

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO.

A BY-LAW TO SET THE REQUISITIONS TO BE CHARGED
FOR WASTEWATER RECEIVED FROM 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 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 2019 Wastewater Gross Operating Budget of \$76,105,449 and Net Operating Budget of \$72,679,758 be and hereby is adopted.
2. That the 2019 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 2019 wastewater monthly bills also include reconciliation of the 2017 net requisition allocated based on actual wastewater flows versus the estimate flows.

4. That the lower-tier municipalities be requisitioned during the period January 1, 2019 to December 31, 2019 as follows:

Wastewater Requisition (2019 Net Budget + 2017 Reconciliation)				
Municipality	2019 Total Requisition			Monthly Payment
	2019 Net Budget Allocation	2017 Reconciliation	Total	
Fort Erie	\$7,596,338	\$327,701	\$7,924,039	\$660,336.60
Grimsby	3,324,124	165,037	3,489,160	290,763.37
Lincoln	2,837,406	230,524	3,067,930	255,660.83
Niagara Falls	14,727,578	804,814	15,532,392	1,294,365.99
Niagara-on-the-Lake	2,960,936	337,962	3,298,898	274,908.17
Pelham	1,353,523	(64,988)	1,288,535	107,377.88
Port Colborne	4,076,742	(180,933)	3,895,809	324,650.73
St. Catharines	20,740,949	(1,426,851)	19,314,099	1,609,508.23
Thorold	3,535,506	179,016	3,714,522	309,543.51
Welland	10,363,446	(403,812)	9,959,635	829,969.58
West Lincoln	1,163,210	31,529	1,194,739	99,561.62
Total	\$72,679,758	\$0	\$72,679,758	\$6,056,646.50

5. 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 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 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.
7. 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: