

Authority: Item 1, Committee of the Whole
Report; 04-014
(FCS04150/PW04127)
CM: December 15, 04

Bill No. 317

CITY OF HAMILTON

BY-LAW NO. 04-317

TO AMEND THE SEWER AND DRAIN BY-LAW R79-172, AS AMENDED, AND IMPLEMENT THE 2005 FEES AND CHARGES

WHEREAS on November 6, 1979, the Council of The Regional Municipality of Hamilton-Wentworth passed and enacted Regional By-law R79-172, known and referred to as "The Regional Sewer and Drain By-law";

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that is in force on December 31, 2000 shall be deemed to be a by-law of the City of Hamilton until it expires or is repealed or amended to provide otherwise;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, a municipality may pass by-laws imposing fees or charges on any class of persons 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;

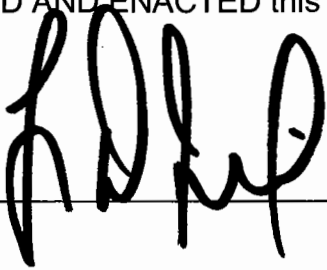
AND WHEREAS on the 15th day of December, 2004, the Council of the City of Hamilton did approve of Item 1 of Committee of the Whole Report 04-014 and did authorize the 2005 water and wastewater user fees and charges, including the fees and charges set out herein;

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

1. That Schedule "C" to By-law No. R79-172, as amended, is hereby repealed and that Schedule "C" attached to this by-law be substituted therefor.
2. That this by-law shall come into force and take effect as of January 1, 2005.
3. In all other respects, the contents of By-law R79-172, as amended, including but not limited to all other fees and charges therein, are hereby confirmed as unchanged.

PASSED AND ENACTED this 15th day of December, 2004.

Mayor

A large, stylized handwritten signature in black ink, appearing to be 'R. D. P.', written over a horizontal line.

City Clerk

A large, stylized handwritten signature in black ink, written over a horizontal line.

SCHEDULE "C"

SCHEDULE OF FEES AND CHARGES

EFFECTIVE JANUARY 1ST, 2005

- | | | |
|----|--------------------------------|----------|
| 1. | Basic Fee for any sewer permit | \$51.25* |
|----|--------------------------------|----------|

In addition to the basic fee described in section (1) of this Schedule "C", the following fees are payable:

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|-----|--|------------------------------|
| (a) | for a sanitary yard sewer and a private drain, or for either one individually | \$21.50* |
| (b) | for a storm water yard sewer and a private drain, or for either one individually | \$21.50* |
| (c) | for a lateral connection to a yard sewer | \$21.50* |
| (d) | for a catch basin including connection to a storm water yard sewer | \$21.50* |
| (e) | inspect storm sewer | \$21.50* |
| (f) | inspect sanitary sewer | \$21.50* |
| 2. | Processing of Special Sewer Agreements | \$404.85* |
| 3. | Special Sanitary/Storm Sewer Agreements
(Clause 5(1)(b)(i) of the By-law) | \$1,778.35* |
| 4. | Special Dual Sewer Agreements
(Clause 5(1)(b)(ii) of the By-law) | \$2,347.25* |
| 5. | Discharge of Special Sewer Agreements | \$215.25* |
| 6. | Sanitary Yard Sewer & Private Drain Inspection
(weekend) | \$215.25* |
| 7. | Expired Sewer Permit Extension (Renewal)
(plus any difference in price between new permit and expired permit) | \$32.25* |
| 8. | Service Charge for Missed Appointments
and Inspections Not Ready and completed follow-up inspection (\$48.175/visit). | \$96.35* |
| 9. | Rental Rate for Landscaping Lease (Per Annum) | Case Dependent
No Set Fee |
| 10. | Status of Special Sewer Agreements – No Field Inspection | \$117.85* |
| 11. | Status of Special Sewer Agreements – Field Inspection | \$166.05* |

*GST exempt.