

Authority: Item 2, Committee of the Whole
Report 08-035
CM: December 10, 2008
Bill No. 304

CITY OF HAMILTON

BY-LAW NO. 08-304

A By-law to Establish the 2009 Water and Wastewater Fees and Charges for Services, Activities and Use of Property Provided by the City of Hamilton

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 the City of Hamilton wishes to establish and maintain in one by-law a list of all of its water and wastewater services and activities and the use of which properties will be subject to fees or charges, as well as the amount of each fee or charge;

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 set out herein;

AND WHEREAS notice of the 2009 water and wastewater 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:

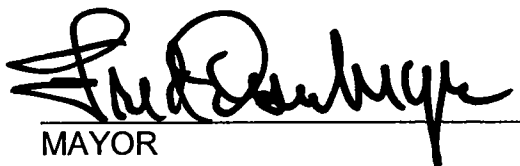
1. The water and wastewater fees and charges identified under the headings of Minimum Charge, Consumption Charge, Sanitary Surcharge and Non-Metered Annual Water and Wastewater Rate on Schedule "A" attached hereto, be imposed by the City of Hamilton for the respective services, activities and use of property provided by the City of Hamilton.
2. The water and wastewater fees and charges identified as the "2009 Fee or Charge" on Schedule "B" attached hereto, be imposed by the City of Hamilton for those respective services, activities and use of property provided by the City of Hamilton and identified as the "Service Offered" on the said Schedule "B".
3. The water and wastewater fees and charges listed in Schedules "A" and "B" attached hereto, are subject to Provincial Sales Tax (P.S.T.) and/or Goods and Services Tax (G.S.T.), where applicable.
4. The fees and charges imposed by this by-law are due and payable:
 - (a) at the time of the transaction for which the fee or charge is imposed; or
 - (b) if subsection 4(a) is not applicable, upon the due date specified in any invoice issued by the City of Hamilton or by any other body acting on behalf of the City of Hamilton to any person in connection with a fee or charge imposed by this by-law.
5. Late payment charges shall be added to all unpaid fees and charges as follows:
 - (a) for the fees and charges set out in Schedule "A" attached hereto, a rate of 1.5% per month calculated daily on any overdue amount;
 - (b) for the fees and charges set out in Schedule "B" attached hereto, the current prime rate plus 2%, adjusted quarterly, on any overdue amount.


6. All unpaid fees or charges imposed by this by-law on a person are a debt due to the City of Hamilton and the City of Hamilton may take such action as it considers necessary and as permitted by law to collect the debt.
7. Where all or part of a fee or charge imposed by this by-law relates to fees and charges for the supply of a public utility, as defined in the Municipal Act, 2001, and remains unpaid, such fee or charge may be added to the tax roll for the property to which the public utility was supplied, and collected in like manner as municipal taxes.
8. Where all or part of a fee or charge imposed by this by-law relates to fees and charges other than those set out in section 7 of this by-law, and remains unpaid, such fee or charge may be added to the tax roll for the property for which all of the owners are responsible for payment of the fee or charge, and collected in like manner as municipal taxes.
9. In the event of any conflict between the provisions of this by-law and the provisions of By-law R84-026, as amended, being the Waterworks By-law for the City of Hamilton, the provisions of By-law R84-026, as amended, shall prevail.
10. In the event of any conflict between the provisions of this by-law and the provisions of By-law No. 06-026, as amended, being The Sewer and Drain By-law for the City of Hamilton, the provisions of By-law No. 06-026, as amended, shall prevail.
11. In the event of any conflict between the provisions of this by-law and the provisions of By-law No. 04-150, as amended, being the Sewer Use By-law for the City of Hamilton, the provisions of By-law No. 04-150, as amended, shall prevail.
12. In the event of any conflict between the provisions of this by-law and the provisions of By-law No. 03-272, as amended, being The Sanitary Surcharge and Wastewater Abatement By-law for the City of Hamilton, the provisions of By-law No. 03-272, as amended, shall prevail.
13. Should any part of this by-law, including any part of Schedule "A" and/or Schedule "B" attached hereto, be determined by a court of competent jurisdiction to be invalid or of no force and effect, it is the intention of Council that such invalid part of this By-law shall be

deemed severable from this by-law and that the remainder of this by-law shall survive and be applied and enforced in accordance with its terms to the extent possible under the law.

14. Schedules "A" and "B" attached to this by-law, form an integral part of this by-law.
15. This by-law may be known as the "Water and Wastewater Fees and Charges By-law".
16. By-law No. 07-356, being a by-law to establish the 2008 Water and Wastewater Fees and Charges for Services, Activities and Use of Property Provided by the City of Hamilton, is hereby repealed.
17. This by-law shall come into force as of the 1st day of January, 2009.

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


MAYOR


CLERK

Approved
as to form

Legal
Services

SCHEDULE "A" TO BY-LAW 08-304

CITY OF HAMILTON 2009 WATER AND WASTEWATER FEES AND CHARGES Effective January 1, 2009

A) Minimum Charge

The minimum charge per billing period including 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 Rate

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

	Specified Volume Included in Billed Minimum Charge	Usage 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 > 10 m ³
Haldimand, Halton & Water Haulers	30 m ³	\$1.559 > 30 m ³

C) SANITARY SURCHARGE RATE IS 100% OF WATER CONSUMPTION*

*(1) Applies to all metered residential, commercial, industrial and institutional water consumption.

D) NON-METERED ANNUAL WATER & WASTEWATER RATE: \$758.26

SCHEDULE "B" TO BY-LAW NO. 08-304**WATER AND WASTEWATER FEES AND CHARGES**

Effective January 1, 2009

Department: **PUBLIC WORKS**Division: **WATERWORKS, WASTEWATER & STORM****A: WATERWORKS BY-LAW R84-026, AS AMENDED, FEES AND CHARGES**

Service Offered	2009 Fee or Charge
WATER DISTRIBUTION	
Water Service Permit Fee	\$75.90
Water Meter Permit Fees include supply and installation of water meter and remote reading device by city and inspection.	
16mm Displacement	\$337.50
20mm Displacement	\$379.70
25mm Displacement	\$617.00
38mm Displacement	\$922.80
50mm Displacement	\$1,107.40
50mm Turbine with Strainer	\$1,409.30
50mm Compound with Strainer	\$2,825.90
100mm Turbine with Strainer	\$2,668.30
100mm Compound with Strainer	\$4,577.30
100mm Fire Service Compound	\$4,653.00
150mm Turbine with Strainer	\$4,603.70
150mm Compound with Strainer	\$9,043.90
150mm Fire Service Turbine	\$5,114.20
150mm Fire Service Compound	\$9,823.00
200mm Turbine with Strainer	\$6,628.70
200mm Fire Service Turbine	\$8,889.30
200mm Fire Service Compound	\$13,442.00
250mm Fire Service Compound	\$18,740.20
Other Sizes & Types	Cost + 33% OH
Water Meter Removal Fee	Cost + 33% OH
Inspection Services	
Regular Inspection	\$65.30
Complex or Development inspection (per service)	\$65.30
Regular Inspection - after hours	\$98.10
Existing Water Service Replace or Repair Fee not including new water meter (if required)	
Service replacement from <20mm to 20mm diameter (public and private portion)	\$279.50
Service replacement from <20mm to 20mm diameter (private portion only)	\$210.90
* additional fees will apply for service size upgrades based on size and length	

