adding the following two subsections after subsection 8(8) and by renumbering the subsequent subsections as 8(11) and 8(12) respectively:
 - (9) The meter by-pass referred to in subsection 8(8) above shall be sealed and tagged in the closed position at the time it is installed, and may only be used by the City, or its authorized contractors or agents during time periods when the meter has been removed for repair.
 - (10) If a seal on a meter by-pass is opened and/or broken, and the by-pass valve is opened without the prior written permission of the City or its authorized agent, the Owner or Occupant of the lands shall pay the amount set out in Schedule "E" to this by-law during the time period when the valve was opened. If a full year's billing history is not available for the lands, the City will estimate the average daily consumption based on the average daily consumption of similar customers.
3. Schedule "A" to By-law No. R84-026, as amended, is repealed and Schedule "A" attached to this by-law is substituted therefor.
4. Schedule "C" to By-law No. R84-026, as amended, is repealed and Schedule "C" attached to this by-law is substituted therefor.

5. Schedule "E" to By-law No. R84-026, as amended, is repealed and Schedule "E" attached to this by-law is substituted therefor.
6. Schedule "G" to By-law No. R84-026, as amended, is repealed and Schedule "G" attached to this by-law is substituted therefor.
7. This by-law shall come into force as of the 1st day of January, 2009.
8. In all other respects, the contents of By-law R84-026, as amended, are hereby confirmed as unchanged.

PASSED AND ENACTED this 10th day of December, 2008.


MAYOR


CLERK

Approved
as to form:

Legal
Services

SCHEDULE "A"

**NON-METERED WATER RATES
EFFECTIVE JANUARY 1, 2009**

Water: City of Hamilton

\$379.13 per annum, plus applicable taxes.

Note: Sanitary Surcharge is 100% of non-metered water rate for a combined total non-metered annual water and wastewater rate of \$758.26 per annum, plus applicable taxes.

SCHEDULE "C"

MISCELLANEOUS RATES FOR WATER
EFFECTIVE JANUARY 1, 2009

(Referred to in Section 12(6), (7) and (8))

1. **Travelling Shows and Other Temporary Occasions**

The deposit required from travelling shows or applicants for other temporary occasions is Five Thousand, Five Hundred and Thirty-Seven and 10/100 Dollars (\$5,537.10), and consists of:

- (a) Two Hundred and Sixty-Three and 70/100 Dollars (\$263.70) as a usage deposit (to be applied to the cost of temporary connection/disconnection, the per diem rental cost for the hydrant adapter and the amount due for water used); and
- (b) Five Thousand, Two Hundred and Seventy-Three and 40/100 Dollars (\$5,273.40) as a damage deposit (refundable upon return to the City of the hydrant adapter, less any damages incurred).

The fee for connecting and disconnecting the water service and for the hydrant adapter rental are set forth in Section 10 of Schedule "E" to this By-law and are in addition to the applicable metered water rate set out in Schedule "G" to this By-law.

2. **Public Water Filling Stations**

- (a) The rate payable for water supplied to tank trucks at the Public Water Filling Stations be \$1.559 per cubic metre or part thereof. The Public Water Filling Stations are located at:

- (i) Cormorant Road, Ancaster
- (ii) Dartnall Road, Hamilton.

- (b) Water Haulage License Fee \$179.30

3. **Private Water Filling Stations**

The one time permit fee for new private water filling stations approved by the General Manager of Public Works is \$1,054.70 and is payable upon permit application.

The annual permit fee for both existing private water filling stations and new private water filling stations approved by the General Manager of Public Works is \$316.40 and is payable within one month of the notification by the City.

4. Areas Outside the City of Hamilton

The rate for water supplied to municipalities for the Owner or Occupant of any lands outside the City of Hamilton is the applicable meter rate set forth in Schedule "G" to this By-law, plus fifty per cent (50%) surcharge or such other surcharge as may be specifically defined in the agreement between the City and the municipality, Owner or Occupant of the lands outside the City of Hamilton.

