

The Corporation of the City of Kawartha Lakes

Committee of the Whole Report

Report Number CORP2019-020

Date: June 4, 2019
Time: 1:00 p.m.
Place: Bobcaygeon Service Centre

Ward Community Identifier: 05

Title: High Water Bill Adjustment / Mandatory Service Connection
322 Highway 36 - Lindsay

Description: This report presents Council with a recommendation from the High Water Bill Adjustment / Mandatory Service Connection Appeals Committee for the above named subject property.

Author and Title: Linda Liotti, Manager, Revenue and Taxation

Recommendation(s):

That Report CORP2019-020, **High Water Bill Adjustment / Mandatory Service Connection for 322 Highway 36 - Lindsay**, be received.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

At the Council Meeting of May 22, 2018, Council adopted the following resolution:

CR2018-340

That Report CORP2018-009, **High Water Bill Adjustment Appeals Committee**, be received; and

That the Terms of Reference for the Committee be amended to include both High Water Bill Adjustment and Mandatory Connection Appeals; and

That the necessary by-law amendments and revised terms of reference be brought forward to Council; and

At the Council Meeting of December 11, 2018, Council adopted the following resolution:

CR2018-647

That Councillor Dunn, Councillor Ashmore and Councillor Yeo be appointed to the High Water Bill Adjustment / Mandatory Service Connection Appeals Committee, in accordance with By-law 2018-039, for the entire term of Council ending December 2022, with a mid-term review of appointments in 2020.

Rationale:

The High Water Bill Adjustment/Mandatory Service Connection Appeals Committee held a meeting on May 14, 2019 to review the written deputation delineating the concerns of the owners of 322 Highway 36, Lindsay.

The property owners, in their written correspondence, expressed their concerns regarding Section 2.0 Mandatory Connection of By-Law 2014-255, A By-Law to Require Owners of Buildings to Connect Such Buildings to Drinking Water Systems and/or Wastewater Collection Systems in The City of Kawartha Lakes.

They indicated that their well provides potable water, in good quantity and felt that Section 2.06 of the By-Law 2014-255 stating

Subject to section 2.01, 2.02 or 2.03 of this by-law any Owner of a building on land that meet the requirements to connect to the municipal water and/or wastewater services shall be billed the Fixed Rate charges for water and/or wastewater as per the provisions of the By-law to Regulate Water and Wastewater Services in the City of Kawartha Lakes (By-law 2018-039, as amended) and the consolidated fees By-law 2018-234, as amended

following three (3) month of the mailing of a notice to the Owner shown on the current tax roll.

2017-181 Effective September 12, 2017
2019-007 Effective January 15, 2019

was unfair in that they were being charged for water “they do not get, did not ask for and do not need!”.

The written correspondence also indicated that the property owners strongly believe that the By-law should be revisited and amended accordingly to take into account older homes, such as theirs, which have always been serviced by well.

Water & Wastewater Operations staff provided a written response to the property owner’s concerns. This correspondence detailed the City’s rationale regarding the implementation and compliance to this By-Law. This correspondence was provided and reviewed by the Committee.

The Committee received the written deputation of the property owner and made the recommendation to provide relief of the fixed rate charges, until such time of failure and/or need for replacement of their existing private water supply.

It is important to note that this recommendation falls outside of the Terms of Reference for the High Water Bill Adjustment and Mandatory Service Connection Appeals Committee, namely, since it pertains to an exemption of Section 2.06 of By-law 2014-255. The Terms of Reference specify (Page 2 item (f)) that:

The Committee may make recommendations to Council on the following matters, for which Council retains the decision-making role:

- (f) exemptions from the physical mandatory service connection requirements as described in section 2.01, 2.02 and 2.03 of the Mandatory Connection By-law, as amended.

Other Alternatives Considered:

If Council wishes to provide the exemption of payment of the fixed charges under the Mandatory Service Connection By-Law, 2014-255, then the following resolution should be passed:

That Council approves the recommendation of the High Water Bill Adjustment / Mandatory Service Connection Appeals Committee to provide an exemption of payment of the fixed rate charges, until such time of failure and/or need for replacement of their existing private water supply.

Financial/Operation Impacts:

There are an additional 133 properties within Kawartha Lakes that fall within similar circumstances. All 134 properties have been treated fairly and equitably as the fixed rate charges have been in place since January 1, 2018.

The Water and Wastewater rates are established to recover the cost of producing and delivering safe drinking water to property owners, and the collection and treatment of wastewater.

If Council was to choose the alternative recommendation and provide relief, to residents for high water bills or mandatory service connections, this would result in the City incurring a cost for which there isn't a direct revenue for recovery. This cost is then borne by the remaining user rate contributors throughout the City.

Relationship of Recommendation(s) To The 2016-2019 Strategic Plan:

Strategic Enabler – Responsible Fiscal Resource

Consultations:

Property Owner

Director, Public Works

High Water Bill Adjustment / Mandatory Service Connection Appeal Committee

Attachments:

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Department Head: Jennifer Stover