

HAMLET OF KUGLUKTUK
BY-LAW NO. 245
Water & Sewage Rates By-Law

A BY-LAW OF THE HAMLET OF KUGLUKTUK IN NUNAVUT FOR LEVYING AND COLLECTING OF WATER AND SEWAGE SERVICE CHARGES, PURSUANT TO THE PROVISIONS OF THE HAMLET ACT, R.S.N.W.T., 1988, c. H-1, s. 169 AS AMENDED BY S.NU.2003,c3

NOW, THEREFORE, THE COUNCIL OF THE HAMLET OF KUGLUKTUK, in a duly assembled meeting enacts as follows:

SHORT TITLE

1. This by-law may be cited as the “Water and Sewage Rates By-law”.

INTERPRETATION

2. In this by-law:
 - a) “Approved Meter” means a Water Meter used to measure the quantity of water used in a premises and approved by the Senior Administrative Officer;
 - b) “Commercial User” means a legal entity carrying on business for the purpose of the provision of services or retail sales, regardless of their legal status;
 - c) “Council” means the Council of the Hamlet;
 - d) “Economic Rate” means the economic rate for municipal services as specified in Schedule “A”, which is attached to, and forming part of this by-law;
 - e) “Government User” means the Government of the Canada, Nunavut Territory, Crown Corporations, the Nunavut Housing Corporation, Nunavut Power Corporation, Hamlet, RCMP, Parks Canada and any agency of the above mentioned government bodies which utilize municipal services;
 - f) “Hamlet” means the Hamlet of Kugluktuk as established under the authority of the Hamlets Act;
 - g) “Industrial User” means any legal entity engaged in the processing of renewable and non-renewable resources, or in the manufacturing of products;

- h) "Municipal Services" means the supply of potable water and/or the removal and disposal of sewage by/or on behalf of the Hamlet
- i) "Non-Commercial User" means an occupant of residential property, a society, association or other like non-profit organization, which use municipal services, but does not include government, commercial or industrial users;
- j) "Schedule" means schedule of rates attached to and forming part of this by-law;
- k) "Senior Administrative Officer" means the Senior Administrative Officer of the Hamlet;
- l) "Truck Meter" means a water meter designed or used to measure the amount of water pumped from the delivery vehicle to the user's intake port;
- m) "User" means any Government, Company, Individual, or other organization which require water or sewage services.

MUNICIPAL SERVICE RATES

- 3. (1) Charges for the municipal services shall be levied in accordance with this by-law.
- (2) Users shall be charged for municipal services in accordance with the rates specified in Schedule "A".
- 4. (1) Charges for municipal services shall be calculated with an approved truck meter according to the quantity of water indicated by the meter to have been used by the user
- (2) For the purpose of the calculations referred to in (1) quantities of water shall be expressed in the metric units of volume.
- 5. The Council on the basis of the actual cost of operations and maintenance shall determine the economic rate per liter for the provision of municipal services.
- 6. In no case shall the rate charged for municipal services exceed the economic rate.
- 7. All charges for municipal services are due and payable no later than thirty days after the date of the mailing of the invoices.
- 8. Charges for municipal services not paid for within thirty days after the date of mailing for the invoices shall be subject to a Late Payment Penalty Charge in accordance with Schedule "B", attached to and forming part of this by-law.

9. The Hamlet may request a security deposit from new user accounts; the security deposit will be held until such a time as the account is terminated, the security deposit will then be applied to the final billing and the remainder if any will be refunded to the user. The amount of the security deposit will be specified in Schedule "B".
10. Charges are considered to have been paid when payment has been received at the office of the Hamlet or at any such place designated from time to time by the Council and shown on the face of the invoice.
11.
 - 1) In default of payment of charges for municipal services, the Hamlet may:
 - a) Recover the amount due and payable by action in any court of competent jurisdiction against the person or organization liable to pay the charges;
 - b) Subject to subsection (2), after ninety days from the date of mailing of the invoice, in respect of which payment is in default, discontinue water service to the premises.
 - 2) Before the discontinuance of water service to any premises, reasonable efforts shall be made to serve written notice to the occupant of such premises as to the reason for the discontinuance of service, the date when the service is to be discontinued and what action may be taken to avoid discontinuance of service.
12. On receipt, by the Senior Administrative Officer of a written request for discontinuance of water services from the occupant of any premises, the water services to such premises shall be discontinued and a notice of discontinuance shall be sent to the occupant and to the owner of the premises indicating the date of the discontinuance and the conditions for reinstatement of service.
13. Were water service has been discontinued pursuant to section 10 or section 11, water service may be restored on payment to the Senior Administrative Officer of a reinstatement fee, as prescribed in Schedule "B".

DELIVERY SCHEDULE

14. The delivery schedule will be determined by the SAO.
15. Any user that temporarily leaves town and will not require trucked service for a period of time must notify the Hamlet of the departure date and of the return date. Failure to do so shall result in the application of the call out fee for each delivery less than 200 liters that is attempted while the user is out of town.

