

THE CORPORATION OF THE TOWNSHIP OF NORTH DUNDAS

BY-LAW NO. 60-2014

Being a by-law to set capital charges for water and sanitary sewer connections in the Township of North Dundas

WHEREAS the *Municipal Act*, S.O. 2001, c. 25, Section 11 provides that a municipality may pass by-laws respecting matters within the sphere of public utilities;

WHEREAS the *Municipal Act*, S.O. 2001, c. 25, Section 391 authorizes a municipality to pass by-laws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of it, and that fees or charges for capital costs related to services or activities may be imposed on persons not receiving an immediate benefit from the services or activities but who will receive a benefit at some later point in time;

AND WHEREAS the *Municipal Act*, S.O. 2001, c. 25, Section 398 authorizes the collection of water and sewer fees and charges in the same manner as municipal taxes;

AND WHEREAS the Council of the Corporation of the Township of North Dundas has approved recommendations in the Drinking Water and Wastewater System Rate Report and Drinking Water Financial Plan prepared by Sharratt Water Management Ltd for the Township's Water and Wastewater Systems that are consistent with the requirements of the *Sustainable Water and Sewage Systems Act, 2002*;

AND WHEREAS the recommendations included setting capital charges for water and sanitary sewer connections in the villages of Winchester and Chesterville to facilitate lifecycle planning, support sustainability and economic development, and provide a fair, affordable and equitable service to the users of the system;

NOW THEREFORE THE COUNCIL OF THE TOWNSHIP OF NORTH DUNDAS enacts as follows:

1. No new development shall be permitted to be serviced on private services (well and/or septic system) where piped municipal services are readily available, or where they could be reasonably extended, as determined by Council;
2. Prior to connection to the municipal water and/or sewer systems, the applicant shall first obtain a connection permit from the Township at the rate set out in the rate by-law;
3. Prior to connecting to the existing water and sanitary sewer mains in the Township, the applicant shall pay the capital charges as determined in Section 5.
4. With respect to any building which is already connected to either the Water Distribution

System or the Sanitary Sewage Collection System, or both, and requires a Building or Change of Use Permit under the Building Code, a Water Capital Charge and/or Sanitary Sewage Capital Charge shall be payable and shall be determined as follows:

- 4.1 The Municipality shall determine the new charge payable in accordance with Section 5
- 4.2 The Owner of land shall receive, where applicable, one of the following credits against the amount determined under 4.1:
 - 4.2.1 The amount which applied to the use for the building in question which was in effect as of the date of passage of this By-Law; or,
 - 4.2.2 For any land which has previously paid a Water Capital Charge or a Sanitary Sewage Capital Charge under this By-Law, the amount previously paid when such land was last assessed a Water Capital Charge or a Sanitary Sewage Capital Charge.
 - 4.2.3 Where a building has been razed or demolished within the last year, the above credits apply as if the building still existed.
- 4.3 Where the credit under 4.2 exceeds the amount of the Water Capital Charge or Sanitary Sewage Capital Charge being imposed, the amount of such charge shall be zero but there shall not be any repayment to an Owner

5. WATER/SEWER UNIT DETERMINATION:

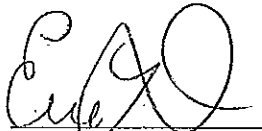
- 5.1 *Sewer units* will be calculated based on estimated sanitary sewage flow as determined on Tables 8.2.1.3.A and 8.2.1.3.B of the Ontario Building Code (OBC) 2006. (attached as schedule B)
- 5.2 The number of *water units* is deemed to be equal to the number of sewer units.
- 5.3 A *sewer unit* shall mean 1600L/day sanitary sewage flow (3 bedroom residential *dwelling unit*).
- 5.4 A *dwelling unit* means a suite operated as a single housekeeping unit, used or intended to be used as a domicile by 1 or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.
- 5.5 The number of *sewer units* will be determined as follows:
Estimated sanitary sewage flow on Tables 8.2.1.3.A or 8.2.1.3.B of the OBC 2006
1600L/day
- 5.6 Notwithstanding subsections 5.1 and 5.5, the minimum number of *sewer units* shall be one (1).

6. FIRST YEAR, NON-RESIDENTIAL, CAPITAL RATE ADJUSTMENT:

Notwithstanding Section 5, for a period of one year after the start of water usage, the municipality may determine the actual amount of metered water that was used over the year and recalculate the number of *water and sewer units* and the capital charge based on this flow. A refund for overpayment or a bill for additional amounts outstanding will be issued to the property owner.

7. If any provision or requirement of this by-law, or the application thereof to any person or land shall, to any extent, be held to be invalid or unenforceable by any court of competent jurisdiction, the remainder of the by-law, or the application of it to all persons, other than those in respect of whom it is held to be invalid or unenforceable shall not be affected thereby, and each provision and requirement of this by-law shall be separately valid and enforceable.
8. If any amount charged under this by-law remains unpaid 30 days after it has been invoiced, the outstanding amount will be added to the tax roll for the property to which it applies and collected in the same manner as municipal taxes.
9. This By-law shall come into effect on October 1, 2014, and remain in effect until repealed and/or replaced.

READ and passed in Open Council, Signed and Sealed this 30th day of September, 2014.


Eric Duncan, MAYOR


Jo-Anne McCaslin, CLERK

Schedule "A"
To By-law No. 60-2014

FEEES AND CHARGES

- Capital Charge for Connections
 - Charge per Water Unit \$1,738.00
 - Charge per Sewer Unit \$2,875.00

Schedule "B"

(4) Where an occupancy is not listed in Table 8.2.1.3.B., the highest of metered flow data from at least 3 similar establishments shall be acceptable for determining total daily design sanitary sewage flow.

Table 8.2.1.3.A.
Residential Occupancy
Forming Part of Sentence 8.2.1.3.(1)

Residential Occupancy	Volume, litres
Apartments, Condominiums, Other Multi-family Dwellings - per person ⁽¹⁾	275
Boarding Houses	
(a) Per person,	
i) with meals and laundry facilities, or,	200
ii) without meal or laundry facilities, and	150
(b) Per non-resident staff per 8 hour shift	40
Boarding School - per person	300
Dwellings	
(a) 1 bedroom dwelling	750
(b) 2 bedroom dwelling	1100
(c) 3 bedroom dwelling	1600
(d) 4 bedroom dwelling	2000
(e) 5 bedroom dwelling	2800
(f) Additional flow for ⁽²⁾	
i) each bedroom over 5,	500
ii) A) each 10 m ² (or part of it) over 200 m ² up to 400 m ² , and	100
B) each 10 m ² (or part of it) over 400 m ² up to 600 m ² , and	75
C) each 10 m ² (or part of it) over 600 m ² , or	50
iii) each fixture unit over 20 fixture units	50
Hotels and Motels (excluding bars and restaurants)	
(a) Regular, per room	250
(b) Resort hotel, cottage, per person	500
(c) Self service laundry, add per machine	2500
Work Camp/Construction Camp, semi-permanent per worker	250
Column 1	2

Notes to Table 8.2.1.3.A.:

- (1) The occupant load shall be calculated using Subsection 3.1.17. *of the OBC*
- (2) Where multiple calculations of sewage volume is permitted the calculation resulting the highest flow shall be used in determining the design daily sanitary sewage flow.
- (3) Total finished area, excluding the area of the finished basement.

Table 8.2.1.3.B.
Other Occupancies
Forming Part of Sentence 8.2.1.3.(2)

