

February 1, 2013

Ms. Bonnie Nistico-Dunk
City Clerk
City of St. Catharines
PO Box 3012
St. Catharines, Ontario
L2R 7C2

CL 16-2012, November 15, 2012
BRCOTW 5-2012, November 8, 2012
Report PW 106-2012 –
Water & Wastewater - 2013 Budget, Rate Setting and Requisition Report

Regional Council, at its meeting of November 15, 2012, approved the recommendations of its Budget Review Committee of the Whole meeting of November 8, 2012 with respect to the Water & Wastewater 2013 Budget, Rate Setting and Requisition Report.

A copy of Report PW 106-2012 is attached for your information.

Also attached, are certified copies of the following by-laws:

Bill 106

A By-Law To Set The Requisitions To Be Charged For Wastewater Received From Lower-Tier Municipalities For The Period January 1, 2013 To December 31, 2013.

Bill 107

A By-Law To Set The Rates And Requisitions To Be Charged For Water Supplied To Lower-Tier Municipalities During The Period January 1, 2013 To December 31, 2013.

For further information on this matter, please contact Ms. Debbie Elliott, Acting Commissioner, Corporate Services Committee at (905) 685-4225, ext. 3292.

Yours truly,

Janet Pilon
Regional Clerk
cc: D. Elliott, Acting Commissioner, Corporate Services

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Niagara Region

REPORT TO: Budget Review Committee of the Whole

SUBJECT: Water & Wastewater: 2013 Budget, Rate Setting and
Requisition Report

RECOMMENDATION

Water Budget, Rate & Requisition:

1. That the 2013 gross water operating budget **BE APPROVED** at \$42,704,563 and that the net requisition **BE APPROVED** at \$42,261,382, representing a 0.56% increase over 2012.
2. That the Region's 2013 variable water rate of \$0.537, calculated by taking 75% of the Region's water net requisition budget and dividing by the estimated supply volume, **BE BILLED** monthly based on the previous month's metered flows to each serviced Local Municipality.

Variable Water Rate	
Variable Allocation (75%* \$42,261,382)	\$31,696,036
Water Flow Forecast 2013 (m ³)	59,066,500
Variable Rate (\$/m ³)	\$0.537

3. That the fixed water requisition, based on 25% of the Region's water net requisition budget for the year, **BE DIVIDED** by 12 to determine the monthly charge and that this monthly charge **BE BILLED** to each of the serviced Local Municipalities for 12 months starting January 1, 2013, apportioned based on their previous 3 year's average water supply volumes (October 2009 through September 2012).

Fixed Water Requisition for 2013 Net Budget			
Municipality	3-Year Avg. (%)	Allocation (\$)	Monthly (\$)
Fort Erie	7.88%	832,756	69,396.33
Grimsby	4.88%	515,574	42,964.50
Lincoln	3.84%	405,750	33,812.50
Niagara Falls	27.31%	2,885,676	240,473.00
Niagara on the Lake	4.71%	498,137	41,511.42
Pelham	2.51%	264,744	22,062.00
Port Colborne	4.90%	517,719	43,143.25
St. Catharines	27.84%	2,941,331	245,110.92
Thorold	3.58%	378,044	31,503.67
Welland	11.24%	1,187,927	98,993.92
West Lincoln	1.30%	137,688	11,474.00
Total	100.00%	10,565,346	880,445.51

Wastewater Budget, Rate & Requisition:

4. That the 2013 gross wastewater operating budget **BE APPROVED** at \$66,446,402 and that the net requisition **BE APPROVED** at \$65,405,802, representing a 3.75% increase over 2012.
5. That the 2013 Wastewater fixed requisition based on 100% of the Region's net requisition budget for the year and divided by 12 to determine the monthly charge, **BE BILLED** each month for 12 months starting January 1, 2013 to the Local Municipalities, apportioned based on their previous 3 year's average wastewater supply volumes (October 2009-September 2012).

