

PRESCOTT TOWN COUNCIL AGENDA

December 5, 2022 6:00 pm Council Chambers 360 Dibble St. W. Prescott, Ontario

Our Mission: To provide responsible leadership that celebrates our achievements and invests in our future.

Land Acknowledgement: We acknowledge that we are meeting on aboriginal land that has been inhabited by Indigenous peoples. In particular, we acknowledge the traditional territory of the Huron-Wendat, Anishinaabeg, Haudenosaunee, Anishinabek, and the Oneida and Haudenosaunee Peoples.

Pages

- 1. Call to Order
- 2. Approval of Agenda

RECOMMENDATION

That the agenda for the Council meeting of December 5, 2022, be approved as presented.

- 3. Declarations of Interest
- 4. Presentations
 - 4.1 St. Mary Catholic High School OFSAA Champions

6.	Minute	es of the previous Council meetings	
	6.1	Special Council Minutes - November 19, 2022	1
		RECOMMENDATION That the Special Council minutes dated November 19, 2022, be accepted as presented.	
	6.2	November 21, 2022	5
		RECOMMENDATION That the Council minutes dated November 21, 2022, be accepted as presented.	
7.	Comm	nunications & Petitions	
	7.1	St. Andrew's Presbyterian Church - A Fort Town Christmas Invitation	17
	7.2	Letter from the Honourable Michael Kerzner, Solicitor General re: Response to Fire Certification Resolution	18

8. **Consent Reports**

Delegations

5.

All matters listed under Consent Reports are to be considered routine and will be enacted by one motion. Should a member wish an alternative action from the proposed recommendation, the member shall request that the item be moved to the applicable section of the agenda.

RECOMMENDATION

That all items listed under the Consent Reports section of the agenda be accepted as presented.

- 8.1 Information Package (under separate cover)
- 9. **Committee Reports**
- 10. Mayor
- 11. **Outside Boards, Committees and Commissions**
- 12. Staff
 - Staff Report 113-2022 Project Update November 2022 12.1

RECOMMENDATION

For information.

12.2	Staff Report 114-2022 - 2023 Council Meeting Schedule	24
	RECOMMENDATION That Council approve the 2023 summer Council meeting dates as follows, with summer meeting dates of July 17 and August 14, with July 31 and August 28 as potential dates should a special Council meeting be called during the summer months; and	
	That the 2023 December Council meetings be held on the consecutive weeks of December 4 and 11.	
12.3	Staff Report 115-2022 - Town Hall Office - Christmas to New Year's Closure	27
	RECOMMENDATION That Council approve the closure of the Town Hall Office between Christmas and New Year's with a return to regular hours and services on Tuesday January 3, 2023.	
12.4	Staff Report 116-2022 - 2023 Budget Assumptions and Information	29
	RECOMMENDATION For information.	
12.5	Staff Report 117-2022 - Water and Sewer Operations By-law	50
	RECOMMENDATION For information.	
Resolu	tions	
By-law	S	

14.1	Water and Sewer Operation By-Law	
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RECOMMENDATION

13.

14.

That By-Law 52-2022, being a by-law to enact rules and regulations for the operation of a water supply system, water works distribution system, wastewater collection system and a wastewater treatment system in the Town of Prescott and the establishment of rates for water and wastewater services related to the operation of the system, be read and passed, signed by the Mayor and Clerk, and sealed by the seal of the Corporation. 52

15. New Business

- 15.1 Township of Warwick Resolution re: CN Railway Contribution Requirements under the Drainage Act and Impacts on Municipal Drain Infrastructure in Ontario
- 16. Notices of Motion
- 17. Mayor's Proclamation
- 18. Period for Media Questions
- 19. Closed Session
- 20. Rise and Report
- 21. Confirming By-Law 53-2022

RECOMMENDATION

That By-Law 53-2022, being a by-law to confirm the proceedings of the Council meeting held on December 5, 2022, be read and passed, signed by the Mayor and Clerk, and sealed by the seal of the Corporation.

22. Adjournment

RECOMMENDATION

That the meeting be adjourned to Monday, December 12, 2022. (Time: p.m.)

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PRESCOTT TOWN SPECIAL COUNCIL

MINUTES

Saturday, November 19, 2022 8:30 a.m. Ruth Evanson Room Town Hall 360 Dibble St. W Prescott, Ontario

Present Mayor Gauri Shankar, Councillor Leanne Burton, Councillor Mary Campbell, Councillor Justin Kirkby, Councillor Ruth Lockett, Councillor Lee McConnell, Councillor Tracey Young
Staff Matthew Armstrong, CAO/Treasurer, Nathan Richard, Director of Operations, Lindsey Veltkamp, Director of Administration/Clerk, Dana Valentyne, Economic Development Officer, Shawn Merriman, Manager of Building and Bylaw Services, Kaitlin Mallory, Deputy Clerk, Renny Rayner, Fire Chief, Samantha Joudoin-Miller, Manager of Community Services

1. Call to Order

Mayor Shankar called the meeting to order at 8:39 a.m.

2. Approval of Agenda

Motion 249-2022

Moved By Young Seconded By Lockett

That the agenda for the Special Council Meeting of November 19, 2022 be approved as presented.

Carried

3. Declarations of Interest

There were no declarations of interest expressed.

4. Closed Session

4.1 Council Orientation

Motion 250-2022

Moved By Kirkby Seconded By Young

That Council move into Closed Session at 8:40 a.m. under Section 239 (3.1) of the *Municipal Act, 2001*, for the purpose of educating or training the members with regard to Council Orientation; and

That at the meeting, no member discuss or otherwise deal with any matter in a way that materially advances business or decision-making of the Council, local board, or committee; and

That the CAO/Treasurer, Director of Operations, Director of Administration/Clerk, Deputy Clerk, Manager of Building & By-Law Services, Economic Development Officer, Fire Chief, Manager of Community Services, and Rob Adams remain in the room.

Carried

Councillor McConnell joined the meeting at 8:50 a.m.

Councillor Burton joined the meeting at 8:52 a.m.

Motion 251-2022

Moved By McConnell Seconded By Young That the meeting be extended. (Time: 11:58 p.m.) Carried

Motion 252-2022 Moved By Burton Seconded By Lockett That Council reconvene in Open Session. (Time: 1:20 p.m.) Carried

5. Rise and Report

During the Closed Session, Council and Staff members participated in Council Orientation training facilitated by Rob Adams through the Association of Municipal Clerk and Treasurers of Ontario.

6. Period for Media Questions

There were no questions from the media.

7. Confirming By-Law – 48-2022

Motion 253-2022

Moved By Burton Seconded By Campbell

That By-Law 48-2022, being a by-law to confirm the proceedings of the Special Council meeting held on November 19, 2022, be read and passed, signed by the Mayor and Clerk, and sealed by the seal of the Corporation.

Carried

8. Adjournment

Motion 254-2022

Moved By Young Seconded By Campbell

That the meeting be adjourned to Monday, November 21, 2022. (Time: 1:21 p.m.)

Carried

Mayor

Clerk



PRESCOTT TOWN COUNCIL

MINUTES

Monday, November 21, 2022 6:00 p.m. Council Chambers 360 Dibble St. W. Prescott, Ontario

Present Mayor Gauri Shankar, Councillor Leanne Burton, Councillor Mary Campbell, Councillor Justin Kirkby, Councillor Ruth Lockett, Councillor Lee McConnell, Councillor Tracey Young
Staff Matthew Armstrong, CAO/Treasurer, Nathan Richard, Director of Operations, Lindsey Veltkamp, Director of Administration/Clerk, Shawn Merriman, Manager of Building and Bylaw Services, Kaitlin Mallory, Deputy Clerk

1. Call to Order

Mayor Shankar welcomed the guests in the audience and then called the meeting to order at 6:06 p.m.

2. Approval of Agenda

Motion 255-2022

Moved By Burton Seconded By Young

That the agenda for the Council meeting of November 21, 2022, be approved as presented.

Carried

3. Declarations of Interest

There were no declarations of interest expressed.

4. Presentations

4.1 SDGHS - Leadership Presentation

Mayor Shankar welcomed Christine Sloan and the student leadership group from South Grenville District High School.

Christine Sloan provided a brief overview of the conference, the number of students that attended, and the student leadership group. Ms. Sloan shared a short video with Council showcasing the students experiences.

Discussion was held regarding the trip, the grades of the students, and the guest speakers.

Further discussion was held regarding the promotion of the program, ongoing Energizer meetings for Student Council, and the organization of events.

Matthew Armstrong, CAO/Treasurer spoke to the Community Grant program that would be accepting submissions in the early new year.

Christine Sloan and students left at 6:16 p.m.

5. Delegations

There were no delegations.

6. Minutes of the previous Council meetings

6.1 November 7, 2022

Motion 256-2022

Moved By McConnell Seconded By Burton

That the Council minutes dated November 7, 2022, be accepted as presented.

Carried

6.2 Inaugural Meeting Minutes - November 15, 2022

Motion 257-2022

Moved By Young Seconded By Lockett

That the Inaugural Meeting minutes dated November 15, 2022, be accepted as presented.

Carried

7. Communications & Petitions

There were no items under communications and petitions.

8. Consent Reports

Motion 258-2022

Moved By Campbell Seconded By Lockett

That all items listed under the Consent Reports section, save and except Item 8.1(4) - Township of Warwick Resolution, be accepted as presented.

Carried

Councillor McConnell spoke to Item 8.1 - Information Package - Township of Warwick resolution re: CN Railway Contribution Requirements under the Drainage Act and Impacts on Municipal Drain Infrastructure.

Item 8.1(4) was moved under Item 13 - Resolutions.

8.1 Information Package (under separate cover)

- 1. Approved BIA Minutes October 11, 2022
- 2. Northumberland County resolution of support re: Streamlining Governing Legislation for Physicians in Ontario
- 3. Northumberland County resolution of support re: Childcare Workforce Challenges
- 4. Township of Warwick resolution re: CN Railway Contribution Requirements under the Drainage Act and Impacts on Municipal Drain Infrastructure

8.2 Staff Report 107-2022 - Water and Sewer Operation By-Law

Recommended Motion:

That Staff be directed to bring back the by-law attached to Staff Report 107-2022 to the Council meeting of December 5, 2022 for final approval.

Carried

8.3 Staff Report 108-2022 - Financial Report - October 2022

Recommended Motion:

For information.

9. Committee Reports

There were no items under Committee Reports.

10. Mayor

Mayor Shankar spoke to the Light Up the Night Parade that took place on Friday, November 18, and the work of the operations staff.

11. Outside Boards, Committees and Commissions

There were no items discussed under Item 11 - Outside Boards, Committees, and Commissions.

12. Staff

12.1 Staff Report 109-2022 - By-Law Enforcement

Shawn Merriman, Manager of Building and By-Law, spoke to the report. He provided background to Council regarding the purpose of the department.

He provided an overview of the complaints and concerns received, the updates to certain by-laws, and the upcoming revision of the business licensing bylaw. He explained the difference between active and passive enforcement.

Discussion was held regarding the current process where concerns prompt action, the types of concerns being expressed by citizens, and the definition of a vacant building as described in the Vacant Building By-law.

Further discussion was held regarding open air burning, parking reminders for on street parking during the winter months, and the potential need for additional staffing should Council decide to proceed with having an active department.

12.2 Staff Report 110-2022 - 2023 Operational and Project Budget Process

Motion 259-2022

Moved By Burton Seconded By Campbell

That Council approve the 2023 Operational and Project Budget Process as outlined in report 110-2022.

Carried

Matthew Armstrong, CAO/Treasurer, spoke to the report. He reviewed the suggested process, the timelines for the 2023 Operational Budget and Project Development.

Discussion was held regarding outstanding budgeted items, bringing a project list to Council at the next meeting, and the suggested process providing understanding for new members of Council.

Further discussion was held regarding scheduling facility tours for members of Council.

12.3 Staff Report 111-2022 - 2023 Replacement of F Dock and Gas Dock RFP

Motion 260-2022

Moved By Young Seconded By Lockett

That Council direct Staff to issue a Request for Proposals for the replacement of the Marina F Dock and Fuel Dock in 2023.

Carried

Nathan Richard, Director of Operations, spoke to the report. He provided background on the purpose of the report, reviewed the current age and condition of the docks, and the suggested design aspects.

Mr. Richard reviewed options for the materials to be used on the docks, the timeline for issuing the RFP, and expected installation date.

Discussion was held regarding the timeline for issuing the RFP with an expected deadline due date for the end of January, and how municipal RFPs are advertised.

Further discussion was held regarding the electrical pedestals on the docks, and the replacements being included in the RFP.

12.4 Staff Report 112-2022 - Casual/Contract Building Officials By-law Appointment

Shawn Merriman, Manager of Building and By-law, spoke to the report. He provided background on the legislative requirements of the department, the ongoing support from neighbouring municipalities, and the suggested appointments listed in the by-law.

Discussion was held regarding the software used by the Town of Prescott as well as neighbouring municipalities and the difference between casual and contract employees.

13. Resolutions

13.1 Township of Warwick Resolution of Support - CN Railway Contribution Requirements Under the Drainage Act and Impacts on Municipal Drain Infrastructure

Motion 261-2022

Moved By McConnell Seconded By Kirkby

That Staff be directed to bring back more information on Item 8.1(4) Township of Warwick Resolution re: CN Railway Contribution Requirements Under the Drainage Act and Impacts on Municipal Drain Infrastructure.

Carried

14. By-laws

14.1 Chief Building Official Alternatives

Motion 262-2022

Moved By Burton Seconded By Kirkby

That By-Law 49-2022, being a by-law to amend By-Law No. 26-2019, being a by-law to appoint Building Inspectors for the Corporation of the Town of Prescott (Contract/Casual) be read and passed, signed by the Mayor and Clerk, and sealed by the seal of the Corporation.

Carried

14.2 Council Appointments 2023

Motion 263-2022

Moved By Lockett Seconded By Young

That By-Law 50-2022, being a by-law to appoint Members of Council to boards and commissions, to appoint Members of Council to the Committees of Council, and the appointments of Deputy Mayor for the year 2023, be read and passed, signed by the Mayor and Clerk, and sealed by the seal of the Corporation.

Carried

15. New Business

There were no items under New Business.

16. Notices of Motion

There were no notices of motion presented.

17. Mayor's Proclamation

17.1 Founder's Day - December 4

Mayor Shankar proclaimed December 4, 2022 as Founder's Day in the Town of Prescott.

18. Period for Media Questions

There were no questions from the media.

19. Closed Session

Motion 264-2022

Moved By Lockett Seconded By Young That Council move into Closed Session at 7:15 p.m. to discuss matters pertaining to:

19.1 Approval of Closed Session Minutes (October 17, 2022)

- 19.2 Board Appointments
 - Under Section 239(2)(b) of Municipal Act personal matters about a identifiable individual, including municipal employee or local board employees; and

That the CAO/Treasurer, Director of Administration/Clerk, and Deputy Clerk remain in the room.

Carried

Motion 265-2022

Moved By Burton Seconded By Campbell

That Council reconvene in Open Session. (Time: 8:19 p.m.)

Carried

20. Rise and Report

During the Closed Session Council approved the Closed Session minutes dated October 17, 2022 and gave Staff direction on Item 19.2 - Board Appointments.

Motion 266-2022

Moved By Burton Seconded By Young

That Council approve the following appointments to boards and committees for 2023:

Committee of Adjustment

Daniel Slunder Laurie Bosnall Jim Hutton Craig Worden Luis Zelayeta

Library Board

Anne Gillard (Chief Librarian/CEO) Leanne Burton (Council Rep) Peggy Arcand Laurie Bosnall Jason Copeland Elaine McCurdie Patricia Lemaire Randy Pelehos

Planning Advisory Committee

Mayor Gauri Shankar (Council Rep) Leanne Burton (Council Rep) Tracey Young (Council Rep) Jason Copeland (Citizen Member) James Hutchinson (Citizen Member)

Prescott Heritage Committee

Ray Young Ruby Nixon Lee McConnell (Council Rep) Luis Zelayeta Joan Rupert-Barkley

Prescott Cemetery Board

Teresa Jansman Elaine McCurdie Ray Young Lee McConnell (Council Rep)

Police Services Board

Rob Samojllo (Citizen Member) Jeffrey Laushway (Provincial appointee) Mayor Gauri Shankar (Council Rep) Mary Campbell (Council Rep)

Walker House

Maria McKibbin Pat Marshall Jo Savage Irene Mueller Sharon Stein Tom Van Dusen Sharon Flood Leanne Burton (Council Rep)

Carried

21. Confirming By-Law – 51-2022

Motion 267-2022

Moved By Campbell Seconded By Burton

That By-Law 51-2022, being a by-law to confirm the proceedings of the Council meeting held on November 21, 2022, be read and passed, signed by the Mayor and Clerk, and sealed by the seal of the Corporation.

Carried

22. Adjournment

Motion 268-2022

Moved By Kirkby Seconded By Lockett

That the meeting be adjourned to Monday, December 5, 2022. (Time: 8:24 p.m.)

Carried

Mayor

Clerk



St. Andrew's Presbyterian Church and

Showtime South Grenville Present

A Fort Town Christmas

Sunday, December 18 Dedication of Elevator at 1:30 pm Concert at 2 pm

Featuring

Chris Coyea and Alex Fleuriau Chateau Eugene Janssens The Whole Earth Sings Gospel Choir The Thousand Islanders Chorus

St Andrew's/SSG Choir

St. Andrew's Presbyterian Church, 425 Centre Street, Prescott Free Will Offering to support the Music Programs of our Entertainers

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Solicitor General

Office of the Solicitor General

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132-2022-2335 By email

November 14, 2022

Lindsey Veltkamp Director of Administration/Clerk Corporation of the Town of Prescott 360 Dibble Street West PO Box 160 Prescott ON K0E 1T0 Iveltkamp@prescott.ca

Dear Lindsey Veltkamp:

Thank you for your email to the former Solicitor General regarding the Town of Prescott's resolution on fire certification. I am pleased to respond and apologize for the delay.

On April 14, 2022, <u>Ontario Regulation 343/22 (Fire Certification)</u> under the *Fire Protection and Prevention Act, 1997,* was filed and came into effect as of July 1, 2022.

Throughout the consultation period, the ministry received thoughtful feedback and support from municipalities, fire chiefs and partner associations, including the Ontario Association of Fire Chiefs, Ontario Professional Fire Fighters Association and the Fire Fighters Association of Ontario.

The final regulation reflects changes made to exceptions, transition and certification standards in response to feedback received during the Regulatory Registry posting period and during the municipal technical briefings. This feedback assisted in developing a firefighter certification regulation that provides flexibility for local municipalities, while supporting firefighter and public safety.

The Office of the Fire Marshal (OFM) has been working collaboratively with all partners to clarify the regulation and to explore how the OFM can best support local fire departments with implementation.

With a long implementation window, we are confident that certification is achievable and look forward to working with firefighters across Ontario as this regulation is implemented.

Lindsey Veltkamp Page 2

Thank you again for writing.

Sincerely,

Hundered Fren

Michael Kerzner Solicitor General



		Date Req'd
Information Purposes	Х	Dec. 5 '22
Policy / Action Req'd		
Strategic Plan		

STAFF REPORT TO COUNCIL

Report No. 113-2022

Date: December 5, 2022

From: Nathan Richard, Director of Operations

RE: Projects Update – November 2022

Recommendation:

For information.

Background / Analysis:

The intent of this report is to provide an update to Council on the status of approved projects. Each table below categorizes the projects according to their current status and provides a brief update.

Completed

Description
Dibble Street East Reconstruction - Phase 1 (Boundary to Vankoughnet)
Dibble Street East Reconstruction Phase 2 (Vankoughnet to Edward)
Centennial Park – Shade Sail
RiverWalk Park – Shade Sail
Installation of Solar Lights along Heritage Trail
Bicycle Repair Stations and Air Pumps at Centennial Park and Rotary Pavilion
Installed a total of 7 electric vehicle chargers at 4 locations
Replaced G and H Dock at Marina
Improved interlock sidewalk and installed tactile ramp on east side of Edward Street
between King and Water
Sidewalk replacement and shaving
Road Resurfacing – Milling and paving 2022
New Plow for loader
Replacement and add barricades, traffic safety items, and signage for traffic control
Park Play Structure Repairs
Asset Management Plan
Mural Banner along Coast Guard
Official Plan Review



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Approved and In Progress

Description	Budget	Project Update
Recreational Complex	18,800,000	Recreation Complex is 56% complete. Roof parts being installed. Watermain, sanitary and road repairs along Churchill Road is completed. Concrete for ice surface was successfully poured in November. Siding panels 80% installed.
Water Treatment Plant – River high water mitigation	250,000	Hired a marine structure consultant to review the details of the concrete retaining wall. A site visit was completed mid-November to investigate structures and survey the water and building. A flooding assessment to be completed along with concept and budget recommendations report.
Completion of 2 nd Floor Phase 2 and 3	255,000	Hallway and front rooms – Electrician completed light and plug-in installation in 3 rooms. Flooring being completed in December.
Lighthouse stair railing guard and handrail upgrades	25,000	Contractor to complete fabrication and painting in December.
Parkettes for Downtown	35,000	On order
Roofing Structure between Seacans at Operations yard	25,000	2 nd container arrived and placed.
Intersection and crosswalk review	62,000	Pedestrian light hardware is ordered. Relocate pole at St. Lawrence in December
Repairs to waterfront trails and Shoreline repairs	25,000	Rock from Churchill will be placed at the river at Centennial Park for further protection from high water wave action.
Repairs to waterfront trails	30,000	Heritage Trail – No reported issues in summer 2022. Ongoing review throughout 2022 and 2023.
Electric Vehicle Charger at Centennial Park – parking lot	15,000	Power service can be brought down from an existing pole.



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Fire Department replacement gear	30,000	Purchased throughout the year. Final orders being submitted.
Replacement of sidewalk near entrance of the Coast Guard Building	10,000	Continue to observe drainage during rain events.
Establish a formal pathway from the corner of MacKenzie / Fischl to the Grocery Store / Canadian Tire	25,000	Construction continues to progress on the building.
New Fire Rescue Pumper	943,600	On order
1 Ton Truck	100,000	Specification completed waiting for new ordering window to open to place order

Planning Stages

Description

Water Tower Replacement – Town water distribution modeling going through iterations now that hydrant testing is completed. Funding approved from federal and provincial governments and working on requirements and engineering preparation for tender in 2023.

Recreational Complex Outdoor Activities – Parks design consultant finalizing options. Staff to review the costing to determine the appropriate phasing. Report to Council in December 2022 or January 2023.

Edward Street Bridge Work – 90% detailed design submitted for review.

Dock Replacements – F and Fuel Dock at Marina; Drafting the Request for Proposals (RFP) to be issued in December

Alternatives:

None

Financial Implications:

None



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Attachments:

None

Submitted by:

Nathan Richard Director of Operations



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STAFF REPORT TO COUNCIL

Report No. 114-2022

Date: December 5, 2022

From: Kaitlin Mallory, Deputy Clerk

RE: 2023 Council Meeting Schedule

Recommendation:

That Council approve the 2023 summer Council meeting dates as follows, with summer meeting dates of July 17 and August 14, with July 31 and August 28 as potential dates should a special Council meeting be called during the summer months; and

That the 2023 December Council meetings be held on the consecutive weeks of December 4 and 11.

Background/ Analysis:

As per the Town's Procedural By-law, Council meetings take place on the first and third Monday of each month.

The Procedural By-law states that during the months of July and August, one regular meeting of Council shall be held at 6:00 p.m., on a Monday of the month determined by Council. For 2023, Staff are recommending that the Council meetings in July and August be held on July 17 and August 14 to avoid any overlap with the Association of Municipalities Ontario (AMO) conference in August. Staff are also recommending the months of July and August.

The recommendation includes holding two meetings in a row for the month of December, similarly to the previous 2022 Council Meeting Schedule. For 2023, it is recommended that the Council meetings in December be held on December 4 and 11.



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Alternatives:

Council could choose alternative meeting dates for the summer months and for its meetings in December.

Financial Implications:

None

Environmental Implications:

N/A

Attachments:

- Draft 2023 Council Meeting Schedule

Submitted by:

Kaitlin Mallory Deputy Clerk



2023 Council Calendar



Council – 1st and 3rd Monday, 6:00 p.m.

