

RURAL MUNICIPALITY OF ST. ANDREWS
BY-LAW NO. 4349

Being a by-law of the Rural Municipality of St Andrews to establish a rate for the operation and maintenance of the St. Andrews South Wastewater Utility as a special service for the years 2021 to 2026.

WHEREAS

A. Subsection 312(l) of the Municipal Act provides, in part, as follows:

“If approved by by-law, a municipality may provide, as a special service to all or part of a municipality,
(l) maintenance or operation of a local improvement.”;

B. Subsection 320(1) of the Municipal Act provides as follows:

“Subject to subsections (2) to (6) and subsection 321(4), a Council may by by-law
(a) approve the ... special service as set out in the ... proposal; and
(b) authorize the municipality to impose taxes as set out in the ...proposal.”;

C. The Municipality is completing construction of the St. Andrews South Wastewater Utility, a new wastewater collection system that will service the southern portion of the Municipality under Local Improvement Plan Nos. 2016-01 and 2017-01 (“Utility”);

D. The Municipality has prepared Special Service Proposal No. 1/20 to establish, as a special service, an annual per parcel cost contribution for properties located within the area to be serviced by the Utility but which are not connected to the Utility. The special service tax will be applied as a contribution toward the cost of operating and maintaining the Utility; and

E. All requirements set out in sections 318, 319 and 320 of the Municipal Act have been complied with.

NOW THEREFORE the Council of the Rural Municipality of St. Andrews enacts as a by-law the following:

1. In accordance with subsection 320(1) of the Municipal Act, the Rural Municipality of St. Andrews
 - a. approves Special Service Proposal No. 1/20, attached as Schedule A,
 - b. authorizes the imposition, as a special service tax, of a per parcel annual cost contribution on properties (taxable, grant-in-lieu and otherwise exempt) within

the area to be serviced by the Utility but that are not connected to the Utility by March 31 of the year the tax is imposed, as set out in Schedule B, and

- c. authorizes the imposition of the special service tax from 2021 to 2026, both inclusive.
2. The amount of the special service tax to be imposed on a parcel within the area serviced by the Utility as set out in Schedule B shall be as follows:

2021: \$75.00.
2022: \$100.00.
2023: \$101.00.
2024: \$103.00.
2025: \$104.00.
2026: \$106.00.

ENACTED by the Rural Municipality of St. Andrews, in Council assembled at Clandeboye, Manitoba this day of , 2021.

Mayor

C.A.O.

Read a First time this __ day of _____, 2021.

Read a Second time this day of , 2021.

Read a Third time this day of , 2021.

RURAL MUNICIPALITY OF ST. ANDREWS
Schedule A to By-Law No. 4349

Special Service Proposal No. 1/20

A. Proposed Special Service:

The Rural Municipality of St. Andrews is constructing, as a local improvement under Local Improvement Plan Nos. 2016-01 and 2017-01, a new wastewater collection system called the St. Andrews South Wastewater Utility (“Utility”). The Utility will provide wastewater collection services to approximately 1800 existing parcels of land in the southern portion of the Municipality. The City of Winnipeg will provide wastewater treatment at its North End Water Pollution Control Centre. The Municipality will provide the wastewater collection services upon completion of construction, anticipated to be in early 2021.

The Environment Act’s Onsite Wastewater Management System Regulation requires newly constructed residences, and residences that are sold, within the area to be serviced by the Utility and to connect to the Utility, and all land owners within this area to connect to the Utility within five years from the day the Utility is installed.

Based on the ongoing costs to operate and maintain the Utility, many of which are fixed and do not vary significantly with volume of wastewater being treated, and a survey of property owners within the area serviced by the Utility showing that approximately 500 users will connect to the Utility in its first three years of operation, the Municipality has estimated that the minimum and average billing costs per connected user will be significant. However, the costs per connected user drops as more users connect to the Utility, beginning to plateau after 1200 users have connected. Alternative ways to increase the Utility’s revenues until at least 1200 users have connected have been explored as a result.

It has been determined that having unconnected properties contributing toward the operation and maintenance costs through an annual per parcel charge will reduce costs for connected properties and make the Utility financially viable until 1200 users have connected to the Utility. This proposal and by-law will be in place for 6 years (2021 to 2026). The Municipality will confirm the number of parcels connected to the Utility before the expiry of this special service by-law. The Municipality then intends to proceed with a subsequent special service by-law that will replace this proposal and by-law, with the intent of having a special service tax in place until 1200 users have connected to the Utility.

A parcel will no longer be subject to the special service tax once it has connected to the Utility. Upon connection to the Utility, a user will pay the rates and charges set out in the Municipality’s rate by-law as approved by the Public Utilities Board. Where a parcel connects to the Utility before March 31 in a year, it will not be subject to the special service tax for that year or subsequent years. A parcel will

be subject to the special service tax if it connects to the Utility after March 31 in that year, but not subsequent years.

B. Area of the Municipality for the Special Service:

The special service area will be all taxable, grant-in-lieu and otherwise exempt property within the area to be serviced by the Utility that are not connected to the Utility. The number of parcels included in the area is **XX** as set out in Schedule B.

C. Estimated Cost of the Special Service:

The estimated cost contribution for the operation and maintenance of the Utility from the special service tax in each year is determined by the number of parcels that remain unconnected to the Utility as of March 31 in the year. Based on the expected number of users connecting to the Utility, the estimated costs of the special service are as follows:

2021: \$135,000. (1800 unconnected parcels)
2022: \$155,000. (1550 unconnected parcels)
2023: \$142,000. (1400 unconnected parcels)
2024: \$134,000. (1300 unconnected parcels)
2025: \$125,000. (1200 unconnected parcels)
2026: \$122,000. (1150 unconnected parcels)

The actual cost contribution raised from the special service tax may vary from the above estimations based on the actual number of parcels connected to the Utility in each year.

D. Method and Rate of Calculating Special Service Tax:

A special service tax will be levied based on an amount per parcel cost contribution per unconnected parcel. A parcel will no longer be subject to the special service tax once it has connected to the Utility. Where a parcel connects to the Utility before March 31 in a year, it will not be subject to the special service tax for that year or subsequent years. If the parcel connects to the Utility after March 31 in a year, it will be subject to the special service tax for that year but not subsequent years.

The per parcel rate will be as follows:

2021: \$75.00.
2022: \$100.00.
2023: \$101.00.
2024: \$103.00.
2025: \$104.00.
2026: \$106.00.