Fixed Wastewater Requisition for 2013 Net Budget			
Municipality	3-Year Avg. (%)	Allocation (\$)	Monthly (\$)
Fort Erie	9.42%	6,161,542	513,461.83
Grimsby	5.05%	3,300,901	275,075.08
Lincoln	4.21%	2,755,283	229,606.92
Niagara Falls	19.34%	12,652,307	1,054,358.92
Niagara on the Lake	3.33%	2,180,643	181,720.25
Pelham	1.90%	1,239,857	103,321.42
Port Colborne	5.50%	3,598,206	299,850.50
St. Catharines	29.78%	19,478,409	1,623,200.75
Thorold	4.65%	3,041,750	253,479.17
Welland	15.39%	10,064,540	838,711.67
West Lincoln	1.43%	932,364	77,697.00
Total	100.00%	65,405,802	5,450,483.51

6. That the 2013 Wastewater monthly bills also **INCLUDE** reconciliation of the 2011 net requisition allocation based on actual wastewater flows versus the estimated flows as approved by Council;

Wastewater Reconciliations (2011)			
Municipality	Reconciliation (\$)	Monthly Rebate (\$)	Monthly Payment (\$)
Fort Erie	257,876		21,489.67
Grimsby	(268,784)	(22,398.67)	
Lincoln	65,786		5,482.17
Niagara Falls	(249,902)	(20,825.17)	
Niagara on the Lake	60,041		5,003.42
Pelham	(83,705)	(6,975.42)	
Port Colborne	383,983		31,998.58
St. Catharines	(101,920)	(8,493.33)	
Thorold	229,898		19,158.17
Welland	(281,253)	(23,437.75)	
West Lincoln	(12,020)	(1,001.67)	
Total	0	(83,132.01)	83,132.01

Water & Wastewater Budget, Rate & Requisition

7. That 3 additional FTEs **BE APPROVED** for the Water & Wastewater Department;
8. That the 2013 volumetric water rate and monthly fixed water and wastewater requisitions **BE EFFECTIVE** for 12 months (January 1, 2013 – December 31, 2013);
9. That the Regional Clerk **BE REQUESTED** to prepare the necessary by-laws to implement the water and wastewater budget, rate and requisition recommendations as outlined above for consideration by Regional Council on November 15, 2012.

PURPOSE

To seek approval of the 2013 water and wastewater operating budgets, water rate and water and wastewater requisitions.

BUSINESS IMPLICATIONS

The proposed gross Water and Wastewater operating budgets total \$109,150,965. The proposed net operating budgets total \$107,667,184, representing a combined weighted increase of 2.47% over 2012. These figures account for the results of the new corporate cost allocation methodology, and come in below budget guidance.

The net requirement for the water program for 2013 is \$42,261,382 representing a \$234,942 (0.56%) increase from 2012. \$10,565,346 (25%) of the net requirement will be recovered from fixed monthly requisitions to the local municipalities based on historical flows. The historical water flows and percentages utilized are included in Appendix A. The remaining \$31,696,036 (75%) will be charged through the variable water rates. Based on 2013 forecast water volume that was developed in consultation with the local municipalities of 59,066,500 cubic metres, the resulting variable rate for 2013 will be \$0.537 per cubic metre, representing an increase of \$0.003 (0.49%) from the 2012 rate of \$0.534.

The net requirement for the wastewater program is \$65,405,802 for 2013, representing a \$2,363,176 (3.75%) increase relative to the approved 2012 budget. 100% of this net requirement will be recovered from fixed monthly requisitions to the local municipalities. The historical wastewater flows and percentages utilized are included in Appendix B.

As per Council's approved cost recovery methodology, the 2013 monthly wastewater charges will include reconciliation of the 2011 wastewater flows. Municipalities will be rebated or charged based on the actual flows versus the estimated flows used to initially allocate the 2011 charges. This reconciliation results in a total of \$997,584 in payments to, and \$997,584 in rebates from, the Local Municipalities. A copy of the memorandum

provided to Council and the Local Municipalities that outlined the individual reconciliation amounts has been included as Appendix C.

REPORT

The proposed 2013 budget for water and wastewater services was presented to the Budget Review Committee of the Whole on October 11th, 2012, with a gross budget totaling \$109,150,965 as outlined in Table 1 below.

