

# **The Corporation of the Town of Essex**

## **By-Law Number 2107**

### **Being a By-law to amend By-law 1992 Being a By-law to Establish Water and Sanitary Sewer Rates and Charges**

**Whereas** pursuant to Section 391(1) of the Municipal Act, 2001 and amendments thereto a municipality may pass By-Laws imposing fees or charges on persons in certain instances as outlined below:

- a) for services or activities provided or done by or on behalf of it;
- b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board; and
- c) for use of its property including property under its control.

**And whereas** the Council of the Town of Essex did retain the services of Watson & Associates Economists Ltd. in 2020 to undertake a study to determine the cost of providing water and sanitary sewer services;

**And whereas** at a Special Meeting held on February 16, 2021, the Council of the Town of Essex, by Resolution Number SP21-02-005, did approve the base charges and consumption charges for water and sanitary sewer as provided in the Town of Essex Water and Wastewater Study dated February 5, 2021, prepared by Watson & Associates Economists Ltd;

**And whereas** the Council of the Town of Essex duly pass By-law 1992 to establish water and Sanitary Sewer rates and charges effective on and after March 2, 2021

**And whereas** the Council of the Town of Essex now deems it desirable and expedient to pass a By-Law to impose upon owners or occupants of lands who use the water system, a new water rate and charge effective January 1 2022;

**And whereas** the Council of the Town of Essex deems it desirable and expedient to pass a By-Law to impose upon owners or occupants of lands who use the sanitary sewer system, a new sanitary sewer (wastewater) rate and charge effective January 1 2022.

Now therefore the Council of The Corporation of the Town of Essex hereby enacts the following amendments to By-law 1992 as follows:

1. A water rate and charge is hereby imposed upon the owners or occupants of lands which are supplied with water service, and each user shall be charged a water rate and charge as set out in the attached amended Schedule "A" to By-law 1992 which as of January 1, 2022 shall replace in its entirety the original Schedule "A" to By-law 1992 and which Schedule may be further amended from time to time by a duly passed resolution of the Council of the Town of Essex.;
2. A sanitary sewer rate and charge is hereby imposed upon the owners or occupants of lands which are supplied with sanitary sewer service, and each user shall be charged a sanitary sewer rate and charge as set out in the attached amended Schedule "B" to By-law 1992 which as of January 1, 2022 shall replace in its entirety the original Schedule "B" to By-law 1992 and which Schedule may be further amended from time to time by a duly passed resolution of the Council of the Town of Essex;
3. The monthly base charge as set out in the attached amended Schedule "A" and Schedule "B" shall be imposed upon the owners or occupants of lands which are supplied with water and sanitary sewer service regardless of whether the water service is turned on or off;
4. A deposit will be imposed upon tenants occupying lands which are supplied with water or sanitary services for the first time as set out in the attached amended Schedules "A" and "B"; and
5. The said water and sanitary sewer rates and charges described in amended Schedule "A" and Schedule "B" attached hereto shall become effective for water and sanitary sewer services provided on and after January 1, 2022.
6. Any costs incurred to collect charges for water and sanitary sewers that are in arrears shall be added to the amounts deemed owing.

**Read a first, a second and a third time and finally passed on December 20, 2021.**

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Mayor

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Clerk