



THE CORPORATION OF THE CITY OF VERNON

MEMORANDUM

TO: Will Pearce, Chief Administrative Officer **FILE:** 3900-20

PC: Kevin Poole, Director, Community Safety, Lands and Administration **DATE:** November 29, 2022
Debra Law, Director, Financial Services

FROM: Jennifer Bruns, Manager, Legislative Services

SUBJECT: SEWER USER RATES AMENDMENT BYLAW 5929, 2022

At the October 25, 2021 Regular Meeting, Council resolved the following:

“THAT Council endorse an annual, cumulative 3% increase in all user fees and charges identified in the Sewer Rates Bylaw #5400, from 2022-2026”.

At the November 14, 2022 Regular Meeting, Council resolved the following:

“THAT Council receive the memorandum titled “High Rate Anaerobic Digester – Operating Costs and Related Fees and Charges” dated November 14, 2022 and respectfully submitted by the General Manager, Public Works;

AND FURTHER, that Council endorse an annual, cumulative 2.5% increase on all high strength waste user fees and charges in the Fees and Charges Bylaw #3909, for 2023 and 2024;

AND FURTHER, that Council endorse an additional cumulative 2.5% increase in all user fees and charges identified in the Sewer User Rates Bylaw #5400, for 2023 and 2024;

AND FURTHER, that Council direct Administration to bring an amended Sewer User Rates Bylaw and Fees and Charges Bylaw for Council consideration at the November 28, 2022 Regular Meeting.

“Sewer User Rates (Rate Increases) Amendment Bylaw Number 5929, 2022” included both the 3% increases and 2.5% increases for 2023-2026 and was given three readings by Council on November 28, 2022; however, Administration has become aware of typo under section 4.4. The quarterly fee in 2023 for non-metered facilities, per classroom for schools or beds for hospitals should be \$285.76 not \$285.78. To correct this, third reading of Bylaw 5929 will need to be rescinded and the bylaw amended before being considered for third reading (as amended).

“Fees and Charges (High Strength Waste Discharge Rate Increase) Amendment Bylaw 5930, 2022” included the 2.5% increase for 2023 and 2024 and was given three readings by Council on November 28, 2022. This bylaw can be considered for adoption at the December 12, 2022 Regular Meeting of Council.

RECOMMENDATION:

THAT Council receive the memorandum titled “Sewer User Rates Amendment Bylaw 5929, 2022” dated November 29, 2022 and respectfully submitted by the Manager, Legislative Services;

AND FURTHER, that Council rescind third reading for “Sewer User Rates Amendment Bylaw 5929, 2022”;

AND FURTHER, that “Sewer User Rates Amendment Bylaw 5929, 2022”, as amended, be given third reading.

Respectfully submitted:

A handwritten signature in blue ink, appearing to read 'J. Burns', is written below the text 'Respectfully submitted:'.

Attachment 1 - “Sewer User Rates (Rate Increases) Amendment Bylaw Number 5929, 2022”

THE CORPORATION OF THE CITY OF VERNON

BYLAW 5929

A bylaw to amend the Sewer User Rates Bylaw Number 5400, 2013

WHEREAS it is the intention of the Council of The Corporation of the City of Vernon to amend the 'Sewer User Rates Bylaw Number 5400, 2013'

NOW THEREFORE the Council of The Corporation of the City of Vernon, in an open meeting assembled, enacts as follows:

1. This bylaw may be cited as "**Sewer User Rates (Rate Increases) Amendment Bylaw Number 5929, 2022**".
2. The City of Vernon "Sewer User Rates Bylaw Number 5400, 2013" is hereby amended in the following manner:
 - a. Replace 'Schedule A' with the 'Schedule A' attached to and forming part of this bylaw.
3. That "Sewer User Rates Bylaw Number 5400, 2013" is hereby ratified and confirmed in every other respect.

READ A FIRST TIME this 28th day of November, 2022.

READ A SECOND TIME this 28th day of November, 2022.

READ A THIRD TIME this 28th day of November, 2022.

THIRD READING RESCINDED this day of , 2022

READ A THIRD TIME this day of , 2022

ADOPTED this day of , 2022.

Mayor

Corporate Officer

SCHEDULE A

1.0 TITLE

- 1.1 This Bylaw shall be referred to as the "**Sewer User Rates Bylaw Number 5400, 2013**".

2.0 RESIDENTIAL AND MULTI FAMILY PROPERTIES

- 2.1 All properties which have a sanitary sewer collection line adjacent to or connected to their property will be charged a fee ~~of \$51.71~~ per quarter per residence **as follows:**

2023	2024	2025	2026 onward
\$54.55	\$57.55	\$59.28	\$61.06

- 2.2 In addition to the charge in 2.1 above, all City of Vernon metered water customers will be charged for sewer service based on their water consumption in excess of 20 cubic meters per residence in the first billing period of the year (approximately the January to March period). This consumption will apply for the four (4) consecutive quarters beginning with the first billing period of the year. The rate applied to the consumption in excess of 20 cubic meters per residence ~~is \$2.52~~ per cubic meter **is as follows:**

2023	2024	2025	2026 onward
\$2.66/m³	\$2.80/m³	\$2.89/m³	\$2.98/m³

- 2.3 In addition to charge in 2.1 above all non-metered residential customers where metering IS possible will be charged a flat rate per quarter per residence per the following schedule.

