

Authority: Item 3, General Issues Committee
Report 12-031(a) (FCS12076/PW12085)
CM: December 12, 2012

Bill No. 288

CITY OF HAMILTON

BY-LAW NO. 12-288

To Amend the Waterworks By-law No. R84-026 and Implement the 2013 Water Fees and Charges

WHEREAS on March 20, 1984, the Council of The Regional Municipality of Hamilton-Wentworth passed and enacted Regional By-law No. 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that is in force on December 31, 2000 shall be deemed to be a by-law of the City of Hamilton until it expires or is repealed or amended to provide otherwise;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 sections 9 and 10 of the *Municipal Act, 2001*, S.O. 2001, c.25, a municipality may pass by-laws respecting public assets of the municipality acquired for the purpose of exercising its authority under the said Act or any other Act, and respecting services that the municipality considers necessary or desirable for the public, including the provision of public utilities such as water and sewage, as defined in the said Act;

AND WHEREAS pursuant to section 391 of the *Municipal Act, 2001*, S.O. 2001, c.25, 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 12th day of December, 2012, the Council of the City of Hamilton did approve of Item 3 of General Issues Committee Report 12-031(a)

and did authorize the 2013 water and wastewater fees and charges, including but not limited to the fees and charges set out herein;

AND WHEREAS notice of the 2013 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. Clause 4(1)(b) of By-law No. R84-026 is deleted and replaced with the following new clause (b):
 - (b) shall pay to the City of Hamilton the amounts as set forth in Schedule "E" to this By-law for the supply and installation of the water meter and Remote Reader, inspection and the turning on of water, plus the amounts set forth in the User Fees and Charges By-law for the cost of the water service permit and the superintending of the laying of the service connection and the yard service, or both;
2. Section 8 of By-law No. R84-026 is amended by adding the following new subsection (14):
 - (14) Where a person applies for a building permit for a premises, the person shall also pay the construction water fees set out in Schedule "E" to this By-law for the supply of water to the premises during the time period before the water meter is installed.
3. Subsection 12(7)(b) is amended by replacing the words "Private Water Filling Stations shall pay the following fees:" with "The Owner of a Private Water Filling Station shall pay the following fees:".
4. Schedule "A" to By-law No. R84-026 is deleted and replaced with the new Schedule "A" attached to this by-law.
5. Schedule "C" to By-law No. R84-026 is deleted and replaced with the new Schedule "C" attached to this by-law.
6. Schedule "E" to By-law No. R84-026 is deleted and replaced with the new Schedule "E" attached to this by-law.
7. Schedule "G" to By-law No. R84-026 is deleted and replaced with the new Schedule "G" attached to this by-law.
8. Schedule "H" to By-law No. R84-026 is deleted and replaced with the new Schedule "H" attached to this by-law.

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9. The fees and charges imposed by this by-law continue in force until amended, repealed or replaced (by by-law or by a resolution of the Council of the City of Hamilton confirmed by by-law) and for greater certainty this includes continuing in force after December 31, 2013 until amended, repealed or replaced.
10. This by-law comes into force on January 1, 2013.

PASSED this 12th day of December, 2012.



R. Bratina
Mayor



R. Caterini
City Clerk

SCHEDULE "A"

NON-METERED WATER RATES
EFFECTIVE JANUARY 1, 2013

Water: City of Hamilton

\$446.74 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 \$893.48 per annum, plus applicable taxes.

SCHEDULE "C"

MISCELLANEOUS RATES FOR WATER
EFFECTIVE JANUARY 1, 2013

(Referred to in sub-sections 12(6), (7) and (8))

1. Travelling Shows and Other Temporary Occasions

Applicants for travelling shows or applicants for other temporary occasions shall pay a deposit of Six Thousand Dollars (\$6,000.00), which consists of:

- (a) Two Hundred and Eighty-Five Dollars (\$285.00) 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, Seven Hundred and Fifteen Dollars (\$5,715.00) 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 9 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 by water users for water supplied to tank trucks at the Public Water Filling Stations is \$1.836 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 (includes 2 cards) \$195.00

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 \$1,146.90 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 \$343.90 and is payable by the Owner of the Private Water Filling Station 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, 2013

1. Permit fees associated with the supply and installation of water meter and remote reading device, inspection and the turning on of the water, as referred to in clause 4(1)(b) of By-law R84-026, as amended:

| Size of Water Meter | Fee |
|--|------------------------|
| 16 mm diameter | \$ 359.70 |
| 20 mm diameter | \$ 404.60 |
| 25 mm diameter | \$ 559.40 |
| 38 mm diameter | \$ 836.40 |
| 50 mm diameter | \$ 1,001.60 |
| 50 mm diameter (compound with strainer) | \$ 3,316.40 |
| 100 mm diameter (turbine with strainer) | \$ 3,129.20 |
| 100 mm diameter (compound with strainer) | \$ 4,880.40 |
| 100 mm diameter (fire service compound) | \$ 5,061.30 |
| 150 mm diameter (turbine with strainer) | \$ 5,400.00 |
| 150 mm diameter (compound with strainer) | \$ 9,643.70 |
| 150 mm diameter (fire service turbine) | \$ 5,562.10 |
| 150 mm diameter (fire service compound) | \$10,475.90 |
| 200 mm diameter (fire service turbine) | \$ 9,668.90 |
| 200 mm diameter (fire service compound) | \$14,333.90 |
| 250 mm diameter (fire service compound) | \$20,384.20 |
| Other sizes and types | Cost + 10% Overhead |

2. Water Meter Removal Fee

Cost + 10% Overhead

3. Inspection Services:
- (a) Regular Inspection – Regular Hours \$71.00
 - (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. \$71.00
 - (c) Regular Inspection – After Hours \$108.90

4. Existing Water Service Replacement or Repair Fee (not including new water meter, if required):
- (a) service replacement of public portion from < 20 mm to and including 20mm diameter plus inspection of private portion \$304.00
 - (b) inspection of service replacement of private portion from < 20 mm to and including 20mm \$229.40
 - (c) service size upgrade additional fee (based on size and length)

| Upgrade From: | Short Side | Long Side |
|----------------|------------|-----------|
| 20 mm to 25 mm | \$ 28.10 | \$ 52.80 |

- 5. (a) For turning water off (Regular Hours) \$71.00
- (b) For turning water off (After Hours) \$108.90
- 6. (a) For turning water on (Regular Hours) \$71.00
- (b) For turning water on (After Hours) \$108.90
- 7. (a) For turning water off & on during the same call (Regular Hours) \$106.60
- (b) For turning water off & on during the same call (After Hours) \$162.00
- 8. Flow test for fire-fighting design purposes (hydrant flow test) \$103.20
- 9. For temporary connections and disconnections (hydrant adapter fees):**
Usage cost (metered water rate) plus connection/disconnection fee
- (a) Connection/Disconnection Fee – Regular Hours \$200.70/visit
- (b) Connection/Disconnection Fee – After Hours \$303.20/visit
- (c) Hydrant adapter rental (first 7 days) \$78.00/day

(d) Per diem charge for hydrant adapter rental (after first 7 days)

\$5.70/day

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

| Size of Meter | Cost |
|---|---------------------|
| 16 mm diameter | \$ 192.30 |
| 20 mm diameter | \$ 284.90 |
| 25 mm diameter | \$ 353.30 |
| 38 mm diameter | \$ 787.80 |
| 50 mm diameter | \$ 903.80 |
| 50 mm diameter (compound) | \$3,792.10 |
| 100 mm diameter (turbine) | \$3,264.10 |
| 100 mm diameter (compound) | \$ 5,273.60 |
| 100 mm diameter (fire service compound) | \$ 8,269.90 |
| 150 mm diameter (turbine) | \$ 6,006.40 |
| 150 mm diameter (compound) | \$ 9,139.80 |
| 150 mm diameter (fire service turbine) | \$ 8,569.00 |
| 150 mm diameter (fire service compound) | \$13,231.90 |
| 200 mm diameter (fire service turbine) | \$11,566.40 |
| 200 mm diameter (fire service compound) | \$18,195.00 |
| 250 mm diameter (fire service compound) | \$25,704.80 |
| >250 mm diameter (all types) | cost + 10% overhead |

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

| | |
|---|---------------------|
| 16 mm to 25 mm diameter | \$133.30 |
| 38 mm to 50 mm diameter | \$197.00 |
| 100 mm plus diameter | Cost + 10% overhead |
| In situ testing of water meters (all sizes) | Cost +10% overhead |