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2009

Department: PUBLIC WORKS

Division: WATERWORKS, WASTEWATER & STORM

A: WATERWORKS BY-LAW R84-026, AS AMENDED, FEES AND CHARGES, CONTINUED

Service Offered	2009 Fee or Charge
For Turning Water on or Off	
For turning water on or off	\$65.30
For turning water on or off during the same call	\$98.10
Discharge of Special Water Service Agreements	\$353.30
Hydrant Flow Test	\$94.90
Hydrant Adaptor Fees	
Usage Cost (Metered Water Rate) plus Connection/Disconnection Fee	
This service requires a usage deposit and a damage deposit	
Connection/Disconnection Fee - Regular Hours	\$184.60
Connection/Disconnection Fee - After Hours	\$279.50
Usage Deposit	\$263.70
Damage Deposit	\$5,273.40
Daily rental fee for hydrant adapter	\$10.50
Replacement Cost for Lost Meter:	
16mm Displacement	\$120.50
20mm Displacement	\$178.10
25mm Displacement	\$220.80
38mm Displacement	\$492.40
50mm Displacement	\$657.10
50mm Turbine with Strainer	\$1,490.00
50mm Compound with Strainer	\$3,486.60
100mm Turbine with Strainer	\$2,040.90
100mm Compound with Strainer	\$3,689.90
100mm Fire Service Compound	\$7,755.00
150mm Turbine with Strainer	\$3,755.20
150mm Compound with Strainer	\$7,652.40
150mm Fire Service Turbine	\$8,035.20
150mm Fire Service Compound	\$12,408.40
200mm Turbine with Strainer	\$5,551.10
200mm Fire Service Turbine	\$10,846.70
200mm Fire Service Compound	\$17,061.60
250mm Fire Service Compound	\$24,104.60
Other Sizes & Types	Cost + 33% OH
Bench testing Water Meters, referred to in Section 9 of the By-Law	
16 mm - 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% OH

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2009

Department: PUBLIC WORKS

Division: WATERWORKS, WASTEWATER & STORM

A: WATERWORKS BY-LAW R84-026, AS AMENDED, FEES AND CHARGES, CONTINUED

Service Offered	2009 Fee or Charge
Service Call - Regular Hours	\$65.30
Service Call (After Hours)	\$100.20
Meter Open By-Pass	2 X average daily consumption
Repair or Replace City Property (Labour, Materials and Equipment Costs)	Cost + 33% OH
Watermain Valve turn on or off (per valve)	Cost + 33% OH
Private Water Station Agreement Fees	
Renewal	\$316.40
New Application	\$1,054.70
Water Haulage License Fee (includes 2 cards)	\$179.30
General Administration Fees	
extra/lost card replacement	\$42.20
account review	\$92.90
general requests (per hour)	\$47.50
NSF Cheque	\$29.00
Permit Cancellation administrative fee	\$25.90
Permit Renewal Fee	\$36.20

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2008

Department: PUBLIC WORKS

Division: WATERWORKS, WASTEWATER & STORM

B: SEWER AND DRAIN BY-LAW 06-026, AS AMENDED, FEES AND CHARGES

Service Offered	2009 Fee or Charge
COLLECTION SYSTEM INSPECTION & MAINTENANCE	
Basic Fee for any Sewer Permit (Recovery of Administration Costs)	\$56.25
In addition to the basic fee described in subsection (1), the following fees are payable:	
for a sanitary sewer lateral private	\$23.68
for a sanitary sewer lateral public	\$23.68
for a storm water sewer lateral private	\$23.68
for a storm water sewer lateral public	\$23.68
for a lateral connection to sewer lateral private	\$23.68
for a catchbasin including connection to a storm sewer lateral private	\$23.68
inspect Storm Sewer	\$23.68
inspect Sanitary Sewer	\$23.68

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2008

Department: PUBLIC WORKS

Division: WATERWORKS, WASTEWATER & STORM

B: SEWER AND DRAIN BY-LAW 06-026, AS AMENDED, FEES AND CHARGES, CONTINUED

Service Offered	2009 Fee or Charge
Discharge of Special Sewer Agreements	\$236.27
Sanitary sewer lateral private Weekends (1 Inspector) + public portion inspection	\$236.27
Expired Permit Extension (Renewal)	\$35.36
Service Call for Missed Appointments and Inspections not Ready.	\$105.47

