



Council Report

Report Number: CORP2022-012
Meeting Date: December 13, 2022
Title: **Dissolution of High Water Bill Adjustment and Mandatory Service Connection Appeals Committee**
Author and Title: Linda J. Liotti, Manager, Revenue & Taxation

Recommendations:

That Report CORP2022-12, **Dissolution of High Water Bill Adjustment and Mandatory Service Connection Appeals Committee**, be received;

That Council dissolve the High Water Bill Adjustment and Mandatory Service Connection Appeals Committee; and

That Section 2.05 of By-law 2014-255 be amended to read: "Any appeals or requests for exemptions from section 2.01, 2.02 and 2.03 of this By-law shall be forwarded to Council for consideration."; and

That Section 24.00 of By-law 2021-162 be deleted in its entirety; and

That Staff be directed to bring forward any adjustment or exemption request that falls outside of the policy to Council via a Council Report; and

That the amending By-laws in Appendix A and Appendix B to Report CORP2022-012 be brought forward for to Council for adoption.

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

The High Water Bill Adjustment and Mandatory Service Connection Appeals Committee Terms of Reference identify the mission of the Committee is to hear and rule on appeals pertaining to a High Water Bill Adjustment or Mandatory Requirement for Service Connection, resulting in recommendations to Council for relief or exemption.

The Terms of Reference detail the following as activities of the Committee:

The following represent the general activities of the Committee:

- (a) receive deputations from property owners who are dissatisfied with the resolution of their complaint through the High Bill Adjustment Policy CP2017-006;
- (b) receive deputations from property owners with respect to the physical mandatory service connection requirements described in sections 2.01, 2.02 and 2.03 of the Mandatory Connection By-law;
- (c) the Committee has the authority to deny a request for relief or exemption; The Committee may make recommendations to Council on the following matters, for which Council retains the decision-making role:
- (d) relief of a high bill, referencing the High Bill Adjustment Policy for guidance, without prejudice or precedent to any other similar matter;
- (e) the amount of relief recommended by the Committee shall not exceed the level of relief that would otherwise be provided under the above noted policy.
- (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.

At the Council Meeting of September 24, 2019, Council adopted the following resolution:

CW2019-169

That Report CORP2019-017, **Proposed Amendments to High Water Bill Adjustment Policy**, be received; and

That these proposed amendments to the High Water Bill Adjustment Policy (CP2017-006), attached as Appendix A to this report be brought forward for Council for approval at the September 24, 2019 Regular Council Meeting.

Carried

At the Council Meeting of December 10, 2019, Council adopted the following resolution:

CR2019-737

Moved By Councillor Dunn

Seconded By Deputy Mayor Elmslie

That Report WWW2019-011, **By-law Amendments for Mandatory Connection**, be received;

That Section 2.05 of By-law 2014-255 be amended to read: “Any appeals or requests for exemptions from section 2.01, 2.02 and 2.03 of this By-law shall be forwarded to Council for consideration.”;

That Section 2.06 of By-law 2014-255 be amended to read: “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 Mandatory Connect Fee – Water and/or Mandatory Connect Fee – Sewer 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 commencing January 1, 2020.”;

That Section 23.05(s) of By-law 2018-039 be amended to read: “The owner or occupier of each separately assessed parcel of land that fronts a watermain and is subject to the requirements of By-Law 2014-255 “Mandatory Connection By-Law” shall pay a Mandatory Connect Fee – Water as set forth in Schedule “A” of this By-Law, commencing January 1, 2020.”;

That Section 23.05(v) of By-law 2018-039 be amended to read: “The owner or occupier of each separately assessed parcel of land that fronts a sanitary sewer main and is subject to the requirements of By-Law 2014-255 “Mandatory Connect By-Law” shall pay a Mandatory Connect Fee – Sewer as set forth in Schedule “A” of this By-Law, commencing January 1, 2020.”;

That Schedule “A” of By-Law 2018-039 “A By-Law to Regulate Water & Wastewater Services in the City of Kawartha Lakes” be replaced by “Schedule “A” 2019 Water and Wastewater Rates” substantially in the form as attached as Appendix ‘C’ to Report WWW2019-011; and

That the necessary amending By-laws be brought forward for adoption.

Carried

and

A By-law to Amend By-law 2014-255, being Mandatory Connection By-Law

CR2019-742

Moved By Councillor Dunn

Seconded By Councillor O'Reilly

That a by-law to amend by-law 2014-255, being Mandatory Connection By-law, be amended; and

That the amended by-law be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

Carried

This report addresses the above noted directions.

Rationale:

In September 2019, with Council’s adoption of CW2019-169, Section 11 (Obvious or Hidden Leaks) of the **High Bill Adjustment Policy** was amended such that all property types where an obvious or hidden leak that had occurred, causing high consumption, due to circumstances beyond the control of the property owner, were directed to staff rather than the Committee.

This direction permitted staff to review the resident's request, collect the necessary documentation and expedite relief, as per the policy. This amendment captured the majority of high bill adjustment requests and provided an expeditious resolve for the resident, which was the desired outcome.

Any high bill adjustment requests that fall outside the policy, are currently brought forward to Council via a Council Report for consideration.

To that end, Section 24.00 of **By-law 2021-162**, a By-law to Repeal and Replace By-law 2018-039, Being a By-law to Regulate Water and Wastewater Services in the City of Kawartha requires deletion to remove reference to the High Water Bill Adjustment and Mandatory Service Connection Appeals Committee

The Mandatory Connection By-law has had a number of amendments and/or reviews presented to Council over the past few years. Further to amendments made in December 2019, any Mandatory Connect exemption requests were brought forward to Council via a Council Report for consideration.

To that end, Section 2.05 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, should be amended to read: "Any appeals or requests for exemptions from section 2.01, 2.02 and 2.03 of this By-law shall be forwarded to Council for consideration."

Other Alternatives Considered:

N/A

Alignment to Strategic Priorities

The recommendation to Council is consistent with the Strategic Priority of Good Government as we continue to adhere to the direction set out in previous Council Resolution(s) and maintain an effective and efficient review of any resident requests pertaining to High Bill Adjustment or Mandatory Connect Exemptions.

Financial/Operation Impacts:

No financial impacts.

Consultations:

Director, Public Works
Manager, Water and Wastewater
Chief Administrative Officer

Attachments:

Appendix A - 2014-255 Consolidated Mandatory Connection to Water and Wastewater Systems By-law-Proposed Amendments



Appendix A -
2014-255 Consolidat

Appendix B - 2021-162 Repeal and Replace Bylaw 2018-039 to Regulate Water and Wastewater Services-Proposed Amendments



Appendix B -
2021-162 Repeal anc

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Department Head: Ron Taylor, Chief Administrative Officer