Conferences*

Holidays - Town Hall Closed

Potential Special Council Meeting Dates

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JANUARY

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DECEMBER

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*Conferences: Jan. 22-24, 2023, ROMA (Toronto); Apr. 16 – 19, 2023 OGRA (Toronto); May 30-Jun. 1 2023 OAPSB Spring Conference & AGM (Niagara Falls); Aug. 20-23, 2023 AMO AGM (London); Sept. 13-15, 2023 OEMC (Cornwall)

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		Date Req'd
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STAFF REPORT TO COUNCIL

Report No. 115-2022

Date: December 5, 2022

From: Matthew Armstrong, Chief Administrative Officer and Treasurer

RE: Town Hall Office - Christmas to New Year's Closure

Recommendation:

That Council approve the closure of the Town Hall Office between Christmas and New Year's with a return to regular hours and services on Tuesday January 3, 2023.

Background/Analysis:

Over the past several years the Town Hall Office has remained opened between Christmas and New Year's. However, very few members of the public come in or phone in during this period. Both the Township of Augusta and Township of Edwardsburgh Cardinal will have their Town Hall Office's closed this year between Christmas and New Year's.

Given the statutory holidays and the day of the week Christmas falls, the operating hours at Town Hall would be limited. Staff currently receive a half day off for both Christmas Eve and New Year's Eve, and a full day off for Christmas Day, Boxing Day and New Year's Day for a total of 4 days. The Town Hall Office would only be open for two and a half days during the week between Christmas and New Year's this year.

If approved, the Town Hall Office would be closed from noon on Friday December 23rd and would resume regular hours on Tuesday January 3rd, 2023.

Staff would be required to use vacation time for any days that are not statutory holidays.

The Library will be open on Thursday December 29th and Friday December 30th from 11:00 am to 3:00 pm and will resume regular hours on Tuesday January 3rd, 2023.



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The public are still able to access priority services for any issues that arise that need to be addressed as a matter of health and safety.

Alternatives

Council could decide to modify or not approve the recommendation as presented.

Financial Implications

Reduces outstanding employee vacation banks.

Environmental Implications

None

Attachments:

None

Submitted by:

Matthew Armstrong Chief Administrative Officer and Treasurer



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STAFF REPORT TO COUNCIL

Report No. 116-2022

Date: December 5, 2022

From: Matthew Armstrong, Chief Administrative Officer and Treasurer

RE: 2023 Budget Assumptions and Information

Recommendation:

For information.

Background/Analysis:

This report will cover in detail the assumptions and information that has been gathered to date upon which the 2023 Budget will be built. The attached presentation provides a higher level summary of this information.

Timelines





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Revenue Assumptions and Information

Ontario Municipal Partnership Fund

The Ontario Municipal Partnership Fund (OMPF) is the Province's main general assistance grant to municipalities. For 2023, the government is maintaining the overall structure and program envelope of the OMPF and provide a total of \$500 million to 389 municipalities across the province.

The program primarily supports northern and rural municipalities across the province. Its objectives are to:

- recognize the challenges of northern and rural municipalities, while targeting funding to those with more challenging fiscal circumstances
- support areas with limited property assessment
- assist municipalities that are adjusting to year-over-year funding changes

Consistent with prior years, Transitional Assistance will continue to ensure that municipalities in northern Ontario receive at least 90 per cent of their 2022 OMPF allocation, and municipalities in southern Ontario receive at least 85 per cent.

Municipalities in all regions of the province with the most challenging fiscal circumstances will continue to have their funding enhanced up to 100 per cent of the prior year's allocation.

The OMPF Grant is split into several components as follows:

- Assessment Equalization Grant Component \$149 million
 - The Assessment Equalization Grant provides funding to eligible singleand lower-tier municipalities with limited property assessment due to lower property values and/or limited non-residential assessment.
 - To determine the grant amount, a total assessment differential (such as, the total municipal assessment below the provincial median per-household threshold of \$304,500) is calculated for each municipality. Single- and lower-tier municipalities receive funding based on the total assessment differential. Funding provided through this grant increases the further a municipality's total weighted assessment per household is below the provincial median.
 - Prescott weighted assessment per household is \$196,823 while the Provincial median weighed assessment per household is \$304,500
 - Prescott will receive \$686,600 in 2023 from this component



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- Northern Communities Grant Component \$89 million
 - The Northern Communities Grant provides funding to all northern municipalities in recognition of the unique challenges they face.
 - The grant is based on the number of households, and the per-household amount is \$239.
 - Prescott is not a northern community and therefore does not qualify for the grant
- Rural Communities Grant Component \$154 million
 - The Rural Communities Grant recognizes the unique challenges of rural municipalities and particularly those of rural farming communities.
 - The Rural Communities Grant provides funding to single- and lower-tier municipalities across the province based on the proportion of their population residing in rural areas and/or small communities, as measured by the Rural and Small Community Measure (RSCM).
 - Municipalities with an RSCM of 75 per cent or more receive \$132 per household. Municipalities with an RSCM between 25 per cent and 75 per cent receive a portion of this funding on a sliding scale.
 - Prescott has a RSCM score is 100 and therefore will receive \$132 per household
 - Prescott will receive \$292,300 in 2023 from this component
- Northern and Rural Fiscal Circumstances Grant Component \$93 million
 - This grant is provided to municipalities eligible for funding through the Northern Communities Grant and/or Rural Communities Grant, both of which provide a fixed per-household funding amount to northern as well as single- and lower-tier rural municipalities. In addition to these fixed perhousehold amounts, the Northern and Rural Fiscal Circumstances Grant provides targeted support in recognition that not all northern and rural municipalities have the same fiscal circumstances.
 - The Northern and Rural Fiscal Circumstances Grant provides targeted funding to eligible municipalities based on their relative fiscal circumstances, as measured by the Northern and Rural Municipal Fiscal Circumstances Index (MFCI).
 - In 2023, the Northern and Rural Fiscal Circumstances Grant will provide \$93 million to support northern and rural municipalities with challenging fiscal circumstances.
 - There are primary and secondary indicators that are used to determine the MFCI score
 - Weighted Assessment per Household (Prescott \$196,823, Ontario \$289,000) (Municipal Property Assessment Corporation)



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- Median Household Income (Prescott \$61,200, Ontario \$82,000) (Statistics Canada)
- Average Annual Change in Assessment New Construction (Prescott 0.3%, Ontario 1.1%) (Online Property Tax Analysis system)
- Employment Rate (Prescott 45.6%, Ontario 56.0%) (Statistics Canada)
- Ratio of Working Age to Dependent Population (Prescott 139%, Ontario 152%) (Statistics Canada)
- Precent of Population above low-income threshold (Prescott 79.3%, Ontario 88.0%) (Statistics Canada)
- Prescott has a MFCI score of 9.3
- Prescott will receive \$585,700 in 2023 from this component
- Transitional Assistance \$16 million
 - Transitional Assistance assists municipalities in adjusting to year-overyear funding changes. This funding ensures that municipalities receive a guaranteed level of support based on their previous year's OMPF allocation.
 - In 2023, minimum funding guarantees have been maintained at 85 per cent for southern Ontario and 90 per cent for northern Ontario. This means that municipalities in southern Ontario will receive at least 85 per cent of their 2022 OMPF allocation and northern municipalities will receive at least 90 per cent of their 2022 OMPF allocation.
 - These minimum levels of support will continue to be enhanced, up to 100 per cent, for eligible northern and rural municipalities across the province with more challenging fiscal circumstances, as measured by the Northern and Rural MFCI.
 - Prescott will receive \$23,800 in 2023 from this component

Ontario Community Infrastructure Fund (OCIF)

The Ontario Community Infrastructure Fund is going through a redesign which started in 2022. In 2022 Provincial Government increased the OCIF Funding envelope from \$200 million to \$400 million. For Prescott this resulted in an increase from \$267,026 to \$548,790

Starting with the 2023 allocations, the formula will be calculated using forward-looking Current Replacement Values (CRVs) and CRV estimates to approximate requirements to maintain municipal core infrastructure assets, instead of closing cost balance values


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from the Financial Information Return. A smoothing mechanism will be implemented to limit year-over-year changes in funding to ±15 percent of the previous year's allocation.

In 2024, The Ministry of Infrastructure will begin working with partners across government to develop and implement a more standardized method of collecting CRVs and other data from asset management plans, and to minimize administrative burden. CRVs will be used to inform future OCIF allocations, and data from asset management plans will be used to gain insights on municipalities' level of asset management investments and the state of good repair across core infrastructure

Prescott has not received the allocation for 2023 as of yet so an assumption of \$548,790 will be used for planning purposes until the actual allocation has been received.

Other Revenues

Interest earned in the Town's high-interest savings account is expected to be higher than 2022 as interest rates have increased to above pre-COVID levels.

The outstanding property taxes receivable has been decreasing over the last three years which has resulted in less revenue from penalties and interest on outstanding taxes.

The share of Provincial Offenses revenue received from the United Counties of Leeds and Grenville has not returned to pre-COVID levels and is unlikely to do so in 2023.

Property Taxes

The scheduled property tax revaluation which was to be implemented in 2021 has been postponed to an unknown future date. Therefore 2020 Property assessment values will remain unchanged for 2023 which are based on 2016 current values. This results in no natural increase through assessment value growth in 2023, except for new builds and renovations.

A 1% increase in the property tax levy results in approximately \$55,000 of additional revenue.



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Expense Assumptions and Information

The consumer price index which measures the overall inflation is currently at 6.9% for October when compared to October a year ago. The 12-month average consumer price index increase is 3.4%. This is important to note as costs in general are increasing and more specifically several contracts the Town has include a yearly cost increase tied to the consumer price index.

The CUPE union agree runs from January 2021 through December 31, 2024. It includes a 2% increase effective January 1, 2023. The policy for non-union staff will received the same increase as the union. Council remuneration is tied to the consumer price index and is expected to increase by approximately 6% as of January 1, 2023.

Employee benefits increased by 3.2% as of the November 2022 annual renewal. This is the lowest annual increase in the past several years as is a direct result of the changes that have been made to the employee benefits plan over the last five years. This is well below the increases other municipalities are currently experiencing in their renewal.

The premiums for liability and property insurance increased by 16% on August 28th, 2022 for an annual increase of \$48,270. Staff are reviewing ways in which the premiums could be decreased and will report back to Council early in the new year. The Town of Prescott continues to have increases that are lower than the municipal average due to a good experience rating.

For planning purposes an expense increase will be used for Joint Services (Ambulance, General Assistance, Childcare, and Public Housing), Public Health, and St. Lawrence Lodge, until the actual increases are known. Members of Council sit on each of the Boards or Committees for these organizations.

The Ontario Provincial Police have provided the contract amount of 2023 which will be \$1,120,963. This is a decrease of \$47,602 or -3.8% from 2022.

Property Tax Levy Target

The property tax levy increase over the last three years have been 0% in 2020, 1.25% in 2021, and 2.85% in 2022. In both 2021 and 2022 the property tax increase included 1% dedicated to infrastructure.

At the start of the budget process, it is helpful if Council is able to provide guidance as to an overall property tax percentage target range for Staff to aim for.



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Alternatives

None

Financial Implications

None

Environmental Implications

None

Attachments:

- 2023 Budget Assumptions and Information Presentation

Submitted by:

Matthew Armstrong Chief Administrative Officer and Treasurer

2023 Budget – December 5, 2022



Topics

- Timelines
- Revenue Assumptions and Information
- Expense Assumptions and Information
- Property Tax Levy Target

Timelines



- Ontario Municipal Partnership Fund (OMPF)
 - The OMPF is the Province's main general assistance grant to municipalities.
 - The program primarily supports northern and rural municipalities across the province. Its objectives are to:
 - recognize the challenges of northern and rural municipalities, while targeting funding to those with more challenging fiscal circumstances
 - support areas with limited property assessment
 - assist municipalities that are adjusting to year-over-year funding changes

- Ontario Municipal Partnership Fund (OMPF)
 - The 2023 OMPF will provide a total of \$500 million to 389 municipalities across the province through the following core grant components and Transitional Assistance.
 - Assessment Equalization Grant Component \$149 million
 - Provides funding to eligible municipalities with limited property assessment.
 - Prescott will receive \$686,600 in 2023 from this component
 - Northern Communities Grant Component \$89 million
 - Provides funding to all northern municipalities in recognition of their unique challenges.
 - Prescott does not qualify as a northern community
 - Rural Communities Grant Component \$154 million
 - Provides funding to rural municipalities, including targeted funding for rural farming communities, in recognition of their unique challenges.
 - Prescott will receive \$292,300 in 2023 and this component

- Ontario Municipal Partnership Fund (OMPF)
 - The 2023 OMPF will provide a total of \$500 million to 389 municipalities across the province through the following core grant components and Transitional Assistance.
 - Northern and Rural Fiscal Circumstances Grant Component \$93 million
 - Provides additional, targeted funding to northern and rural municipalities based on their fiscal circumstances.
 - Prescott will receive \$585,700 in 2023 from this component
 - Transitional Assistance \$16 million
 - Ensures a guaranteed level of support to municipalities based on their 2022 OMPF allocation.
 - Prescott will receive \$23,800 in 2023 from this component
 - In total Prescott will receive \$1,588,400 as an OMPF Grant in 2023 which is unchanged from 2022

- Ontario Community Infrastructure Fund (OCIF)
 - The Ontario Community Infrastructure Fund is going through a redesign which started in 2022
 - In 2022 Provincial Government increased the OCIF Funding envelope from \$200 million to \$400 million
 - For Prescott this resulted in an increase from \$267,026 to \$548,790
 - Starting with the 2023 allocations, the formula will be calculated using forward-looking Current Replacement Values (CRVs) and CRV estimates to approximate requirements to maintain municipal core infrastructure assets, instead of closing cost balance values from the Financial Information Return.
 - A smoothing mechanism will be implemented to limit year-over-year changes in funding to ±15 percent of the previous year's allocation.
 - Prescott has not received the allocation for 2023 as of yet

- Interest on High Interest Savings Account is higher than pre-COVID rates
 - 2.415% Pre-COVID
 - 0.165% Effective January 1, 2021
 - 3.795% Current Rate
 - This will have a positive impact on interested earned
- Outstanding Property Taxes Receivable have declined in 2019, 2020, and 2021 therefore having an impact of decreasing interest and penalties
- Provincial Offenses revenue has not recovered to pre-COVID levels

Property Tax Information

- Scheduled property tax revaluation which was to be implemented in 2021 has been postponed to an unknown future date
 - 2020 Property assessment values will remain unchanged for 2023 which are based on 2016 current value assessments
 - Therefore, there will be no natural increase through assessment value growth in 2023, except for new builds and renovations
 - Each 1% increase in the property tax levy equates to approximately \$55,000 in additional revenue

Expense

- Consumer Price Index (CPI) is at 6.9% as of October 2022 and an 12-month average of 3.4%
 - Several of the Town's contracts are directly linked to the increase in the CPI
- CUPE & Non-Union salaries to increase by 2% as per collective agreement
- Employee benefits increased by 3.2% in November 2022 which is the lowest increase for the past several years and is a direct results of changes made to the benefit plan made throughout the last five years
- Liability & Property Insurance
 - Insurance Renewal premiums increased by 16% or \$48,270 at August 29th, 2022
 - The Town of Prescott is on the low end of premium increases in comparison to other municipalities due to good performance
 - Reviewing ways to decrease overal presensions

Expense Assumptions

- Joint Services expenses will assume 5% increase or \$29,213 until actual is known
 - Ambulance Services Potential increase of \$12,039
 - General Assistance Potential increase of \$6,868
 - Child Care Potential increase of \$1,964
 - Public Housing Potential increase of \$8,342
- Public Health expenses will assume 5% increase until actual is known
 Potential increase of \$4,337
- St. Lawrence Lodge expenses will assume 5% increase until actual is known
 Potential increase of \$9,194
- OPP Cost for 2023 will be \$1,210,963 as per Official Notice
 - 2022 Cost was \$1,258,565
 - Decrease of \$47,602 or -3.8%

Property Tax Levy Target

- 2020 Property Tax increase was 0%
- 2021 Property Tax increase was 1.25%
 - Included 1% increase dedicated to Infrastructure Funding
- 2022 Property Tax increase was 2.85%
 - Included 1% increase dedicated to Infrastructure Funding
- 2023 Property Taxes
 - Is there an initial property tax percentage target range Council would like Staff to aim for?

Next Budget Meeting – December 12, 2022

Topics

- Health Services
- Social Services





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REPORT TO COUNCIL

Date: December 5, 2022

Report No. 117-2022

From: Matthew Armstrong, Chief Administrative Officer & Treasurer

RE: Water and Sewer Operations By-law

Recommendation:

For information.

Background/Analysis:

By-law 03-2006 was created to enact rules and regulations for the operation of the water supply system, water treatment system, water works distribution system, and the wastewater treatment system. This by-law included the rates for water and wastewater services. The rates have been amended several times since 2006 and most recently in 2022 however the remainder of the by-law remains unchanged.

In an attempt to clarify several aspects of the current by-law and to alleviate issues that have arisen over the past 16 years, there has been a substantial overhaul of the by-law, which is attached to this report.

The changes include the following.

- Updated and more robust definitions section
- Defined sections to help with readability and interpretation
 - Water Service Connection
 - Water Service Charges
 - Sewer Service Charges
 - Other Fees and Charges
 - Billing, Payment, and Security Deposits
 - Exemptions
 - Conditions on Water Supply
 - Water Efficiencies
 - Fire Protection
 - Fire Hydrants and Curb Service Valves
 - Water Meters
 - o Enforcement



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- Offences and Penalties
- New Schedules A through F

The proposed Water and Sewer Operations By-law was included in the Council Consent Agenda for October 7, 2022 and November 21, 2022 to elicit feedback.

While there are no fundamental changes to the Water and Sewer Operations By-law, it was significantly reorganized and more fully developed to increase readability and provide a greater level of clarity to users.

Alternatives

Council could decide to not consider changes to the Water and Sewer Operations Bylaw at this time.

Financial Implications:

None

Environmental Implications:

None

Attachments:

None

Submitted by:

Matthew Armstrong Chief Administrative Officer & Treasurer



The Corporation of the Town of Prescott Water & Sewer Operations By-law 52-2022

WATER & SEWER BY-LAW 52-2022 Table of Contents

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THE CORPORATION OF THE TOWN OF PRESCOTT

BY-LAW NO. 52-2022

A BY-LAW TO ENACT RULES AND REGULATIONS FOR THE OPERATION OF A WATER SUPPLY SYSTEM, WATER WORKS DISTRIBUTION SYSTEM, WASTEWATER COLLECTION SYSTEM AND A WASTEWATER TREATMENT SYSTEM IN THE TOWN OF PRESCOTT AND THE ESTABLISHMENT OF RATES FOR WATER AND WASTEWATER SERVICES RELATED TO THE OPERATION OF THE SYSTEM

<u>Being a by-law to enact rules and regulations for the operation of a water supply</u> <u>system, water works distribution system, wastewater collection system and a</u> <u>wastewater treatment system in the Town of Prescott and the establishment of rates for</u> <u>water and wastewater services related to the operation of the systems.</u>

WHEREAS Sections 10(1) and 391 of the *Municipal Act, 2001,* c. 25 and amendments thereto, authorizes the Town to pass by-laws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of and for capital costs payable by the Town water and sewage services; and

WHEREAS The Corporation of the Town of Prescott has constructed, operates, and maintains a water supply system, a water works distribution system, a wastewater collection system, and a wastewater treatment system; and

WHEREAS Council of the Corporation of the Town of Prescott deems it expedient to make certain rules and regulations for the operation of said systems and to establish water and wastewater rates and charges; and

AND WHEREAS this by-law is to further provide for the regulation of the ownership, installation, connection, operation, repair, maintenance and replacement and access to the water works system and water metering equipment and appurtenances thereto, and for the recovery of the costs thereof for the proper operation of the Town's Water Works and Sewage Works

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Prescott hereby enacts as follows:

1. **DEFINITIONS.**

1.1. "Additional Residential Unit" means a self-contained dwelling created through the conversion of part of or the addition on to a Residential Dwelling.

- 1.2. "Approved" means the approval of the Council of the Corporation of the Town of Prescott.
- 1.3. "Billing Date" means the date on which a bill for a Water Service Charge and/or a Sewer Service Charge is rendered.
- 1.4. "Building" or "Buildings" means any building or structure, or equipment supplied with, serviced by, or connected or required to be connected to the Town's Water Works or Sewage Works in the Serviced Areas.
- 1.5. "Commercial User" means the applicant for water supply, the Owner or Occupant of any Premises or Property in which water is supplied and used directly or indirectly for or in connection with any business, trade or commercial undertaking.
- 1.6. "Commercial Unit" means any space or commercial unit within a Building or Property that is supplied with water and is occupied, leased, rented or otherwise available for use by any business, trade or commercial undertaking.
- 1.7. "Community Facilities" means all municipally owned arenas, libraries and community centres.
- 1.8. "Corporation" or "Town" means the Corporation of the Town of Prescott.
- 1.9. "Council" shall mean the municipal Council of the Corporation of the Town of Prescott.
- 1.10. "Curb Service Valve" means a valve located on the Water Service Connection, which enables the Town to turn on or off the water supply through a service line to a water User's Property or Premises.
- 1.11. "Customer" means the owner, tenant, or occupant of premises to which water is supplied in the Town.
- 1.12. "Department" shall mean Department of Operations
- 1.13. "Due Date" means the date that is 20 days after the Billing Date.
- 1.14. "Duplex" means a building that is divided into two (2) dwelling units, each of which has an independent entrance.
- 1.15. "Dwelling Unit" means any part of a Building or Property with one or more habitable rooms designed or intended to be used as a domestic establishment in which one or more persons may sleep and in which sanitary facilities and a separate kitchen is included in the dwelling unit for the occupant's exclusive use.

- 1.16. "Fire Supply Charge" means the charge for sprinkler connections to the Water Works in order to ensure that in the event of a fire there will be adequate water flow as set out in Schedule "C".
- 1.17. "Master Control Valve" means the water valve located within the Water Customer's Building, at the point where the water supply pipe enters the building, which when closed does not allow the flow of water into the Building.
- 1.18. "Multi-Unit Residential Building" means a single building or series of buildings containing two or more single family units, including apartment buildings, which are serviced by, connected to, and receive water from the Water Works, excluding a Retirement or Care Facility.
- 1.19. "Non-Residential and Commercial Buildings" means all commercial, institutional, or industrial facilities and Buildings, all commercial condominium units in a condominium corporation created pursuant to the *Condominium Act* and other Properties receiving water from the Water Works or using the Sewage Works, other than a Single-Family Residential Dwelling, a Residential Apartment and Multi-Level Residential Condominium Buildings, Schools, Community Facilities or a Retirement or Care Facility.
- 1.20. "Occupant" means any lessee, tenant, Owner, agent of a lessee, tenant, or any person or persons other than the Owner who occupies or is in possession of the Property, and any reference in this By-law to an occupant in the singular shall be deemed to include the plural, where applicable.
- 1.21. "Owner" means the registered owner or owners of a property or Premises and any reference in this By-law to an owner in the singular shall be deemed to include the plural, where applicable.
- 1.22. "Person" means an individual, association, partnership, corporation, municipality, Provincial or Federal agency, or any agent or employee thereof.
- 1.23. "Private Main" means a water main located on private property
- 1.24. "Property" or "Properties" or "Premises" means the property(ies) or premises being supplied or to be supplied with water and includes the portion of a multiple occupancy premises separately supplied.
- 1.25. "Remote Meter Reading System": means a device installed at a separate location from the water meter and used to record the consumption reading of the meter

