



MUNICIPALITY OF THE COUNTY OF RICHMOND

BY-LAW #_52_

SEWER SERVICE CHARGE BY LAW WITH AMENDMENT BY-LAW

BE IT ENACTED by the Council for the Municipality of the County of Richmond, pursuant to the *Municipal Government Act*, S.N.S. 1998, C.18, as am.:

1. In this by-law, unless the context otherwise requires, the expression:

- (a) "Building" means any dwelling, house, shop, store, office or any building which would require sewerage services;
- (b) "Engineer" means the Engineer for the Municipality and includes the Superintendent of Works;
- (c) "Municipality" means the "Municipality of the County of Richmond";
- (d) "Owner" means a part owner, joint owner, tenant in common or joint tenant of the whole or any part of any land or building and includes a trustee, an executor, an administrator, a guardian, an agent, a mortgagee in possession of any other persons having the care or control of any land or building in case of the absence or disability of the person having title thereto;
- (e) "Sewer" means a pipe, conduit, drain, open channel, or ditch used for the collection and transmission of wastewater, stormwater, or uncontaminated process or cooling water;
- (f) "Sewerage System" means all pipes, mains, equipment, buildings and structures for collecting, pumping or treatment of wastewater and operated by the Municipality, but does not include a storm sewer. The "sewerage system" consists of all four sewage treatment and collection systems (Louisdale, Evanston, Petit de Grat and Arichat) and future extensions;
- (g) "Storm Sewer" means a sewer and all related structures designed exclusively for the collection and transmission of uncontaminated water, stormwater, drainage from land or from any watercourse or any of them;
- (h) "Water Utility" means the Richmond Water Utility;
- (i) "Year" means the fiscal year of the Municipality.
- (j) "Major Capital Sewer Project" means a project for the construction, expansion, upgrade, replacement, or installation of sewerage systems which satisfies criteria determined by Council by policy and which is included by resolution of Council on the Municipality's List of Major Capital Sewer Projects.
- (k) "Municipal Contribution" means a contribution made by the Municipality to a Major Capital Sewer Project pursuant to the Major Capital Sewer Projects Policy and as defined therein.

2. Every owner of lands in the Municipality

- (a) on which any building is connected to a sewerage system;
- (b) on which a building is situated that council has ordered connected to a sewerage system;
- (c) shall pay to the Municipality an annual "Sewer Service Charge" for the construction and maintenance of the sewerage system.

3.

- (a) The quarterly Sewer Service Charge will be calculated as follows for standard unmetered sewer services:

Customer's Quarterly Sewer Service Charge (standard service)

“equals”

'New Ratio'

“multiplied by”

Customer's Quarterly Water Bill ¹

Where 'New Ratio' =
$$\frac{\text{Total Annual Cost of Sewerage Systems (current year)}}{\text{Budgeted Annual Sales Revenue of the Water Utility (current year for customers connected to the subject sewerage system)}}$$

1. For calculation purposes, sewer customers who are not customers of the Water Utility will be assigned the average water billing charged to a similar class of users by the Water Utility in the previous year.

- (b) Institutional, commercial or industrial customers with water consumption that varies significantly from sewage discharge volumes may request that a sewage flowmeter be installed, at their cost, to calculate actual sewage discharge volumes which may then be used to calculate the customer's quarterly sewer service charge. In such instances the customer's quarterly sewer service charge will be determined as follows:

Customer's Quarterly Sewer Service Charge (metered sewer service)

“equals”

'New Ratio'

“multiplied by”

[Quarterly Sewer Discharge Volume “multiplied by” Water Consumption Rate] + Base Rate

Where 'New Ratio' =
$$\frac{\text{Total Annual Cost of Sewerage Systems (current year)}}{\text{Budgeted Annual Sales Revenue of the Water Utility (current year for customers connected to the subject sewerage system)}}$$

- (1) Every owner of property who is a non-user of the Water Utility but is a user of the sewerage system shall be assigned a deemed water rate which shall equal the average of the water rates charged to a similar class of users by the Water Utility in the previous fiscal year.
- (2) The total annual cost of the sewerage system shall consist of the following:
 - (a) The annual portion of the principal and interest accrued or to be due in the current year of the total capital cost of the installation and upgrade of the sewerage system, provided that where a Municipal Contribution has been made by the Municipality pursuant to the Major Capital Sewer Project Policy, that Municipal Contribution shall be excluded from the total capital cost of the installation and upgrade of the sewerage system for the purposes hereof;
 - (b) Any amount determined annually by the Municipality as an appropriate contribution to a reserve fund established for the purpose of financing future sewerage system capital improvements;
 - (c) The annual estimated maintenance and operation expenses of the sewerage system;
 - (d) Any deficit existing from the previous year; and
 - (e) An amount determined by the Municipality necessary to provide for the abatement, losses and expenses which may occur on the collection of the sewer service charges for the current year which may not be collected or collectable.

4.

- (1) Sewer service charges shall be levied on the owners of all properties liable to pay the same commencing in the year following the year in which a sewer has been installed or upgraded or the year in which the building on the property has been connected to the sewer, whichever is the earlier.