SCHEDULE "E"**TABLE OF FEES FOR VARIOUS SERVICES**
EFFECTIVE JANUARY 1, 2009

1. (a) Water Service Permit Fees \$75.90
- (b) Permit fees associated with the installation of water services, supply and installation of water meter and remote reading device, and superintending, as referred to in Section 4(1)(b) of By-law R84-026, as amended:

Size of Water Meter	Fee
16 mm diameter	\$ 337.50
20 mm diameter	\$ 379.70
25 mm diameter	\$ 617.00
38 mm diameter	\$ 922.80
50 mm diameter	\$ 1,107.40
50 mm diameter (turbine with strainer)	\$ 1,409.30
50 mm diameter (compound with strainer)	\$ 2,825.90
100 mm diameter (turbine with strainer)	\$ 2,668.30
100 mm diameter (compound with strainer)	\$ 4,577.30
100 mm diameter (fire service compound)	\$ 4,653.00
150 mm diameter (turbine with strainer)	\$ 4,603.70
150 mm diameter (compound with strainer)	\$ 9,043.90
150 mm diameter (fire service turbine)	\$ 5,114.20
150 mm diameter (fire service compound)	\$ 9,823.00
200 mm diameter (turbine with strainer)	\$ 6,628.70
200 mm diameter (fire service turbine)	\$ 8,889.30
200 mm diameter (fire service compound)	\$13,442.00
250 mm diameter (fire service compound)	\$18,740.20
Other sizes and types	Cost+ 33% Overhead

2.	Water Meter Removal Fee	Cost + 33% Overhead
3.	For superintending the laying of a new water service	
	(a) Regular Inspection – Regular Hours	\$65.30
	(b) Complex or Development Inspection. This fee is in addition to the Regular Inspection Fee and is charged per service from the main meter of the development to each unit being served.	\$65.30
	(c) Regular Inspection – After Hours	\$98.10
4.	Existing Water Service Replacement or Repair Fee (not including new water meter, if required):**	
	(a) Service replacement of public portion from 0mm to and including 20mm diameter plus inspection of private portion	\$279.50
	(b) Inspection of service replacement of private portion from 0mm to and including 20mm	\$210.90
5.	For turning water off	\$65.30
6.	For turning water on	\$65.30
7.	For turning water on & off during the same call	\$98.10
8.	Discharge of Special Water Service Agreements	\$353.30
9.	Flow test for fire-fighting design purposes (hydrant flow test)	\$94.90
10.	For temporary connections and disconnections (hydrant adapter fees):*** Usage cost (metered water rate) plus connection/disconnection fee	
	(a) Connection/Disconnection Fee – Regular Hours	\$184.60/visit
	(b) Connection/Disconnection Fee – After Hours	\$279.50/visit
	(c) Additional per diem charge for hydrant adapter rental	\$10.50/day

11. Replacement Cost for Lost or Broken Meter and Attachments:

Size of Meter	Cost****
16 mm diameter	\$ 120.50
20 mm diameter	\$ 178.10
25 mm diameter	\$ 220.80
38 mm diameter	\$ 492.40
50 mm diameter	\$ 657.10
50 mm diameter (turbine)	\$1,490.00
50 mm diameter (compound)	\$3,486.60
100 mm diameter (turbine)	\$2,040.90
100 mm diameter (compound)	\$ 3,689.90
100 mm diameter (fire service compound)	\$ 7,755.00
150 mm diameter (turbine)	\$ 3,755.20
150 mm diameter (compound)	\$ 7,652.40
150 mm diameter (fire service turbine)	\$ 8,035.20
150 mm diameter (fire service compound)	\$12,408.40
200 mm diameter (turbine)	\$ 5,551.10
200 mm diameter (fire service turbine)	\$10,846.70
200 mm diameter (fire service compound)	\$17,061.60
250 mm diameter (fire service compound)	\$24,104.60
>250 mm diameter (all types)	cost + 33% overhead

