THE CORPORATION OF THE TOWN OF ESPANOLA

BY-LAW NO. 2945/19

Being a By-law to Authorize Billing and Collection of Water and Wastewater Services for the Town of Espanola.

WHEREAS the Municipal Act, 2001, S.O. 2001, c. 25, Section 9, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act;

AND WHEREAS the Municipal Act, 2001, S.O. 2001, c. 25, Section 8(1), provides that Sections 8 and 11 shall be interpreted broadly so as to confer broad authority on municipalities to (a) enable municipalities to govern their affairs as they consider appropriate and, (b) enhance their ability to respond to municipal issues;

AND WHEREAS the Municipal Act, 2001, S.O. 2001, c. 25, Section 11, provides that a single tier municipality may pass by-laws respecting matters within the spheres of jurisdiction set out therein, *inter alia*; public utilities;

AND WHEREAS the Municipal Act, 2011, S.O. 2001, c.25, Section 80, provides that a municipality may at reasonable times enter on land to which it supplies a public utility, to inspect, repair, alter or disconnect the service pipe, wire, machinery, equipment and other works; to inspect, install, repair, replace or alter a public utility meter and for such purposes, to shut off or reduce the supply of the public utility to the land; and, if a customer discontinues the use of a public utility on land or the municipality lawfully decides to cease supplying the public utility to land, to shut off the supply of the public utility; remove any property of the municipality or determine whether the public utility has been or is being unlawfully used;

AND WHEREAS the Municipal Act, 2011, S.O. 2001, c.25, Section 81 provides that a municipality may shut off the supply of a public utility to land if fees and charges payable by the owners or occupants of the land for the supply of the public utility are overdue, subject to the municipality providing reasonable notice of the proposed shut-off to the owners and occupants of the land by personal service or prepaid mail or posting the notice on the land in a conspicuous place.

AND WHEREAS the Town operates and maintains a municipal waterworks and wastewater system within its municipal boundaries;

AND WHEREAS Council of the Corporation of the Town of Espanola deems it expedient to make certain rules and regulations concerning the said waterworks and wastewater system, in accordance with the Municipal Act, 2001;

AND WHEREAS Council of the Corporation of the Town of Espanola adopted Resolution 15-159, and deems it expedient to pass a by-law to govern billing and collection service for water and wastewater;

NOW THEREFORE Council of The Corporation of the Town of Espanola hereby enacts the following:

1.0 DEFINITIONS

For the purpose of this By-law:

a) "Town" shall mean The Corporation of the Town of Espanola and its employees;

b) "contractor" shall mean a person, partnership, or corporation who contracts to undertake the execution of work authorized by the owner or the Town to install or maintain watermains, service watermains, meters, services, hydrants and other appurtenances.

c) "Council" shall mean the Council of The Corporation of the Town of Espanola.

d) "curb stop valve" shall mean the valve on the water service owned and used by the Town to shut off or turn on the water supply from the municipal drinking water system to any property by way of the private water service.

e) "customer" shall mean any person who takes water from the Town or receives water and wastewater related services from the Town.

f) "Manager of Public Works" shall mean the Manager of Public Works or his or her designate.

g) "drinking water system" shall mean a system of works, excluding plumbing, that is established for the purpose of providing users of the system with drinking water and that includes anything used for the collection, production, treatment, storage, supply or distribution of water, anything related to the management of residue from the treatment process or the management of the discharge of a substance into the natural environment from the treatment system and a well or intake that serves as the source or entry point of raw water supply for the system.

h) "meter" shall mean the water meter and all equipment, cabling and automatic meter reading devices supplied and owned by the Town, however, funded, to measure the quantity of water used by the customer for billing purposes.

i) "property" includes both public and private lands, building, structures, or vehicles located in the Town and which may be entitled to a water service.

j) "occupant" shall include any lessee, tenant, inmate, owner, the agent of a lessee, tenant or owner, or any person in possession of a property.

k) "owner" shall include any person or any firm or corporation that is the registered owner of the property under consideration or any agent thereof, a person entitled to a limited estate in land, a trustee in whom land is vested, a committee of the estate of a mentally incompetent person, an executor, an administrator or a guardian.

l) "plumbing system" shall mean the system of connected piping, fittings, valves, equipment, fixtures and appurtenances contained in plumbing that begins, is located and is connected immediately before and after the meter.

m) "potable water" shall mean water as defined by the Safe Drinking Water Act and its Regulations.

n) "private water service" shall mean a pipe connected to a water service and installed on private property for the purpose of supplying any property in the Town with water.

o) "Town" shall mean the Town of Espanola.

p) "Treasurer" shall mean the Treasurer of The Corporation of The Town of Espanola or his or her designate(s).

q) "unit" shall mean a residential, commercial or industrial establishment which is separated or is capable of being separated from another establishment on the assessment roll.

r) "wastewater rate" shall mean a charge for the operation and maintenance of the wastewater system and the purchase of wastewater services applied to the metered usage of water and shall include a charge for depreciation, deferred maintenance, or a reserve fund for any such purpose permitted by by-law as deemed expedient by Council. The rate may include a charge for the capital cost of the wastewater system and alterations or extensions to it which includes a debt charge but does not include charges imposed under the Municipal Act, 2001 for local improvements.

