



THE CORPORATION OF THE VILLAGE OF FRUITVALE

BYLAW NO. 842, 2013

A By-law to impose a charge against the owner or occupier
of real property for the use of the Village of Fruitvale sewerage system

WHEREAS it is deemed expedient and necessary to impose and levy a fee to meet the costs of works and services to the sewerage collection system'

AND WHEREAS municipalities are authorized under the *Community Charter*, Division 2, Section 194 to impose fees and vary rates thereon for municipal services;

NOW THEREFORE the Council of the Corporation of the Village of Fruitvale, in open meeting assembled, enacts as follows:

1. THAT a sewer user fee shall be charged against the owner or occupier of land or real property where a sewer or drain connection has been installed to the property;
2. THAT the said sewer user fee shall be varied in accordance with the nature and use of the premises served. Schedule "A", attached hereto and forming part of this bylaw, sets out the sewer uses fees and rates applicable in the Village of Fruitvale;
3. THAT the Collector of the Corporation of the Village of Fruitvale shall, when making out the roll of rates and taxes payable to the Village, make a separate roll of the sewer fees due for the use of the said common sewers in the Village of Fruitvale, and cause such roll to be placed in the hands of the Municipal Collector;
4. THAT the said sewer fees and charges shall be levied and imposed as set out in Schedule "A" attached hereto and forming part of this bylaw;
5. THAT the said fees shall be due and payable as set out in Schedule "B", attached hereto and forming part of this bylaw;
6. THAT the fees and charges payable by the owner or occupier of any parcel of land in the Village with a sewer connection, if unpaid on the 31st day of December in any year, shall be added to and form part of the taxes payable in respect to that land, and shall be entered upon the Collector's Roll as taxes in arrears.
7. THAT "The Village of Fruitvale Sewer User Rates Bylaw No. 808, 2009" is hereby repealed.
8. THAT this bylaw shall be known and cited for all purposes as the "Village of Fruitvale Sewer User Rates and Fees Bylaw No. 842, 2013"; and

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9. THAT this bylaw shall take effect as of the first day of January, 2013.

READ A FIRST TIME this 4th day of February, 2013.

READ A SECOND TIME this 4th day of February, 2013.

READ A THIRD TIME this 4th day of February, 2013.

RECONSIDERED, FINALLY PASSED AND ADOPTED this 7th day of February, 2013.

Mayor

Chief Administrative Officer

CERTIFIED a true copy of Bylaw No. 842 entitled "Village of Fruitvale Sewer User Rates and Fees Bylaw No. 842, 2013".

DATED this 7th day of February, 2013.

Chief Administrative Officer

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SCHEDULE "A"

BYLAW NO. 842, 2013

A Schedule to govern Rates
For Sewer User Fees in the Village of Fruitvale

Premises

Rates

PREMISES	RATES	
	MONTHLY	ANNUALLY
Each dwelling unit, including duplexes	\$22.50	\$270.00
Each apartment building, a minimum charge of	\$31.00	\$372.00
For each additional unit	\$8.50	\$102.00
Each living unit adjoining a business premise	\$8.50	\$102.00
Each restaurant, garage or car wash	\$31.00	\$372.00
Each store or office building	\$25.25	\$303.00
Each hotel	\$112.30	\$1347.60
Each school - for first classroom	\$14.15	\$169.80
For each additional classroom	\$11.25	\$135.00
Sewer Blockage Clearing	ACTUAL COSTS INCURRED	

SCHEDULE "B"

BY-LAW NO. 842,2013

A Schedule to Govern
Billing Periods and Discount of Sewer User Rates

1. All accounts are payable January 1st of each year or on receipt of the billing notice.
2. Accounts are billed annually and are applicable for the calendar year.
3. Where the full year fee is paid on or before the last working day in March of each year, a five per cent (5%) discount will be given.
4. Where a new account is set up at any time in the during the year, a bill will be sent for the remaining months of that year and a 5% discount will be allowed if the total amount due is paid within 30 days of the date of billing.
5. Where an account is in arrears, or taxes are in arrears for sewer, no discount will be given unless the arrears are first paid.
6. A late penalty of 10% shall be charged on all accounts outstanding after the last working day of October of each year.

Division 2 — Fees

Municipal fees

- 194** (1) A council may, by bylaw, impose a fee payable in respect of
- (a) all or part of a service of the municipality,
 - (b) the use of municipal property, or
 - (c) the exercise of authority to regulate, prohibit or impose requirements.
- (2) Without limiting subsection (1), a bylaw under this section may do one or more of the following:
- (a) apply outside the municipality, if the bylaw is in relation to an authority that may be exercised outside the municipality;
 - (b) base the fee on any factor specified in the bylaw and, in addition to the authority under section 12 (1) [*variation authority*], establish different rates or levels of fees in relation to different factors;
 - (c) establish fees for obtaining copies of documents that are available for public inspection;
 - (d) establish terms and conditions for payment of a fee, including discounts, interest and penalties;
 - (e) provide for the refund of a fee.
- (3) As exceptions, a council may not impose a fee under this section
- (a) in relation to Part 3 [*Electors and Elections*] or 4 [*Other Voting*] of the *Local Government Act*, or
 - (b) in relation to any other matter for which this or another Act specifically authorizes the imposition of a fee.
- (4) A municipality must make available to the public, on request, a report respecting how a fee imposed under this section was determined.
- (5) A municipality may not impose a highway toll unless specifically provided by a Provincial or federal enactment.