

BY-LAW # 45
A BY-LAW RELATING TO THE COLLECTION OF USER-
CHARGES FOR THE SANITARY SEWERAGE SYSTEM
OF THE VILLAGE OF SALISBURY

BE IT ENACTED by the Council of the Village of Salisbury under the authority vested in it by the Municipalities Act, R.S.N.B. 1973 c, M-22 as follows:

1. In this By-Law:

“owner” and “user” shall be deemed to have the same meaning and may be used interchangeably for the purposes of this by-law;

“Administrator Clerk “ means the “Administrator Clerk” for the Village of Salisbury or his or her designate.

2. (1) The owner of a property connected to a sanitary sewerage system shall pay to the Village of Salisbury, Administrator Clerk an annual user-charge billed on a annual basis, as established through the annual budget process.

(2) Where sanitary sewerage systems run adjacent to land upon which a building stands, the owner of the land shall pay user-charges as provided for herein.

3. All user-charges or portion thereof remaining unpaid after the due date shall be considered delinquent and subject to an interest charge at the rate of 2% per month.

4. When a user-charge, or any portion thereof, remains unpaid after the due date, the Administrator Clerk may at any time notify the user of past due user-charge.

5 (1) For an annual billed user, when any user-charge or any portion thereof, remains unpaid after the expiration for twelve months following the due date, the Administrator Clerk may, by regular mail, give notice of the same to the user, as well as advise the user of the impending disconnection of the service, together with the date on which that disconnection will take place, which disconnection will take place on or after the date in the notice.

(2) If after the expiration of 14 days following the notice referred to in subsections (1), the user-charges or any portion thereof, remain unpaid, and no arrangements for payments have been made by 10:00 a.m. of the next working day, the Administrator Clerk will schedule the disconnection of services

(3) If after the expiration of 14 days following the notice referred to in subsection (1), the user-charges or a portion thereof, continue to be unpaid, but for which arrangements for payment have been made, the Administrator Clerk shall, by regular mail, confirm said arrangements with the user. If said arrangements are not kept, the Administrator Clerk

may, by regular mail, give notice of the same to the user, as well as advise the user of the impending disconnection of the service, together with the date on which that disconnection will take place on or after the date in the notice. Refer to Schedule A for Sewerage Collection Policy and Procedures.

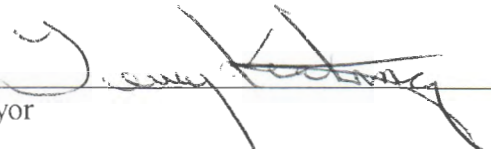
(4) After a disconnection has been completed, the owner shall be required to pay the "off/on" fee of \$100.00 plus H.S.T., together with the full account balance before service will be restored. The resident will also be responsible for all costs associated with the reconnection of the service.

Ordained and passed May 26, 2014

First Reading: May 12, 2014

Second Reading: May 12, 2014

Third Reading: May 26, 2014.


Mayor


Administrator Clerk



Schedule A
SEWERAGE COLLECTION POLICY AND PROCEDURES
ON OVERDUE ACCOUNTS

1. GENERAL POLICIES AND PROCEDURES

- (a) Sewer accounts are due by January 1st of each year.
- (b) Interest will be charged on overdue accounts at the rate of 24% per year (2% per month)
- (c) Where a property owner and/or a property owner's designate does not keep Council informed of property transactions and proper address information for invoicing purposes, the Village of Salisbury shall not be responsible for any extra interest charged due to the late arrival of invoices or notices.
- (d) Where a property owner and/or the property owner's designate requests the Village of Salisbury to accept a payment schedule, and if Council and/or staff agrees to this request, the payment schedule must be in an amount that would be equal to the present outstanding amount, including any interest charges.

2. OFFICE PROCEDURE CONCERNING OVERDUE FEES & DISCONNECTION

- (a) Where a property owner or the property owner's designate fails to pay a sewer rate imposed by Council in accordance with the By-Law Relating to the Collection of User-Charges for the Sanitary Sewerage System, interest shall be charged in accordance with the By-Law.
- (b) Where a property owner or the property owner's designate fails to pay the account in full by **December 30th** of the current billing year, as imposed by By-Law, the Council may, in addition to charging interest, place a registered lien against the property. Where legal action has been taken, the costs of the legal action shall be added to the unpaid balance.
- (c) Where a property owner or the property owner's designate fails to pay **the annual sewer rate ONE year after** due date as imposed by By-Law, the Council may, in addition to adding interest and the costs of any legal action which may have been incurred to place a lien on the property, **through a duly adopted Motion of Council**, cause the service to be disconnected.
- (d) Where service has been discontinued, the service will not be reconnected until all arrears are paid including interest, any costs of legal action and all costs involved with disconnection and reconnecting the service.

3. FOLLOWING COUNCIL'S MOTION TO DISCONNECT

- (a) Staff are to send a registered letter to the property owner or property owner's designate advising that if payment is not made within 30 (thirty) days, the

disconnection process will be started.

- (b) Following the 30 days, if payment has not been received, a second registered letter is to be sent stating that disconnection will take place on or immediately following (the actual date). This date will be an additional 30 days from the date the second registered letter is placed in the mail.
- (c) Immediately following the posting of the second letter, the area is to be cleaned and marked to show the location where the disconnection is to take place.
- (d) Approximately two weeks prior to disconnection, a notice is to be hand delivered to or posted upon the residential or business unit(s) that will be affected by the disconnection.
- (e) Following the hand delivery or posting of the notice referred to in section 3(d), if payment is not made in full or payment arrangements made that are satisfactory to Council and/or staff prior to the planned disconnection date as stated in the second registered letter, the service is to be disconnected.