

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. < >

A BY-LAW TO SET THE REQUISITIONS TO BE CHARGED
FOR WASTEWATER RECEIVED FROM THE LOWER –
TIER MUNICIPALITIES FOR THE PERIOD OF 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,

WHEREAS wastewater received from 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; and

WHEREAS the Council of the Regional Municipality of Niagara passed By-Law No. 119-2011 which indicated that, consistent with the wastewater reconciliation methodology described in PWA 87-2011, a reconciliation adjustment will commence with the 2013 Budget.

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

1. That the 2021 Wastewater Gross Operating Budget of \$82,409,557 and Net Operating Budget of \$78,744,319 be and hereby is adopted.
2. That the 2021 budgeted net wastewater operating budget be apportioned to the lower-tier municipalities based on their proportionate share of the Region's total three year average historical wastewater flows.
3. That the 2021 wastewater bills also include reconciliation of the 2019 net requisition allocated based on actual wastewater flows versus the estimated flows.

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

Municipality	2021 Net Budget Allocation (\$)	2019 Reconciliation (\$)	Total (\$)	Monthly (\$)
Fort Erie	8,073,792	(298,910)	7,774,882	647,907
Grimsby	3,463,418	(246,320)	3,217,098	268,092
Lincoln	3,027,278	(65,291)	2,961,987	246,832
Niagara Falls	14,728,945	(1,272,205)	13,456,740	1,121,395
Niagara-on-the-Lake	3,193,230	62,552	3,255,783	271,315
Pelham	1,442,578	(61,986)	1,380,592	115,049
Port Colborne	4,805,270	381,960	5,187,230	432,269
St. Catharines	22,996,058	661,502	23,657,560	1,971,463
Thorold	4,173,480	450,909	4,624,389	385,366
Welland	11,476,001	311,092	11,787,093	982,258
West Lincoln	1,364,268	76,697	1,440,965	120,080
Total	78,744,319	-	78,744,319	6,562,026

5. 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 December monthly requisition has been invoiced. Each lower-tier municipality shall remit the amount on each such invoice to the Treasurer of the Regional Corporation on or before the last business day of the month in which such invoice is submitted.
6. That in the event of default of payment of any monies payable under this by-law by the 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.
7. 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>