s) "wastewater system" shall mean the buildings, structures, plant, machinery, equipment, appurtenances, devices, conduits, outlets, underground pipelines, and installations and other works designated for the collection and transmission of domestic, commercial and/or industrial wastewater and includes lands appropriated for such usage but does not include plumbing to which the Building Code Act, 1992 s.o. 1992, Chapter 23 or any amendments thereto apply.

t) "wastewater works" means any works for the collection, transmission, treatment or disposal of wastewater, or any part of such works, but does not include plumbing to which the Building Code Act, 1992 s.o. 1992, Chapter 23 applies.

u) "water" shall mean potable water supplied by the Town.

v) "watermain" shall mean any system of pipes and appurtenances used for the distribution of drinking water, but does not include plumbing or a plumbing facility.

w) "water service" shall mean the pipe and fittings owned by the Town which conveys potable water from a drinking water system established by the Town and situated between the connection on a watermain and the street line.

x) "water rate" means a charge for the operation and maintenance of the drinking water system and shall include a charge for depreciation, deferred maintenance, or a reserve fund for any such purpose permitted by by-law as deemed expedient by Council. The rate may include a charge for the capital cost of the drinking water system and alterations or extensions to it which includes a debt charge but does not include charges imposed under the Municipal Act, 2001 for local improvements.

2.0 RESPONSIBILITIES

2.1 For the purpose of this By-Law the Manager of Public works is responsible for:

a) The general operation, management and supervision of the drinking water system and the wastewater works owned by the Town

b) The enforcement of the provisions of this By-law other than those dealing with the billing and collection of water and wastewater related charges.

c) The management of the billing exceptions program

d) The performance of other duties as may from time to time be given to him or her by the Council.

2.2 For the purpose of this By-law the Treasurer is responsible for:

a) The operation, management and supervision of the billing and collection of water and wastewater related charges.

b) The enforcement of the provisions of this By-law relating to the billing and collection of water and wastewater charges.

c) The performance of such other duties as may from time to time be given to him or her by the Council.

3.0 RULES AND REGULATIONS

3.1 The rules and regulations set out in this By-law shall govern and regulate the billing and collection of water and wastewater related charges.

3.2 Every such owner by applying for or accepting a supply of water from the Town or discharging wastewater into the system shall be deemed to have expressed his or her consent to be bound by the said rules and regulations.

3.3 If the Town becomes aware of any substantial defect including but not limited to damage to persons or property or issues that may impact water quality, the Town at its discretion may turn off the water supply to the property. The Town will turn on the water supply once it has been satisfied that the defect has been rectified. The turning on of the water supply is subject to the rates as specified in the Fees By-law.

4.0 WATER SUPPLY

4.1 Once water supply is live with respect to a property or building, the owner is subject to charges as outlined in this By-law.

5.0 WATER METER INSTALLATION

5.1 In accordance with the Town's Water Distribution Specifications:

a) All Meters shall be supplied by the Town and shall be installed in accordance with the Town's specifications.

b) Each Commercial, Institutional and Industrial service line will have a meter for billing purposes.

c) The owners shall provide a capital contribution to the Town for meters up to and including 50 mm for the meter, automated remote reading device and installation of the water meter prior to building permit issuance. These meters and associated automated reading devices shall be supplied and installed by the Town unless otherwise provided by agreement, and shall remain the property of the Town.

d) All meters larger than 50mm and automated remote reading devices shall be supplied and installed by the Owner in accordance with the Town's standards and specifications and will become the property of the Town at the time of occupancy.

e) All meters shall be installed prior to occupancy.

5.2 If a request is made to the Town to install a meter and the plumbing has not been completed in accordance with the Building Code Act, 1992 s.o. 1992, Chapter 23, a plumbing not ready charge in the amount specified in the Fees By-law shall be applied.

5.3 If an owner does not respond to requests made by the Town to install a meter the water supply may be turned off until such time as the owner makes suitable arrangements to have the meter installed. The charges set out in the Fees By-law for turning the water on and off shall apply.

6.0 UNAUTHORIZED INTERFERENCE WITH METER

6.1 No person, except a person authorized by the Town for that purpose, shall be permitted to open, or in any way whatsoever to tamper with any meter, or with the seals placed thereon, or do any manner of thing which may interfere with the proper registration of the quantity of water passing through such meter.

6.2 Should any person change, tamper with or otherwise interfere, in any way whatsoever, with any meter placed in any building or property, the Manager of Public Works may forthwith, upon providing notice shut off the water to such building or property, and the water shall not be turned on to such building or property without the express consent of the Manager of Public Works and the rate for turning water on and off as specified in Schedule 'A' shall be applied to the account.

7.0 METER REPAIRS AND MAINTENANCE

7.1 The entire cost of maintaining and repairing meters shall be paid for by the Town unless such meter is damaged by the carelessness or neglect of the owner or occupant of the property on which such meter is installed and in that event the owner of the property shall pay to the Town the cost of making the necessary repair to such meter.