- 1.26. "Residential Apartment Building" or "Multi-Level Residential Condominium Building" means two or more residential dwelling units in a single building or series of buildings containing more than two (2) single family units, and/or residential condominium units in a multi-level low or high-rise condominium corporation created pursuant to the *Condominium Act* which is serviced by and received water from the Town's Water Works.
- 1.27. "Retirement or Care Facilities" means a building or buildings containing Dwelling Units and/or Rooms such as residential retirement or nursing homes for the aged, providing assisted care and living services, but excluding hospitals.
- 1.28. "Road Allowance" means land dedicated to The Corporation of the Town of Prescott or to the Province of Ontario for a public highway
- 1.29. "Room" means any part of a Building or Property with one or more habitable rooms designed or intended to be used as a domestic establishment in which one or more persons may sleep and in which sanitary facilities for their exclusive use may or may not be provided and does not contain a kitchen.
- 1.30. "Schools" means all elementary, secondary, and educational facilities operating and meeting the legal requirements of a private or a public school under the *Education Act*, R.S.O., 1990 E.2.
- 1.31. "Serviced Areas" means an area where a waterworks and sewage system has been provided by or for the municipality, including but not limited to Properties within and outside the Town of Prescott.
- 1.32. "Sewage Works" means all sewage works in the Town, including pumping stations, sanitary sewers, force mains, plant machinery, conduits, intakes, outlets, installations and other works designed for the drainage, treatment, distribution and storage of sewage and includes land appropriate for such purposes by the Town.
- 1.33. "Sewage Service Charges" means Sewer Service Rates and such other charges for services provided by the Town that relate to the Sewage Works, as may be charged pursuant to Schedule "D" or as otherwise provided in this By-law.
- 1.34. "Sewage Service Rates" means those rates or charges imposed and levied by Council for the provision of sewage services to those connected to the Sewage Works as set out in Schedule "B".
- 1.35. "Sewer Services" means wastewater pipes which connect premises to the Town's wastewater collection system

- 1.36. "Residential Dwelling" shall mean a single-family dwelling, a semidetached dwelling, duplex, a townhouse, row dwelling and includes home offices, semi-detached or townhouse condominium units in a condominium corporation created pursuant to the *Condominium Act* which is serviced by and receives water from the Town's Water Works.
- 1.37. "Street Line" means a boundary of a property adjoining the road allowance
- 1.38. "Tax Collection Officer" means the Tax Collection Officer of the Corporation of the Town of Prescott.
- 1.39. "Treasurer" means the Treasurer of the Corporation of the Town of Prescott.
- 1.40. "Temporary Water Supply Connection" means a water supply pipe which is installed for a specific short-term purpose
- 1.41. "Town" means the Corporation of the Town of Prescott
- 1.42. "Triplex" means a building on a single foundation divided into three (3) separate dwelling units, each of which has an independent entrance either directly from the outside or through a common vestibule.
- 1.43. "User" shall include the applicant for water supply, the Owner or Occupant of, or the person to whom invoices are sent for the water supplied to a premise
- 1.44. "Wastewater Collection System: means the sanitary sewer mains and service laterals from the sewer mains to the street line
- 1.45. "Water" means potable water that is fit for human consumption
- 1.46. "Municipal Consent PermitWater Feedermain" means the highpressure water feedermain system constructed and owned by the Corporation of the Town of Prescott and includes, without limitation, that portion of the water feedermain system owned by the Town and located within the geographical boundaries of the Town.
- 1.47. "Water Service" means the pipes and fixtures used for the purposes of supplying any Premises in the Town with water from the Water Works established by the Corporation and situated between the watermain and the limit of the street or highway on which the Premises so abut up to and including the Curb Service Valve.
- 1.48. "Water Service Charges" means Water Service Rates and other such charges for services provided by the Town and related to the Water

Works, as may be charged pursuant to Schedule "D" or as otherwise provided in this By-law.

- 1.49. "Water Service Connection" means a water pipe, which connects a water customer's Property or Building to the Water Works, including the service pipe from the interior face of the outer wall of a Building or from the water meter if one is installed inside the Building, including any valves, the Curb Service Valve, stopcocks and Water Meters to:
 - i. the adjoining street or highway where a service line has been installed from the watermain on the street or highway; or
 - ii. the watermain where a service line has not been so installed
- 1.50. "Water Service Rates" means those fixed base rates and consumption rates specified in Schedule "A" to this By-law applicable to Owners or Occupants of Properties within the Serviced Areas.
- 1.51. "Water Service Pipe" means the water pipes which conduct water from water service connections to water meters
- 1.52. "Water Meter" or "Water Meters" means any electro-mechanical device of appropriate size and make, approved by the Town, installed in a water pipe to constantly measure and record the volume of water passing through the pipe location where the water meter is installed together with all appurtenances thereto, including, but not limited to, any electronic communication register, touch pad, and any new requirement or technology replacing the same.
- 1.53. "Water Works" means buildings, structures, plants, machinery, equipment and appurtenances, devices, conduits, pipes, watermains, intakes, outlets, underground construction, installations and other works designed for the production, treatment, distribution and storage of water and includes land appropriated for such purposes and uses; and includes, but is not limited to, the Water Feedermain, and a loop waterman system in the Town.
- 1.54. "Water Works Distribution System" means the water mains and appurtenances, the works, and the equipment under the jurisdiction of the Town for the supply and distribution of water or any part of such system.
- 1.55. "Wastewater Collection System" means the sanitary sewer mains and service laterals from the sewer mains to the street line
- 1.56. "Works" for the purpose of this By-law shall mean "Water Works" and/or "Sewage Works".

2. AUTHORITY

- 2.1. The administration of the water supply system, the water works distribution system, the wastewater collection system and the wastewater treatment system shall be under the jurisdiction of the Town but may be delegated to such other entities as Council may from time to time direct.
- 2.2. The administration of the water works, and wastewater, accounting, servicing and meter reading shall be under the jurisdiction of the Town but may be delegated to such other entities as Council may from time to time.
- 2.3. Council shall be responsible for establishing by-laws for the operation of the water and wastewater systems and the setting of fees and charges.

3. WATER SERVICE CONNECTION

- 3.1. Every Owner of a Building or Property within the Town of Prescott shall connect the building to the municipal Water Works with the exception of property located north of Highway 401.
- 3.2. Notwithstanding section 3.1, no notice to connect shall be at variance with any written requirement, order or approval by a Medical Officer of Health or Public Health Inspector or pursuant to the *Environmental Protection Act*, R.S.O. 1990, Chapter E- 19.
- 3.3. All water connections to the Water Works must be approved by the Town and comply with all by-laws and applicable laws and regulations. No person shall cause or permit to be made any connection to the Water Works or Sewage Works without obtaining permits and the required Approvals from the Town.
- 3.4. No person shall connect any faucet, tap hydrant or appliance of any kind whatsoever to the Water Works or any water service or private water service without the consent of the Town.
- 3.5. There shall be no connection between the Water Works or private water services and any cisterns, wells, privies, privy vaults or cesspools.
- 3.6. The Owner shall be responsible for all costs associated with the installation of a new water service from the watermain to the water meter (public & private property). The same rules will apply in the event a water service requires an upgrade due to re-zoning/re-classification of property" "same policy applies to sanitary lateral installs/replacements

- 3.7. The Town shall determine the size of the pipes and fittings to be connected to a watermain, upon such terms and conditions as the Town may deem necessary. All new water services shall be at least two point one metre (2.1m) below the finished grade of the street in which such services are installed and are to be properly protected from freezing.
- 3.8. All private watermains and private water services shall comply with any specifications of the Town for public water services installed on or on behalf of the Town to the property line, unless otherwise approved by the Town. All private water services shall be comprised of materials that are compatible to the water service to which such water service is connected, and as determined to be acceptable to the Town, and the pipes and fittings used for private water services shall be constructed of a material which complies with the Ontario Building Code, 1992, S.O. C. 23, as may be amended from time to time. Sufficient space shall be allowed for the installation of Water Meters.
- 3.9. Private water services shall be installed by the Owners of the Property for which such private water services are required, subject to the provisions of the Ontario Building Code. 1992, S.O. 1992, C. 23, as may be amended from time to time. It shall be the duty of the installer employed by the Owner to protect and guarantee from damage by frost all work related to the installation of the private water services.
- 3.10. No cross-connections between any facet of the water system and any private water supply or drain or sewer shall be permitted.
- 3.11. The Owner shall have the ongoing obligation of maintaining any private water services and their fixtures and appurtenances.
- 3.12. Any connection required to be made by an Owner under this By-law shall be made:
- i. within (9) nine months after the municipality has sent a written notice to the Owner by registered mail to the Owner's last known address requiring the connection to be made, or during any capital project when watermains are being installed and notices are given by a representative of the Town of Prescott;
 - i. in accordance with the requirements of the notice and any bylaw, regulation or statutes governing such connection.
 - ii. in accordance with a permit obtained prior to any installation, or repair approved by the Town and performed by the Town or contractors approved by the Town.
 - 3.13. Any notice to connect pursuant to this By-law shall:

- i. require the Owner of a Property within a Serviced Area of the Town to make the connection within a prescribed time limit set out in the notice;
- ii. state that if the Owner fails to make the connection within the prescribed time limit, that the Town has the right to make the connection at the Owner's expense and for this purpose has the right to enter in and upon the Property of the Owner and to recover the expense by action or in like manner as municipal taxes;
- 3.14. If the Owner fails to make a connection; required by a notice given pursuant to section 3.12 within the nine (9) months period or as prescribed in the notice, the Town may make the connection at the Owner's expense and for this purpose may enter in and upon the Property of the Owner.
- 3.15. The cost of making such connection shall be a lien or charge as municipal taxes upon the Property in respect of which the connection was made and shall be added to the Collector's Tax Roll by the Treasurer of the municipality and shall be collected in the same manner as taxes in arrears and shall bear interest from the date the first demand for payment is made at the same rate as taxes in arrears.
- 3.16. Extensions of and connections to the Town's Water Works shall only be permitted when they have been approved by the Town.
- 3.17. All construction on Town property will be conducted by Town Employees and/or a contractor approved by the Town.

4. WATER SERVICE CHARGES

- 4.1. Every Owner and Occupant of each separately assessed Property to which the Town supplies water services from the Water Works shall be jointly and severally responsible for payment of a Water Service Charge for the Property consisting of a flat rate and a consumption rate payable monthly and determined in accordance with this By-law.
- 4.2. All property Owners within the Town of Prescott are subject to a mandatory monthly infrastructure rehabilitation and replacement fee. These fees will be designated as per the classification of property. For example. A single dwelling will be designated one (1) flat rate fee, a duplex will be designated two (2) flat rate fees, a triplex will be designated three (3) flat rate fees etc. For greater clarity, the mandatory monthly infrastructure charge is charged is multiplied by the number of units that is on record with the Municipal Property Assessment Corporation (MPAC) regardless of the number of meters

there are and still applies even if the water has been shut off to the property but the connection exists.

- 4.3. Additional Residential Units within a Dwelling or on a property will be charged as a separate unit in accordance with Schedule "A" regardless of whether they are separately metered.
- 4.4. Where a Property includes more than one use or a mixture of uses in various units in the Building, the Water Rates shall be assessed separately against each unit based on such uses.
- 4.5. In the event that Commercial Users of Non-Residential Buildings are not metered separately, the Owners of Non-Residential Buildings shall pay the rates as set out in Schedule "A" to this By-law based on the number of Commercial Users in the Non-Residential Buildings.
- 4.6. The consumption rate component of the Water Charge for a Property shall be calculated by multiplying the metered amount of Water in cubic meters by the consumption rate in Schedule "A" to this By-law
- 4.7. The Council of the Town may change any or all Water Service Rates or Sewage Service Charges without notice to any person.

5. SEWER SERVICE CHARGES

- 5.1. Every Owner and Occupant of each separately assessed Property to which the Town supplies sanitary sewage services from the Sewage Works shall be jointly and severally responsible for payment of a Sewage Service Charge for the Property consisting of a flat rate and a consumption rate payable monthly and determined in accordance with this By-law.
- 5.2. All property Owners within the Town of Prescott are subject to a mandatory monthly infrastructure rehabilitation and replacement fee. These fees will be designated as per the classification of property. For example. A single dwelling will be designated one (1) flat rate fee, a duplex will be designated two (2) flat rate fees, a triplex will be designated three (3) flat rate fees etc. For greater clarity, the mandatory monthly infrastructure charge is charged is multiplied by the number of units that is on record with the Municipal Property Assessment Corporation (MPAC) regardless of the number of meters there are and still applies even if the water has been shut off to the property but the connection exists.
- 5.3. Additional Residential Units within a Dwelling or on a property will be charged as a separate unit in accordance with Schedule "B" regardless of whether they are separately metered.

