



City Of Kingston

Ontario

By-Law Number 2011-24

A By-Law To Impose Water & Wastewater Rates (Utilities Kingston)

Passed: February 15, 2011

Updated To: March 21, 2023

As Amended:

By-law Number	Passed on:
2015-27	February 3, 2015
2019-25	February 19, 2019
2023-65	March 21, 2023

(Office Consolidation)

A By-Law To Impose Water & Wastewater Rates (Utilities Kingston)

Passed: February 15, 2011

Whereas pursuant to Part XII of the Municipal Act, S.O. 2001, c.25, 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 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 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:

In this By-Law:

- (a) "Residential" shall mean a dwelling unit or multiple dwelling units up to a maximum of 3 units.
- (b) "Commercial" shall mean all non-dwelling units and all multiple dwellings over 3 units. A mix of dwelling units and non-dwelling units, are to be classified as commercial.

- (c) "Wholesale" shall apply to a large customer who bulk purchases water or wastewater services, and who maintains their own local distribution and collection system or resells their services. This includes but is not limited to Canadian Forces Base Kingston, where the water and wastewater infrastructure is maintained by the Department of National Defense.
 - (d) "Cana" shall mean the water and wastewater service area north of CNR railway, east of Rideau Canal, serviced by a physical independent water/wastewater system operated by Utilities Kingston.
 - (e) "Wastewater Rate" shall mean a charge for the operation, repair and maintenance of the wastewater works.
 - (f) "Water Rate" shall mean a charge for the operation, repair and maintenance of the water works.
 - (g) "Residential Flat Rate" shall apply to a residential customer connected to the water and/or wastewater system and is not metered for water.
 - (h) "Commercial Flat Rate" shall apply to a commercial customer connected to the water and/or wastewater system and is not metered for water.
 - (i) 1425445 Ontario Ltd. operating as "Utilities Kingston" provides management and operation of water and wastewater services under agreement with the City of Kingston.
1. There is imposed, as set out in Appendix "A", water and wastewater rates for all water treated, distributed and all wastewater received, treated and disposed of by the Corporation of the City of Kingston. The volume of wastewater will be based upon 100% of the metered water. Properties that are serviced by the municipal water system but are not connected to the municipal wastewater system will not be subject to wastewater rates. Properties that are serviced by the municipal wastewater system but not connected to the municipal water system will not be subject to water rates.
 2. An exemption from wastewater charges may be granted to commercial/industrial applications, where the use of the water does not result in wastewater being received by the wastewater collection system, upon approval from Utilities Kingston engineering staff, if:
 - (a) the wastewater exempt water is metered separately (at the customer's expense);
 - (b) there are no physical connections, beyond the metering point, between exempt and non-exempt systems;
 - (c) the exempt water system is verified by Utilities Kingston staff; and
 - (d) the wastewater exemption does not result in increased concentrations of waste.

3. 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 water or wastewater utilities.

(By-law Number 2011-24; 2015-27; 2023-65)

4. Fees and charges that are due and unpaid will be charged a penalty of one and one half (1 1/2) percent per month. Costs incurred by the municipality in collecting 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. Appendix "A" is hereby adopted as part of this by-law.
5. This By-Law and Appendix "A" of this by-law shall come into force and take effect on: March 1, 2011.

Note: Appendix "A" replaced in its entirety by By-law Number 2023-65 effective April 1, 2023.

(By-law Number 2011-24; 2015-27; 2019-25; 2023-65)

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Water and Wastewater Monthly Rates Schedule

Effective April 1, 2023 to December 31, 2023

WATER

Residential		Block #1	Block #2
	<u>Monthly Service Charge</u>	<u>Volume - First 25 m3</u>	<u>Volume - All Over 25 m3</u>
metered	\$22.29	\$1.6718	\$2.0897

Commercial

<u>*Meter Size</u>	<u>Monthly Service Charge</u>	<u>Volume - All m3</u>
< 40 mm (< 1½")	\$55.75	\$1.1718
40 mm (1½")	\$66.35	\$1.2492
50 mm (2")	\$112.20	\$1.2492
75 mm (3")	\$142.00	\$1.4670
100 mm (4")	\$167.22	\$1.4670
150 mm (6")	\$253.38	\$1.4670
200 mm (8")	\$468.25	\$1.4670
225 mm (10")	\$469.50	\$1.4670
300 mm (12")	\$470.00	\$1.4670