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2008

Department: PUBLIC WORKS

Division: WATERWORKS, WASTEWATER & STORM

B: SEWER AND DRAIN BY-LAW 06-026, AS AMENDED, FEES AND CHARGES, CONTINUED

Service Offered	2009 Fee or Charge
Partial Sewer Lateral Cleaning - Regular Hours	\$345.80
Partial Sewer Lateral Cleaning - After Hours	\$460.51
Partial Sewer Lateral Cleaning - Locate	\$412.30
Complete Sewer Lateral Investigation - Regular Hours	\$568.58
Complete Sewer Lateral Investigation - After Hours	\$694.93
Abandoned Sewer Lateral Investigation - Regular Hours	\$515.38
Abandoned Sewer Lateral Investigation - After Hours	\$641.73

Note:

1. "Regular Hours" means 7 a.m. - 5 p.m. inclusive, Monday to Friday
2. "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.
3. "Partial Sewer Lateral Cleaning" means services to relieve blockage(s) in the Sewer Lateral in order to temporarily reinstate sewer service
4. "Partial Sewer Lateral Cleaning - Locate" means services to locate any Defects in the Sewer Lateral without closed circuit television inspection.
5. "Complete Sewer Lateral Investigation" means services to complete a thorough cleaning and closed circuit television inspection of the Sewer Lateral.
6. "Abandoned Sewer Lateral Investigation" means services related to an unsuccessful attempt to access the Sewer Lateral for cleaning.

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2009

Department: PUBLIC WORKS

Division: WATERWORKS, WASTEWATER & STORM

C: LABORATORY SERVICES FEES AND CHARGES

Service Offered	2009 Fee or Charge
LABORATORY SERVICES	
Inorganic Tests:	
pH Test	\$9.45
Conductivity	\$9.45
Turbidity	\$9.45
Ammonia	\$19.90
Total Kjeldhal Nitrogen (TKN)	\$26.27
Nitrate, Nitrite	\$19.90
Phosphorus Total	\$26.27
Reactive Phosphorus	\$19.90
Fluoride	\$19.90
Chloride	\$19.90
Sulphate	\$19.90
Total Suspended Solids (TSS)	\$19.90
Total Volatile Solids (TVS)	\$19.90
Chemical Oxygen Demand (COD)	\$19.90
Biochemical Oxygen Demand (BOD)	\$37.81
Phenolics	\$28.36
Total Cyanide	\$28.36
Other non-listed inorganic tests	\$19.90
Chlorine	\$9.45
Ion Chromatograph Anion Scan	\$46.27
Dissolved Organic Carbon	\$28.36
Microbiology Tests:	
Total Coliform	\$12.54
E. coli	\$12.54
Heterotrophic Plate Count	\$19.90

NOTE: (1) A 15% discount for five or more samples
 (2) Further discounts may be applicable to City of Hamilton Projects
 (3) Rush service may be subject to a surcharge, that will vary depending on the analysis and turnar

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2009

Department: PUBLIC WORKS

Division: WATERWORKS, WASTEWATER & STORM

C: LABORATORY FEES AND CHARGES, CONTINUED

Service Offered	2009 Fee or Charge
Metals:	
Hydride Generation	\$31.55
Graphite Furnace	\$28.36
Mercury	\$41.99
ICP Scan (25 elements)	\$67.26
Non-routine tests by:	
Technician (per hour)	\$62.88
Technologist (per hour)	\$63.78
Chemist (per hour)	\$92.14
Organic Tests:	
Total Oil & Grease	\$44.18
Total Oil & Grease Vegetable & Mineral	\$68.26
Semi-Volatiles - Full Scan plus Base Neutral	
Targets (Include PAH's)	\$449.63
Volatiles - Full Scan plus Chlorinated and Aromatic Targets	\$236.41
Oil ID	\$148.15
BTEX	\$126.07
Trihalomethanes	\$107.16
PCB's	\$112.43
Cold and Hot Extractable Hydrocarbons plus BTEX	\$224.87

Note: (1) A 15% discount for five or more samples
 (2) Further discounts may be applicable to City of Hamilton Projects
 (3) Rush service may be subject to a surcharge, that will vary depending on the analysis and turnaround