- (2) For the purposes of this by-law, a sewer has been installed or upgraded when the Municipal Engineer has certified to the Council that the system or project of which the sewer forms part is substantially complete.

5.

- (1) The sewer service charge shall be due and payable 30 days after billing.
- (2) The sewer service charge, if not paid by the due date, shall bear interest at the same rate as charged on unpaid taxes.
- (3) This section provides a mechanism to consider customer requests to adjust an abnormally high sewer charge resulting from unusually high water consumption by a customer.
 - a) A request for a sewer service charge adjustment must be submitted to the Municipality within 30 days of the billing date where the excessive usage was billed.
 - b) General Eligibility Requirements:
 - The quarterly water consumption must exceed two (2) times the customer's average quarterly water consumption for the previous four (4) quarters (under normal occupancy);
 - The customer must not have received a sewer charge adjustment in the previous 3 years (12 billing cycles);
 - The customer's account must be in good standing;
 - c) A sewer charge adjustment will not be approved in the following cases:
 - The dwelling was unoccupied and/or vacant for a period of 5 days or more during the subject billing cycle and the water service was not requested to be shut off by the Utility;
 - Customer failed to make repairs to a pipe, appliance or fixture known to have defects or be in need of repair;
 - Application for an adjustment was received greater than 30 days after the billing date;
 - Customer is unwilling to provide access to municipal staff to inspect that the reported leak or repairs;
 - High usage is due to irrigation, filling of pools, negligent use or other incident within the customer's control;
 - Where a change in occupancy or use of the building may account for the increase in water consumption and associated sewer charge;
 - d) Application Review Process
 - The application for a rate adjustment will be reviewed by the Director of Public Works, CFO and CAO to determine compliance with the provisions of this by-law;
 - The Municipality will notify the customer of its determination within 30 days of the date of the request for an adjustment;
 - e) If the request is approved the sewer charge will be adjusted as follows:
 - The sewer charge will be recalculated by omitting 100% of the water consumption exceeding two (2) times the average quarterly consumption, based on the previous four (4) quarters;
 - The credit will be issued to the account or, in the event the bill has been paid in full, the Municipality may issue a cheque in the amount to be credited;

(4)

6.

- (1) The sewer service charge is a lien on the whole of the property subject to the sewer service charge in the same manner and with the same effect as rates and taxes under the Assessment Act.
- (2) The sewer service charge and interest thereon may be sued for and collected in the same manner as other rates and taxes.
- (3) Land is liable to be sold for unpaid sewer service charges in the same manner and with the same effect as for unpaid rates and taxes pursuant to the Assessment Act.

7.

- (1) Every person connecting to the sewerage system shall pay, prior to the Municipality providing the connection, a connection charge in the amount of \$400.00
- (2) Nothing in this Section means that the Municipality is responsible for any part of a sewer connection that is not in a public street, highway or sewer easement.

8. This By-law shall take effect on the first day of April, 1996. Thereinafter all sewer service charges shall be levied as provided for this By-law.

9. Notwithstanding Section 10 any person who at the date this By-law takes effect owes an outstanding sewer charge for the installation of an existing sewerage systems, the provisions of By-law 29 the Capital Cost of Sewer Construction shall apply until the said charge is paid in full; however, should a system be constructed or upgraded all costs incurred shall be governed by the provisions of this By-law.

10. Nothing in this By-law shall affect the operation of Sections 16 to 36 of By-law 29, the Capital Cost of Sewer Construction.

11. The previous version, and all other versions of the Sewer Service Charge with Amendment By-Law, are repealed and replaced by this Bylaw.

I, YVONNE BOUDREAU, Municipal Clerk of the Municipality of Richmond County, hereby certify that the above noted by-law was passed at a meeting of the Richmond County Municipal Council on _____.

YVONNE BOUDREAU

Municipal Clerk

By-Law Adoption	
Notice Given	February 9, 2021
First Reading:	February 22, 2021
Notice of Publication:	March 3, 2021
Second Reading and Enactment:	March 22, 2021
Final Publication:	March 31, 2021
Notice to Service Nova Scotia & Municipal Relations:	

Version Number	Amendment Description	Council Approval Date
#4	<p>Change the method of billing for sewer services so that sewer billings are based on real-time water billings rather than calculated based on the prior year's water billings.</p> <ul style="list-style-type: none"> • Make provisions for metered sewer connections for institutional, commercial or industrial (ICI) customers with water consumption that varies significantly from sewage discharge volumes • Provide for a mechanism to adjust a sewer bill in certain instances where a customer's water consumption is unusually high due to a water leak or other unusual activity. • Combine the four sewer systems into a single sewer system (similar to the Richmond Water Utility) to allow for a single sewer ratio among all four sewer systems. 	March 22, 2021
#3	Amend the manner of calculating sewer charges, for those sewer systems that will receive a grant from Council.	June 16, 2008
#2	Amendment will provide that 75% of the annual cost of sewer systems will be used to calculate sewer service charges.	May 31, 1999
#1	Adoption	June 19, 1995