- 5.4. Where a Property includes more than one use or a mixture of uses in various units in the Building, the Wastewater Rates shall be assessed separately against each unit based on such uses.
- 5.5. In the event that Commercial Users of Non-Residential Buildings are not metered separately, the Owners of Non-Residential Buildings shall pay the rates as set out in Schedule "B" to this By-law based on the number of Commercial Users in the Non-Residential Buildings.
- 5.6. The consumption rate component of the Sewage Service Charge for a Property shall be calculated by multiplying the metered amount of Water in cubic meters by the consumption rate in Schedule "B" to this By-law.
- 5.7. The Owner or Occupant of each separately assessed Property who receives sewage service but does not receive water supply services from the Town, shall pay a Sewage Service Charge as indicated in Schedule "B" to this By-law.
- 5.8. Charges for other sewage services are set out in Schedule "D".
- 5.9. The Council of the Town may change any or all Sewage Service Rates or Sewage Service Charges without notice to any person.

6. OTHER FEES AND CHARGES

- 6.1. Other and miscellaneous fees and charges associated with the provision of services related to the Water Works and Sewage Works are set out in Schedule "D" to this By-law. The Council of the Town may change any or all fees and charges set out in Schedule "D" or pursuant to this By-law, without notice to any person or corporation.
- 6.2. Any person may request, upon payment of a charge set out in Schedule "D" a Water Arrears Certificate from the Tax Collection Officer certifying any charges against the property that are fully paid and listing any charges unpaid and outstanding.
- 6.3. The Town may grant permission to an employee of the Town or a contractor retained by the Town for municipal purposes, upon obtaining a written request from an Owner, to flood any outside community skating, curling or hockey rink or to fill any community swimming pool, reservoir or tank when water is to be supplied from a hydrant at rates as determined by the Town, at their discretion.
- 6.4. Builders requiring the temporary use of water for construction purposes, shall submit a separate application for a permit for the use of water for each Building to be erected and shall furnish the Town, with all information required by him and shall pay to the Town such

special water rates or fees for the temporary use of water as set out in Schedule "D" or as may from time to time be fixed by the Council.

- 6.5. Equipment installed solely for the automatic suppression of fires in Buildings may, with the approval of the Chief Building Official, be attached to watermains provided that a written request, on a form approved by the Town, has been submitted and approved. Such equipment is to be entirely disconnected from water pipes used for any other purpose, and Water supplied through such equipment is used solely for the purpose of fire extinction. All such equipment must be provided with a suitable valve outside the building and under the exclusive control of the Town. A valve shall be placed at each hose opening in the standpipe and all such valves shall be sealed by the Town. The Town may require a specific meter to be provided, installed and maintained by the Owner. In case of any violation of this By-law, the Town may shut the control valves and refer the matter to Council.
- 6.6. The Town not responsible for clearing obstructions from sanitary laterals. In the event of a sanitary lateral blockage the following steps shall be taken by the property owner. Owners are to have lateral cleared by a licensed plumber
 - i. Town staff will camera the lateral for visual deficiencies that may have contributed to the blockage
 - ii. If the deficiencies are located on Town property and are suspected of causing the blockage, the Owner will be refunded for the plumbing service call to clear the sanitary line and the Town will schedule a repair or replacement of the damaged portion of the lateral on Town property
 - iii. If there are no deficiencies identified on Town property during the camera session, the Owner will be responsible for all costs associated with the lateral clearing.

7. BILLING, PAYMENT, AND SECURITY DEPOSITS

- 7.1. All accounts for water and sewer charges shall be based on meter readings for the Property and billed to the Owner of the Property on a monthly basis, or at intervals determined by Council, at the Owner's address as shown on the last revised assessment roll and shall be deemed to have been received on the seventh (7th) day after the date on which the bill was mailed.
- 7.2. If, for any reason, meters are not read, an estimated consumption will be used.

- 7.3. All amounts owing on account of a Water Service Charge or Sewage Service Charge shall be paid to on the Due Date to Rideau St. Lawrence Utilities or at such other place or method as may be set out on the bill.
- 7.4. If the new owner or occupant does not have a history of good standing with Rideau St. Lawrence Utilities or a letter of the same from a previous utility company, then a deposit of \$150.00 dollars for water and sewer charges is required. This deposit is held for one (1) year to establish a good credit history and then the deposit is credited to the account with interest. If the Town has shuts off the supply of water to a Property, or if Rideau St. Lawrence Utilities has reasonable grounds to believe based on past payment history that an Owner or Occupant of a Property may be unable to pay or continue to pay a Water Service Charge or Sewage Service Charge when due, the Utility may, as a condition of the Town supplying or continuing to supply water to the Property, require the Owner or Occupant, as the case may be, to post security for payment of future Water Service Charges or Sewage Service Charges, or both. The amount of security that the Utility may request be posted in accordance with this section shall be the greater of:
 - i. \$150.00, or;
 - ii. the amount of the Water Service Charge and Sewage Service Charge for monthly billings for the Property as estimated based on previous levels of consumption on the Property as reflected by recent past account history for each year.
- 7.5. The Town requires a security (deposit) in the form of cash or any other type of negotiable security suitable to the Town for a new account and or change of ownership.

8. EXEMPTIONS

8.1. The Treasurer shall have the discretion to grant exemptions to the service charges set out in Schedule "D" for requests for which are related to fundraising or charitable activities.

9. CONDITIONS ON WATER SUPPLY

9.1. The Town shall use reasonable diligence in providing a regular supply and quality of water but does not guarantee that the water supplied will be free of colour or turbidity at all times or that there will be a constant service, or unvaried pressure or quality, or supply of water and is not liable for damages to the Owner or Occupant caused by any breakage of the Water Works or Water Services, Water Service Connections or for the shutting off of water to repair, maintain or to connect watermains or if the Town interrupts any water supply or service. The Town shall at no time be held liable for reason of inadequate supply of water or by reason of the Town restricting the supply of Water or for refusing the supply of water.

- 9.2. In case of repairs, maintenance, safety, health issues or emergencies, the Town may shut off Water Services or the Water Works without notice to any customer, and keep it shut off as long as may be necessary and the Town shall not be liable for any damage arising therefrom. Where planned work on the Water Works is contemplated by the Town, the Town will make reasonable effort to provide notice of the intention to shut off the water.
- 9.3. The Town shall have the right to shut off the supply of water to any Property if, in the opinion of the Town, the Water Service Connection located on the Property is not being properly maintained, develops a significant leak, or in any way compromises the integrity of the Town's Water Works, and the Town shall not be required to restore service until such condition has been rectified to the satisfaction of the Town.

10. WATER EFFICIENCIES

- 10.1. The Town may suspend any or all use of water through a hose or other attachment, for the use of street, lawn, garden sprinkling, or outdoor use whenever public exigency requiring restrictions on the use of water outside of any building are effective within the areas of the Town serviced by the Water Works.
- 10.2. No person shall contravene any water restrictions imposed by the Town or cause/permit external watering contrary to such water restrictions, upon notice being published in a newspaper having general circulation in the area, Social Media platforms, the Radio, and the Town's website.
- 10.3. The Town may impose restrictions or designation days and times allowed for lawn or garden or external watering, including, but not limited to, washing of vehicles, driveways, sidewalks, or the filling of swimming pools; or suspending any or all lawn, garden or external watering.
- 10.4. No person shall install any air conditioning equipment that requires the use of water without the approval of the Town.
- 10.5. No air conditioning equipment of over 5 tons per hour total rated capacity shall be installed unless equipped with an evaporative condenser, evaporative cooler and condenser, water cooling tower, spray pond or other water-cooling equipment so that all the water from the watermains is used for make-up purposes only. The equipment
shall be adjusted so that the average rate of make-up water under full load will not exceed 0.1 gallons per minute per ton of capacity.

10.6. The Town may impose additional restrictions on the use of water during various periods, including use restrictions. The Town shall have the right to not only limit the hours of external water use on specified days but also to ban completely the external use of water at any time. Notice shall be given by published in a newspaper having general circulation in the area,; Social Media platforms, the Radio, and the Town's website.

11. FIRE PROTECTION

- 11.1. Fire protection will be charged to all sprinkler properties that use municipal water supply from the Water Works. The Fire Supply Charge will be set by Council as set out in Schedule "C" using a flat rate charge
- 11.2. The Fire Supply Charge shall be paid in monthly installments, or as otherwise directed by Council, and will be adjusted as necessary by Council from time to time.
- 11.3. The Flow Rate of a water supply measured at a minimum of 20 psi (138 Kpa) residual pressure is available for fire fighting as per NFPA Standards.

12. FIRE HYDRANTS AND CURB SERVICE VALVES

- 12.1. No person, except for an employee of the Town authorized under the *Safe Drinking Water Act*, 2002, c. 32 is permitted to operate a fire hydrant, street valve or Curb Service Valve. A written request for water from a municipal fire hydrant shall be approved by the Town. A fee for such service shall be payable in accordance with Schedule "D" attached to this By-law.
- 12.2. Any hydrant situated within the road allowance or Curb Service Valve is the property of the Town and shall be maintained by it. Town-owned hydrants located on private property shall also be maintained by the Town.
- 12.3. No person shall paint fire hydrants or in any manner, tamper with the colour scheme of fire hydrants as per the Ontario Fire Code.
- 12.4. No person shall obstruct the free access to any fire hydrant or Curb Service Valve or plant or place, or cause to permit to be planted or placed, vegetation or other objects within a 3-metre corridor between the hydrant and the curb or road allowance nor within a 1.5 metre radius beside or behind a hydrant except with the prior written authorization of the Town.

- 12.5. Except for water used for fire fighting and those operations authorized by the Town, any other use of a Town's fire hydrant or Curb Service Valve for water supply is prohibited.
- 12.6. Privately-owned hydrants shall be maintained and accessible at all times and in good operating order as per the Ontario Fire Code by and at the expense of the Owner. Unmetered water from privately-owned hydrants shall not be taken for other than fire fighting purposes.
- 12.7. Property Owner's must be able to provide proof of hydrant maintenance, testing and inspections (Ontario Fire Code 6.6.1.5 (3)) upon request of any Town Employee.
- 12.8. Property Owner's must provide proof of maintenance, testing, and inspections of internal and external fire protection equipment (Ontario Fire Code 6.6.1.5) to the Town on a yearly basis.

13. WATER METERS

- 13.1. All water supplied by the Town through a Water Service Connection shall pass through a Water Meter, unless otherwise permitted by the Town, and both new and existing Buildings shall have water meters installed in accordance with this By-law.
- 13.2. It is required by this By-law that all Owners of existing Buildings supplied with water by the Town shall have installed a Water Meter of a size, make, and configuration approved by the Town of Prescott.
- 13.3. The Water Meter shall be installed by persons authorized by the Town and the Town may enter into agreements with others to provide for the installation of Water Meters in any manner satisfactory to the Town.
- 13.4. Water Meters shall be installed in the following types of existing Properties:
 - i. Residential Dwellings shall have a minimum of one Water Meter installed.
 - ii. Multi-Unit Residential Building: All Multi-Family Residential units in rental properties shall have a single Water Meter installed within the building on the incoming Water Service Connection. The Owner of the Building will be responsible for the recovery of Water Service Charges from tenants within the rent structure as determined by the Owner.
 - iii. Multi Residential Condominium Units and Commercial Condominium Units: The Town shall inspect the configuration of the plumbing system, in each existing condominium building.

If the configuration of the existing plumbing system facilitates the easy installation of a separate Water Meter for each condominium unit, then Water Meters shall be so installed, along with a separate Water Meter used by all Owners for irrigation, car washing, building cleaning, or other water uses of common benefit to all unit Owners, to ensure that 100% of water entering the Building is metered. If the installation of separate Water Meters for each condominium unit requires modifications to the existing plumbing system then the condominium corporation shall be given the choice of two options:

- a. Option 1: The condominium corporation may make the necessary modifications to the existing plumbing system to facilitate individual unit metering entirely at its own cost, provided that where existing plumbing configurations, in the opinion of the Town, permit easy installation without extra costs, a separate Meter can be installed for each condominium unit; or
- b. Option 2: A single Water Meter will be installed at the point of entry of the incoming Water Service to the Building, and the condominium corporation will distribute the total water costs to individual unit Owners, on the basis of a cost sharing formula derived by the condominium corporation Board of Directors and its Owners.
- iv. Institutional Buildings: All Institutional Buildings shall have a single Water Meter of appropriate size installed, as determined by the Town.
- v. Commercial Buildings: All Commercial Buildings shall have a minimum of one Meter installed in the incoming service line. Where existing plumbing configurations, in the opinion of the Town, permit easy installation a separate Water Meter can be installed for each commercial unit, otherwise a single Water Meter will be installed for the entire Commercial Building and the Owner of the commercial Building will be responsible for the payment of water charges and the distribution of costs to the individual commercial units.
- vi. The Town will install Water Meters in all existing Buildings and Facilities and all Buildings for which a building permit is issued.