7.2 If an owner does not respond within 2 business days to requests made by the Town to gain access to the meter for any reason, the water supply may be turned off until such time as the owner makes suitable arrangements to have the meter inspected, repaired or installed. The charges specified in the Fees By-law for turning the water on and off shall apply.

7.3 If, in the opinion of the Town the condition of the private water service and of the plumbing system on such piping is such that the meter cannot be safely removed for the purpose of testing, replacing, repairing or testing in place without fear of damage to the private water service the Town may require the owner or occupant to make such repairs as may be deemed necessary to facilitate the removal or testing of the meter at their expense.

7.4 If, upon notification, the owner does not comply with the Town's request to make repairs in accordance with Section 14, then the water supply to the property may be turned off at the curb stop valve during removal, replacement, repair and testing of the meter and the owner shall pay the rate for turning water on and off as specified in Schedule 'A'. The Town shall not be held responsible for any damages to the owner's property arising from such work.

7.5 Any missed appointments for meter inspections, repairs, maintenance, or testing shall be charged a fee as specified in Schedule 'A'.

7.6 Any leaks that may develop at the meter or its couplings must be reported immediately to the Town. If an owner reports that a meter or its couplings are leaking and it is determined that the meter or coupling is not leaking or is leaking from the private water service or plumbing system, a service call fee as specified in the Schedule 'A' shall be applied to the water account.

8.0 WATER AND WASTEWATER BILLING

8.1 Every owner of land in the Town of Espanola connected to the drinking water system shall pay water and wastewater charges as specified in Schedule 'A', unless the owner meets the criteria for a Water and Wastewater Billing Exception as defined in this By-law.

8.2 All commercial, institutional and industrial properties shall be metered and billed based on monthly meter readings.

8.3 Where a property receives water and/or wastewater services but does not have a meter, an unmetered water rate and/or wastewater usage charge as set out in Schedule 'A' shall be billed. The unmetered rate amount so billed may be retroactively adjusted up to one year by the Treasurer should the subsequent metered consumption over the period of one year indicate consumption at a level that is at least 20% less than the consumption utilized to determine the unmetered rate charges.

8.4 All water passing through the meter shall be charged for whether used or wasted.

8.5 In the event of a dispute, the reading of the water meter register shall be the sole evidence of the quantity of water supplied to a property owner, unless the meter is proven to be defective through a meter test conducted by the Town.

8.6 In instances where there is a discrepancy between the meter register and the remote reading device, the reading taken from the meter register will be deemed to be correct.

8.7 If a property is occupied prior to a meter being installed, the owner shall be retroactively charged for water and wastewater services at the unmetered rate for water and/or wastewater as specified in Schedule 'A' back to the date of occupancy as determined by the Treasurer and the decision of the Treasurer shall be final.

8.8 If a meter fails to register or a read is not collected for any other reason, the customer shall be charged on the basis of a reasonable estimate as determined by the Treasurer derived from previous consumption at the property where available.

8.9 If a billing calculation error is made, the account may be retroactively recalculated for a period not exceeding one year from the date of detection with resulting credits or charges being applied to the account.

8.10 If water and wastewater charges are added or require adjustment as a result of the provisions of this by-law not being met, the charges may be readjusted retroactively to the date at which it is determined, in the opinion of the Treasurer, that the provisions were violated and the decision of the Treasurer shall be final.

8.11 If water is supplied to only one party in a property, and the owner requests that the occupant be billed directly, the Town will do so as a convenience to the owner under the following conditions:

a) The owner shall assume full responsibility for all charges applied to the account for the provision of water and wastewater services in the event that the occupant fails to pay.

b) An authorization form be completed and signed by the owner and returned to the Town.

8.12 Upon reasonable notice to the owner, the Town may at any time and for any reason, discontinue billing the occupant and bill the owner directly for the water and wastewater charges of the occupant.

8.13 If water is supplied to more than one party through a single meter, the account for the water and wastewater supply shall be billed to the owner of the property

8.14 All fees charged under this By-law are deemed to represent the cost of providing water and wastewater services and therefore are considered a lien on the land.

9.0 WATER AND WASTEWATER BILLING EXCEPTIONS

9.1 Properties connected to the municipal wastewater works will not be eligible for the water only rate solely by the fact that the owner chooses not to utilize the wastewater connection. Properties will be deemed connected when the building wastewater connection extends from the municipal main and terminates within the building.

9.2 Properties connected to the municipal wastewater works that have private water supplies and that have not met the criteria for the wastewater only rate will be deemed to be generating water and wastewater in accordance with total daily design wastewater flows listed in Subsection 8.2.1.3 of the Building Code Act, 1992 s.o. 1992, Chapter 23 or, for uses not listed in Subsection 8.2.1.3, such other rate as is deemed appropriate by the Public Works Department.

9.3 No exemptions from the water rate shall be permitted solely because of tax exempt status under the Assessment Act.

9.4 Properties will be eligible for the water only or wastewater only rates as specified in Schedule 'A' under the conditions outlined in this section.