Table 1 – 2013 Gross Budget (\$000s)			
	Water	Wastewater	Total
Personnel Costs (net)	8,967	11,569	20,536
Purchased /Outsourced Services	3,450	10,330	13,780
Materials & Supplies	3,735	10,097	13,832
Repair & Maintenance	3,183	4,605	7,788
Allocation within/between Department	1,480	1,434	2,914
Administrative Expenses, NPCA & Other	637	358	995
Subtotal - Operating	21,454	38,349	59,803
Corporate Allocation	1,409	2,027	3,436
Capital Transfer to Reserve & Debt Charges	19,842	26,025	45,867
Total	42,705	66,446	109,151

After accounting for revenue sources such as hauled sewage, sewage surcharges and radio antenna leases, the net amounts required for 2013 are \$42,261,382 for water and \$65,405,802 for wastewater. Relative to the 2012 net requirements, the 2013 proposed net expenses reflect increases of \$234,942 (0.56%) and \$2,363,176 (3.75%) for water and wastewater services, respectively. Combined, the net increase of \$2,598,118 represents a weighted increase of 2.47%.

Additional detail of the 2013 operating budget, pressures and program change for the additional three FTEs is provided in Appendix D. Further, comparisons of the 2013 versus 2012 requisition amount by Local Municipality are provided in Appendices E and F for water and wastewater, respectively.

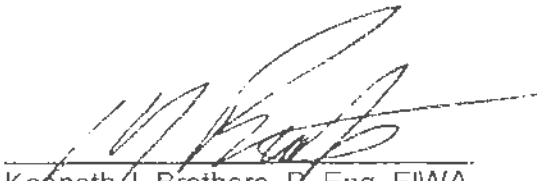
PREVIOUS REPORTS PERTINENT TO THIS MATTER

- Presentation to BRCOTW - October 11, 2012
- PWC 18-2012 Memorandum: 2011 Bylaw Wastewater Reconciliation
- PWA 60-2011 – 2012 W&WW Rate Guidance
- CSD 88-2012 – Policy Recommendations – 2013 Budget
- CSD 129-2012 – Use of Additional Cost Allocations to Rate Program

APPENDICES

- A. Water Flows used to Apportion the Fixed Water Requisition
- B. Wastewater Flows used to Apportion the Fixed Wastewater Requisition
- C. March 22, 2012 Memorandum: 2011 Bylaw Wastewater Reconciliation
- D. 2013 Operating Budget Overview
- E. Fixed Water Requisition by Local Municipality – Comparison
- F. Fixed Wastewater Requisition by Local Municipality – Comparison

Submitted by:


Kenneth J. Brothers, P. Eng. FIWA
Commissioner of Public Works

Approved by:


Mike Trojan
Chief Administrative Officer

This report was prepared by Betty Matthews-Malone, P. Eng., Director of Water and Wastewater Services, reviewed by Glen Cowan, Associate Director of Public Works Finance in consultation with Corporate Services.

Appendix A – Water Flows used to Apportion the Fixed Water Requisition

	3-Year Avg. per 2012 By-Law		3-Year Avg. per 2013 By-Law		Difference	
	Megalitres	%	Megalitres	%	Megalitres	%
Fort Erie	4,774	8.03%	4,716	7.88%	(58)	-0.15%
Grimsby	2,734	4.60%	2,920	4.88%	186	0.28%
Lincoln	2,257	3.80%	2,298	3.84%	40	0.04%
Niagara Falls	16,005	26.92%	16,341	27.31%	336	0.39%
Niagara on the Lake	2,711	4.56%	2,821	4.71%	109	0.15%
Pelham	1,497	2.52%	1,499	2.51%	2	-0.01%
Port Colborne	2,862	4.81%	2,932	4.90%	70	0.09%
St. Catharines	17,002	28.60%	16,656	27.84%	(346)	-0.76%
Thorold	2,251	3.79%	2,141	3.58%	(110)	-0.21%
Welland	6,595	11.09%	6,727	11.24%	132	0.15%
West Lincoln	762	1.28%	780	1.30%	18	0.02%
Total	59,451	100.00%	59,831	100.00%	380	0.00%

