

By-law 2020-06

**A By-law of the City of Greater Sudbury to Amend By-Law 2018-45
being a By-law of the City of Greater Sudbury to Establish a
Water and Wastewater Policy and Water and Wastewater Rates
and Charges in General and for Special Projects**

Whereas as part of the 2020 budget process, Council for the City of Greater Sudbury authorized an increase in the water/wastewater rates;

And Whereas Council of the City of Greater Sudbury wishes to amend By-law 2018-45 being a By-law of the City of Greater Sudbury to Establish a Water and Wastewater Policy and Water and Wastewater Rates and Charges in General and for Special Projects;

Now therefore Council of the City of Greater Sudbury hereby enacts as follows:

Amend Section 1 - Add Definitions

1. By-law 2018-45, being a By-law of the City of Greater Sudbury to Establish a Water and Wastewater Policy and Water and Wastewater Rates and Charges in General and for Special Projects, as amended, is hereby further amended by;

(a) repealing the definition of "Appurtenances" and enacting the following definition in its place and stead:

"Appurtenances" means accessory or other items associated with a Meter including but not limited to: the Water Meter Remote or AMI Radio Frequency Transmitter, the wires, the bypass valve and owned by the City;"

(b) adding the following definitions immediately before the definition for "City":

"AMI" also known as "Advanced Meter Infrastructure" refers to a system which uses an AMI Radio Frequency Transmitter in conjunction with related software to provide Meter readings;

"AMI Radio Frequency Transmitter" is a device which uses radio frequencies to effect remote readings of Meters and transmits such readings to City Records;"

(c) adding the following definition immediately before the definition for "Street Line":

““Sewer Use By-law” means By-Law 2010-188, being A By-Law to Prohibit, Regulate and Control Discharges into Bodies of Waters Within City Boundaries or into the City Sanitary Sewers, Storm Sewers, Sanitary Sewage Works and all Tributary Sewer Systems, as amended or replaced from time to time;” and

- (d) adding the following definition immediately before the definition for “Water Service”;

““Water Meter Remote” means a device used to remotely read an AMI enabled Water Meter;”.

Add Subsection 5(2)

2. By-law 2018-45, being a By-law of the City of Greater Sudbury to Establish a Water and Wastewater Policy and Water and Wastewater Rates and Charges in General and for Special Projects, as amended, is hereby further amended by adding the following subsection 5(2), immediately after subsection 5(1) and before Section 6:

“ (2) Despite subsection 5(1) no fixed monthly charge shall be charged:

- (a) during such period that a Private Property is subject to an "Order to Prohibit Use or Occupancy" issued by the Chief Building Official or his or her authorized designate, pursuant to the *Building Code Act, 1992*, S.O. 1992, c.23; or
- (b) during such period that a Private Property is subject to an "Unsafe Order" issued by the Chief Building Official or his or her authorized designate, pursuant to the *Building Code Act, 1992*, S.O. 1992, c.23.”

Amend Section 7

3. By-law 2018-45, being a By-law of the City of Greater Sudbury to Establish a Water and Wastewater Policy and Water and Wastewater Rates and Charges in General and for Special Projects, as amended, is hereby further amended by repealing subsections 7(2) to and including subsection 7(6) and enacting the following subsections 7(2) to 7(8) in their place and stead:

“ (2) A fee determined in accordance with Schedule “A” shall be charged to replace or repair a Meter or an AMI Radio Frequency Transmitter installed after January 21st, 2020.

(3) The fee charged in subsection 7(2) shall be billed at the time of the repair or replacement of an AMI-enabled Meter or an AMI Radio Frequency Transmitter and does

not depend on and is not related to who owned the Private Property at the time of, or who was or may have been responsible for the damage, loss or freezing or other event which led to the need to repair or replace the AMI-enabled Meter or the AMI Radio Frequency Transmitter. For clarity, the fee does not apply to the initial installation of the AMI-enabled Meter in replacement for a non-AMI-enabled Meter or initial installation of an AMI Radio Frequency Transmitter in replacement for a Water Meter Remote as part of a City-wide initiative to convert to AMI.

(4) The City shall determine in its sole discretion, if the Meter, or AMI Radio Frequency Transmitter should be repaired or replaced.

(5) In addition to the rates in section 7(2), a trip fee shall be charged in accordance with Schedule "A", where it is determined by the City that attendance at the Private Property was necessary as a result of an action or inaction by the Owner of the Private Property, and was not the result of an inherent defect in the Meter or AMI Radio Frequency Transmitter.

