

Authority: Infrastructure and Environment Committee
Item IE23.6, adopted as amended, by City of Toronto
Council on July 14, 15 and 16, 2021

CITY OF TORONTO

BY-LAW 1063-2021

To amend City of Toronto Municipal Code Chapter 849, Water and Sewage Services and Utility Bill, , to include the option of a tri-annual verification of water consumption and sewage discharge for eligible sewer surcharge rebate program consumers.

Whereas authority is given to Council to pass this by-law pursuant to subsections 8 (1) and (2) and section 259 of the City of Toronto Act, 2006; and

Whereas section 259 of the City of Toronto Act, 2006 provides that the City may pass by-laws imposing fees or charges on persons for services or activities provided or done by or on behalf of it; and

Whereas City Council at its meeting on July 14, 15 and 16, 2021 approved the option of a tri-annual verification of water consumption and sewage discharge for sewer surcharge rebate program consumers meeting certain eligibility criteria effective January 1, 2022; and

Whereas Chapter 849 of the City of Toronto Municipal Code is the Water and Sewage Services and Utility Bill By-law for the City of Toronto ("Municipal Code Chapter 849") and § 849-9 sets out the requirements for annual verification of water consumption and sewage discharge for the sewer surcharge rebate program; and

Whereas it is necessary to amend this Municipal Code Chapter 849 section to reflect Council's decision to allow for the option of a tri-annual verification for eligible sewer surcharge rebate program consumers, at its meeting on July 14, 15 and 16, 2021;

The Council of the City of Toronto enacts:

1. Section 849-9, Annual verification of water consumption and sewage discharge, of City of Toronto Municipal Code Chapter 849, Water and Sewage Services and Utility Bill, is amended by adding a new § 849-9.1, immediately after § 849-9, as follows:

§ 849-9.1. Tri-annual verification of water consumption and sewer discharge.

Notwithstanding § 849-9 above, an industrial or commercial consumer who has been granted a rebate under § 849-3 may elect to provide verification of water consumption and sewage discharge every three calendar years instead of annually provided that the following conditions are met:

- A. The consumer is not in arrears with regard to payments for water rates or sewer surcharges at the time of election;

- B. The consumer has process metering for its industrial or commercial processes at the consumer's premises and the consumer has submitted to the City's General Manager of Toronto Water in the year of the election, and the two immediately preceding annual verifications of water consumption and sewer discharge, 12 consecutive calendar months of its process meter data measurements verifying the percent of water consumed discharged to the sewer;
- C. The percentage of water consumption and sewage discharge from the consumer's premises, as submitted by the consumer to the City's General Manager of Toronto Water in its annual verifications of water consumption and sewage discharge under § 849-9 for the preceding two annual verifications, did not vary greater than 10 percent from year to year;
- D. The submission of the tri-annual verification and election by the consumer shall be no later than February 1 of the first calendar year of the three-calendar year period to which the verification applies;
- E. The tri-annual verification and election by the consumer shall be submitted to the City's General Manager of Toronto Water in a form and content satisfactory to the City's General Manager of Toronto Water; and
- F. Where the consumer becomes in arrears with regard to payments for water rates or sewer surcharges at any time during the tri-annual verification period, the consumer shall cease to be eligible for tri-annual verification and shall submit annual verification thereafter in accordance with § 849-9, commencing with the calendar year immediately following the consumer becoming in arrears, and the consumer may not reapply for tri-annual verification until the consumer has been continuously not in arrears for a period of at least one year.

2. This By-law comes into force on January 1, 2022.

Enacted and passed on December 17, 2021.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)