12. For service calls other than previously specified:
- (a) Service Call – Regular Hours \$ 71.00
 - (b) Service Call – After Hours \$108.90
13. Repair or Replace City Property (Labour Materials and Equipment Costs) cost plus 33% overhead
14. Watermain Valve Shut Down and Recharge cost plus 33% overhead
15. Construction Water fees:
- Single residential (per lot or townhouse) \$75.00
 - Multi-residential (per apartment/condo unit) \$35.00
 - Industrial/commercial/institutional (\$1 per 1,000 square feet of building area) \$25.00
16. General Administration Fees:
- Extra or lost card replacement for water filling stations \$ 45.90
 - Account Review \$101.10
 - General Request (per hour) \$ 51.70
 - NSF Cheque \$ 31.60
 - Permit Cancellation Administration Fee \$ 28.10
 - Permit Renewal Fee \$ 39.30

Notes to Schedule "E":

* Plus all applicable taxes.

** This service requires a \$6,000.00 deposit (\$285.00 usage deposit and \$5,715.00 damage deposit).

“Regular Hours” means 7:00 a.m. – 4:30 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"

METERED WATER RATES

EFFECTIVE JANUARY 1, 2013

(Referred to in subsections 12(2) & 13(2))

A) **Minimum Charge**

The minimum charge per billing period is as follows:

| Meter Size | Approved Bi-Monthly Rate | Minimum Volume/ Bi-Monthly | Approved Monthly Rate | Minimum Volume/Month |
|------------------------------------|---------------------------------|-----------------------------------|------------------------------|-----------------------------|
| 15mm | \$ 17.56 | 10 m ³ | \$ 8.78 | 5 m ³ |
| 16 mm | \$ 17.56 | 10 m ³ | \$ 8.78 | 5 m ³ |
| 20 mm | \$ 17.56 | 10 m ³ | \$ 8.78 | 5 m ³ |
| 25 mm | \$ 92.86 | 30 m ³ | \$ 46.43 | 15 m ³ |
| 38 mm | \$ 103.16 | 30 m ³ | \$ 51.58 | 15 m ³ |
| 50 mm | \$ 122.70 | 30 m ³ | \$ 61.35 | 15 m ³ |
| 75 mm | \$ 212.56 | 30 m ³ | \$106.28 | 15 m ³ |
| 100 mm | \$ 272.26 | 30 m ³ | \$136.13 | 15 m ³ |
| 150 mm | \$ 481.76 | 30 m ³ | \$240.88 | 15 m ³ |
| 200 mm | \$ 831.86 | 30 m ³ | \$415.93 | 15 m ³ |
| 250 mm | \$1,280.64 | 30 m ³ | \$640.32 | 15 m ³ |
| Haldimand/Halton Meter Size | | | | |
| 50 mm | \$ 184.04 | 30 m ³ | \$ 92.02 | 15 m ³ |
| 100 mm | \$ 403.38 | 30 m ³ | \$204.19 | 15 m ³ |
| 150 mm | \$ 722.68 | 30 m ³ | \$361.34 | 15 m ³ |
| 200 mm | \$1,247.76 | 30 m ³ | \$623.88 | 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:

| Meter Size | Minimum Bi-Monthly Volume | Consumption Charge Per Cubic Metre |
|----------------------|----------------------------------|---|
| 15 mm – 20 mm | 10 m ³ | \$1.223 > 10 m ³ |
| 25 mm – 250 mm | 30 m ³ | \$1.223 > 30 m ³ |
| Haldimand and Halton | 30 m ³ | \$1.836 > 30 m ³ |

- C) Sanitary surcharge is 100% of the metered water rate (minimum charge and consumption charge) with the exception of Haldimand, Halton and water haulers.

SCHEDULE "H"

PRIVATE UNMETERED FIRE LINE FEES

EFFECTIVE JANUARY 1, 2013

(referred to in Section 11(4))

| Size of Connection | | Monthly Fees or Charges |
|---------------------------|--------|--------------------------------|
| mm | inches | |
| 25 | 1 | \$ 3.00 |
| 38 | 1.5 | \$ 6.90 |
| 50 | 2 | \$ 12.00 |
| 75 | 3 | \$ 27.00 |
| 100 | 4 | \$ 48.00 |
| 150 | 6 | \$108.00 |
| 200 | 8 | \$192.00 |
| 250 | 10 | \$192.00 |
| 300 | 12 | \$192.00 |