DELIVERY STANDARDS

- 16. The standards for tank sizes, location and access points shall be prescribed in Schedule "C", a development permit will not be issued for any new construction that doesn't conform to these standards.

REVIEW

- 17. This by-law shall be reviewed each fiscal year.

EFFECTIVE DATE

- 18. This by-law shall come into force and effect on the first of the month following third reading.

- 19. By-laws number 241 are hereby repealed

READ the first time this 22nd day of February 2011

original signed by

Ernie Bernhardt

**Ernie Bernhardt
Mayor**

original signed by

Donald LeBlanc

**Donald LeBlanc
Senior Administrative Officer**

READ the second time, this, 22nd day of February 2011

original signed by

Ernie Bernhardt

**Ernie Bernhardt
Mayor**

original signed by

Donald LeBlanc

**Donald LeBlanc
Senior Administrative Officer**

READ the third time this after due public notice, April 19th, 2011.

Ernie Bernhardt

**Ernie Bernhardt
Mayor**

Donald LeBlanc

**Donald LeBlanc
Senior Administrative Officer**



HAMLET OF KUGLUKTUK, NUNAVUT

SCHEDULE "A" to BY-LAW 245

WATER AND SEWAGE RATES BY-LAW

1. The Economic Rate is \$ 0.0700 per litre.
2.
 - (1) Subject to Section 3, the rates payable by customers for municipal services shall be the Economic Rate stated in Section 1, except as provided in subsections (2) and (3).
 - (2) Subsidized rates for municipal services are payable as follows:

<u>CATEGORY OF CUSTOMER</u>	<u>RATE</u>
Residential and Non-Profit	\$ 0.0061 per litre
Commercial	\$ 0.0280 per litre

- (3) For customers receiving partial municipal services, the rates shall be as follows:

<u>SERVICE RECEIVED</u>	<u>RATE</u>
Water service only	60 % of rates prescribed in subsection (1) or
Sewage service only	\$5.00 per pump out

- (4) For bulk water supply not supplied or delivered to premises the service charge shall be **\$0.0700** per litre.
3. The minimum monthly charge for each customer for municipal services shall be **\$15.00** per month.
4. Where a customer has received service in accordance with the normal schedule of deliveries and requests service:
 - (a) Within scheduled delivery hours, but not within his or her regular schedule, he or she shall be charged a call-out fee of \$75.00 per service if the total water delivered is less than 400 litres.
 - (b) Outside scheduled delivery hours, he or she shall be charged a call-out fee of \$75.00 per service.

4. Callout fees may be waived provided the SAO agrees that circumstances warrant the waiving of the fee. The SAO's decision may be appealed to the By-law committee of Council provided the request is made in writing and the callout fee in question was assessed within six months of the appeal. The SAO shall not waive any callout fees for any member of his/her family, immediate or extended, any member of Council or any employee of the Hamlet; for a request to waive a callout fee to be considered by the By-law Committee it must be submitted in writing to By-Law Committee within six months of the fee being assessed.

HAMLET OF KUGLUKTUK, NUNAVUT

SCHEDULE "B" to BY-LAW 245

WATER AND SEWAGE RATES BY-LAW

LATE PAYMENT PENALTY CHARGE

1. The Late Payment Penalty Charge shall be one and one half per cent (1.5%) per month on the outstanding account.

REINSTATEMENT FEE

1. Where water and/or sewage service to premises has been terminated pursuant to Section 11, (1), (b) of this by-law, the Reinstatement Fee shall be fifty (\$50.00) dollars.
2. Where water and/or sewage service has been terminated at the request of the owner or occupant of the premises, the Reinstatement Fee shall be twenty five (\$25.00) dollars.

SECURITY DEPOSIT

1. The security deposit for new accounts will be one hundred (\$150.00) dollars.

HAMLET OF KUGLUKTUK, NUNAVUT

SCHEDULE "C" to BY-LAW 245

WATER AND SEWAGE RATES BY-LAW

TRUCKED WATER STANDARDS

All trucked water service systems shall conform to the Canadian Building and Plumbing codes unless superseded by this By-law.

ACCESS

1. Unimpeded access, including the removal of mud, ice, pets, vehicles, and yard materials, to the water fill point shall be maintained.
2. The Hamlet will only be responsible for the removal of snow from the water fill point to the public road way.
3. The water fill point shall not exceed a distance of 15 meters from the town roadway and must extend out the wall facing the roadway. The owner or occupant of fill points in excess of 15 meters must have written approval from the SAO.
4. The water fill point shall be greater or 1.5 meters in a horizontal distance from the sewage pump-out point straight line access path.
5. The water fill point shall be of a sufficiently small diameter that the sewage pump-out hose could not be inserted.
6. The water fill point shall be clearly labelled at all times.