- vii. Failure to have a Water Meter installed in any existing Building shall be justification for the Town to enter in and upon the Building or Facility upon reasonable notice to the Owner or Occupant, to install the necessary Water Meter(s) and invoice the Owner for all costs incurred. Where failure to provide reasonable access to a Water Meter or to an appropriate Water Meter location is not provided by an Owner or Occupant within thirty (30) days of notification in writing from the Town that access is required, both the Owner and the Occupant shall be subject to the enforcement procedures pursuant to this By-law or fees associated as per schedule "D"
- 13.5. All new construction of Buildings and Properties pursuant to a building permit issued on or after January 1, 2009, to be connected to the Town's Water Works, shall have Water Meters of a size, make, and configuration as approved and designated by the Town. The Water Meters shall be installed during construction by a qualified licensed plumber in the Province of Ontario and they shall certify to the Town that the Water Meter has been installed in accordance with applicable Ontario building and plumbing codes prior to occupancy of any Building or Property. All required Water Meters shall be operational and readable at the time of occupancy. Water Meter installation shall follow the procedure in Schedule "E" of this By-law. No building permit for a new building will be issued until the applicant signs an agreement as defined in Schedule "F" of this By-law.
- 13.6. All new or proposed Residential Dwellings shall have at least one Water Meter.
- 13.7. All new or proposed Retirement and Care Facilities shall have one Water Meter on the incoming service with the water charges billed to the Owner of the Building.
- 13.8. All new or proposed Residential Multi-Unit Condominium Buildings and all commercial condominium units in a condominium corporation created pursuant to the Condominium Act, shall have specially configured internal plumbing systems satisfactory to the Town, to allow easy installation of a separate Water Meter for each residential or commercial condominium unit. An additional separate Meter shall be installed if necessary to meter water used for the common purposes of all condominium units (landscape irrigation, car washing, building cleaning and other common uses). The water charges for common use shall be distributed to Condominium Owners in accordance with a bylaw to be passed by the Board of Directors of the Condominium Corporation and/or its owners.

- 13.9. All new or proposed Non-Residential and Commercial Buildings (other than commercial condominiums), shall have at least one Water Meter and shall have specially configured plumbing completed by the Owner at the Owner's cost and to the satisfaction of the Town, and where required by the Town, shall allow for individual Water Meters to be installed for each separate use or occupancy within the commercial, institutional or industrial or non-residential development.
- 13.10. All institutional, government Buildings and all Community Facilities shall have at least Water Meter.
- 13.11. All Water Meters shall be of a make, size, and configuration satisfactory to the Town to accurately measure and record the quantity of water used within the Building or Property.
- 13.12. Water Meters shall be installed in the incoming Water Service Connection line as close as possible to the master control valve within the Building or Property being supplied with Town water.
- 13.13. No Person shall by-pass the flow around a Water Meter, or tamper with a Water Meter or automated reading device, in any way that corrupts or distorts the Water Meter's accurate measurement and recording of the quantity of water being used in the Building or Property. No person, institution or corporation shall remove or re-locate a water meter within the premises without written permission from the Town.
- 13.14. All Owners and Occupants of Buildings or Properties shall provide reasonable access to the Works and Water Meter for manual reading, servicing or meter replacement.
- 13.15. Any Owner or Occupant provided with a notification of internal water leakage within the Building or Property served must take appropriate action within 30 days of notification to correct the conditions causing leakage.
- 13.16. If there is a discrepancy between internal and external meters, the internal meter readings will be used.
- 13.17. While the cost of Water Meters is the responsibility of the water customer, the Water Meters remain the property of the Town of Prescott and will be serviced and/or replaced when necessary, by the Town of Prescott. Replacement due to neglect or damage shall be at the Owner's expense.
- 13.18. The type, model and size of Water Meters and installations, including location of their installation, shall be to the satisfaction and approval of the Town. The Chief Building Official shall be provided with certification from a qualified licensed plumber that the Water Meter has been

properly installed and is operational in accordance with all applicable building and plumbing codes and legislation for the Province of Ontario.

- 13.19. Fire Service connections, configured so that they cannot be used for any other purpose, shall not be required to flow through a Water Meter.
- 13.20. If a Water Meter is damaged, removed, or stolen, the Owner of the premises shall pay the full cost of replacing the Water Meter including installation. Every Owner shall take all reasonable steps to protect the Water Meter, appurtenances, valves and pipes from freezing, frost damage, excessive heat or any condition that could cause external or internal damage of any kind to the Water Meter or affect its accuracy and reliability.
- 13.21. Every Owner shall provide reasonable access to the Property and Building(s) served if necessary to test the functioning of a Water Meter and the accuracy of its readings.
- 13.22. Every Owner may, upon written request to the Town, have a Water Meter tested for accuracy and the cost of such test shall be at the cost of the Town if the Water Meter is found to be inaccurate in excess of 5% of actual flow and such test shall be at the water customers expense if the Water Meter is found to be accurate to less than 5% of actual flow.
- 13.23. If for any reason, any Water Meter shall be found to be not working properly, then the amount of the consumption rate for the Water Service Charge shall be based on the average charge for the previous six months.
- 13.24. Where the Water Meter is equipped with a remote read-out unit of any type and a discrepancy occurs between the reading at the register of the Water Meter itself and the reading on the read-out device, the Town will consider the reading at the Water Meter to be correct and will adjust and correct the water account accordingly.

14. ENFORCEMENT

- 14.1. All Water Service Rates and other water charges pursuant to this Bylaw shall be a lien and charge upon the land of the Owner through the municipal property tax account.
- 14.2. All Sewage Service Rates and other sewage charges pursuant to this By-law shall be deemed to be a lien and charge upon the land of the Owner through the municipal property tax account.

- 14.3. If an amount owing on account of a Water Service Charge or Sewage Service Charge is not paid on or before the Due Date, then a late charge at the rate of one point five percent (1.5%) of the amount owing shall be added to the amount owing and shall be payable to Rideau St. Lawrence Utilities and added and compounded to the amounts outstanding or overdue on each subsequent Billing Date.
- 14.4. A Water Service Charge or Sewage Service Charge payable by the Owner or Occupant of a Property, constitutes a joint and several debt of the Owner and Occupant to the Town.
- 14.5. If a Water Service Charge or Sewage Service Charge or any other charge invoiced to the Owner or Occupant as provided in this By-law as determined by the Town, is not paid within 60 days from the Due Date, the Treasurer may, in addition to any other remedies available to the Town or other methods of collecting such amounts, add the amount owing to the municipal property tax account to which the utility was supplied and the Town may proceed to collect in the same manner as municipal taxes in arrears.
- 14.6. Any amount owing on account of a Water Service Charge or a Sewage Service Charge may be added to the municipal property tax account of a Property and shall bear interest at the rate of 1.25% per month compounded monthly (15% per annum) from the first day of the month after the date on which the amount is added to the tax roll to the date of payment or at the same rate as municipal taxes in arrears shall bear interest.
- 14.7. If an Owner or Occupant fails to pay a Water Service Charge or Sewage Service Charge when due, or does not have an Approved operational Water Meter installed, or refuses access to the Property to install, repair, calibrate, read, replace or inspect the location of any Water Meter, Water Works or Sewage Works; the Town may, in addition or in combination to any other remedies available to it, do any of the following:
 - i. levy a monthly water and a sewage charge consumption rate in addition to the fixed monthly infrastructure rate to the Property until the by-law violation is remedied as follows:

Residential Dwelling - \$100.00 per month per unit

Retirement or Care Facilities - \$200.00 per month

Multi-Unit Residential Building; and Multi-Level Residential Condominium Building -\$300.00 per month per unit Non-Residential and Commercial Buildings - \$500.00 per month per unit

Such other amount as the Treasurer considers necessary, in the Treasurer's sole discretion to cover all costs of the Town providing water and sewer service to such Property

- ii. Where the Owner or Occupant denies entry to a building for the purposes of installing, repairing, calibrating, reading, replacing or inspection a Water Meter, to install an external meter in the incoming service enclosed in an insulated chamber and invoice the Owner for the full cost thereof.
- 14.8. The Town shall not shut off or restrict the supply of water for nonpayment or a breach of this By-law.
- 14.9. No person, other than persons authorized by the Town for that purpose, shall operate or close a water valve in the Water Works, or remove, tamper with or in any way interfere or damage any Curb Service Valve, Water Meter, Water Service Connection or the Water Works. In the event that there are any unauthorized connections to the watermain discovered, the Town shall be entitled to disconnect such connections.
- 14.10. Water shut-off valves (curb stops) are used for isolating water service during maintenance and emergency situations. The Town is not responsible for isolating water services for seasonal purposes (vacation). The Town is also not responsible for isolating water service to unheated properties. Residences are required to be heated.

15. OFFENCES AND PENALTIES

- 15.1. In addition to any other provision of this By-law or other remedies or recoveries available at law, any person who contravenes any provision of this By-law is guilty of an offense and on conviction is liable to a fine of the maximum allowable fine under Administrative Monetary Penalty System of the Town.
- 15.2. Every person, corporation or institution that damages or causes or permits to be damaged any Water Service Connection, Water Works or Sewage Works or who contravenes or causes or permits any contravention of any of the provisions of this By-law or who hinders, interrupts or causes or procures to be hindered or interrupted, the Town or any of its officers, contractors, agents, servants or workman in the performance of its obligations or rights under this By-law or the Municipal Act, 2001, S.O. c. 25, is guilty of an offence and on conviction is liable to a fine Administrative Monetary Penalty System

of the Town. Each day that a separate breach of this By-law occurs, shall constitute a separate offence under this By-law.

16. VALIDITY AND SEVERABILITY

16.1. In the event that any Part or Parts of this By-law, or sections thereof, that may be found by any court of law to be invalid or illegal or beyond the power of the Town to enact, such Part or Parts or sections thereof shall be deemed to be severable from this By-law and all other Parts or sections of this By-law shall be treated as separate and independent from the offending section or Part and shall remain in full force and effect.

17. BY-LAW REPEALED

17.1. By-Law 03-2006 and By-Law 07-2008 are hereby repealed.

18. EFFECTIVE DATE

18.1. This By-law shall be in force and take effect on the 5th day of December, 2022.

READ AND PASSED, SIGNED AND SEALED THE 5th DAY OF DECEMBER, 2022.

Mayor

Clerk

SCHEDULE "A"

SCHEDULE OF WATER SERVICE RATES

Categories	Base Rate Water	Consumption rate (Per Cubic Meter)
Residential Dwellings (includes single family homes, semi- detached, townhouses and duplexes) Section 1.30	\$26.27 per month/per unit	\$0.552
Accessory Apartment in Single Family Residential Dwellings Section 1.1	\$26.27 per month/per unit	\$0.552
Residential Apartment Buildings and Residential Multi-Level Condominium Buildings (includes low rise and high rise residential condominium units) Section 1.22	\$26.27 per month/pe unit	\$0.552
Non-Residential and Commercial Buildings (includes all commercial, industrial and institutional uses and commercial condominiums) Section 1.17	\$26.27 per month/ per unit	\$0.552
Non-Residential and Commercial Buildings (includes, commercial, industrial and institutional uses and commercial condominiums) Section 1.17	\$26.27 per month/per unit	\$0.552
Retirement or Care Facilities (with kitchen-Sections.1.23 and 1.13)	\$26.27 per month/per unit	\$0.552
Retirement or Care Facilities (without kitchen- Sections 1.23 and 1.24	\$26.27 per month/per building	\$0.552
Community Facilities (includes arenas, libraries, parks, community centres and museums owned by the Town) Sections 1.7 and 8.1	\$26.27 per month/per unit	\$0.552
Schools (s. 1.25)	\$26.27 per month/per unit	\$0.552

*For buildings with multiple units the charges shall be as follows:

- the base monthly rate is multiplied by the number of units

- for clarity the number of water meters is not used in the calculation as several units may be attached to one water meter. Each unit within a building is charged a based rate.