2.3.1	Low Flat Rate—Initial and first full quarter and second quarter after written warning.	\$74.40	Per Quarter
2.3.1	High Flat Rate—Third and subsequent quarters after written warning.	\$148.79	Per Quarter

2.3.1	Low Flat Rate - Initial and first full quarter and second quarter after written warning.	2023	2024	2025	2026 onward
		\$78.49 (per quarter)	\$82.81 (per quarter)	\$85.29 (per quarter)	\$87.85 (per quarter)
2.3.2	High Flat Rate - Third and subsequent quarters after written warning	2023	2024	2025	2026 onward
		\$156.97 (per quarter)	\$165.61 (per quarter)	\$170.58 (per quarter)	\$175.69 (per quarter)

- 2.4 In addition to charge 2.1 above, all residential customers where metering is NOT possible will be charged a flat rate ~~of \$162.06~~ per quarter per residence **as follows:**

2023	2024	2025	2026 onward
\$170.97	\$180.38	\$185.79	\$191.36

Proof that service is NOT possible must be confirmed by the City.

- 2.5 In addition to charge in 2.1 and 2.2, 2.3 or 2.4 above, all customers outside City limits who have a sanitary sewer service to their property will be charged an additional **fee \$731.04** per year, to offset non-utility costs **as follows:**

2023	2024	2025	2026 onward
\$771.25	\$813.67	\$838.08	\$863.22

3.0 COMMERCIAL PROPERTIES

- 3.1 All commercial properties which have a sanitary sewer collection line adjacent to or connected to their property will be charged a fee ~~of \$53.63~~ per quarter per service unit **as follows:**

2023	2024	2025	2026 onward
\$56.58	59.69	\$61.48	\$63.33

- 3.2 Metered for Water Consumption - In addition to the charge in 3.1 above, for commercial properties with no irrigation meter, for all connection sizes - 80% of Water Consumption or as measured by the City of Vernon using an approved flow metering device onsite:

Consumption Charge	\$2.62 per cubic meter
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Consumption Charge:

2023	2024	2025	2026 onward
\$2.76/m ³	\$2.92/m ³	\$3.00/m ³	\$3.09/m ³

In instances where a meter has malfunctioned, the rate will be based on 80% of water consumption, based on the same quarter in the previous year.

- 3.3 Metered for Water Consumption - In addition to the charge in 3.1 above, for commercial properties with a separate irrigation meter, for all connection sizes - 100% of Water Consumption or as measured by the City of Vernon using an approved flow metering device onsite:

Consumption Charge	\$2.62 per cubic meter
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Consumption Charge:

2023	2024	2025	2026 onward
\$2.76/m ³	\$2.92/m ³	\$3.00/m ³	\$3.09/m ³

In instances where a meter has malfunctioned, the rate will be based on 100% of historical water consumption, based on the same quarter in the previous year.

- 3.4 In addition to the charge in 3.1 above, all non-metered commercial properties where metering IS possible will be charged a flat rate per quarter per unit per the following schedule:

3.4.1	Low Flat Rate – Initial and first full quarter and second quarter after written warning.	\$131.94	Per Quarter
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3.4.2	High Flat Rate - Third and subsequent quarters after written warning.	\$263.89	Per Quarter
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3.4.1	Low Flat Rate - Initial and first full quarter and second quarter after written warning.	2023	2024	2025	2026 onward
		\$139.20 (per quarter)	\$146.85 (per quarter)	\$151.26 (per quarter)	\$155.80 (per quarter)
2.3.2	High Flat Rate - Third and subsequent quarters after written warning	2023	2024	2025	2026 onward
		\$278.40 (per quarter)	\$293.72 (per quarter)	\$302.53 (per quarter)	\$311.60 (per quarter)

- 3.5 In addition to charge 3.1 above, all commercial properties where metering is NOT possible will be charged a flat rate ~~of \$244.41~~ per quarter per unit **as follows:**

2023	2024	2025	2026 onward
\$257.85	\$272.03	\$280.20	\$288.60

Proof that service is NOT possible must be confirmed by the City.

- 3.6 In addition to charge in 3.1 and 3.2, 3.3, 3.4 or 3.5 above, all commercial properties outside City limits who have a sanitary sewer service to their property will be charged an additional ~~\$731.04 fee~~ per year, to offset non-utility costs **as follows:**

2023	2024	2025	2026 onward
\$771.25	\$813.67	\$838.08	\$863.22

4.0 PUBLIC INSTITUTIONS

- 4.1 All public properties which have a sanitary sewer collection line adjacent to or connected to their property will be charged a fee ~~of \$53.63~~ per quarter per service unit **as follows:**

2023	2024	2025	2026 onward
\$56.58	\$59.69	\$61.48	\$63.33

- 4.2 Metered for Water Consumption - In addition to the charge in 4.1 above, for public institution properties with no separate irrigation meter, for all connection sizes 80% of water consumption or as measured by the City of Vernon using an approved flow metering device onsite.

Consumption Charge	\$2.62 per cubic meter
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Consumption Charge:

2023	2024	2025	2026 onward
\$2.76/m ³	\$2.92/m ³	\$3.00/m ³	\$3.09/m ³

In instances where a meter has malfunctioned, the rate will be based on 80% of water consumption, based on the same quarter in the previous year.

- 4.3 Metered for Water Consumption - In addition to the charge in 3.1 above, for public institution properties with a separate irrigation meter, for all connection sizes - 100% of Water Consumption or as measured by the City of Vernon using an approved flow metering device onsite.

Consumption Charge	\$2.62 per cubic meter
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Consumption Charge:

2023	2024	2025	2026 onward
\$2.76/m ³	\$2.92/m ³	\$3.00/m ³	\$3.09/m ³

In instances where a meter has malfunctioned, the rate will be based on 100% of water consumption, based on the same quarter in the previous year.

- 4.4 Non-metered facilities based on a flat rate ~~of \$270.86~~ per quarter, per classroom for schools or beds for hospitals **as follows:**

2023	2024	2025	2026 onward
\$285.76	\$301.47	\$310.52	\$319.83

- 4.5 In addition to charge in 4.1 and 4.2, 4.3 or 4.4 above, all public institution properties outside City limits who have a sanitary sewer service to their property will be charged an additional ~~\$731.04~~ fee per year, to offset non-utility costs as follows:

2023	2024	2025	2026 onward
\$771.25	\$813.67	\$838.08	\$863.22

5.0 FLOW METERING DEVICES

- 5.1 Flow metering devices may be installed onsite for commercial and public institutions to determine accurate volumes of sanitary sewer discharge. The use, type and location of the flow metering device must be approved by the Operation Services manager, or designate, of the City of Vernon. The flow metering devices will be read by the City of Vernon.

6.0 UNAUTHORIZED CONNECTION FEE

- 6.1 Unauthorized Connection Fee will be charged at \$5,000.00 per occasion.
- 6.2 Base Rate Fee charges will be applied cumulatively from the deemed date of connection.
- 6.3 High Flat Rate charges will be applied cumulatively from the deemed date of connection.

7.0 GENERAL RATE INFORMATION

- 7.1 Sewer service rates may be pro-rated for new connections or new construction.
- 7.2 Where each type (residence, unit, suite, secondary suite) are each considered one (1) unit.
- 7.3 Properties with a legal secondary suite shall be exempted the additional base fee for sewer. *(Bylaw 5502)*

8.0 LEAK ADJUSTMENTS - RESIDENTIAL AND MULTI FAMILY

8.1 Where a customer can prove by plumber's or other pertinent receipts that a water leak in excess of 10 cubic meters has been repaired the customer may make written application with the Leak Adjustment Request Application for an adjustment. At the discretion of the Collector or designate, a credit volume may be calculated as follows:

8.1.1 Where an average is based on the quarterly water consumption from the same quarter in the previous (2) years, provided ownership is the same, which will be effective as of the repair date.

8.1.2 Where ownership has changed in the previous calendar year and no first quarter historical consumption is available, the new property owner will be automatically placed on the Residential Low Flat Sewer Rate section 2.3.1 effective as of the repair date for the remainder of the same calendar year, or

8.1.3 Where based on another full quarters consumption in the same calendar year, WITHOUT any consideration for additional water use and is only effective on that substituted quarter and forward until the end of the same calendar year. A First Quarter Sewer Waiver form must be signed by the property owner and reversal back to the first quarter sewer consumption is not possible.

9.0 OWNERSHIP CHANGES - RESIDENTIAL AND MULTI FAMILY

9.1 Where residential ownership has changed based on the Land Title Office records, the new property owner will be automatically placed on the Residential Low Flat Sewer rate section 2.3.1 effective the new ownership date for the remainder of the same calendar year, OR

9.2 Where based on another full quarters consumption in the same calendar year, WITHOUT any consideration for additional water use and is only effective on that substituted quarter and forward until the end of the same calendar year. The First

Quarter Sewer Waiver form must be signed by the property owner and reversal back to the Residential Low Flat Sewer rate is not possible.

10.0 TENANCY - RESIDENTIAL AND MULTI FAMILY

10.1 Tenancy Changes

Where a property owner can prove by Tenancy Agreement or other pertinent documents that tenancy has changed, the property owner may make written application with the Tenancy form for an adjustment to the Residential Low Flat Rate Sewer rate in section 2.3.1 above, effective the date the City receives the completed application and tenancy agreement for the remainder of the calendar year only.

11.0 INTEREST

11.1 Interest on Late Payment

Interest at the rate of twelve percent (12%) per annum shall be charged on any current amounts unpaid by a day designated by the City Collector.