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2009

Department: PUBLIC WORKS

Division: WATERWORKS, WASTEWATER & STORM

D: SEWER USE BY-LAW 04-150, AS AMENDED, FEES AND CHARGES

Service Offered	2009 Fee or Charge
To Regulate the Discharge of any Matter into the Sanitary, Combined, and Storm Sewer Systems.	
<u>Annual Permit to discharge hauled sewage</u>	\$266.45
Discharge fees for hauled sewage generated:	
<u>Inside the City - Compliant</u>	
up to 1000 imperial gallons (4.54 m3) or any part thereof	\$40.10
greater than 1000 (4.54 m3) but less than or equal to 3500 Imperial gallons (15.9m3)	\$40.10
greater than 3500 (15.9 m3) but less than or equal to 5000 Imperial gallons (22.7 m3)	\$80.20
greater than 5000 (22.7 m3) but less than or equal to 8000 Imperial gallons (36.3 m3)	\$120.30
greater than 8000 (36.3 m3) but less than or equal to 10000 Imperial gallons (45.43 m3)	\$160.40
<u>Inside the City - Non-Compliant</u>	
up to 1000 imperial gallons (4.54 m3) or any part thereof	\$40.10
greater than 1000 (4.54 m3) but less than or equal to 3500 Imperial gallons (15.9m3)	\$80.20
greater than 3500 (15.9 m3) but less than or equal to 5000 Imperial gallons (22.7 m3)	\$120.30
greater than 5000 (22.7 m3) but less than or equal to 8000 Imperial gallons (36.3 m3)	\$200.48
greater than 8000 (36.3 m3) but less than or equal to 10000 Imperial gallons (45.43 m3)	\$240.58

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2009

Department: PUBLIC WORKS
 Division: WATERWORKS, WASTEWATER & STORM

D: SEWER USE BY-LAW 04-150, AS AMENDED, FEES AND CHARGES, CONTINUED

Service Offered	2009 Fee or Charge
<u>Outside the City</u>	
up to 1000 imperial gallons (4.54 m3) or any part thereof	\$80.20
greater than 1000 (4.54 m3) but less than or equal to 3500 Imperial gallons (15.9m3)	\$160.40
greater than 3500 (15.9 m3) but less than or equal to 5000 Imperial gallons (22.7 m3)	\$240.58
greater than 5000 (22.7 m3) but less than or equal to 8000 Imperial gallons (36.3 m3)	\$400.98
greater than 8000 (36.3 m3) but less than or equal to 10000 Imperial gallons (45.43 m3)	\$481.27
 <u>Holding Tanks for Recreations Vehicles</u>	 \$5.27
 <u>Overstrength and Compliance Program Discharge Fees</u>	
Biochemical Oxygen Demand	\$0.6397
Suspended Solids	\$0.5117
Phenolic Compounds	\$0.6397
Solvent Extractable Matter (animal/vegetable)	\$0.5373
Kjeldahl Nitrogen	\$1.9478
Phosphorus	\$1.3702
 Administrative Fees for Sewer Use Agreements (minimum charges per quarter)	
Overstrength Discharge Agreement	\$262.77
Sanitary Sewer Surcharge Agreement	\$262.77
Chloride Discharge Agreement	\$262.77
 Spills Response fee (per hour)	 \$56.82
Information Requests	\$120.89

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2009

Department: Public Works

Division: WATERWORKS, WASTEWATER & STORM

E: SANITARY SURCHARGE AND WASTEWATER ABATEMENT BY-LAW 03-272, AS AMENDED, FEES AND CHARGES

Service Offered	2009 Fee or Charge
Initial Application Processing Fee (section 10)	\$112.53
Supplementary Application Fee (section 11) plus full cost recovery for peer review (section 11)	\$337.40
Annual Administration Fee (where annual Abatement exceeds \$500 - sub-section 22 (b))	\$449.92

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2009

Department: PUBLIC WORKS

Division: WATERWORKS, WASTEWATER & STORM

F: SOURCE WATER PROTECTION FEES AND CHARGES

Service Offered	2009 Fee or Charge
Non Potable Water Review	\$517.00