

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. < >

A BY-LAW TO ADOPT THE 2020 WATER BUDGET AND
TO SET THE REQUISITION TO BE CHARGED FOR
WATER SUPPLIED TO LOWER-TIER MUNICIPALITIES
FOR THE PERIOD JANUARY 1, 2020 TO DECEMBER 31,
2020

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 2020 Water Gross Operating Budget of \$46,300,620 and Net Operating Budget of \$45,920,957 be and hereby is adopted.
2. That 75% of the Net Operating Budget, \$34,440,718 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 \$0.602 for every cubic meter supplied to each lower-tier municipality for the period of January 1, 2020 to December 31, 2020.
4. That 25% of the Net Operating Budget, \$11,480,239 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, 2020 to December 31, 2020 as follows:

Fixed Water Requisition for 2020 Net Budget			
Municipality	3-Year Avg. (%)	Allocation (\$)	Monthly (\$)
Fort Erie	7.84%	\$899,645	\$74,970
Grimsby	5.30%	\$608,082	\$50,674
Lincoln	3.94%	\$452,771	\$37,731
Niagara Falls	26.23%	\$3,011,163	\$250,930
Niagara-on-the-Lake	5.43%	\$623,711	\$51,976
Pelham	2.06%	\$236,558	\$19,713
Port Colborne	5.31%	\$610,016	\$50,835
St. Catharines	26.51%	\$3,042,931	\$253,578
Thorold	3.72%	\$427,215	\$35,601
Welland	12.13%	\$1,392,536	\$116,045
West Lincoln	1.53%	\$175,609	\$14,634
Total	100.00%	\$11,480,239	\$956,687

6. That the Treasurer of the Regional Corporation shall submit similar invoices on or before the 15th day of each month commencing February 15, 2020 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, 2020.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: <date>