

THE CORPORATION OF THE CITY OF BROCKVILLE

By-Law Number 031-2009

Being a By-Law to Adopt fees and charges respecting Sewage Services

WHEREAS Part XII, Section 391 of the *Municipal Act, 2001* as amended, provides that a Municipality may pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of it; and for capital costs payable by it for sewage and water services or activities which will be provided or done by or on behalf of it after the fees or charges are imposed; and

WHEREAS Part XII, Section 398, subsection (2) of said Municipal Act, provides that the Treasurer of a local municipality may add such fees and charges imposed by the municipality under Section 391 of said Municipal Act to the tax roll for the following property in the local municipality and collect them in the same manner as municipal taxes;

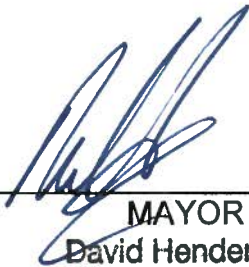
THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF BROCKVILLE HEREBY ENACTS AS FOLLOWS:

1. In this By-law:
 - (a) "Fees and Charges" shall mean the charges to cover the entire cost of operating the sewage system, including capital costs and contributions to Reserve Funds.
2. Effective April 1, 2009, Fees and Charges are imposed upon the owners or occupants of lands from which the sewage is received, treated or disposed by the Corporation of the City of Brockville, set at a rate of 1.36 of the charge imposed for water usage. The Fees and Charges relating to sewage services shall be collectable in the same manner as the fees and charges imposed for water usage.
3. The Fees and Charges relating to sewage services imposed shall be collectable by the Corporation of the City of Brockville. The sewer rate imposed hereunder upon any owner or occupant of land is a lien and charge upon the land, and, if the rate or any part thereof remains unpaid after due date, the amount unpaid may be collected by distress upon the goods and chattels of such owner or occupants, or the Clerk of the Municipality, upon notice to the owner or occupant of the amount due, the person by whom it is due and the land upon which a lien is claimed, shall enter the same upon the collector's roll, and the collector shall proceed to collect it in the same way, as nearly as may be, as municipal taxes are collectible. No property is exempt by reason only that it is exempt from taxation under the Assessment Act, but the Council of a local municipality may by

by-law exempt any property or class of property from all or part of the rate based on the amount of service received or the amount of benefit derived or derivable from the construction of the sewage works or water works.

4. The Board of an elementary school or secondary school as defined in the *Education Act* is liable to the Fees and Charges relating to sewage services imposed by this By-Law, notwithstanding the provisions of Section 3 or the *Assessment Act*.
5. THAT By-Law 034-2008 be repealed in its entirety.

**GIVEN UNDER THE SEAL OF THE CORPORATION
OF THE CITY OF BROCKVILLE AND PASSED THIS
10th DAY OF MARCH, 2009.**



MAYOR
David Henderson



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