9.5 The Water Only rate applies to those properties connected to the municipal drinking water system and that use an on-site wastewater system (e.g. septic tank and tiles or a holding tank).

a) The owner must demonstrate that the property does not have a connection to the municipal wastewater works available and,

b) The owner shall submit a completed Water Only application, including wastewater system approval under Part VIII of the Building Code Act, 1992 s.o. 1992, Chapter 23 or a Use permit under Part VIII of the Environmental Protection Act, R.S.O. 1990 or its predecessors and,

c) The Owner will, upon availability of wastewater connection, notify the Town and the Water Only rate status will be discontinued.

d) The Town reserves the right to verify the continued validity of the Water Only rate status.

9.6 The Wastewater Only rate applies to those properties connected to the municipal wastewater works that use a private water supply.

a) The owner shall obtain the required permits and submit a Wastewater Only rate application and fee including a lot flow diagram to the Finance Department and,

b) The owner will provide a meter, approved by the Public Works Department, to measure water consumption for the calculation of wastewater charges.

c) The meter installation shall be approved by the Public Works Department.

9.7 Properties requested by the Town to leave water running during the winter season to avoid frozen water service lines will be invoiced based on monthly meter readings however the invoices will not exceed the previous quarter billings. This will be in effect from the date the Town mails notices to leave water running to April 30th.

10.0 FINAL BILLING

10.1 When a customer proposes to vacate the property supplied by water he/she shall request a final meter reading at least five business days before vacating the property. A final meter reading fee will be added to the final billing at the rate specified in Schedule 'A'.

10.2 An owner or agent may request a certificate from the Treasurer showing the amount of water and wastewater charges outstanding against the property, if any and the period for which they apply, at any time.

10.3 An owner or occupant or their agent, who commences to occupy a property provided with water and wastewater service shall notify the Town forthwith so a new account can be created.

10.4 All ownership and occupancy changes shall be subject to a new account fee in the amount specified in Schedule 'A'.

10.5 The new account fee shall not be applied to builders unless the property is occupied by the builder.

10.6 If the final billing of the previous occupant remains outstanding, such charges are a lien on the land and shall be transferred to the property tax account in accordance with the provisions of the *Municipal Act, 2001.*

11.0 COLLECTIONS

11.1 Refer to Schedule 'B' F02-01860 Water / Wastewater Collection Policy

12.0 DISCONTINUANCE OF USE OF WATER

12.1 Any customer wishing to discontinue the use of water supplied from the Town's drinking water system, shall give 5 business days' notice thereof to the Town or the water and wastewater charges will continue to be calculated in accordance with this By-law until such notice is given or the water is turned off.

13.0 RESPONSIBILITIES OF PROPERTY OWNER

13.1 It is the owner's responsibility to ensure that all meters, fixtures and pipes of every kind used in connection with the supply of water are readily accessible and free from obstruction at all times.

13.2 It is the owner's responsibility to maintain in proper working order and good repair, at its own expense, the private water services, plumbing system and all its fixtures and appurtenances.

13.3 All private water services including the meter shall be properly protected from frost and any other damage at the expense and risk of the owner of the property being serviced.

13.4 The owner shall be responsible for the water loss caused by a leak in the private water service and the charge for such water loss shall be determined by the Manager of Public Works, shall be paid by the owner upon demand by the Town, and the Town shall not be held responsible for any damages arising from such leakage.

13.5 When any property is left vacant or without heat, it is the owner's responsibility to shut off the water supply from within the property and to drain the piping therein.

13.6 The owner or occupant may apply in writing to the Town to have the curb stop valve turned on/off to stop water supply. The valve will be turned on only at the owner's request and in the owner's presence. The owner shall pay for this service at the rate as specified in Schedule 'A'.

13.7 When any property left vacant, unattended or without heat, where the water supply has not been shut off, suffers damage to it and its contents from a leaking or burst water pipe, neither the owner nor occupant shall have a claim against the Town.

13.8 Should the Manager of Public Works become aware of such leaking or burst pipes, the Manager of Public Works shall turn off the curb stop valve, and the water supply shall not be turned on until the Manager of Public Works, in his/her discretion, shall consider it advisable. The owner shall pay for this service at the rate as specified in the Fees By-law.

13.9 Thawing out frozen private water services shall be the owner's responsibility and expense. Where any employee of the Town assists the owner in the thawing of frozen pipes on the owner's property, all such assistance work will be considered to be at the owner's risk, and the owner shall have no claim against the Town by reason of such work as per Policy E08-01460.

14.0 PROHIBITIONS

14.1 No person shall willfully hinder or interrupt, or cause or procure to be hindered or interrupted, the Town or any of its officers, contractors, agents, servants or workers, in the exercise of any of the power conferred by this By-law.

14.2 No person shall willfully or maliciously tamper with or damage any meter, water service or any appurtenances belonging to the Town or willfully impair or knowingly suffers the same to be altered or impaired, so that the meter indicates less than the actual amount of the water that passes through it.

14.3 No person shall willfully let off or discharge water so that the water runs waste or useless of the works.

14.4 No person being an owner or occupant or other supplied with water from the drinking water system, shall improperly waste the water or, without the consent of the Town, lend, sell, or dispose of the water, give it away, permit it to be taken or carried away, use or apply it to the use or benefit of another, or to any use and benefit other than his or her own.