SIZE

1. The water holding tank shall be minimum of 2270 litres in size

FREEZE PROTECTION

1. The water holding tank shall be housed in an insulated heated portion of a building or have adequate freeze protection.
2. Structural support of the water holding tank shall be sufficient to support one and one-half times the weight of a full water tank.

LINES AND TANK SPECIFICATIONS

1. The connection point of the water fill point shall be a minimum of 915 millimetres and a maximum of 1220 millimetres from the ground surface in all seasons.
2. The water service line shall have a back grade such that the water does not free flow from the tank or sit in the service line, or the water service line shall have a check valve to prevent free flow and a heat tape to prevent freezing.
3. An overflow discharge point shall be installed at the same height as the fill point a minimum of 305 millimetres in horizontal distance from the fill point.
4. A red bulb or globe "full" indicator light shall be connected to a device in the tank and installed near the fill point such that is visible from the cab of the delivery truck.
5. If the water holding tank is elevated, a valve shall be installed at the line-tank connection point to prevent backflow.
6. Water fill lines shall have a galvanized or copper nipple a minimum 150 millimetres long securely anchored to the exterior of the wall structure at the fill connection point. Piping which is not approved for use with potable water is prohibited.
7. All overflow and water fill lines shall be insulated with foil back covered insulation a minimum one and or 38 millimetres and six feet 1.8 meters in from the point of penetration of the exterior building envelope.

TRUCKED SEWAGE STANDARDS

All Trucked sewage pump-out service systems shall meet the standards of the National Building and Plumbing Code and other municipal by-laws, unless superseded by this By-law.

ACCESS

1. The owner or occupant shall maintain and access free of mud, ice, pets, vehicles other obstructions to the sewage pump-out service point.
2. The Hamlet will only be responsible for the removal of snow from the sewage pump out point to the public road way.
3. The sewage pump out point shall not exceed a distance of 15 meters from the town roadway and must extend out the wall facing the roadway. The owner or occupant of fill points in excess of 15 meters must have written approval from the SAO.

4. There shall be a minimum of 1.53 meters between the connection point for sewage pump-out and the fill point for water such that a crossing of established pathways by connection hose shall not occur.
5. The sewage pump-out connection fitting shall be a greater diameter than that of the water fill point such that a cross-connection can not be made.
6. The sewage holding tank shall be twice the volume of the water storage tank to accommodate sewage and grey water discharge.

SIZE

1. The sewage holding tank shall be a minimum of 3405 litres.

STRUCTURE

1. Structural support of the sewage holding tank shall be sufficient to support one and one-half times the weight of a full sewage holding tank.

FREEZE PROTECTION

1. The sewage holding tank shall be a suitable material as approved by the SAO, shall be well insulated and kept within the heated portion of the building or otherwise heated using the heating coils or circulating hot water such that the formation of ice prevented. The approval heating system and storage tank location shall be approved by the SAO such that buried holding tanks do not create a stability hazard in areas of perma frost.
2. The service pump-out point shall be kept a minimum of 457 millimetres and a maximum 1,219 millimetres from the ground, including snow and ice accumulations.
3. The service pump-out point shall be filled with an approval tightly fitting cap and kept closed at all times except during pump-out.
4. The sewage holding tank shall have a large water-tight manhole with a removable cover such that the owner or occupant may clean and flush the tank. The SAO is authorized to direct that a sewage holding tank shall be cleaned and flushed.
5. The pump-out line from the service point to the tank shall have at least a 5 degree slope to the building such that no sewage is allowed to stand in the line or drain to the outside of the building and the line within the holding tank shall not exceed a grade of 30 degrees.
6. The sewage holding tank shall incorporate a vent line of a minimum interior diameter of 75 millimetres such that the tank is vented to the outside of the building or back vented to the highest interior point in the building such that air escape or supply will occur as the tank is being filled or emptied.

7. The pipe from the sewage pump-out service point to the sewage holding tank shall have an interior diameter of a minimum of 100 millimetres or reduce to 75 millimetres when the developed length of the sewer pump out is greater than 7.6 meters.
8. If the holding tank is buried, the ground cover shall be sloped such that surface liquids, including run-off or sewage, drain away from the tank, and anchored to concrete pads or pinned to bedrock to prevent floating to the surface.
9. All holding tanks shall incorporate a high and/or level indicator device where required by the SAO. Where required a high level switch must be wired in such a way as to cut the power supply to the domestic water pump in the event of a full sewage tank.
10. When the storage tank elevation is 1 meter or greater above the road level a valve shall be installed at the point of connection to the sewage pump out line to prevent a continuous siphon condition.
11. All sewage pumps out lines shall be rigidly secured or anchored at the point of connection and further to this all lines in excess of 3 meters in developed length shall be anchored every 3 meters. Buried lines do not require anchors except at the point of connection.
12. The use of chemical toilets shall be prohibited.