Existing Outdoor garden taps

The fee for garden taps that do not pass through the meter will be charged \$13.14 / month for every garden tap located on the property for the entire twelve months of the year. Outdoor garden taps that do not pass through a water meter are not permitted on new construction.

SCHEDULE "B" SCHEDULE OF SEWAGE SERVICE RATES

Categories	Base Rate Water	Consumption rate (Per Cubic Meter of water consumed)
Residential Dwellings (includes single family homes, semi- detached, townhouses and duplexes) Section 1.30	\$45.96. per month/per unit	\$0.553
Accessory Apartment in Single Family Residential Dwellings Section 1.1	\$45.96 per month/per unit	\$0.553
Residential Apartment Buildings and Residential Multi-Level Condominium Buildings (includes low rise and high rise residential condominium units) Section 1.22	\$45.96 per month/per unit	\$0.553
Non-Residential and Commercial Buildings with water meter (includes all commercial, industrial and institutional uses and commercial condominiums) Section 1.17	\$45.96 per month/ per unit	\$0.553
Non-Residential and Commercial Buildings with water meter (includes, commercial, industrial and institutional uses and commercial condominiums) Section 1.17	\$45.96 per month/per unit	\$0.553
Retirement or Care Facilities (with kitchen-Sections.1.23 and 1.13)	\$45.96 per month/per unit	\$0.553
Retirement or Care Facilities (without kitchen- Sections 1.23 and 1.24	\$43.75 per month/per building	\$0.553
Community Facilities (includes arenas, libraries, parks, community centres and museums owned by the Town) Sections 1.7 and 8.1	\$45.96 per month/per unit	\$0.553
Schools (s. 1.25)	\$45.96 per month/per unit	\$0.553

*For buildings with multiple units the charges shall be as follows:

- the base monthly rate is multiplied by the number of units

- for clarity the number of water meters is not used in the calculation as several units may be attached to one water meter. Each unit within a building is charged a based rate.

SCHEDULE "C" FIRE SUPPLY CHARGE

The sum of \$0.08 per sprinkler head payable monthly by the Owner of every property assessed for municipal tax purposes in the Town.

SCHEDULE "D" MISCELLANEOUS CHARGES

Water Service Charges

MISCELLANEOUS CHARGES:

6.1	Change of ownership charge	\$15.30
6.2	Late payment charge	Compound monthly interest charged at 1.5%
6.3	N.S.F. cheques	\$30.00 + bank charges
6.4	Collection charges	\$30.60 per trip
6.5	Reconnection/Disconnection: Per trip during regular hours Per trip during non-regular hours	\$ 61.20 \$122.40
6.6	Water arrears certificate per property:	\$30.60
6.7	Meter check at customer's request: Up to 1" 1" and larger	\$306.00 Time and materials
6.8	Install remote water meter register	Time and materials
6.9 6.10	Repair damaged meter ³ ⁄ ₄ " and 5/8" 1" and larger Any temporary hydrant/other connection temporary connections for construction Includes: Flat fee	\$112.20 plus
	Refundable deposit Water cost	\$150.00 as per Schedule A
6.11	Flat Rate Charge for non-metered acco (a) Where the Town has determined a r cannot be installed,	
	(b) Where the customer refuses to allow town to install or read a water meter	
6.12	Customer Deposits	\$150.00

6.13	Equipment Rentals	Based on cost recovery plus 25%. Deposit required for the cost to replace the rented equipment.		
6.14	Bulk Water rates	\$100.00 per hour during normal business hours \$150.00 per hour after business hours.		
6.15	Water connection permit	\$50.00		
6.16	Water connection inspection	\$50.00		
Sewage Service Charges				
Sewage Service Permit		\$50.00		
Sewage Service Inspection		\$50.00		

Other Sewage Services

\$100.00 per hour \$200.00 per hour (after business hours) plus cost of any materials

SCHEDULE "E" WATER METER PURCHASE AND INSTALLATION PROCEDURES

- A.1 Issuance of a building permit for new construction shall be conditional on the applicant signing an agreement to purchase and install a Water Meter from the Town or the Town's designated meter supplier. A temporary connection to the Town water supply may be made to provide water during construction, but the new Building may not be occupied until the Water Meter is installed and operational.
- A.2 The Water Meter shall be of a size compatible with the size of the incoming Water Service Connection and shall be purchased from the Town or the Town's approved distributor. Upon provision of a Water Meter to the Property, the Town or the Town's meter supplier shall immediate provide to the Treasurer or designated agent, duplicate copies of the following information by electronic mail or written documentation:
 - Water Meter serial number
 - Water Meter electronic Communication ID number
 - Water Meter installation Location (municipal address and/or property description)
 - Name and billing address of the Property Owner
- A.3 The required Water Meter shall not be installed until the plumbing contract has been completed and the internal water lines thoroughly flushed with clean municipal water to remove any debris from the plumbing system.
- A.4 All Water Meter connections to the plumbing system shall be tamper proofed and sealed by the installation of a lead seal to prevent disconnection or removal of the Water Meter. This work will be done by the plumbing inspector for the Town before an occupancy permit is issued.
- A.5 Any Water Meter that is rendered inoperable or inaccurate by blockage or debris in the plumbing system shall be replaced by the Property Owner at the Property Owner's expense.
- A.6 The Chief Building Official shall verify the installation of an approved operating Water Meter prior to permitting occupancy of the Premises and shall confirm the meter serial number, electronic ID number and the date of occupancy in writing to the Treasurer for the Town or designated agent.

SCHEDULE "F" AGREEMENT TO PURCHASE AND INSTALL A WATER METER

It is understood that the By-laws of the Town of Prescott requires the installation of Water Meters in all new construction. I/We have reviewed this by-law and understand its requirements.

I/We agree to purchase and install a Water Meter from the Town or from the meter distributor as designated by the Town of Prescott and will abide by any installation procedures as specified by the Town.

I/We further agree and understand that no occupancy permit for the premises will be issued and the premises will not be occupied until such time as the Chief Building Official confirms to the Town Treasurer that an operating Water Meter has been installed. The relevant meter information for reading and billing must be provided to the Treasurer by the meter distributor before occupancy.

It is further agreed that the premises will not be occupied until the initial reading of the Water Meter has been recorded by the Town Utility and reported to the Treasurer for the Town.

Signed by

Owner or Authorized Agent of the Owner Official

Office of the Chief Building



TOWNSHIP OF WARWICK

"A Community in Action" 5280 Nauvoo Road | P.O. Box 10 | Watford, ON N0M 2S0

Township Office: (226) 848-3926 Watford Arena: (519) 876-2808 Website: www.warwicktownship.ca Works Department: (519) 849-3923 Fax: (226) 848-6136 E-mail: info@warwicktownship.ca

BY E-MAIL ONLY

November 16, 2022

Tracy Robinson, CN Rail President and CEO Montreal (Headquarters) 935 de La Gauchetière Street West Montreal, Quebec, Canada H3B 2M9

Dear Tracy Robinson:

Re: CN Railway Contribution Requirements under the Drainage Act and Impacts on Municipal Drain Infrastructure in Ontario

At the October 17, 2022, regular Council meeting Warwick Township Council discussed the continuing impacts of CN's decision not to participate in funding municipal drains in Ontario, as per the *Drainage Act*, and the negative consequences on our community and others in the Province and approved the following resolution to be circulated to CN and related partners:

WHEREAS municipal drains are considered critical rural infrastructure that support food production, food security, the environment and economic sustainability in rural Ontario;

AND WHEREAS the creation, maintenance and contribution requirements towards municipal drain infrastructure are governed by the Drainage Act;

AND WHEREAS an official from CN Rail has formally communicated to the Township of Warwick that "CN's decision is that it is a federally regulated entity under CTA guidelines, as such, are not governed by provincial regulations";

AND WHEREAS the implication that any public utility could become exempt from the financial requirements invalidates the underlying principle that all benefitting from municipal drain projects are required to contribute financially, including all public utilities; AND WHEREAS there are currently at least fifty-five municipal drainage projects in Ontario being impacted by CN's actions and refusal to contribute as per the Drainage Act;

AND WHEREAS the Township of Warwick and many rural municipalities have expressed concerns over this CN Rail position to the Ministry of Agriculture and Rural Affairs consistently over at least the past fours years;

AND WHEREAS the Township of Warwick and other rural municipalities met with Minister Thompson at the Association of Municipalities in Ontario (AMO) on this issue and Minster Thompson has confirmed it remains the Provincial government's position that the Drainage Act does apply to all federally regulated railways;

NOW THEREFORE the Council of the Township of Warwick hereby declares as follows:

THAT Ontario's Drainage Act is an important piece of legislation used to meet the drainage needs of a variety of stakeholders, including agricultural businesses and ultimately food production, thereby supporting families, neighbours, and thriving communities;

AND THAT CN Rail be called upon to act as a partner to municipalities and agriculture in Ontario and reconsider its position that the Drainage Act does not apply to it as a public entity;

AND THAT CN Rail contribute to all municipal drains in Ontario, as per section 26 of the Drainage Act, and work to expedite its response timelines to the fifty-five projects currently on hold in Ontario so that the projects impacting the agriculture sector can proceed and be dealt with in a timely manner after years of delay caused directly by CN Rail;

AND THAT a copy of this resolution be circulated to Minister of Agriculture Food and Rural Affairs Lisa Thompson, local MPP Monte McNaughton, Minister of Agriculture and Agri-Food Marie-Claude Bibeau, CN Manager Public Affairs, Ontario & Atlantic Canada Daniel Salvatore, the President and CEO of CN Rail Tracy Robinson, Director of Government Relations Railway Association of Canada Gregory Kolz and to all municipalities in Ontario for their support.

- Carried.

Warwick Township Council looks forward to a timely response from CN in the hopes that this issue impacting rural Ontario can be resolved.

Sincerely,

Adulub

Amanda Gubbels CAO/Clerk Township of Warwick

Cc:

Lisa Thompson, Minister of Agriculture Food and Rural Affairs, Monte McNaughton, MPP Lambton-Kent-Middlesex Marie-Claude Bibeau, Minister of Agriculture and Agri-Food Daniel Salvatore, CN Manager Public Affairs, Ontario & Atlantic Canada Cyrus Reporter, CN Vice-President, Public, Government and Regulatory Affairs Jonathan Abecassis, CN Media Relations & Public Affairs Gregory Kolz, Director of Government Relations, Railway Association of Canada All Ontario municipalities

THE CORPORATION OF THE TOWN OF PRESCOTT

BY-LAW NO. 53-2022

A BY-LAW TO ADOPT THE PROCEEDINGS OF THE COUNCIL MEETING HELD ON DECEMBER 5, 2022

WHEREAS, Section 5(3) of *the Municipal Act, 2001 S.O. 2001, c.25, as amended*, provides that Council's powers shall be exercised by by-law; and

WHEREAS certain actions of Council do not require the enactment of a specific by-law;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of the Town of Prescott enacts as follows:

- 1. Subject to Paragraph 3 of this by-law, the proceedings of the above-referenced Council meeting, including all Resolutions, By-laws, Recommendations, Adoptions of Committee Reports, and all other motions and matters decided in the said Council Meeting are hereby adopted and confirmed, and shall have the same force and effect, as if such proceedings were expressly embodied in this by-law.
- 2. The Mayor and Clerk are hereby authorized to execute all such documents, and to direct other officials of the Town to take all other action, that may be required to give effect to the proceedings of the Council Meeting referred to in Paragraph 1 of this by-law.
- 3. Nothing in this by-law has the effect of conferring the status of a by-law upon any of the proceedings of the Council Meeting referred to in Paragraph 1 of this by-law where any legal prerequisite to the enactment of a specific by-law has not been satisfied.
- 4. Any member of Council who complied with the provisions of Section 5 of the Municipal Conflict of Interest Act, R.S.O. 1990, Chapter M.50 respecting the proceedings of the Council Meeting referred to in Paragraph 1 of this by-law shall be deemed to have complied with said provisions in respect of this by-law.

READ AND PASSED, SIGNED AND SEALED THE 5th DAY OF DECEMBER 2022.

Mayor

Clerk