

MUNICIPALITY OF MIDDLESEX CENTRE

BY-LAW NUMBER 2016-134

BEING A BY-LAW TO LEVY AND IMPLEMENT A STORMWATER FEE

WHEREAS municipalities are authorized to levy fees and charges pertaining to a stormwater system pursuant to Sections 9, 11 and 391 of The Municipal Act, S.O. 2001 c.25 as amended;

AND WHEREAS the Municipality of Middlesex Centre desires to create a separate stormwater utility to fund the operation, maintenance and capital projects pertaining to stormwater management;

AND WHEREAS subsection 391(2) of the Municipal Act, 2001 provides that a fee or charge imposed for capital costs related to services or activities may be imposed on persons not receiving an immediate benefit from the services or activities but who will receive a benefit at some later point in time;

AND WHEREAS it is deemed just that the cost of operating, maintaining and upgrading the stormwater drainage system is paid for by those who benefit from this system, or who will benefit from the system in the future;

AND WHEREAS the Municipality desires to maintain a funding option for the long-term enhancement and operation of its existing stormwater drainage system through effective and efficient capital construction, operation and maintenance programs;

AND WHEREAS the Council deems it appropriate and beneficial to set such stormwater rates, and amend those rates from time to time;

THEREFORE the Council of the Municipality of Middlesex Centre enacts as follows:

1. Scope

That 'settlement areas' in this by-law refer to the settlement areas defined in the Middlesex Centre Official Plan that is in effect.

2. Rates

Stormwater rates are hereby imposed as defined in Schedule "A" to this by-law.

The stormwater rate and charges imposed by this by-law are a lien and charge upon the land upon which the said rates and charges are imposed, and if the said rate and charges or any part thereof remain unpaid after the due date, the Treasurer may enter upon the collector's roll the amount due, the person by whom it is due, and the land upon which a lien is claimed and the collector shall proceed to collect it in a like manner to municipal taxes.

3. Billing

The Municipality is appointed to collect the charges imposed under this by-law in the same manner and at the same time as Water and Wastewater rates and charges.

When Stormwater rates and charges change through a billing period, the charges shall be prorated for that billing period in accordance with the standard procedures of the Municipality.

No person shall be entitled to any discounts for the early payment of any Stormwater Charge under this By-law.

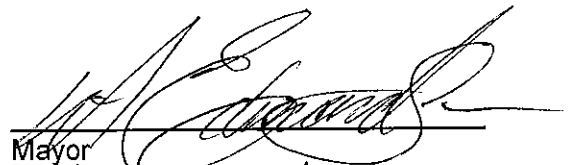
4. Late payment and overdue notice

When an account is not paid by the due date stated on the bill, a late payment charge, as indicated by the Municipality's fee bylaw as amended from time to time, will be assessed to the account and, 60 days after that date, an overdue notice will be sent by mail reminding the Customer of the outstanding account.

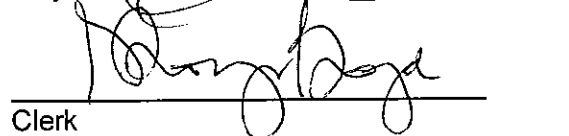
5. That By-Law 2016-057 is hereby repealed.

6. This By-Law shall come into force and take effect on the first day of January 1, 2017.

READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED this 14th day of December, 2016.



Mayor



Clerk

SCHEDULE "A" TO BY-LAW NUMBER 2016-134
Stormwater Rates
(Effective January 1, 2017)

1.0 All Users

1.1 The following stormwater rates are imposed upon owners, or upon tenants of each property with the exception of cemeteries and Coldstream Conservation Area:

| | Rate |
|--|--|
| Base monthly rate for all properties within settlement areas. | \$14.88 per property |
| Industrial, Commercial and Institutional (ICI) customers defined using the property code classification system provided by the Municipal Property Assessment Corporation with properties larger than 0.4 hectares an additional monthly charge applies | \$14.88 per property + (for all hectares above the threshold) \$42.18 per hectare on a prorated basis |