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Our File No. SHADO850

Sent by Email to critchie@kawarthalakes.ca

Cathie Ritchie, City Clerk
City of Kawartha Lakes
PO Box 9000, 26 Francis Street
Lindsay, ON K9V 5R8

Dear Ms. Ritchie, Mayor Letham and Members of City Council and the High Water Bill Adjustment and Mandatory Service Connection Appeals Committee:

**Re: Request to Amend City By-law 2014-255 (the “By-law”)
Appeal/Request for Exemptions from the By-law**

I represent the Lindsay Coalition Against Unlawful Water Billing (the “**Coalition**”). As you likely know, the Coalition was formed in response to the City requiring that persons with working private water systems pay for City water services that they do not use and are not hooked up to.

The By-law recognizes that persons with working private water/septic systems do not have to connect to the municipal sanitary or potable water service (section 2.02). It does not however explicitly exempt such persons from municipal fees and charges for the use of such City services. As a result, members of the Coalition are not required to connect to the municipal water supply or sewage but they are receiving water and or sewage bills for the service they do not use. This is contrary to section 2.06 of the By-law which imposes such fees only on those who are subject to the requirement to connect to the services. It is also unjust and makes no sense.

On behalf of the Coalition, I am requesting that City Council:

1. Instruct City staff to immediately cease billing for water and sewage services to those households not connected to and not using those City services
2. Refund all past paid charges to these households and businesses without further recourse.
3. Amend section 2 of the By-law to explicitly exempt such residents from future payment of such fees and charges.

If the above requests are not approved by City Council, I will have to seek instructions from the Coalition on appropriate legal action.

In the interim this letter serves as an appeal/request for immediate exemption pursuant to section 2.05 of the By-law on behalf of the below residents, all of whom have working private wells/septic systems:

1. Mary Downer, 4127 County Road 121: Ms. Downer relocated her well at the request of the City and has a new well of 160 feet deep which works well.
2. Troy Karkenlas, 929 Eldon Road, Oakwood;
3. Bill Heath, 4119 Conty Road 121;
4. John and Michelle Barkwell, 4112 County Road 121;
5. Chad and Julia McGinty, 498 County Road, 36 North;
6. Joanne Hurren, 776 County Road 121;
7. Amy Jo and Robert MacDuff, 41 Weldon Road, Lindsay;
8. Al and Donna Ferran, 4121 County Road 121;
9. Trevour Worsley;
10. Paul Grassie, 322 Hwy 36, Lindsay;
11. Doug Shaw, 540 County Road 36 N.;
12. Vince Twish, 64 Walnut Street West, Omemee; and
13. Mirka Krizka Weldon Rd. Lindsay.

We look forward to hearing from you by October 2021.

Yours truly,

DEVRY SMITH FRANK *LLP*

A handwritten signature in black ink, appearing to read 'Marc P. Kemerer'. The signature is stylized with a large, sweeping initial 'M' and a horizontal line extending to the right.

Marc P. Kemerer
MPK/jrg