12. Testing water meters, referred to in Section 9 of this By-law

16 mm to 25 mm diameter	\$100.20
38 mm to 50 mm diameter	\$152.90
100 mm plus diameter	\$348.00
In situ testing of water meters (all sizes)	Cost +33% overhead

13. For service calls other than previously specified:
- (a) Service Call – Regular Hours \$65.30
- (b) Service Call – After Hours \$100.20
14. Meter Open By-pass 2 x average daily consumption
15. Repair or Replace City Property cost plus 33%
(Labour Materials and Equipment Costs) overhead
16. Watermain Valve Shut Down and Recharge cost plus 33%
overhead
17. General Administration Fees
- Extra or lost card replacement for water filling stations \$42.20
- Account Review \$92.90
- General Request (per hour) \$47.50
- NSF Cheque \$29.00
- Permit Cancellation Administration Fee \$25.90
- Permit Renewal Fee \$36.20

Notes to Schedule "E":

- * A service charge applies for each refund issued.
- ** Additional fees will apply for service size upgrades based on size and length
- *** This service requires a \$5,537.10 deposit (\$263.70 usage deposit and \$5,273.40 damage deposit)
- **** Plus PST and GST

"Regular Hours" means 7 a.m. – 3 p.m. inclusive, Monday to Friday.

"After Hours" means outside Regular Hours Monday to Friday, a Saturday, Sunday, public holiday or other day on which banks in Ontario are authorized or required by law to be closed.

SCHEDULE "G"**TABLE OF METERED WATER RATES****EFFECTIVE JANUARY 1, 2009**

(Referred to in Section 12(2), (3) & (4) & 13(2))

A) Minimum Charge

The minimum charge per billing period for the use of the specified volume of water is as follows:

Residential Meter Size	Approved Bi-Monthly Rate	Minimum Volume/ Bi-Monthly	Approved Monthly Rate	Minimum Volume/Month
15 mm to 20 mm	\$14.90	10 m ³	\$7.45	5 m ³
Commercial Meter Size				
16 mm	\$14.90	10 m ³	\$7.45	5 m ³
20 mm	\$14.90	10 m ³	\$7.45	5 m ³
25 mm	\$78.82	30 m ³	\$39.41	15 m ³
38 mm	\$87.56	30 m ³	\$43.78	15 m ³
50 mm	\$104.12	30 m ³	\$52.06	15 m ³
75 mm	\$180.40	30 m ³	\$90.20	15 m ³
100 mm	\$231.06	30 m ³	\$115.53	15 m ³
150 mm	\$408.86	30 m ³	\$204.43	15 m ³
200 mm	\$705.98	30 m ³	\$352.99	15 m ³
250 mm	\$1,086.84	30 m ³	\$543.42	15 m ³
Haldimand/Halton Meter Size				
50 mm	\$156.20	30 m ³	\$ 78.10	15 m ³
100 mm	\$346.60	30 m ³	\$173.30	15 m ³
150 mm	\$613.32	30 m ³	\$306.66	15 m ³
200 mm	\$1,058.94	30 m ³	\$529.47	15 m ³

B) Consumption Charge

The consumption charge for the amount of water used over and above the minimum volume per bi-monthly billing is as follows:

	Minimum Bi-Monthly Volume	Consumption Charge Per Cubic Metre
Residential	10 m ³	\$1.0387 > 10 m ³
Small Commercial	10 m ³	\$1.0387 > 10 m ³
Commercial / Industrial	30 m ³	\$1.0387 > 30 m ³
Haldimand, Halton & Water Haulers	30 m ³	\$1.559 > 30 m ³

C) SANITARY SURCHARGE IS 100% OF WATER CONSUMPTION (applies to all metered residential, commercial, industrial and institutional water consumption).