Appendix B – Wastewater Flows used to Apportion the Fixed Wastewater Requisition

	3-Year Avg. per 2012 By-Law		3-Year Avg. per 2013 By-Law		Difference	
	Megalitres	%	Megalitres	%	Megalitres	%
Fort Erie	7,441	9.36%	7,172	9.42%	(269)	0.06%
Grimsby	4,336	5.45%	3,842	5.05%	(494)	-0.41%
Lincoln	3,247	4.08%	3,207	4.21%	(40)	0.13%
Niagara Falls	15,116	19.01%	14,727	19.34%	(389)	0.33%
Niagara on the Lake	2,627	3.30%	2,538	3.33%	(88)	0.03%
Pelham	1,514	1.90%	1,443	1.90%	(71)	-0.01%
Port Colborne	4,313	5.42%	4,188	5.50%	(124)	0.08%
St. Catharines	24,106	30.32%	22,672	29.78%	(1,434)	-0.54%
Thorold	3,500	4.40%	3,540	4.65%	40	0.25%
Welland	12,184	15.32%	11,715	15.39%	(469)	0.06%
West Lincoln	1,125	1.42%	1,085	1.43%	(40)	0.01%
Total	79,509	100.00%	76,130	100.00%	(3,379)	0.00%

Appendix C - March 22, 2012 Memorandum: 2011 Bylaw Wastewater Reconciliation

PUBLIC WORKS

Water & Wastewater Services

3501 Schmon Parkway, P.O. Box 1042

Thorold ON L2V 4T7

Tel: 905-685-1571 TTY: 905-984-3613

Toll-free: 1-800-263-7215

Fax: 905-685-5205

www.niagararegion.ca

March 22, 2012

Carolyn J. Kett, Town Clerk
Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, ON L2A 2S6

*All Area
Clerks*

PWC 18-2012

Dear Ms. Kett,

2011 Bylaw Wastewater Reconciliation Our File: C.01

Through the 2012 Budget process, Regional Council endorsed a revised wastewater requisition methodology that is to be applied to the 2012 through 2014 Wastewater requisitions. As part of this methodology, the net budget requirement will first be apportioned between the local municipalities based on their estimated share (a distribution based on average wastewater flows over the previous three years), with a subsequent adjustment and reconciliation to apportion the budgeted cost using actual flows over the by-law period. The first such adjustment will occur as part of the 2013 budget for the reconciliation of actual wastewater flows from 2011.

As the 2011 by-law period is now complete, the purpose of this letter is to provide the actual flows and resulting reconciliation adjustments that will be carried into the 2013 budget process (attached). As per the requisition methodology, the over/under payments shown will be incorporated into the monthly requisition amounts in 2013 for each local municipality.

We would also like to note that as part of the 2011 year end process an opinion was received from Niagara Region's external auditing firm indicating that, based on their review of the relevant by-laws and reports, the under/overpayments included in the attached table should be reflected on the Niagara Region's financial statements as receivables and liabilities for the year ended December 31, 2011. The auditing firm also noted that each local municipality should determine individually whether a similar accounting treatment is appropriate.

Respectfully submitted,



Betty Matthews-Malone, P.Eng,
Director, Water & Wastewater Services

BMM/gc
Attachment

Copy to: Chair and Members of the Budget Review Committee of the Whole, Niagara Region
Helen Chamberlain, Director of Financial Services, Town of Fort Erie

All Area Treasurers

Wastewater Flows (Mega Liters)			
Municipality	2011 By-Law Period		
	Prior 3 yr Avg	Actual Flows ¹	Difference
Fort Erie	7,396	7,945	550
Grimsby	4,552	4,252	(300)
Lincoln	3,237	3,408	170
Niagara Falls	15,704	15,680	(25)
NOTL	2,562	2,709	147
Pelham	1,544	1,453	(91)
Port Colborne	4,317	4,986	670
St. Catharines	24,460	24,851	391
Thorold	3,416	3,836	419
Welland	12,668	12,529	(139)
West Lincoln	1,098	1,104	6
Total	80,955	82,753	1,798

Wastewater Fixed Allocation Percentages			
Municipality	2011 By-Law Period		
	Prior 3 yr Avg	Actual Flows ¹	Difference
Fort Erie	9.1%	9.6%	0.5%
Grimsby	5.6%	5.1%	-0.5%
Lincoln	4.0%	4.1%	0.1%
Niagara Falls	19.4%	18.9%	-0.5%
NOTL	3.2%	3.3%	0.1%
Pelham	1.9%	1.8%	-0.2%
Port Colborne	5.3%	6.0%	0.7%
St. Catharines	30.2%	30.0%	-0.2%
Thorold	4.2%	4.6%	0.4%
Welland	15.6%	15.1%	-0.5%
West Lincoln	1.4%	1.3%	0.0%
Total	100%	100%	0%

