



Hamlet of Gjoa Haven, NU By-Law Number 164

Description

A by-law of the Municipal Corporation of the Hamlet of Gjoa Haven in the Nunavut Territory to provide for the establishment, levy and collection of charges for water and sewage services, pursuant to the provisions of the Hamlets Act, R.S.N.W.T., 1988, c., H-1, s. 169;

By-Law

Whereas it is necessary to set an economic rate and other rates for the provision of water and sewer services.

Now, therefore, the Council of the Hamlet of Gjoa Haven, in duly assembled meeting, enacts as follows:

1. **Short Title**

This By-law may be cited as the "Water and Sewage Rates By-law."

2. **Interpretation**

In this By-law:

- a) "Approved Meter" means a water meter, approved by the Council, used to measure the quantity of water used on premises, and includes a truck meter.
- b) "Commercial User" means a legal entity, incorporated or unincorporated, carrying on a for-profit business which involves the provision of services (including the rental of single-unit or Multi-Plex Unit Residential Premises), wholesale or retail sales or other commercial enterprise, but does not include Industrial Users or Government Users;

- c) “Multi-Plex Unit” means a building containing two or more attached Residential Premises;
- “Council” means the Council of the Hamlet of Gjoa Haven.
- d) “Economic Rate” means the economic rate for Municipal services as determined by the Council and as specified in Schedule A.
- e) “Government Users” includes the Government of Canada, the Government of the Nunavut, the Nunavut Housing Corporation, the Nunavut Power Corporation, Crown Corporations, the Hamlet and any agencies of the aforementioned.
- f) “Hamlet” means the Incorporated Hamlet of Gjoa Haven in the Nunavut Territory.
- g) “Industrial Users” means a legal entity, incorporated or unincorporated, engaged in the business of processing renewable or non-renewable resources or of manufacturing products, but does not include Commercial Users or Government Users;
- h) “Municipal Services” includes the supply and delivery of potable water and the removal and disposal of sewage by or on behalf of the Hamlet.
- i) “Non-Commercial User” means a legal entity, incorporated or unincorporated, who utilizes Municipal Services for non-commercial purposes, and includes the resident-owner of Residential Premises, as well as tenants of societies, associations or other like non-profit organizations, but does not include Government, Commercial, Industrial Users;
- j) “Premises” means any building, facility or property, at or for which a water system is in operation or related sewage services may be provided.
- k) “SAO” means the Senior Administrative Officer for the Hamlet of Gjoa Haven.
- l) “Schedule” means a schedule formed by the Hamlet of Gjoa Haven for the purposes of delivering water and removing sewage effectively.

- m) “Subsidized Rate” means a subsidized rate for municipal services as specified in Schedule A.
- n) “Subsidy” means a subsidy provided by the Hamlet of Gjoa Haven, Nunavut with respect to the provision of Municipal Services.
- o) “Truck Meter” means a water meter designed or used to measure the amount of water pumped from a delivery vehicle to a user’s intake port.
- p) “User” means a legal entity, incorporated or unincorporated, who benefits from the provision of Municipal Services, and includes Commercial Users, Industrial Users, Government Users and Non-Commercial Users;
- q) “Residential Premises” means a Premises, either owned or rented, intended to be used for individual or family residence, and includes single unit dwellings, condominiums and Multi-Plex Units;

3. Rates

- a) Charges for municipal services shall be levied in accordance with this By-Law.
- b) Users shall be charged for municipal services in accordance with the rates specified in Schedule A.
- c) If a User disagrees with the rate being charged for Municipal Services, the User may apply initially to the SAO and thereafter, to Council for re-classification. The decision of Council will be final.
- d) In no case shall the rate charged to a User exceed the Economic Rate.

4. Charges for Municipal services shall be calculated;

- a) Where an Approved Meter is in use, according to the quantity of water indicated by the meter to have been supplied to the User.
- b) Where an Approved Meter is not installed, according to the delivery schedules as reflected on the Truck Meter.
- c) Quantities referred to in 4(a) shall be expressed in metric units, and quantities referred to in 4(b) shall be expressed in liters.

5. All charges for Municipal services are due and payable not later than thirty (30) days after the date of processing of the invoice.

Charges for Municipal services are considered to have been paid when payment has been received at the office of the Hamlet and a cash receipt has been issued.

6. **Default of payment of charges for Municipal services, the Hamlet may;**

- a) Recover the amount due and payable by action in any court or competent jurisdiction against the user;
- b) Subject to section 8, after 90 days from the date of processing of the invoice, in respect of which payment is in default, discontinue water services to the premises.
- c) Interest will be charged in accordance with Schedule B.

7. On receipt by the SAO or Director of Finance of a written request from the occupant of the premises for discontinuance of water services, subject to section 8, water service to the premises shall be discontinued.

8. **Before discontinuing water service to any premises, the Hamlet shall make reasonable efforts to serve written notice to the occupant of the premises stating:**

- a) the reason for discontinuance of service
- b) the date of discontinuance of service
- c) what action may be taken to avoid discontinuance of service
- d) what action must be taken, if service is discontinued, to obtain reinstatement of service, and,
- e) where and on what terms potable water may be obtained if service is discontinued

9. **Delivery Schedule**

A delivery schedule for the provisions of Municipal services will be maintained by the Hamlet. No unit will receive more than one delivery or service during a twenty four hour period. If more than one delivery is requested, it will be subject to a Call out Rate of \$150.00.

10. **General**

By-Law #120 is hereby repealed.

11. This By-Law shall be effective the first day of the next month following third and final reading.

Date of First Reading	(Day)	6	(Month)	8	(Year)	2013
Date of Second Reading	(Day)	6	(Month)	8	(Year)	2013
 _____ Mayor  _____ Senior Administrative Officer						
Date of Third Reading and Passed	(Day)	12	(Month)	9	(Year)	2013
 _____ Mayor  _____ Senior Administrative Officer						

First Reading:	Motion #08-06-2013-231
Second Reading:	Motion #08-06-2013-232
Third & Final Reading:	Motion #09-12-2013-244

**Hamlet of Gjoa Haven NU.
BY-LAW No. 164 – Schedule A**

WATER & SEWER

RATES FOR MUNICIPAL SERVICES

ECONOMIC RATE

The Economic Rate is \$0.090 per liter.

DEPOSIT

New municipal service customers will be required to pay a \$150 refundable deposit. The deposit will be returned to the customer if the account is in good standing upon closing the account. Any arrears not paid will be deducted from the deposit.

MINIMUM CHARGE

The minimum monthly charge for each user receiving municipal services shall be \$40.00/Unit.

RATES PAYABLE

1. All users shall pay the Economic rate except as provided in subsection 2.
2. Rates are payable as follows:

USER CATEGORY:	RATE:
Non-commercial	\$.006 per liter
Commercial	\$.050 per liter

SERVICE

3. Where a user who receives Municipal services in accordance with the approved delivery schedule requests additional service outside of the normal delivery hours, the user shall pay the call out rate for that delivery of \$150.00.

Hamlet of Gjoa Haven NU.

BY-LAW No. 164 – Schedule B

WATER & SEWER

FEES AND PENALTIES

Late Payment Penalty Charges

1. The Late Payment Penalty Charge shall be two percent (2%) per month on the outstanding account balance.

Reinstatement Fee

2. Where water and/or sewage service to the premises has been terminated pursuant to Section 6, the reinstatement fee shall be \$100.
3. Where water and/or sewage service has been terminated at the request of the owner or occupant of the premises pursuant to section 7, the reinstatement fee shall be \$100.