

**Authority:** Item 2, General Issues Committee  
Report 15-024 (FCS15073)  
CM: December 9, 2015

**Bill No. 281**

## **CITY OF HAMILTON**

### **BY-LAW NO. 15-281**

#### **To Amend the Sanitary Surcharge and Wastewater Abatement By-law No. 03-272 and Implement the 2016 Fees and Charges**

**WHEREAS** on September 24, 2003, the Council of the City of Hamilton passed and enacted By-law No. 03-272, known and referred to as “The Sanitary Surcharge and Wastewater Abatement By-law”;

**AND WHEREAS** pursuant to sections 9 and 10 of the *Municipal Act, 2001*, S.O. 2001, c.25, a municipality may pass by-laws respecting public assets of the municipality acquired for the purpose of exercising its authority under the said Act or any other Act, and respecting services that the municipality considers necessary or desirable for the public, including the provision of public utilities such as water and sewage, as defined in the said Act;

**AND WHEREAS** pursuant to section 391 of the *Municipal Act, 2001*, S.O. 2001, c. 25, sections 9 and 10 of the said Act authorize a municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of the municipality and for the use of the municipality’s property, including property under its control;

**AND WHEREAS** on the 9<sup>th</sup> day of December, 2015 the Council of the City of Hamilton did approve of Item 5.2 of General Issues Committee Report 15-024 and did authorize the 2016 fees and charges set out herein;

**AND WHEREAS** notice of the 2016 fees and charges set out herein has been given in accordance with the provisions of the City of Hamilton’s Public Notice Policy By-law No. 07-351;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Schedule “A” to By-law No. 03-272 is deleted and replaced with the new Schedule “A” attached to this by-law.
2. Schedule “B” to By-law No. 03-272 is deleted and replaced with the new Schedule “B” attached to this by-law.

To Amend the Sanitary Surcharge and Wastewater Abatement  
By-law No. 03-272 and Implement the 2016 Fees and Charges

(Page 2 of 6)

3. The fees and charges imposed by this by-law continue in force until amended, repealed or replaced (by by-law or by a resolution of the Council of the City of Hamilton confirmed by by-law) and for greater certainty this includes continuing in force after December 31, 2016 until amended, repealed or replaced.
4. This by-law comes into force on January 1, 2016.

**PASSED** this 9<sup>th</sup> day of December, 2015.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

**SCHEDULE "A"**

Wastewater/Storm Fees and Charges

**I. Metered Water Customers**

The Wastewater/Storm Fees and Charges consist of a daily wastewater/storm fixed charge and a wastewater/storm treatment charge.

A) Daily Wastewater/Storm Fixed Charge

The daily wastewater/storm fixed charge is not related to the direct costs of consumption and are not dependent upon or related to the amount of consumption incurred. The fixed charges are intended to offset the fixed costs of maintaining the City's wastewater/storm sewage systems.

<b>Meter Size</b>	<b>Wastewater/Storm Rate</b>
15mm	\$ 0.32
16 mm	\$ 0.32
20 mm	\$ 0.32
25 mm	\$ 0.80
38 mm	\$ 1.60
50 mm	\$ 2.56
75 mm	\$ 5.12
100 mm	\$ 8.00
150 mm	\$16.00
200 mm	\$25.60
250 mm	\$36.80
300 mm	\$54.40

Schedule "A" continued

B) Wastewater/Storm Treatment Charge

Wastewater/storm treatment charges are based on metered water consumption and the cost of wastewater collection and treatment, and stormwater management. Charges are on a per cubic meter basis at the rates indicated in the table below. The total monthly wastewater/storm treatment charge is the sum of usage in all blocks at the rate for each block:

		<b>Residential</b>	<b>Multi-Residential, Commercial, Institutional &amp; Industrial</b>
<b>Consumption Block</b>	<b>Monthly Water Consumption (m<sup>3</sup>)</b>	<b>Rate (\$/m3)</b>	<b>Rate (\$/m3)</b>
1	0-10	0.74	1.48
2	>10	1.48	1.48

**II. Non-Metered Water Customers**

The non-metered annual wastewater/storm rate is \$540.20 per annum, plus applicable taxes,

Note: The non-metered annual water rate for water supplied by the City of Hamilton is \$503.70 per annum, plus applicable taxes, for a combined total non-metered water and wastewater/storm annual rate of \$1,043.90 per annum, plus applicable taxes.

**SCHEDULE "B"**

Wastewater Abatement Program

1. (a) Application Processing Fee (Section 10) \$374.50 plus applicable taxes and full cost recovery for peer review, if required by Director
- (b) Annual Administration Fee (where annual Abatement exceeds \$500.00 -sub-section 22(b)) \$578.80 plus applicable taxes

2. In determining whether a Consumer appears to qualify for an Abatement under section 10 of this By-law, the Abatement shall be calculated in accordance with the following formula, based on data from the calendar year prior to the year of application for the Abatement:

- A = annual volume (m<sup>3</sup>) of water supplied to the property from the potable water supply
- B = annual volume of water that was sourced from the potable water supply and diverted from the City's sanitary sewage works (if B is less than 25% of A, the Consumer is not eligible for the Abatement; if B is greater than 75% of A, insert a value equal to 75% of A)
- C = annual wastewater discharged to the City's sanitary sewer and combined sewer system (C = A – B) or C=actual measured value using sewer flow monitoring if required by the Director
- D = infiltration and inflow add back (D = C x 133%: add back adjustment of 33% to the volumetric charge so that all ratepayers continue to pay an equal portion of the treatment costs associated with inflow and infiltration)
- E% = wastewater Abatement in percentage

Step 1: A – B = C; or C=actual measured value using sewer flow monitoring if required by the Director

Step 2: D = C x 133%

Step 3:  $E\% = \frac{(A - D)}{A} \times 100$

Schedule "B" continued

3. If an Abatement is authorized for a Consumer in accordance with this By-law, the Abatement will be applied quarterly each year in accordance with the following formula:

F = actual volume (m<sup>3</sup>) of potable water supplied to the property by the City during the previous quarter

G = volume (m<sup>3</sup>) of water eligible for the Abatement during the previous quarter

H = wastewater/storm treatment charge (see Schedule "A" to this By-law)

\$I = dollar amount of Abatement for the billing period

Step 4:  $F \times E\% = G$

Step 5:  $G \times H = \$I$