



CITY OF KINGSTON

Ontario

By-Law Number 2010-17

A By-Law To Impose Gas Rates

(1425445 Ontario Limited operating as Utilities Kingston)

Passed: December 15, 2009

Updated To: March 21, 2023

As Amended By:

By-Law Number:	Date Passed:
By-Law 2013-18	December 18, 2012
By-Law 2015-28	February 3, 2015
By-Law 2017-21	December 20, 2016
By-Law 2018-17	December 19, 2017
By-Law 2019-26	February 19, 2019
By-Law 2021-30	February 16, 2021
By-Law 2023-66	March 21, 2023

(Office Consolidation)

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A By-Law To Impose Gas Rates

(1425445 Ontario Limited operating as Utilities Kingston)

Passed: December 15, 2009

Whereas pursuant to the *Municipal Act, 2001*, S.O. 2001, c.25, including s. 391 of Part XII, a municipality and a local board may pass by-laws imposing fees or charges on any class of persons:

- (a) for services or activities provided or done by or on behalf of it; and
- (b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board.

And Whereas pursuant to section 396 of Part XII, a by-law under this Part may provide for:

- (a) Interest charges and other penalties, including the payment of collection costs, for fees and charges that are due and unpaid;
- (b) discounts and other benefits for early payment of fees and charges;
- (c) fees and charges that vary on any basis the municipality or local board considers appropriate and specifies in the by-law, including the level or frequency of the service or activity provided or done, the time of day or of year the service or activity is provided and whether the class of persons paying the fee or charge are residents or non-residents of the municipality;
- (d) different classes of persons and deal with each class in a different way; and
- (e) the exemption, in whole or in part, of any class of persons from all or any part of the by-law.

And Whereas pursuant to section 398 of Part XII, fees and charges imposed by a municipality or local board or a person under this Part constitute a debt of the person to the municipality or local board, respectively, and in the case of fees and charges for the supply of a public utility the treasurer of a local municipality may add fees and charges imposed by the municipality or local board, respectively, under this Part to the tax roll for the property to which the public utility was supplied in the local municipality and collect them in the same manner as municipal taxes.

Now Therefore the Council of the Corporation of the City of Kingston enacts as follows:

Definitions:

1. In this By-Law:

- (a) “Residential” refers to dwelling unit or multiple dwelling unit up to a maximum of 3 units.
- (b) “Commercial” refers to all non-dwelling units and all multiple dwellings over 3 units as well as any mix of dwelling units and non-dwelling units.
- (c) “Commodity” shall mean a charge for the physical gas molecules by volume or energy content.
- (d) “Gas Rate” shall mean a charge for the operation, repair and maintenance of the gas works and includes Commodity, Local Distribution Costs and Transportation and Storage.
- (e) “Local Distribution Costs” shall mean (a) a charge for the operation, repair and maintenance of the gas works from the City of Kingston’s connection to the Trans Canada Pipeline system to the customers’ point of connection, and (b) a charge for Cap and Trade greenhouse gas emissions compliance obligation costs.
- (f) “Transportation and Storage” shall mean a charge for the transportation of gas to the City of Kingston’s connection to the Trans Canada Pipeline system and the storage of gas and associated transportation of stored gas as required.
- (g) “Utilities Kingston” means 1425445 Ontario Ltd. operating as “Utilities Kingston” which, including other activities, provides management and operation of gas services under agreement with the City of Kingston.

(By-law Number 2010-17; 2017-21)

2. There is imposed on relevant residential and commercial customers gas distribution rates for all gas distributed by the Corporation of the City of Kingston as set out in Appendix “A” as “Local Distribution Costs”. “The Cap and Trade rate component of Local Distribution Costs is based on market costs and may be adjusted by Utilities Kingston from time to time as needed, but no more frequently than quarterly, without amending this by-law.”

(By-law Number 2010-17; 2017-21)

3. There is imposed on relevant residential and commercial customers a transportation and storage rate for services procured by Utilities Kingston for the transportation and storage of gas as set out in Appendix “A” as “Transportation and Storage”. This rate is based on market costs and may be adjusted from time to time without amending this by-law.

