



Village of New Maryland

A By-law Respecting  
Water Rates and Sewer  
Rentals

By-law No. 40-2020

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**VILLAGE OF NEW MARYLAND**  
**A BY-LAW RESPECTING WATER RATES AND SEWER RENTALS**  
**BY-LAW NO. 40-2020**

**WHEREAS** the *Local Governance Act*, SNB 2017, c.18 ("the Act") came into effect January 1, 2018;

**AND WHEREAS** under Section 195 of the Act a by-law made under the authority of the former *Municipalities Act c.M-22* of the Revised Statues, 1973, that was in force immediately before the commencement of this section, shall be deemed to have been made under this Act and is valid and continues in force until amended or repealed;

**AND WHEREAS** the Council for the Village of New Maryland proposes amendments to By-law No. 40;

**THEREFORE BE IT ENACTED** by the Council of the Village of New Maryland under the authority vested in it by the *Local Governance Act* SNB 2017, c.18 the following:

The Village of New Maryland, in accordance with Section 117 of the *Local Governance Act* SNB 2017, c.18 and regulations thereunder enacts the following Water Rates and Sewer Rentals By-law:

**1. Definitions**

In this By-law:

"building" means a roofed structure with solid exterior walls which is permanently affixed to a property and which is used or intended as a shelter for persons, animals, or chattels;

"Council" means the Village of New Maryland Council;

"dwelling unit" means a room or suite of two or more rooms designed or intended for use by one or more individuals, in which culinary facilities and sanitary conveniences are provided for the exclusive use of such individual or individuals but does not include a hotel, motel, boarding and/or lodging house;

"dwelling unit, accessory" means a dwelling unit contained within and secondary to the principal dwelling unit, consisting of a room or suite of two or more rooms designed or intended for use by one or more individuals in which culinary facilities and sanitary conveniences are provided for the purpose of renting out the accessory dwelling unit;

"home occupation" includes home day care, home beauty salon, home massage therapy, home nail salon, home computer repair, home jewelry sales, home business consulting/recruiting, or any home occupation that is permitted under the requirements of the Village of New Maryland Zoning By-law No. 4;

"owner" means the person in whose name a property is assessed under the *Assessment Act*, Chapter A-14, R.S.N.B. 1973, and amendments thereto, and includes the executors, administrators and assigns of such person and in the case of tenants in common or joint tenants, shall include each of such owners jointly and severally;

"unit" means a unit of measurement allocated to classes of uses for buildings, structures or a portion thereof for calculating water rates and sewer rentals where the property does not have a metered Village water supply, as set forth in Schedule "A" attached to and forming part of this by-law; and

"Village" means the Village of New Maryland.

**2. Owner's Responsibility**

The owner of a property is liable for all water rates, meter rentals and sewer rentals imposed with respect to such property whether occupied by himself or his tenants and shall pay to the Village all such rates and rentals at the times prescribed in this by-law.

### 3. Water Rates

(a) The water rates for a property connected to the Village water supply for which the water supply is not metered shall be per unit as set out in Schedule "A" as attached hereto, and at a rate as set out in Schedule "B" as attached hereto. Equal quarterly installments are payable on the last day of January, April, July and October in each year.

(b) The water rates for a property for which the water supply is metered shall consist of a quarterly rate of \$5.00 (*five dollars*) per meter rental fee; a base fee as set out in Schedule "B" attached hereto; and a commodity charge calculated on quarterly meter readings as set out in Schedule "B" attached hereto; and such sum shall be payable on the last day of January, April, July and October in each year.

(c) The user charge to the owner of a property for which the municipal water supply is available who has not connected to such water supply shall be per unit as set out in Schedule "A" attached hereto and at a rate as set out in Schedule "B" as attached hereto. Equal quarterly installments are payable on the last day of January, April, July and October in each year.

(d) The user penalty charge to the owner of a property for which the municipal water supply is connected but who has a malfunctioning meter, that through repeated unsuccessful attempts by Village staff to enter the property (for a period of three months or more) and fix the meter or take a manual reading shall be charged a penalty fee of \$1,000.00 (*one thousand dollars*) per Unit as set out in Schedule "A" attached hereto, per year, payable in arrears in equal quarterly installments of \$250.00 (*two hundred fifty dollars*) each on the last day of January, April, July and October in each year. This by-law shall be effective commencing July 1, 2014.

(e) An official *Statement of Account* for water and sewer charges may be obtained for the sale of a property upon a written, facsimile or email request, and a fee of \$40.000 (*forty dollars*) plus HST will be charged.

### 4. Sewer Rental

(a) The owner of a property connected to the Village's municipal sewer system shall pay a sewer rental per Unit as set out in Schedule "A" attached hereto, and at a rate as set out in Schedule "B" as attached hereto. Equal quarterly installments are payable on the last day of January, April, July and October in each year.

(b) Any owner that has a sewage line running by the land and does not connect to the Village of New Maryland sewage system by a date determined by Council shall be billed a quarterly rate as set out in Schedule "B" as attached hereto and shall be subject to a fine of \$5.00 (*five dollars*) per day.

(c) The owner of a property or properties having an internal privately owned and operated sewage collection system which collects sewage from more than one physically separated Dwelling Unit or Unit on the property, which accesses the Village of New Maryland's municipal sewer system but is not a component thereof, as acknowledged in writing by the Village of New Maryland, shall pay a sewer rental per Unit of 75% (seventy-five percent) of the amount set out in paragraph 4(a), which the amount shall be payable monthly on the last day of each and every month.