Wastewater Fixed Allocation Charges (\$000)			
Municipality	2011 By-Law Period:		
	2011 By-Law Period: Charges Paid ¹	Charges based on Actual Flow ¹	Underpayment/ (Overpayment) ²
Fort Erie	\$5,060	\$5,318	\$258
Grimsby	3,115	2,846	(269)
Lincoln	2,215	2,281	66
Niagara Falls	10,745	10,495	(250)
NOTL	1,753	1,813	60
Pelham	1,056	973	(84)
Port Colborne	2,953	3,337	384
St. Catharines	16,735	16,634	(102)
Thorold	2,337	2,567	230
Welland	8,667	8,386	(281)
West Lincoln	751	739	(12)
Total Budget	\$55,389	\$55,389	\$0

Sum Overpayments (\$998)

Percent of Requisition ($998 \div \$55,389$) 1.80%

Notes:

1) 2011 By-law period consisted of the 11 month period from March 2011 to January 2012.

2) Underpayments/(Overpayments) based on comparing 2 different allocation methodologies (3 yr avg flows vs. actual flows during by-law period)

Appendix D - 2013 Operating Budget Overview

The Water and Wastewater Divisions' proposed 2013 budget amount of \$107.7 million represents a \$2.6 million (2.47%) net increase from the 2012 budget. Incorporated within this change is the \$1.1 million (1.03%) impact from the cost allocation review that was undertaken corporately, along with \$1.5 million (1.44%) in departmental-related changes. These changes include inflationary pressure in areas such as utilities, chemicals and personnel, as well as provisions for sustainable repair and maintenance of existing facilities and equipment, and are net of the savings that resulted from process optimization, conservation and staff management initiatives undertaken by the divisions.

\$2.3 million of the \$2.6 million overall change can be attributed to the wastewater program with the remaining \$0.3 million to the water program, representing increases of 3.75% and 0.56% in those divisions, respectively. These impacts include the reallocation of \$1 million in support for the capital programs from water to wastewater in accordance with the capital funding plan.

The 2013 proposed budget includes a program change for the addition of three FTE's to the succession planning strategy for the Water and Wastewater Division. As both front line and management staff require water certificates and wastewater licenses in order to ensure compliance with the Safe Drinking Water Act and the Ontario Water Resources Act, Niagara Region's past, present and projected retirements and departures within the Water and Wastewater Services Division are and will continue to challenge compliance mitigation efforts. As certification and licensing is a complex and time consuming undertaking and the employment market makes recruiting difficult, developing Niagara Region's own Operators and future Managers will be critical to its operations.

The following 2013 budget driver summary was presented to the Budget Review Committee of the Whole on October 11th, 2012:

2013 Combined W/WW Budget Major Drivers (\$000s)	
Cost Allocation	\$1,083
Net Cost & Mitigation	
Personnel Related Costs (+/-)	744
Repair & Maintenance (+/-)	357
Material, Supplies, Purchased Services & other (+/-)	328
Program Change (Succession Planning – 3 FTE)	186
Increase in Other Revenues	(100)
Subtotal	\$2,598

Appendix E - Fixed Water Requisition by Local Municipality – Comparison

	Requisition (\$000)		Difference	
	2012 By-law	2013 By-law	\$000	%
Fort Erie	\$ 844	\$ 833	\$ (11)	-1.29%
Grimsby	483	516	32	6.70%
Lincoln	399	406	7	1.71%
Niagara Falls	2,829	2,886	57	2.02%
Niagara on the Lake	479	498	19	3.95%
Pelham	265	265	0	0.09%
Port Colborne	506	518	12	2.35%
St. Catharines	3,005	2,941	(63)	-2.11%
Thorold	398	378	(20)	-4.98%
Welland	1,165	1,188	22	1.93%
West Lincoln	135	138	3	2.28%
Total	\$ 10,507	\$ 10,565	\$ 59	0.56%

