THE CITY OF WINNIPEG

BY-LAW NO. 208/2007

A By-law of The City of Winnipeg to provide for adjustment of sewer charges under the Sewer By-law No. 7070/97.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

1. By-law No. 7070/97 is amended by this by-law.

2. By-law No. 7070/97 is hereby amended by adding to Section 2 – Definitions, the following:

"**"applied volume"** means the calculated amount of water not discharged to the wastewater system as determined by metering."

3. By-law No. 7070/97 is hereby amended by deleting Section 42 thereof and substituting the following:

"**42. Adjustment of Sewer Charges**

(1) Where the *Sewer Utility* or where any occupant or *owner* considers the sewer rate allotment based on consumption under Section 32 inequitable, the *Sewer Utility* may adjust the charges. The requirements governing the adjustment of sewer charges are as follows:

(a) the applicant for the adjustment pays an application and annual renewal fee as shown in Schedule "A", which fees shall be credited to the account of the applicant upon approval;

(b) the total *applied volume* of water used by the *owner* or occupant at each location or plant is in excess of 1,000 kilolitres;

(c) the adjustment applied for is in excess of 1,000 kilolitres of *applied volume* of water consumed each year at each location.

(d) if required by the *Sewer Utility* a private meter, other than any water meter installed and maintained by the *Sewer Utility*, will be provided and maintained by the *owner* at his or her cost;

(e) water consumed is not discharged into the *wastewater system* of the *City* or *land drainage works* or into a *body of water*;

(f) the effluent from the property, before being discharged into a *body of water*, or into *land drainage works*, is sufficiently treated to the

requirements of the *Sewer Utility* and licensed under Part 10 of this By-law.

(2) Sewer charges will apply to the first 1,000 kilolitres of applied volume at each location;

(3) When a private meter is not registering or is not in proper working order for a period exceeding four (4) months, the sewer adjustment will be discontinued.

(4) When a sewer adjustment has been discontinued, as a result of a non working meter, reinstatement will occur when the *Sewer Utility* has been notified in writing that the privately owned meter has been repaired, and the installation has been inspected and approved by the *Sewer Utility*.

(5) No adjustment shall be made where the *wastewater system* is available fronting the property and where the *premises* is not connected to the *sewer*.

(6) Where any *owner* or occupant has applied for an adjustment under this Section and subsequently becomes ineligible by reason of not meeting any one of the requirements of this Section, the adjustment may not be granted and the application not renewed.

(7) The sewer adjustment credit will be calculated annually and may be applied directly to the owner's or occupant's sewer services account."

4. By-law No. 7070/97 is hereby amended by deleting Clause 10(iii) of Schedule "A" thereof.

5. This By-law shall be deemed to have come into force as of January 1, 2008.

DONE AND PASSED in Council assembled this day of , 2007.

Mayor

City Clerk

Approved:

Director, Water and Waste Department

Certified as to form:

for City Solicitor/Manager of Legal Services