14.5 No person shall without lawful authority, willfully open or close any valve or hydrant, or obstruct the free access to any hydrant, valve, chamber or pipe by placing on it any building material, rubbish or other obstruction.

14.6 No person shall use any water supplied, or made available for any land or building for the purposes of construction as approved by the Manager of Public Works or for the protection of property or person from fire or preventing fires or the spreading of fires, for any other purpose.

14.7 No person shall throw or deposit any injurious or offensive matter into the water, drinking water system or wastewater system, or upon the ice if the water is frozen, or in any way foul the water or commit any willful damage or injury to the works, pipes or water, or encourage the same to be done.

14.8 No person shall willfully alter any meter placed upon any service pipe or connected therewith, within or without any building or other place, so as to lessen or alter the amount of water registered.

14.9 No person shall lay or cause to be laid any pipe or watermain to connect with any pipe or watermain of the waterworks, or in any way obtain or use the water without the consent of the Manager of Public Works.

15.0 The following Schedules and Forms attached hereto form a part of this By-law:

Schedule 'A' – Fees

Schedule 'B' - F02-01860 Water / Wastewater Collection Policy

Schedule 'C' - Form #E99-01853 – Equal Billing Plan

Schedule 'D' - Form #E99-01854 – Mailing Address Change

Schedule 'E' - Form #E99-01855 – New Account / Account Cancellation

Schedule 'F' - Form #E99-01856 – Owner Tenant Agreement

Schedule 'G' - Form #E99-01857 – Pre-Authorized Payment

Schedule 'H' – Form #E99-01861 – Water Only Application

16.0 ENFORCEMENT

16.1 The Manager of Public Works may, at all reasonable times; enter and inspect a property to determine whether there is any unlawful use of the drinking water system or wastewater works and to provide for the enforcement of this By-law.

16.2 All water used on property within the Town, except water used for firefighting purposes, or water authorized by the Manager of Public Works, for construction or other purposes, shall pass through the meter supplied by the Town for use upon such property, and in addition to whatever other remedies the Town may have by law in respect to infringement of this By-law, the Town may, upon ascertaining that water has been unlawfully used they may shut off and stop the supply of water without notice.

16.3 Every person who willfully or maliciously damages or causes damage to any meter, water service or any appurtenances belonging to the Town or willfully impairs or knowingly suffers the same to be altered or impaired, so that the meter indicates less than the actual amount of the water that passes through it, is guilty of an offence and on conviction is liable to a fine, to the use of the Town, and for any expenses of repairing or replacing the meter, water service or any appurtenances and double the value of the surplus water so consumed, all of which is recoverable under the Provincial Offences Act.

17.0 PENALTY

17.1 Any person who contravenes any provision of this By-law is, upon conviction, guilty of an offence and is liable to any penalty as provided in the *Provincial Offences Act*.

17.2 The court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted.

17.3 Every person who, by act, default, neglect or omission occasions any loss, damage or injury to any Waterworks, or appurtenance thereof is liable to the Town therefore.

17.4 Every person who wilfully or maliciously damages or causes or knowingly suffers to be damaged any meter, water service pipe, conduit, wire, rod or water fitting belonging to the Town or wilfully impairs or knowingly suffers the same to be altered or impaired, so that the meter indicates less than the actual amount of the Water that passes through it, is guilty of an offence and on conviction is liable to a fine, to the use of the Town, and for any expenses of repairing or replacing the meter, water service pipe, conduit, wire, rod or fitting and double the value of the surplus Water so consumed, all of which is recoverable under the *Provincial Offences Act.*

17.5 Every person who wilfully removes, destroys, damages, fraudulently alters or in any way injures any Waterworks or appurtenance thereof is guilty of an offence and on conviction is liable to a fine, to the use of the Town, and is also liable for all damages occasioned thereby, which are recoverable under the *Provincial Offences Act*.

18. THAT By-law 2806/17 is hereby repealed.

19. THAT this By-law shall come into force and have effect on 1st day, January 2020.

READ a first, second time and third time and finally passed this ____ day of _____, 2019.

THE CORPORATION OF THE Town of Espanola

_____	_____
Jill Beer, Mayor	Paula Roque, Clerk

THE CORPORATION OF THE TOWN OF ESPANOLA

BY-LAW NO. ???/19

SCHEDULE 'A' - FEES

Note: Fees in this Part are not subject to HST
Note: Hourly rates in this Part shall be prorated to the nearest half hour on site.

A. WATER CONSUMPTION FOR NON-METERED ACCOUNTS

			Monthly Charge
1.	Each residential dwelling unit water & sewer	$	99.91
2.	Each residential unit with only: water	$	54.95
	sewer	$	44.96
3.	Apartment Buildings (<8 units)	$	99.91
	(>8 units)	$	79.91
4.	Commercial Property no meter installed	Min. Flat Rate Charge x 21 m3 (flat rate)	
5.	Pool fill up	$	320.29
	Pool fill ups are conditional upon the following: a) Home owner is to pay fee in advance b) Home owner is responsible to obtain fire hoses c) Home owner must accept quality of water		
6.	Monthly flat rate charge (when water off)	$	40.00
7.	Request for water to be turned off or on	$ 50.00/occurrence	

B. WATER CONSUMPTION FOR METERED ACCOUNTS

Flat Rate Charge

Meter Size mm	Meter Size inches	Monthly Charge	
<26	≤1	$	33.75
37	1.5	$	61.00
50	2	$	122.00
75	3	$	244.00
100	4	$	366.00

Usage Charge

m3	per m3
0 - 300	$ 0.95
>300	$ 0.475

Monthly Charge = Flat Rate Charge + Usage Charge

1.	Request for water to be turned off or on	$50.00/occurrence
2.	Plumbing no ready/missed appointment	$50.00/occurrence
3.	Final meter reading	$50.00/occurrence
4.	Service Call	$50.00/occurrence
5.	New account fee	$25.00/occurrence
6.	Transfer to tax roll	$25.00/occurrence
7.	Meter Installation	Time and Materials

C. WASTEWATER RATE

100% of Water Rate

D. FEES FOR THE DISPOSAL OF SEPTIC TANK WASTE

		Monthly Charge
Residential, commercial and institutional waste	$	32.40/m3

It shall be the responsibility of all waste haulers to contact the Espanola Public Works Department to schedule waste dump as well as to provide a list of all locations and the volumes collected and to deposit to the Municipality the tipping fees associated with all collections. The Municipality reserves the right to accept or reject any delivery, as it sees fit, without recourse.

Schedule 'B'

Department:	Finance and Accounting	Policy Number:	F02-01860
Subject:	Water/Wastewater Collection	Effective Date:	17/10/25
By-law No:		Revision Date:	XX/XX/XX
		Version #:	2

1.0 POLICY

To establish clear guidelines with respect to the billing and collection of all water and wastewater charges for the Town of Espanola.

2.0 PURPOSE

The purpose of this policy is to establish the responsibilities, internal controls, and procedures for effective and efficient billing and collection of water and wastewater charges while ensuring that all customers are being treated fairly and equitably.

3.0 SCOPE

This policy applies to all water and wastewater customers within the boundaries of the Municipality. Municipal Staff assigned to the administration and collection of water and wastewater accounts shall adhere to the policy and procedures detailed below.

4.0 BILLING AND PAYMENT

4.1 All metered properties shall be billed monthly based on the monthly meter readings.

4.2 All non-metered accounts shall be charged a monthly flat rate and billed on a quarterly basis.

4.3 Water and wastewater bills will be mailed a minimum of twenty-one (21) days before the billing due date.

4.4 Water and wastewater bills will be due on the 15th day of the month following the monthly or quarterly bill period.

4.5 Where the water supply has been turned-off for any reason, the monthly fixed capital charge shall be applied as per Schedule "A" of the Water and Wastewater Bylaw.

4.6 Payment may be made by cash, cheque, debit, online banking or pre-authorized payment. Pre-authorized payments will be withdrawn directly from the customer's account on the 15th day of each month.

4.7 Metered customers may choose the equal payment plan option. This plan provides for 11 equal, pre-authorized payments based on the estimated annual bill and a twelfth reconciliation payment based on actual consumption.

4.8 Payments received by mail will be processed as of the date the payment is received.

4.9 If a payment is returned by the bank for any reason, a service charge in accordance with the Fees Bylaw shall be applied.

4.10 If the returned payment was made through the Pre-authorized Payment Plan, a letter will be sent advising that after two (2) payments have been returned the resident will be removed from the plan.

5.0 OVERDUE ACCOUNTS

5.1 A penalty charge of 1.25% will be applied to all outstanding water and wastewater fees and charges. The late payment charge will be added to the invoice after the due date, and on each subsequent due date thereafter.

5.2 The Town may, pursuant to section 81 of the Municipal Act, shut off the water supply to any premises with outstanding balances and withhold such services until payment of the overdue amounts plus any applicable charges is received.

5.3 Under section 398 of the Municipal Act, 2001, the Town may add the outstanding fees and charges for the supply of a public utility to the

tax roll of the property and collect it in the same manner as municipal taxes.

6.0 COLLECTION PROCESS

Prior to turning off the water supply or transferring outstanding water and wastewater balances to the tax roll, the Town shall:

a) Issue a Reminder Notice to all outstanding water and wastewater customers at least five (5) business days following the due date. In the circumstance where the customer is a tenant, a copy of the Reminder Notice will also be sent to the property owner.

b) Issue a Final Reminder Notice at least fifteen (15) business days following the due date.

c) Unpaid water and wastewater fees and charges will be transferred to the property tax account at least thirty (30) days following the due date unless payment has been made.

6.0 MONITORING

At the end of each month, the Utility Billing Clerk will generate an Aging Report from the Utility Billing system. The outstanding balance in the aging report must be balanced to the Utility Billing Receivable general ledger account. Any discrepancies between the two reports shall be further examined and resolved.

Sample 'A'
Reminder Notice

[Address]

[Date]

RE: Outstanding Water and Wastewater

Dear Sir/Madam:

Our records indicate that you have a past due balance in the amount of $. Unless payment is received in full or satisfactory payment arrangements are made within 14 days, the overdue account may be subject to the following:

1) Disconnection of water supply to the premise as per Section 81 of the Municipal Act, 2001;
2) Transfer the arrears to the property tax roll as per Section 398(2) of the Municipal Act, 2001.