Appendix F - Fixed Wastewater Requisition by Local Municipality – Comparison

	2012 By-Law Requisition (\$000)	Change due to 2013 Budget Requisition		2013 By-Law Requisition Excl. 2011 Reconcl'n (\$000)	2011 Reconciliation		2013 By-Law Requisition Incl. 2011 Reconcl'n (\$000)	Combined Difference (2013 Budget & 2011 Reconcl'n)	
		\$000	%		\$000	%		\$000	%
Fort Erie	\$ 5,900	\$ 261	4.43%	\$ 6,162	\$ 258	4.19%	\$ 6,419	\$ 519	8.80%
Grimsby	3,438	(137)	-4.00%	3,301	(269)	-8.14%	3,032	(406)	-11.81%
Lincoln	2,574	181	7.03%	2,755	66	2.39%	2,821	247	9.59%
Niagara Falls	11,986	667	5.56%	12,652	(250)	-1.98%	12,402	417	3.48%
Niagara on the Lake	2,083	98	4.71%	2,181	60	2.75%	2,241	158	7.59%
Pelham	1,200	40	3.29%	1,240	(84)	-6.75%	1,156	(44)	-3.68%
Port Colborne	3,419	179	5.23%	3,598	384	10.67%	3,982	563	16.46%
St. Catharines	19,114	365	1.91%	19,478	(102)	-0.52%	19,376	263	1.37%
Thorold	2,775	267	9.61%	3,042	230	7.56%	3,272	496	17.89%
Welland	9,661	404	4.18%	10,065	(281)	-2.79%	9,783	123	1.27%
West Lincoln	892	40	4.50%	932	(12)	-1.29%	920	28	3.15%
Total	\$ 63,043	\$ 2,363	3.75%	\$ 65,406	\$ 0	0.00%	\$ 65,406	\$2,363	3.75%

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. 106-2012

A BY-LAW TO SET THE REQUISITIONS TO BE CHARGED
FOR WASTEWATER RECEIVED FROM LOWER-TIER
MUNICIPALITIES FOR THE PERIOD
JANUARY 1, 2013 TO DECEMBER 31, 2013

WHEREAS the Council of The Regional Municipality of Niagara is authorized under Part XII of The Municipal Act, 2001, S.O. 2001, c. 25, to impose fees and charges for wastewater received from the lower-tier municipalities, and

WHEREAS the Council of The Regional Municipality of Niagara passed By-Law 119-2011 which indicated that, consistent with the wastewater reconciliation methodology described in PWA 87-2011, a reconciliation adjustment will commence with the 2013 Budget, and

THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

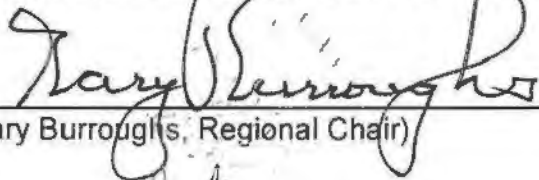
1. That the 2013 budgeted net wastewater treatment costs be apportioned to the lower-tier municipalities based on their proportionate share of the Region's total three year average historical wastewater flows.
2. That the 2013 wastewater monthly bills also include reconciliation of the 2011 net requisition allocation based on actual wastewater flows versus the estimated flows.
3. That the lower-tier municipalities be requisitioned during the period January 1, 2013 to December 31, 2013 as follows:

Wastewater Requisition (2013 Net Budget + 2011 Reconciliation)				
Municipality	2013 Total Requisition			Monthly Payment
	2013 Net Budget Allocation	2011 Reconciliation	Total	
Fort Erie	6,161,542	257,876	6,419,418	534,951.50
Grimsby	3,300,901	(268,784)	3,032,117	252,676.41
Lincoln	2,755,283	65,786	2,821,069	235,089.09
Niagara Falls	12,652,307	(249,902)	12,402,405	1,033,533.75
Niagara on the Lake	2,180,643	60,041	2,240,684	186,723.67
Pelham	1,239,857	(83,705)	1,156,152	96,346.00
Port Colborne	3,598,206	383,983	3,982,189	331,849.08
St. Catharines	19,478,409	(101,920)	19,376,489	1,614,707.42
Thorold	3,041,750	229,898	3,271,648	272,637.34
Welland	10,064,540	(281,253)	9,783,287	815,273.92
West Lincoln	932,364	(12,020)	920,344	76,695.33
Total	65,405,802	0	65,405,802	5,450,483.51

