

BY-LAW NO. W-2

**A BY-LAW RESPECTING WATER RATES AND SEWER RENTALS IN THE
TOWN OF NACKAWIC**

BE IT ENACTED by the Council of the Town of Nackawic as follows:

1. Interpretation

In this bylaw,

“Dwelling unit” means a room or suite of two or more rooms used, designed or intended to be used by an individual or family in which culinary and sanitary facilities are provided for the exclusive use of such individual or family.

“Owner” means the person in whose name a property is assessed under the *Assessment Act*, Chapter A-14, RSNB, 1973, and amendments thereto, and includes the executors, administrators and assigns of such person.

"Public Works Foreman" means the Public Works Foreman for the Town of Nackawic appointed by Council to oversee the administration of this by-law.

2. Owner Responsibility

2.01 The owner of a property is liable for all water rates, meter rentals and sewer rentals imposed with respect to such property whether occupied by himself or his tenants and shall pay to the Town all such rates and rentals at the times prescribed in this by-law.

2.02 The owner of a building in which a sprinkler system for fire protection is installed and the owner of a property upon which a hydrant is located shall pay to the Town the cost of any repairs, made or service provided by the Town in respect of such sprinkler or hydrant at the request of such owner.

2.03 No owner, without authorization from the Public Works Foreman, may open, close or obstruct free access to fire hydrants in the Town.

2.04 No owner shall tamper with, disconnect or in any way whatsoever interfere with the installation, maintenance, reading, replacement, removal or operation of any water meter or other device used to measure consumption of water, or any pipe or device used to contain or control the flow of water.

2.05 The owner shall pay the cost of repair when any damage to a meter is caused by negligence by the owner or occupants of the building for which he or she is the owner.

2.06 The owner shall grant designated employees of the Town access to the buildings or properties in or on which water meters are located at selected times of the year.

3. Shut-Off Of Water Supply

3.01 The Public Works Foreman may shut off the water supply to any property with respect to which any rates, rentals or penalties payable under this by-law remain unpaid after the expiration of time imposed from time to time by the Council.

3.02 Where a notice of shut-off has been given and the account remains unpaid by the date established for shut-off, the owner shall pay a fee of Fifty Dollars (\$50.00), together with any amount in arrears to settle the account in full, if a physical shut-off has been accomplished.

4. Refund of Rates

4.01 Upon application of an owner the Public Works Foreman may, with approval of the Council, grant a refund of rates or rentals or an allowance for any cause, which is deemed proper.

5. Billing

5.01 Non-Metered Rates

The water and sewer rates for a property, which is not metered shall be as follows:

Residential (water and sewer)	\$352.00 per year
Residential (water only)	\$171.00 per year
Residential (sewer only)	\$181.00 per year
Commercial/Institutional/Industrial (water and sewer)	\$378.00 per year
Commercial/Institutional/Industrial (water only)	\$184.00 per year
Commercial/Institutional/Industrial (sewer only)	\$194.00 per year

5.02 Metered Rates

The water rates for a property which is metered shall be calculated and charged on quarterly meter readings as follows:

For the first 10,000 gallons of usage, or portion thereof, a rate of \$0.00216 per gallon.
For the next 25,000 gallons of usage, or portion thereof, a rate of \$0.00208 per gallon.
For the next 215,000 gallons of usage, or portion thereof, a rate of \$0.00194 per gallon.
For the next 250,000 gallons of usage, or portion thereof, a rate of \$0.00181 per gallon.
For usage over 500,000 gallons, a rate of \$0.00174 per gallon.

The minimum quarterly water charge is \$42.75 for residential, \$46.00 for commercial, industrial and institutional.

5.03 Sewer Rate for Metered Premises

The owner of a property, the water supply of which is metered shall, at the same time as the water rates for the property are payable, pay a sewer rate of 100 percent of the metered water charge. The minimum quarterly sewer charge is 45.25 for residential, \$48.50 for commercial, industrial and institutional.

6. Interest Penalty

6.01 When any water or sewer charges or both or any part thereof remain unpaid for a period of three months after the same become payable, the Town Treasurer shall add an interest penalty of 1 ½ per cent per month thereafter until paid. When such charges remain unpaid for a period of six months after the same become payable, the penalty shall be that the water and/or sewer shall be cut off until all accrued charges and penalties are paid in full.

7. General

7.01 No person being an owner, tenant, or occupant of any house, building or other place within the Town supplied with water by the Town shall without permission of the Public Works Foreman,

- (i) lend or sell the water,
- (ii) give water away or permit it to be taken or carried,
- (iii) use or apply it to the use or benefit of any other person, or
- (iv) allow water to be unnecessarily wasted upon his premises.

7.02 By virtue of this bylaw, all rates, fees, charges, and penalties shall be a debt due to the Town by the owner and may be enforced in a Court of competent jurisdiction.

7.03 Any water meter installed pursuant to this by-law shall remain the property of the Town.

7.04 Any officer or employee of the Town authorized by the Council for that purpose shall have free access at all reasonable hours of the day to all parts of every building or other premises in which water is supplied by the Town or which is served by a sewage system for the purpose of reading any water meter or of installing, inspecting or replacing any water meter, branch sewer or plumbing.

8. Repeal Provision

8.01 By-law No. 47, A By-law Respecting Water And Sewer Rates, passed by Town Council on August 13, 1979, and amendments thereto, is hereby repealed.

8.02 The repeal of By-law No. 47, A By-law Respecting Water And Sewer Rates, and amendments thereto, shall not affect any penalty, forfeiture or liability, incurred before such repeal or any proceeding for enforcing the same completed or pending at the time of repeal; nor shall it repeal, defeat, disturb, invalidate or prejudicially affect any matter or thing whatsoever completed, existing or pending at the time of repeal.

DULY PASSED AND ENACTED BY THE COUNCIL OF THE TOWN OF
NACKAWIC ON APRIL 19, 2004

Robert G. Connors, Mayor

Nancy Cronkhite, Chief Administrative Officer

First Reading: April 5, 2004
Second Reading: April 19, 2004
Third Reading: April 19, 2004