Establishments ⁽¹⁾	Volume, litres
Airports, Bus Terminals, Train Stations, Dock/Port Facilities (Food Services excluded)	
(a) Per passenger, and	20
(b) Per employee per 8 hour shift	40
Assembly Hall - per seat	
(a) No food service, or	8
(b) Food service provided	36
Barber Shop/Beauty Salon - per service chair	650
Bowling Alleys (Food Service not included) - per lane	400
Churches and Similar Places of Worship - per seat	
(a) No kitchen facilities, or	8
(b) Kitchen facilities provided	36
Country Club (excluding Food Service)	
(a) Per resident,	375
(b) Per employee per 8 hour shift, and	60
(c) Per member or patron	40
Day Care Facility per person (staff and children)	75
Dentist Office	
(a) Per wet service chair, and	275
(b) Per dry service chair	190
Doctors Office	
(a) Per practitioner, and	275
(b) Per employee per 8 hour shift	75
Factory (excluding process or cleaning watets) - per employee per 8 hour shift	
(a) No showers, or	75
(b) Including showers	125
Flea Markets ⁽²⁾ (open not more than 3 days per week)	
(a) Per non-food service vendor space,	60
(b) Per food service establishment / 9.25 m ² of floor space, and	190
(c) Per limited food service outlet	95
Column 1	2

Table 8.2.1.3.B. (Cont'd)
Other Occupancies
Forming Part of Sentence 8.2.1.3.(2)

Establishments ⁽¹⁾	Volume, litres
Schools - per student	
(a) Day school,	30
(b) With showers,	30
(c) With cafeteria, and	30
(d) Per non-teaching employee per 8 hour shift	50
Service Stations (no vehicle washing) ⁽²⁾	
(a) Per water closet, and	950
i) per fuel outlet ⁽⁴⁾ , or	580
ii) per vehicle served	20
Shopping Centre (excluding food and laundry) - per 1.0 m ² of floor space	5
Stadiums, Race Tracks, Ball Parks - per seat	20
Stores ⁽³⁾	
(a) Per 1.0 m ² of floor area, or	5
(b) Per water closet	1230
Swimming and Bathing Facilities (Public) - per person	40
Theatres	
(a) Indoor, auditoriums per seat,	20
(b) Outdoor, drive-ins per space, or	40
(c) Movie theatres per seat	16
Veterinary Clinics	
(a) Per practitioner,	275
(b) Per employee per 8 hour shift, and	75
(c) Per stall, kennel, or cage if floor drain connected	75
Warehouse	
(a) Per water closet, and	950
(b) Per loading bay	150
Column 1	2

Notes to Table 8.2.1.3.B.:

- (1) The occupant load shall be calculated using Subsection 3.1.17. *of the OBC*
- (2) Flea markets open more than 3 days per week shall be assessed using the volumes stated under the heading "Stores".
- (3) Where multiple calculations of sanitary sewage volume is permitted the calculation resulting in the highest flow shall be used in determining the design daily sanitary sewage flow.
- (4) The number of fuel outlets is considered the maximum number of gas nozzles that could be in use at the same time.

Table 8.2.1.3.B. (Cont'd)
Other Occupancies
Forming Part of Sentence 8.2.1.3.(2)

Establishments ⁹⁾	Volume, litres
Food Service Operations	
(a) Restaurant (not 24 hour), per seat	125
(b) Restaurant (24 hour), per seat	200
(c) Restaurant on controlled access highway, per seat	400
(d) Paper service restaurant, per seat	60
(e) Donut shop, per seat	400
(f) Bar and cocktail lounge, per seat	125
(g) Drive-in restaurant per parking space	60
(h) Take-out restaurant (no seating area)	
i) per 9.25 m ² of floor area, and	190
ii) per employee per 8 hour shift	75
(i) Cafeteria - per meal	12
(j) Food outlet	
i) excluding delicatessen, bakery and meat department, per 9.25 m ² of floor space,	40
ii) per 9.25 m ² of delicatessen floor space	190
iii) per 9.25 m ² of bakery floor space	190
iv) per 9.25 m ² of meat department floor space, and	380
v) per water closet	850
Hospitals - per bed	
(a) Including laundry facilities, or	750
(b) Excluding laundry facilities	550
Nursing Homes, Rest Homes, etc. - per bed	450
Office Building⁹⁾	
(a) Per employee per 8 hour shift, or	75
(b) Per each 9.3 m ² of floor space	75
Public Parks	
(a) With toilets only per person, or	20
(b) With bathhouse, showers, and toilets per person	50
Recreational Vehicle or Campground Park	
(a) Per site without water or sewer hook-up, or	275
(b) Per site with water and sewer hook-up	425
Column 1	2