* applicable commercial rate based on meter size

Wholesale

	<u>Monthly Service Charge</u>	<u>Volume - All m3</u>
	\$598.33	\$1.2332

Flat Rates (Unmetered)

	<u>Monthly Charge</u>
Residential Flat Rate	\$70.70
Cana Flat Rate	\$70.70
Commercial Flat Rate (< 1½")	\$141.76

WASTEWATER

Residential		
	<u>Monthly Service Charge</u>	<u>Volume - All m3</u>
	\$30.58	\$1.4640

Commercial

<u>*Meter Size</u>	<u>Monthly Service Charge</u>	<u>Volume - All m3</u>
< 40 mm (1½")	\$61.30	\$1.4089
40 mm (1½")	\$101.44	\$1.5575
50 mm (2")	\$259.89	\$1.5575
75 mm (3")	\$264.94	\$1.8215
100 mm (4")	\$422.15	\$1.8215
150 mm (6")	\$846.78	\$1.8215
200 mm (8")	\$962.96	\$1.8215
225 mm (10")	\$968.21	\$1.8215
300 mm (12")	\$973.66	\$1.8215

* applicable commercial rates and charges based on corresponding water meter size and volume

Wholesale

	<u>Monthly Service Charge</u>	<u>Volume - All m3</u>
	\$984.35	\$1.5544

Flat Rates (Unmetered)

	<u>Monthly Charge</u>
Residential Flat Rate	\$79.93
Cana Flat Rate	\$79.93
Commercial Flat Rate (< 1½")	\$144.72

Water and Wastewater Monthly Rates Schedule

Effective January 1, 2024

WATER

Residential		Block #1	Block #2
	<u>Monthly Service Charge</u>	<u>Volume - First 25 m3</u>	<u>Volume - All Over 25 m3</u>
metered	\$22.29	\$1.7624	\$2.2030

Commercial		
<u>*Meter Size</u>	<u>Monthly Service Charge</u>	<u>Volume - All m3</u>
< 40 mm (< 1½")	\$55.75	\$1.1718
40 mm (1½")	\$66.35	\$1.3025
50 mm (2")	\$112.20	\$1.3025
75 mm (3")	\$142.00	\$1.5078
100 mm (4")	\$167.22	\$1.5078
150 mm (6")	\$253.38	\$1.5078
200 mm (8")	\$468.25	\$1.5078
225 mm (10")	\$469.50	\$1.5078
300 mm (12")	\$470.00	\$1.5078

** applicable commercial rate based on meter size*

Wholesale		
	<u>Monthly Service Charge</u>	<u>Volume - All m3</u>
	\$598.33	\$1.2765

Flat Rates (Unmetered)	
	<u>Monthly Charge</u>
Residential Flat Rate	\$73.17
Cana Flat Rate	\$73.17
Commercial Flat Rate (< 1½")	\$146.86

WASTEWATER

Residential		
	<u>Monthly Service Charge</u>	<u>Volume - All m3</u>
	\$30.58	\$1.5348

Commercial		
<u>*Meter Size</u>	<u>Monthly Service Charge</u>	<u>Volume - All m3</u>
< 40 mm (1½")	\$61.30	\$1.4089
40 mm (1½")	\$101.44	\$1.7028
50 mm (2")	\$259.89	\$1.7028
75 mm (3")	\$264.94	\$1.9322
100 mm (4")	\$422.15	\$1.9322
150 mm (6")	\$846.78	\$1.9322
200 mm (8")	\$962.96	\$1.9322
225 mm (10")	\$968.21	\$1.9322
300 mm (12")	\$973.66	\$1.9322

** applicable commercial rates and charges based on corresponding water meter size and volume*

Wholesale		
	<u>Monthly Service Charge</u>	<u>Volume - All m3</u>
	\$984.35	\$1.6840

Flat Rates (Unmetered)	
	<u>Monthly Charge</u>
Residential Flat Rate	\$81.32
Cana Flat Rate	\$81.32
Commercial Flat Rate (< 1½")	\$149.93