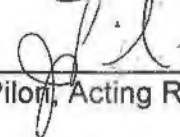
4. That the Treasurer of the Regional Corporation shall submit similar invoices on or before the 15th day of each month commencing January 15, 2013 for the monthly requisition. Such monthly invoices shall continue thereafter until December 15, 2013. Each lower-tier municipality shall remit the amount of each such invoice to the Treasurer of the Regional Corporation on or before the last business day of the month in which such invoice is submitted.
5. That, in the event of default of payment of any monies payable under this by-law by a lower-tier municipality, interest at the rate of 15 percent per annum shall be added to the amount in arrears from the date default until the date of payment thereof.

6. That this By-law shall come into force on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA



(Gary Burroughs, Regional Chair)



(Janet Pilon, Acting Regional Clerk)

Passed: November 15, 2012

CERTIFIED A TRUE COPY



CLERK, REGIONAL MUNICIPALITY OF NIAGARA

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. 107-2012

A BY-LAW TO SET THE RATES AND REQUISITIONS
TO BE CHARGED FOR WATER SUPPLIED TO LOWER-TIER
MUNICIPALITIES DURING THE PERIOD
JANUARY 1, 2013 TO DECEMBER 31, 2013

WHEREAS the Council of The Regional Municipality of Niagara is authorized under Part XII of The Municipal Act, 2001, S.O. 2001, c. 25, to impose fees and charges for water supplied to the lower-tier municipalities,

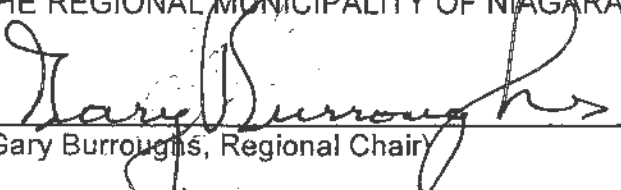
THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That 75% of Regional water costs be recovered from lower-tier municipalities based on actual metered water flows multiplied by the Region's annually set uniform water rate.
2. That the rate payable by the lower-tier municipalities for treated water supplied by the Regional Waterworks System shall be established at \$0.537 for every cubic meter supplied to each lower-tier municipality for the period January 1, 2013 to December 31, 2013.
3. That 25% of Regional water treatment costs be apportioned to the lower-tier municipalities based on their proportionate share of the Region's total three year average historical water flows.
4. That the following apportionment of total Regional water costs be requisitioned to the lower-tier municipalities for the period January 1, 2013 to December 31, 2013 as follows:

Fixed Water Requisition			
Municipality	3-Year Avg. (%)	Allocation (\$)	Monthly (\$)
Fort Erie	7.88%	832,756	69,396.33
Grimsby	4.88%	515,574	42,964.50
Lincoln	3.84%	405,750	33,812.50
Niagara Falls	27.31%	2,885,676	240,473.00
Niagara on the Lake	4.71%	498,137	41,511.42
Pelham	2.51%	264,744	22,062.00
Port Colborne	4.90%	517,719	43,143.25
St. Catharines	27.84%	2,941,331	245,110.92
Thorold	3.58%	378,044	31,503.67
Welland	11.24%	1,187,927	98,993.92
West Lincoln	1.30%	137,688	11,474.00
Total	100.00%	10,565,346	880,445.51

5. That the Treasurer of the Regional Corporation shall submit similar invoices on or before the 15th day of each month commencing January 15, 2013 for water supplied during the preceding calendar month. Such monthly invoices shall continue thereafter until a by-law is passed to fix the water rate for 2014. Each lower-tier municipality shall remit the amount of each such invoice to the Treasurer of the Regional Corporation on or before the last business day of the month in which such invoice is submitted.
6. That, in the event of default of payment of any monies payable under this by-law by a lower-tier municipality, interest at the rate of 15 percent per annum shall be added to the amount in arrears from the date default until the date of payment thereof.
7. That this By-law shall come into force on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA


(Gary Burroughs, Regional Chair)


(Janet Pilon, Acting Regional Clerk)

Passed: November 15, 2012

CERTIFIED A TRUE COPY