### 5. Meters

Meters, conforming to the specification of the Village Engineer, must be installed on all new development.

### 6. Exemptions

Upon application of an owner, the Chief Administrative Officer as delegated by Council, may grant a refund of rates or rentals or an exemption from hooking up to the water and/or sewer system for any cause which Council deems appropriate.

### 7. Penalties for Failure to Pay

(a) Interest at the rate of 1.5% per month shall be charged on the unpaid balance for all accounts.

(b) The Village may shut off the water supply or disconnect the sewer system connection to any property with respect to which any rates, rentals or penalties payable under this by-law remain unpaid where:

- (i) 45 (forty-five) days have elapsed from the date of billing;
- (ii) the Village Treasurer, after the expiration of the 45-day period herein above mentioned, has caused to be sent to the owner by prepaid registered or certified mail, a notice that if the amounts due are not paid within 7 (seven) days of the date of the notice, the water supply shall be shut off and/or the sewer system connection disconnected; and
- (iii) the amounts owing remain unpaid at the expiration of the 7-day period herein above mentioned.

(c) Where a water supply and/or sewer connection has been shut off and/or discontinued under subsection 7(b), the owner shall pay to the Village a fee of \$100.00 (*one hundred dollars*), together with any costs associated with the disconnection, such as the cost of a backhoe, hook-up fee and full payment of any amount in arrears, before such supply or service shall be restored.

### 8. Severability

If any part of this by-law shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this by-law.

### 9. Repeal and Replacement

(a) Village of New Maryland By-law No. 40-2005, A By-law Respecting Water Rates and Sewer Rentals, enacted on June 15, 2005, and all amendments, is hereby repealed.

(b) The repeal of By-law No. 40-2005 shall not affect any by-law infraction, penalty, forfeiture or liability, incurred before such repeal or any proceedings for enforcing the same completed or pending at the time of repeal.

Read First Time (*by title only*): November 18, 2020

Read Second Time (*by title only*): November 18, 2020

Read Third Time (*in its entirety*): December 16, 2020

Read Final Time (*by title only and enacted*): December 16, 2020

(Sgd.) Judy Wilson-Shee  
Judy Wilson-Shee  
MAYOR

(Sgd.) Cynthia Geldart  
Cynthia Geldart  
CAO/CLERK

**SCHEDULE "A"**

**UNIT TABLE - NON-METERED**

**DESCRIPTION**

**RESIDENTIAL:**

**# OF UNITS**

Residence containing one dwelling unit	1
Residence containing one dwelling unit and one accessory dwelling unit	2
Residence containing one dwelling unit and one home occupation	1
Duplex	2
Row House	1 per dwelling unit
Apartments	1 per dwelling unit

**INSTITUTIONAL OR BUSINESS:**

Church	2
Lodge	1
Commercial - including all non-metered retail stores, shops and offices except those that are specified under another part of this by-law.	1 per every store, shop, etc.
Restaurant (non-licensed)	1.5
Restaurant (licensed)	2
Restaurant (with licensed lounge)/Beverage Room/Pub/Tavern	3
Barber Shop or Beauty Salon	1.5
Service Station or Garage	2
Convenience Stores	1.5
Financial Institutions	1
Fitness Centre / Health Club	2
Commercial Day care Facility (1 - 60 children)	3
Laundromat	1 per every two washers or fraction thereof
Hotels or Motels	1 per every two rooms or fraction thereof
Supermarkets	2
Doctors' & Veterinarians' Office	1.5
Dental Office	2
New Maryland Elementary School	6

**UNIT TABLE - NON-METERED**

**DESCRIPTION**

**MUNICIPAL BUILDINGS:**

**# OF UNITS**

Town Hall Building	2
Fire Building	2
Police Building	2
Public Works/Recreation Operations Building	2
New Maryland Centre	3
Victoria Hall	1

In any case where the number of units is not established in the above Schedule, Council may pass a motion to amend the "User Unit Table" on an individual basis. This shall not prevent Council from re-evaluating said unit(s) at any time in the future.

**SCHEDULE "B"**

<b>REFERENCE</b>	<b>DESCRIPTION</b>	<b>YEAR</b>				
		<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>
<i>Subsection 3a</i>	<b>Non-Metered Water Rate per Quarter (connected)</b>	\$370.00	\$380.00	\$390.00	\$400.00	\$410.00
<i>Subsection 3b</i>	<b>Water Base Fee per Quarter (connected)</b>	\$ 46.00	\$ 52.00	\$ 58.00	\$ 64.00	\$ 70.00
<i>Subsection 3b</i>	<b>Water Commodity Charge per Cubic Meter</b>	\$ 1.59	\$ 1.67	\$ 1.75	\$ 1.83	\$ 1.91
<i>Subsection 3c</i>	<b>Water Base Fee per Quarter (not connected)</b>	\$138.00	\$146.00	\$154.00	\$162.00	\$170.00
<i>Subsection 4a</i>	<b>Sewer Rental Rate per Quarter (connected)</b>	\$143.00	\$146.00	\$149.00	\$152.00	\$155.00
<i>Subsection 4b</i>	<b>Sewer Rental Rate per Quarter (not connected)</b>	\$143.00	\$146.00	\$149.00	\$152.00	\$155.00