(6) A fee in the amount set out in Schedule "A" shall be charged, per occurrence in the event:

- (a) the Owner does not attend the Private Property within 15 minutes of a scheduled appointment; or
- (b) the Owner cancels a scheduled appointment with less than 24 hours notice.

(7) Every Owner of a Private Property which has a Meter shall co-operate with the City and provide such unobstructed access to the Private Property as may, in the opinion of the GM, be necessary for the City to install, replace or repair a Meter with an AMI compatible Meter and to install, replace or repair an AMI Radio Frequency Transmitter.

(8) Where the GM has determined that the installation, replacement or repair of a Meter or AMI Radio Frequency Transmitter has been delayed, interfered with or prevented by the action or inaction of the Owner, a Monthly Manual Meter Reading fee determined in accordance with Schedule "A" will be charged to the account for such Private Property on a monthly basis until such time as the Meter or AMI Radio Frequency Transmitter or both have been installed, replaced or repaired."

Replace Section 8

4. By-law 2018-45, being a By-law of the City of Greater Sudbury to Establish a Water and Wastewater Policy and Water and Wastewater Rates and Charges in General and for Special Projects, as amended, is hereby further amended by repealing Section 8 and enacting the following Section 8 in its place and stead:

"Water Shut Off

8. A fee determined in accordance with Schedule "A" shall be charged in each of the following circumstances:

- (a) a notification is mailed, advising of a pending shut off of a Water Connection to a Private Property ; and
- (b) a Water Connection to a Private Property is turned on or off for any reason."

Add Subsections 11(4) and 11(5)

5. By-law 2018-45, being a By-law of the City of Greater Sudbury to Establish a Water and Wastewater Policy and Water and Wastewater Rates and Charges in General and for Special Projects, as amended, is hereby further amended by adding, immediately after subsection 11(3), the following subsections 11(4) and 11(5);

"Fee – Clearance of Private Sewer Lateral Blockage

(4) A fee shall be charged on a per occasion basis at the rate set out in Schedule A in the event that the Owner of a Private Property requests the clearance of a private sewer lateral blockage, and the Owner has entered into an agreement with the City in the form established by the GM.

(5) A fee in the amount set out in Schedule "A" shall be charged, per occurrence in the event:

- (a) the Owner does not attend the Private Property within 15 minutes of a scheduled appointment; or
- (b) the Owner cancels a scheduled appointment with less than 24 hours notice."

Replace Subsection 12(3)

6. By-law 2018-45, being a By-law of the City of Greater Sudbury to Establish a Water and Wastewater Policy and Water and Wastewater Rates and Charges in General and for Special Projects, as amended, is hereby further amended by repealing subsections 12(3) and enacting the following subsection 12(3) in its place and stead:

“ (3) The Owner of Private Property shall, at the Owner's own expense, ensure that the plumbing on the Private Property is in a condition and of a type that will allow for the safe and effective installation of a Water Meter or the replacement or repair of a Water Meter and when so directed in writing by the GM, shall take such steps as specified by the GM to allow for the safe and effective installation, repair or replacement of a Water Meter.”

Replace Schedules

7. By-law 2018-45, being a By-law of the City of Greater Sudbury to Establish a Water and Wastewater Policy and Water and Wastewater Rates and Charges in General and for Special Projects, as amended, is hereby further amended by;

- (a) repealing Schedule “A” – Rates and Charges as per this by-law and enacting, in its place and stead, Schedule “A” – Rates and Charges as per this by-law attached hereto as Schedule “A” and forming a part of this By-law;
- (b) repealing Schedule “B” – Rates and Charges as per by-law 2010-214, as amended or replaced and enacting, in its place and stead, Schedule “B” – Rates and Charges as per By-law 2010-214, as amended or replaced, attached hereto as Schedule “B” and forming a part of this By-law
- (c) repealing Schedule “C” – Rates and Charges as per by-law 2010-188, as amended or replaced and enacting, in its place and stead, Schedule “C” – Rates and Charges as per By-law 2010-188, as amended or replaced, attached hereto as Schedule “C” and forming a part of this By-law; and
- (d) repealing Schedule “C-1” – Rates and Charges as per by-law 2017-217, as amended or replaced and enacting, in its place and stead, Schedule “B” – Rates and Charges as per By-law 2017-217, as amended or replaced, attached hereto as Schedule “D” and forming a part of this By-law.