(By-law Number 2010-17)

4. There is imposed on relevant residential and commercial customers a rate for natural gas procured by Utilities Kingston for the supply of gas as set out in Appendix “A” as “Commodity”. This rate is based on market costs and may be adjusted from time to time without amending this by-law. This commodity rate applies to only those customers purchasing gas commodity from Utilities Kingston, referred to as System Gas customers.

(By-law Number 2010-17; 2013-18)

5. Any and all payments due and owing pursuant to the provision of this by-law are due on the due date shown on the invoice. A Utilities Kingston website link to payment options shall be provided on the front of the Utilities Kingston invoice. Payment options shall be listed on the back of the Utilities Kingston invoice when the invoice is issued in hard copy.

In the event that there is a billing error that results in the underbilling or overbilling of a customer, for any reason including but not limited to a billing system error, an incorrect rate or rate category applied, a faulty meter or faulty meter read, billing adjustments will be issued to correct the error, for a period not exceeding 24 months prior to the discovery of the error.

For billing purposes, the City of Kingston reserves the right in its sole discretion to prorate any monthly service charges to a daily rate by dividing the monthly service charge by 30.42.

The City of Kingston does not obligate itself to prorate any monthly service charges pursuant to this or former by-laws providing for the natural gas utility.

(By-law Number 2010-17; 2015-28; 2023-66)

6. Fees and charges that are due and unpaid will be charged a penalty of up to one and one half (1 1/2) percent per month. All costs and expenses incurred by the municipality in collecting and enforcing unpaid fees and charges shall be added to the amount due and owing. The Treasurer may add unpaid fees and charges to the tax roll of the property to which the service was provided and collect them in the same manner as municipal taxes.

7. Appendix "A" hereby adopted as part of this by-law subject to the provisions herein permitting the adjustment of certain charges from time to time to reflect market costs.

(By-law Number 2010-17)

8. This By-Law shall come into force and take effect on January 01, 2010.

(By-law Number 2010-17)

Schedule A

Appendix “A”

Gas Rate

- Effective April 01, 2023

Local Distribution Costs		Effective April 1, 2023
Local Distribution Costs include (a) a monthly service charge and (b) common monthly block rate delivery volumetric charges. These rates apply to all gas customers as applicable.		
(a) Monthly Service Charge		Service Charge Rate
Residential		\$23.98
Commercial		\$77.58
(b) Monthly Block Rate		Total Delivery
Delivery Volumetric Charges		Rate per m ³
1st 1500 m ³		\$0.1054
Next 3500 m ³		\$0.0721
Next 70000 m ³		\$0.0369
All over 75000 m ³		\$0.0215

Gas Rate

- Effective January 01, 2024

Local Distribution Costs		Effective January 1, 2024
Local Distribution Costs include (a) a monthly service charge and (b) common monthly block rate delivery volumetric charges. These rates apply to all gas customers as applicable.		
(a) Monthly Service Charge		Service Charge Rate
Residential		\$24.65
Commercial		\$79.74
(b) Monthly Block Rate Delivery Volumetric Charges		Total Delivery Rate per m ³
1st 1500 m ³		\$0.1134
Next 3500 m ³		\$0.0776
Next 70000 m ³		\$0.0397
All over 75000 m ³		\$0.0231

Federal Carbon Charge

April 1, 2023

This volumetric rate applies to all customers except in the case where the customer has provided Utilities Kingston a valid carbon tax levy Exemption Certificate.

	Rate per m ³
Carbon Tax Charge	\$0.1254

Note: (1) Carbon tax rate may be adjusted by Utilities Kingston from time to time without amending the rates by- law.

Transportation and Storage

February 1, 2023

This volumetric rate applies to all gas customers including System Gas, Direct Purchase (Retailer), and Interruptible customers.

	Rate per m ³
Transportation & Storage Rate	\$0.0731

Note: (2) The Transportation & Storage rate price shown above is for informational purposes only and was the price in effect on the date shown above.
The Transportation & Storage rate may be adjusted by Utilities Kingston from time to time without amending the rates by-law.

Commodity

February 1, 2023

This volumetric rate applies to all System Gas customers only. The commodity rate applicable to a Direct Purchase gas customer (Retailer) is per their retailer contract.

	Rate per m ³
Commodity Rate	\$0.2259

Note: (3) The Commodity rate price shown above is for informational purposes only and was the price in effect on the date shown above.
The Commodity rate may be adjusted by Utilities Kingston from time to time without amending the rates by-law.