Your co-operation in discharging these arrears would be appreciated. If you have any questions or would like to discuss your account, please do not hesitate to contact the Public Works Department at 705-869-1751.

If you have already made payment, please disregard this notice.

Yours Sincerely,

[Name]
[Title]

Sample 'B'
Final Notice

[Address]

[Date]

RE: Outstanding Water and Wastewater

Dear Sir/Madam:

Our records indicate that you have a past due balance in the amount of $[ ].

Unless payment is received in full within 14 days of the date of this notice, the water supply to the premise will be shut off as per section 81 of the Municipal Act, 2001.

If your service is disconnected, there will be a restoration charge applied to the account. Within 48 hours of receiving payment for the arrears, the water supply will be reinstated to the premise.

If you have already made payment, please disregard this notice.

Yours Sincerely,

[Name]
[Title]

Schedule 'C'
E99-01853 Budget Billing Plan Form

Espanola

Water Wastewater Billing

Equal Billing Plan

Fields marked with * are required

How to enroll:

1. Complete and sign the form.
2. Enclose a VOID cheque (Line of credit cheque will not be accepted).
3. Mail, fax, email or drop off to the number/address below.

Select one: *

☐ Apply for the Equal Billing Plan
☐ Change information on exisiting Equal Billing Plan
☐ Cancel the Budget Equal Plan effective: _____ (mm/dd/yyyy)

Water Customer Account Number (found on top of water bill) *	
Service Address (where water meter is located) *	
Names on Account* (1) (2)	
Mailing Address (Number & Street) *	Unit or Apt Number *
City/Town & Province *	Postal Code *
Phone Number *	Alternate Phone Number
Email Address	

Equal monthly installments will be automatically deducted on the 15th of each month. The withdrawal amount will be determined based on your consumption history at the property for this application. On this plan, you will continue to receive bills that will reflect your actual consumption. Your account will be reconciled in September or October of each year and adjusted to reflect the balance of the account at the time of reconciliation.

I/we authorize the Town of Espanola to process a debit equivalent to the equal billing amount due. This authority is to remain in effect until the Town of Espanola has received written notification from me/we of a change or termination.

Signature (1) *	Print Name(s) *
Date: (mm/dd/yyyy) *	

FOR OFFICE USE ONLY

Calculated Monthly Total	*Customer*
Initials	*Date*

Fax: 705-869-0083
Phone: 705-869-1540
Email: town@espanola.ca
Website: www.espanola.ca
Form # E99-01853

By mail or in person: Town of Espanola
2-100 Tudhope Street
Espanola , ON P5E 1S6

Schedule 'D'
E99-01854 Mailing Address Change Form

Espanola

Property Tax & Water Wastewater Billing

Mailing Address Change

Fields marked with * are required

EFFECTIVE DATE * (mm/dd/yyyy): _____

Current Water Account Number (found on top of water bill) *	
Service Address (where water meter is located) *	Assessment Roll Number
Property Owner(s) *	
Property Address *	
Email Address	

New Mailing Address

Street *	Unit or Apt Number *
City/Town & Province *	Postal Code *
Phone Number *	Alternate Phone Number

Previous Mailing Address

Street *	Unit or Apt Number *
City/Town & Province *	Postal Code *
Phone Number *	Alternate Phone Number

By signing thie Mailing Address Change Form, I authorize the Town of Espanola to follow my expressed wishes with regard to where and to whom my Property Tax Bill/Water Bill notices are mailed.	
Property Owner(s) Signature *	Print Name(s) *
Date: (mm/dd/yyyy) *	

Fax: 705-869-0083
Phone: 705-869-1540
Email: town@espanola.ca
Website: www.espanola.ca

By mail or in person: Town of Espanola
100 Tudhope St, Suite #2
Espanola , ON P5E 1S6

Form #E99-0185

Schedule 'E'
E99-01855 New / Cancel Account

Espanola

Water Wastewater Billing

New Account/Account Cancellation

Fields marked with * are required

Close My Current Account: Final Meter Read

Account # (found at the top of water bill) *	Name On Account *
Service Address (where water meter is located) *	Date Effective (month/day/year) *
Forwarding Address For Final Bill *	
Are you an ☐owner or ☐tenant? If you are the owner, please provide the full name of purchaser or your lawyer's contact information.	
If on a Pre-Authorized Payment Plan, ☐remove immediately or, ☐take final bill on plan?	

Create A New Account:

Service Address (where water meter is located) *	Date Effective (month/day/year) *
Names on Account* (1)	(2)
Mailing Address (Number & Street) *	Unit or Apt Number *
City/Town & Province *	Postal Code *
Phone Number *	Email Address
Please provide any previous Espanola address you had a water account for: *	
Are you renting at the new location? ☐Yes ☐No If yes, your landlord must complete an Owner/Tenant Agreement Form.	
Signature (1) *	Date *
Signature (2)	Date

**Please Note—If you are moving within the Town of Espanola, your account number will change. If you pay your water bill online, please update your account number once you receive your first bill.

