

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. < >

A BY-LAW TO ADOPT THE 2021 WATER BUDGET AND TO
SET THE REQUISITION TO BE CHARGED FOR WATER
SUPPLIED TO LOWER-TIER MUNICIPALITIES FOR THE
PERIOD JANUARY 1, 2021 TO DECEMBER 31, 2021

WHEREAS Section 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, provides that a municipality may pass by-laws respecting services and things that the municipality is authorized to provide;

WHEREAS section 390 of the *Municipal Act, 2001*, S.O. 2001, c.25, provides that the definition of a person includes a municipality;

WHEREAS section 391 of the *Municipal Act, 2001*, S.O. 2001, c.25, provides that a municipality is authorized to impose fees or charges on person for costs payable by it for services or activities provided or done by or on behalf of any other municipality; and

WHEREAS water supplied to the lower-tier municipalities is a service provided by the Regional Municipality of Niagara on behalf of the lower-tier municipalities within the Niagara Region.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That the 2021 Water Gross Operating Budget of \$47,038,986 and Net Operating Budget of \$46,656,373 be and hereby is adopted.
2. That 75% of the Net Operating Budget, \$34,992,280 be recovered from the lower-tier municipalities based on actual metered water flows multiplied by the Region's annually set uniform water rate.
3. That the rate payable by the lower-tier municipalities for treated water supplied by the Regional Waterworks system shall be established at \$0.611 for every cubic meter supplied to each lower-tier municipality for the period of January 1, 2021 to December 31, 2021.
4. That 25% of the Net Operating Budget, \$11,664,093 be apportioned to the lower-tier municipalities based on their proportionate share of the Region's total three year average historical flows.

5. That the lower-tier municipalities be requisitioned during the period January 1, 2021 to December 31, 2021 as follows:

Municipality	3-Year Avg. (%)	Allocation (\$)	Monthly (\$)
Fort Erie	7.58%	883,772	73,648
Grimsby	5.46%	637,160	53,097
Lincoln	4.16%	485,166	40,431
Niagara Falls	25.27%	2,947,840	245,653
Niagara-on-the-Lake	5.73%	668,598	55,716
Pelham	2.25%	262,088	21,841
Port Colborne	5.05%	589,416	49,118
St. Catharines	26.55%	3,097,272	258,106
Thorold	3.78%	441,389	36,782
Welland	12.42%	1,448,636	120,720
West Lincoln	1.74%	202,756	16,896
Total	100.00%	11,664,093	972,008

6. That the Treasurer of the Regional Corporation shall submit similar invoices on or before the 15th day of each month commencing February 15, 2021 for the monthly requisition. Such monthly invoices shall continue thereafter until the December monthly requisition has been invoiced. Each lower-tier municipality shall remit the amount of each such invoices to the Treasurer of the Regional Corporation on or before the last business date of the month in which such invoice is submitted.
7. That in the event of default of payment of any monies payable under this by-law by a lower-tier municipality, interest at the rate of 15 per cent per annum shall be added to the amount in arrears from the date of default until the date of payment thereof.
8. That this by-law shall come into force and effect on January 1, 2021.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: <date>