8. This By-law comes into effect upon passage.

Read and Passed in Open Council this 21st day of January, 2020



Mayor



Clerk

**Schedule "A" to By-law 2020-06
Schedule "A" to By-law 2018-45
Rates and Charges as per this by-law**

Part II - Water Rates and Charges

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

Section 3 Water Consumption Charge

Section	Description	Rate	Per
3	Meter installed	\$ 1,809	Cubic Meter
4 (1)	Before Meter Installed - Construction Period	Meter installed rate x 5 cubic meters (flat rate) per month	n/a
4 (2)	Properties - No Meter Installed	Meter installed rate x 21 cubic meters (flat rate) per month	n/a

Section 5 Water Fixed Charge

Meter/Water Service size	Rate	
5/8 inches	\$ 22.48	Month
1 inch	\$ 56.19	Month
1 1/2 inches	\$ 112.38	Month
2 inches	\$ 179.81	Month
3 inches	\$ 359.63	Month
4 inches	\$ 561.92	Month
6 inches	\$ 1,123.83	Month
8 inches	\$ 1,798.13	Month
10 inches	\$ 2,584.82	Month

Section	Description	Rate	Per
6(1)	Fire Protection Sprinkler System, per Private Property	\$ 885.00	year
7(1)	Provision and installation of a Meter (up to 2 inches in diameter) and Appurtenances	\$ 390.00	Meter
7(2)	Replace Meter (installed after January 21, 2020 as part of the AMI project)		
	5/8 inch positive displacement	\$ 193.00	Meter
	1 inch positive displacement	\$ 353.00	Meter
	1 1/2 inch positive displacement	\$ 670.00	Meter
	2 inch positive displacement	\$ 839.00	Meter
	2 inch Tru/Flo	\$ 2,535.00	Meter
	3 inch turbine	\$ 1,276.00	Meter
	3 inch Tru/Flo	\$ 3,066.00	Meter
	4 inch turbine	\$ 2,305.00	Meter
	4 inch Tru/Flo	\$ 4,974.00	Meter
	6 inch turbine	\$ 4,087.00	Meter
	6 inch Tru/Flo	\$ 9,251.00	Meter
7(2)	Replace AMI Transmitter	\$180.00 to \$236.00	Transmitter
7(2)	Repair a Meter	\$ 54.00	Occasion
7(2)	Replace or repair Water Meter Remote	\$ 42.00	Remote
7(5)	Trip Charge	\$ 44.00	Occasion
7(7)(a)	Missed appointment fee	\$ 52.00	Occasion
7(7)(b)	Cancellation within 24 hours of scheduled appointment fee	\$ 52.00	Occasion
7(8)	Monthly Manual Meter Reading Fee	\$ 50.00	Month
8(a)	Notification of pending Water Connection shut off	\$ 44.00	Occasion
8(b)	Water Connection turn on or off	\$ 87.00	Occasion, per hour
9	Use of City Fire Hydrant	\$ 317.00	Occasion
9 (a)	Rental of Equipment and staff time for set up and take down	\$ 317.00	Occasion
9 (b)	Refundable equipment damage deposit	\$ 500.00	Occasion
10	H2O to GO Water Buggy Rental - non- profit	\$ 265.00	Occasion
10	H2O to GO Water Buggy Rental - profit	\$ 595.00	Occasion

Schedule "A" to By-law 2020-06
Schedule "A" to By-law 2018-45
Rates and Charges as per this by-law

Part III - Wastewater Rates and Charges

Note: Fees in this Part are not subject to HST

Section	Description	Rate	Per
11(2)	Wastewater rate - with Water Service		112.0% n/a
11(3)	Wastewater rate - no Water Service		112.0% n/a
11(4)	Clearance of a private sewer lateral blockage upon request	\$	542.00 Occasion
11(5)(a)	Missed appointment fee	\$	50.00 Occasion
11(5)(b)	Cancellation within 24 hours of scheduled appointment fee	\$	50.00 Occasion

Part IV - Rates that can apply to water and/or wastewater services

Note: Fees in this Part are not subject to HST

Section	Description	Rate	Per
Attendance at Private Property for:			
12(1)(a)	Thawing of Plumbing or private sewer laterals on Private Property		
	Regular Business Hours	\$	200.00 Hour
	After Hours	\$	304.00 Hour
Attendance at Private Property for any of the following:			
12(1)(b)	Private Fire Hydrant fire flow testing		
12(1)(c)	Installation, repair or removal of a Temporary Water Service		
12(1)(d)	Operator In Charge		
12(1)(e)	Tapping		
12(1)(f)	Valve Turning		
12(1)(g)	Relocation of a Meter or Appurtenance		
12(1)(h)	Replacement or repair of Plumbing		
12(1)(i)	Thawing a frozen service resulting from non-compliance to a run water request		
	Regular Business Hours	\$	101.00 Hour
	After Hours	\$	151.00 Hour
12(2)	Part required for the repair or replacement of Plumbing at the request of Owner		Actual Cost + HST Part

Part V - Adjustments

Section	Description	Rate	Per
26(1) and 26(3)	Rebate for Hauled Liquid Waste	\$	Cubic meter
			16.50

Schedule "B" to By-law 2020-06
Schedule "B" to By-law 2020-2018-45
Rates and Charges as per by-law 2010-214, as amended or replaced

Service Connections

Section	Description	Rate	Per
3 (a)	Service connection	Actual costs + HST	connection
3 (e)	Service connection - variances	Actual costs + HST	connection

Note: Fees in this Part are not subject to HST

Private Fire Hydrant fee

Section	Description	Rate	Per
5.1(e)	Private Fire Hydrant, per hydrant	\$ 885.00	year

Fire Hydrant water consumption rate

Section	Description	Rate	Per
5.2 (2)	Water consumption at the bulk water rate	\$ 2.88	Cubic Meter

Bulk Water Filling Stations

Section	Description	Rate	Per
5.3(3)	Bulk Water rate	\$ 2.88	Cubic Meter
5.4(1) (c)	Issuance of a prepaid bulk water station filling card	\$ 50.00	Company
5.4(2)	Additional/Replacement of a prepaid bulk water station filling card	\$ 20.00	Card

Meter Testing

Section	Description	Rate	Per
6(j)	Meter testing charge - request by Consumer or Owner	Actual costs + HST	test

Schedule "C" to By-law 2020-06
Schedule "C" to By-law 2018-45
Rates and Charges as per by-law 2010-188, as amended or replaced

Note: Fees in this Part are not subject to HST

Discharge Surcharge Rates

Overstrength Sewage Discharge Agreement:

The surcharge for Overstrength Sewage under an Overstrength Sewage Discharge Agreement shall be calculated in accordance with the following formula:

$$S(dT) = WCC * WWR * V(dT) \left\{ 0.30 \left(\frac{TSS}{350} \right) + 0.15 \left(\frac{BOD_5}{300} \right) + 0.10 \left(\frac{TPC}{1} \right) + 0.40 \left(\frac{TP}{10} \right) + 0.05 \left(\frac{TKN}{100} \right) \right\}$$

Where	S(dT)	Wastewater Surcharge in dollars;
	WCC	Water Consumption Charge as provided in Schedule A to By-Law 2018-45;
	WWR	Wastewater Rate as provided in schedule A to By-Law 2018-45;
	V(dT)	Total Volume, in cubic metres, released during time interval dT;
	TSS	Average Total Suspended Solids in milligrams per litre as determined by lab testing during time interval dT;
	BOD ₅	Average five-day Biochemical Oxygen Demand in milligrams per litre as determined by lab testing during time interval dT;
	TPC	Average Total Pheonolic Compounds in milligrams per litre as determined by lab testing during time interval dT;
	TP	Average Total Phosphorous in milligrams per litre as determined by lab testing during time interval dT; and
	TKN	Average Total Kjeldahl Nitrogen in milligrams per litre as determined by lab testing during time interval dT.

Note: If any of the quotients given in the above equation are less than or equal to 1.0, then that expression defaults to zero. For Instance:

if TSS = 20 such that $\frac{TSS}{350} = 0.57$ which is less than 1, then $\frac{TSS}{350}$ is set to 0.

Sanitary Sewer Discharge Agreement - Surcharge:

The surcharge payable for the discharge to the sanitary sewer of wastewater originating with water not from the City's water supply system shall be calculated in accordance with the following formula:

$$VWC(dT) = WCC * WWR * V(dT)$$

Where	VWC(dT)	Volumetric Wastewater Charge, in dollars, covering the time period (dT) in question;
	WCC	Water Consumption Charge per cubic metre as provided in the Schedule A to By-Law 2018-45
	WWR	Wastewater Rate as provided in Schedule A to By-Law 2018-45
	V(dT)	Total Volume, in cubic metres, released during the time period (dT) in question.

Schedule "D" to By-law 2020-06
Schedule "C-1" to By-law 2018-45
Rates and Charges as per by-law 2017-217, as amended or replaced

Note: Fees in this Part are not subject to HST

Backflow Prevention

Section	Description	Rate	Per
12(1)(a)	Preventer Test Tag Kit	\$ 119.00	pkg 100
12(2)(e)	Processing Fee for Test and Inspection Report	\$ 30.00	Report
17(1)(d)	Processing Fee for Cross Connection Survey Report	\$ 64.00	Report
19(2)(c)	Processing Fee for Backflow Compliance Program	\$ 64.00	Program
20(4)(c)	Review and Updating of List of Qualified Persons	\$ 20.00	Person