Please complete the form and return to the Town of Espanola, Water Billing Branch:

Fax: 705 869 0083 By mail or in person: Town of Espanola
Phone: 705 869 1540 100 Tudhope St., Suite #2 Espanola ON P5E 1S
Email: town@espanola.ca Website: www.espanola.ca

Office Use Only

New Account Number:	Completed By:

Schedule 'F' E99-01856 Owner Tenant Agreement

Espanola

Water Wastewater Billing

Owner/Tenant Agreement

Fields marked with * are required

EFFECTIVE DATE * (mm/dd/yyyy): _____

Water Account Number*	Assessment Roll Number
Service Address (where water meter is located) *	

Property Owner Information

Property Owner(s) Name *		
Mailing Address *		
City/Town & Province *		Postal Code *
Phone Number *	Alternate Phone Number	
Email Address		

Tenant Information

Tenant(s) Name *		
Mailing Address *		
City/Town & Province *		Postal Code *
Phone Number *	Alternate Phone Number	
Email Address		

Declare as follows that:

1. I(We) are the owner(s) of the property at the above noted service address.
2. I(We) rent the property to the tenant.
3. I(We) request the Town of Espanola bill the tenant above directly at the service address for all water and wastewater charges and other related charges attributed to the above property, including penalty for overdue accounts.
4. **I understand that despite not having received bills in respect of the water service, if the tenant defaults in payments, all rates and charges shall be recoverable against me(us) as a debt owed to the Town of Espanola, as per By-Law #_____.**
5. All rates and charges shall be a lien on my(our) interest in the property pursuant to the Municipal Act, 2001, S.O. c.25, s.398(2).
6. I(We) acknowledge that the Town of Espanola is not precluded from pursuing its legal remedies against the tenant.
7. I(We) undertake to inform the Town of Espanola of all tenant(s), occupant(s) and/or owner(s) changes (including address), in a timely manner.
8. This agreement is non-transferable and must be renewed for any and all ownership and/or tenancy changes.
9. I(We) specifically acknowledge and agree to the Town of Espanola's right to revoke this agreement for any reason and to revert the account to me(us) as registered owner(s) for payment of all services and any outstanding balance. The owner will be advised of the account being moved into the homeowner's name in writing.
10. I(We) appoint the person(s) to whom the bills and notices are directed as my(our) representative(s) for the purpose of granting the Town access to the property in relation to the Town's provision of water and wastewater services and related activities including but not limited to inspection, at or to the property, even if these activities result in charges on the property.

Property Owner(s) Signature *	Print Name(s) *
Date: (mm/dd/yyyy) *	

Fax: 705-869-0083
Phone: 705-869-1540
Email: town@espanola.ca
Website: www.espanola.ca

By mail or in person: Town of Espanola
100 Tudhope Str., Suite #2
Espanola , ON P5E 1S6

Schedule 'G'
E99-01857 Pre-Authorized Payment / Water Wastewater

Espanola

Water Wastewater Billing

Pre-Authorized Payment Plan

Fields marked with * are required

How to enroll:

1. Complete and sign the form.
2. Enclose a VOID cheque (Line of credit cheque will not be accepted).
3. Mail, fax, email or drop off to the number/address below.

Select one: *

☐ Apply for a Pre-Authorized Payment Plan
☐ Change information on exisiting Pre-Authorized Payment Plan
☐ Cancel the Pre-Authorized Payment Plan effective: _____ (mm/dd/yyyy)

Water Customer Account Number (found on top of water bill)	
Service Address	
Names on Account* (1) (2)	
Mailing Address (Number & Street) *	Unit or Apt Number *
City/Town & Province *	Postal Code *
Phone Number *	Alternate Phone Number
Email Address	

I/we authorize the Town of Espanola to process a debit equivalent to the actual amount due as billed on the due date. This authority is to remain in effect until the Town of Espanola has received written notification from me/we of a change or termination.

Signature (1) *	Print Name(s) *
Signature (2)	
Date: (mm/dd/yyyy) *	

Fax: 705-869-0083
Phone: 705-869-1540
Email: towns@espanola.ca
Website: www.espanola.ca

By mail or in person: Town of Espanola
100 Tudhope Street, Ste 2
Espanola , ON P5E 1S6

Schedule 'H'

Water Only Rate Exemption Application
Municipal Water Supply with no Sanitary Sewer Connection

Property Owner:
Full Address:
Telephone:
Address of Exemption Request:

1. Complete lot and flow diagram (2nd page)

2. Waste Disposal System in use:
   - ☐ Septic Tank-Tile Bed
   - ☐ Privy
   - ☐ Other (Specify) _____

AGREEMENT

I hereby make application for a Water Only Rate Exemption as per By-law 2806/17 (and any subsequent revisions) and that I agree to abide by all relevant By-laws and amendments and regulations of the Town of Espanola, and that I will provide the required details and access to the premises by identified Town of Espanola employees.

Date: Signature:

Draw to scale indicating north point and showing the following:

1. Building, streets topographic features (watercourses, swamps and steep slopes).
2. Waste disposal system with connection (Septic tank-tile bed, privy, etc).
3. Location of water meter.

Form # E99-01861