

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO.

A BY-LAW TO SET THE REQUISITION TO BE CHARGED
FOR WATER SUPPLIED TO LOWER-TIER
MUNICIPALITIES FOR THE PERIOD JANUARY 1, 2019 TO
DECEMBER 31, 2019

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; and

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

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 2019 Water Gross Operating Budget of \$44,652,514 and Net Operating Budget of \$44,238,899 be and hereby is adopted.
2. That 75% of the Net Operating Budget, \$33,179,174 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 \$0.580 for every cubic meter supplied to each lower-tier municipality for the period January 1, 2019 to December 31, 2019.
4. That 25% of the Net Operating Budget, \$11,059,725 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, 2019 to December 31, 2018 as follows:

Fixed Water Requisition for 2019 Net Budget			
Municipality	3-Year Avg. (%)	Allocation (\$)	Monthly (\$)
Fort Erie	8.06%	\$891,561	\$74,297
Grimsby	5.60%	\$619,814	\$51,651
Lincoln	3.98%	\$440,441	\$36,703
Niagara Falls	26.53%	\$2,934,620	\$244,552
Niagara-on-the-Lake	5.41%	\$598,784	\$49,899
Pelham	2.18%	\$240,909	\$20,076
Port Colborne	5.32%	\$588,466	\$49,039
St. Catharines	26.41%	\$2,920,423	\$243,369
Thorold	3.57%	\$395,051	\$32,921
Welland	11.44%	\$1,265,722	\$105,477
West Lincoln	1.48%	\$163,933	\$13,661
Total	100.00%	\$11,059,725	\$921,644

6. That the Treasurer of the Regional Corporation shall submit similar invoices on or before the 15th day of each month commencing February 15, 2019 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 invoice to the Treasurer of the Regional Corporation on or before the last business day 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 percent 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, 2019.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: