

Authority: Item 1, Committee of the Whole
Report; 06-023 (FCS060114/PW06137)
CM: December 13, 2006

Bill No. 344

CITY OF HAMILTON

BY-LAW NO. 06-344

To Amend the Sanitary Surcharge and Wastewater Abatement By-law 03-272, as amended, and Implement the 2007 Fees and Charges

WHEREAS on September 24, 2003, the Council of the City of Hamilton passed and enacted By-law 03-272, known and referred to as "The Sanitary Surcharge and Wastewater Abatement By-law";

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 13th day of December, 2006 the Council of the City of Hamilton did approve of Item 1 of Committee of the Whole Report 06-023 and did authorize the 2007 water and wastewater fees and charges, including the fees and charges set out herein;

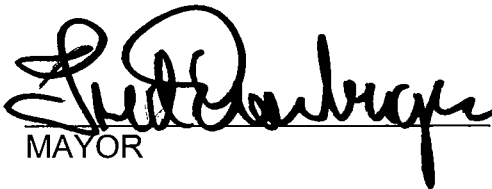
AND WHEREAS notice of the 2007 fees and charges set out herein has been given in a form and in the manner and at the times that the Council considers adequate and otherwise in accordance with the provisions of the said *Municipal Act, 2001*.

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

1. That Schedule "A" to By-law No. 03-272, as amended, is hereby repealed and that Schedule "A" attached to this by-law be substituted therefor.

2. That Schedule "B" to By-law No. 03-272, as amended, is hereby repealed and that Schedule "B" attached to this by-law be substituted therefor.
3. That this by-law shall come into force and take effect as of January 1, 2007.
4. In all other respects, the contents of By-law 03-272, as amended, including but not limited to all other fees and charges therein, are hereby confirmed as unchanged for 2007.

PASSED AND ENACTED this 13th day of December, 2006.


MAYOR


CLERK

SCHEDULE "A"

Sanitary Surcharge

The Sanitary Surcharge is calculated as 100% of the gross amount of the monthly or bi-monthly metered water or non-metered water rate.

SCHEDULE "B"Wastewater Abatement Program

1.
 - (a) Initial Application Processing Fee (Section 10) \$106.70 plus applicable taxes
 - (b) Supplementary Application Fee (Section 11) \$319.91 plus applicable taxes and full cost recovery for peer review
 - (c) Annual Administration Fee (where annual Abatement exceeds \$500.00 -sub-section 22(b)) \$426.60 plus applicable taxes

2. In determining whether a Consumer appears to qualify for an Abatement under section 10 of this By-law, the Abatement shall be calculated in accordance with the following formula, based on data from the calendar year prior to the year of application for the Abatement:

A = Annual Volume (m³) of Water supplied to the Property from all sources

B = Annual Wastewater Diverted from the City's sanitary sewer and combined sewer system (if B is less than 25% of A, the Applicant is not eligible for the Abatement; if B is greater than 75% of A, insert a value equal to 75% of A)

C = Annual Wastewater Discharged to the City's sanitary sewer and combined sewer system (C = A – B)

D = Infiltration and Inflow Add Back (D = C x 133%: add back adjustment of 33% to the volumetric charge so that all ratepayers continue to pay an equal portion of the treatment costs associated with inflow and infiltration)

E% = Wastewater Abatement in Percentage (before phase in)

F% = Wastewater Abatement in Percentage (after phase in)

Step 1: $A - B = C$

Step 2: $D = C \times 133\%$

Step 3: $E\% = \frac{A - D}{A} \times 100$

Step 4: $F\% = E\% \times 33.3\%$ (phase-in for 2003)
 $F\% = E\% \times 66.6\%$ (phase-in for 2004)
 $F\% = E\% \times 100\%$ (phase-in for 2005 and each calendar year thereafter)

3. If an Abatement is authorized for a Consumer in accordance with this By-law, the Abatement will be applied quarterly each year in accordance with the following formula:

G = Actual Volume (m³) of Water Supplied to the Property by the City during the previous quarter

H = Volume (m³) of Water eligible for the Abatement during the previous quarter

I = Sanitary Surcharge (for 2003 is \$0.669 per cubic meter of water; for 2004 is \$0.733 per cubic meter of water; for 2005 is \$0.792 per cubic meter of water; for 2006 is \$0.851 per cubic meter of water; and for 2007 is \$0.913 per cubic meter of water)

\$J = Dollar Amount of Abatement for the billing period

Step 5: $G \times F\% = H$

Step 6: $H \times I = \$J$