



The Corporation of the Municipal of Pickle Lake

By-Law No. 2025-10

Being a By-Law to Govern Delinquent Utility Billing Collection and Provide a Utility Billing Collection Policy for The Corporation of the Municipal of Pickle Lake

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WHEREAS, pursuant to Section 398(2) of the *Municipal Act*, 2001, the treasurer of a local municipality may, and upon the request of its upper-tier municipality, if any, or of a local board whose area of jurisdiction includes any part of the municipality shall, add fees and charges imposed by the municipality, upper-tier municipality or local board, respectively, to the tax roll for the following property in the local municipality and collect them in the same manner as municipal taxes:

- I. In the case of fees and charges for the supply of a service or thing to a property, the property to which the service or thing was supplied.
- II. In all other cases, any property for which all of the owners are responsible for paying the fees and charges. 2001, c. 25, s. 398 (2); 2006, c. 32, Sched. A, s. 170 (2); 2017, c. 10, Sched. 1, s. 69.

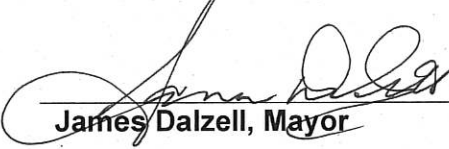
AND WHEREAS, Schedule A to this By-Law attached hereto, Being a Utility Billing and Collection Policy is written in compliance with the *Municipal Act*, 2001, S.O. 2001, c.25; related Ontario Regulations under the Act; and applicable Municipal By-Laws, as amended from time to time.

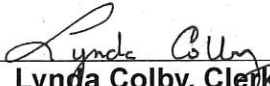
NOW THEREFORE, the Council of The Corporation of the Municipal of Pickle Lake enacts as follows:

1. THAT all other By-Laws with respect to Delinquent Utility Billing Collections not consistent with this By-Law are hereby repealed and rescinded.
2. THAT this By-Law comes into force and takes effect on its passing.

**READ A FIRST AND SECOND TIME THIS 25<sup>th</sup> DAY OF February 2025.**

**READ A THIRD AND PASSED THIS 25<sup>th</sup> DAY OF February 2025.**

  
James Dalzell, Mayor

  
Lynda Colby, Clerk



The Corporation of the Municipal of Pickle Lake

Schedule A to By-Law No. 2025-10

Being a Utility Billing Collection Policy for The Corporation of the Municipal of Pickle Lake

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## **Purpose**

The purpose of the collection policy is to provide a formal procedure in the process of collecting past due water and sewer use charges, accrued interest and other allowable fees on behalf of the municipality. The policy will help to manage water/sewer aging and keep administrative costs low.

## **Policy statement**

The policy will provide a clear process to staff eliminating a need for interpretation or differential treatment. This policy will establish fair and equitable processes for the collection of overdue water/sewer accounts.

## **Scope**

Billing processes are currently covered in the Municipal Water and Sewer Rates By-law and will not be covered in this collection policy.

## **Objective**

The objective is to ensure timely billing and collection of municipal water and wastewater fees and charges.

## **Accountability**

The Municipality will be responsible for ensuring that outstanding Water and Sewer collection processes are performed in accordance with this policy and all applicable legislation. In addition, Administration for the municipality or delegate is responsible for providing:

- I. adequate notice of delinquency.
- II. opportunity to bring water/sewer account current before attempting disconnection.
- III. step by step processes prior to disconnection and communicate any policy revisions to applicable staff.

## **Definitions**

- I. First Notice – 30 days past due issued 14 days after the due date.
- II. Second Notice - Notice of Disconnection 14 days after first notice was mailed.

- III. Final Notice - Notice will be hand delivered quoting disconnection date of service (48 hours' notice) 7 days after Second Notice.
- IV. Penalties and Interest – means amounts applied by the Municipality to unpaid Water/sewer accounts, in accordance with Municipal Water and Sewer By-law (currently By-Law no 47-2014), Part 3
- V. Water/Sewer Invoice – Bimonthly invoice issued 21 days before due date.
- VI. Water/Sewer Arrears – any portion of Water/Sewer account that remain unpaid after the date on which they are due.
- VII. Certified Funds – Payments such as Debit/Cash/Money Orders/Certified Cheques that are guaranteed funds.

### **Penalty and interest charges**

In accordance with the current Municipal Water and Sewer Rates By-law.

### **Payments**

Payment of Water/Sewer accounts must be received in the Municipality's administrative office, on or before the due date. Payments not received on time are subject to Penalties and Interest. The following are the modes of payments available for the property owner's use:

- I. Telephone, Internet Banking or Credit Card Payments – providing the account number; payments will be automatically processed and the receipt for the payment will be delivered by regular mail.
- II. The Municipality's Preauthorized Payment Plan (due date)
- III. Post Dated Cheque(s)
- IV. In Person - at the counter by cash, cheque, debit or money order
- V. Payments by mail will be processed on the day they are received
- VI. Receipts will be provided for all cash payments and upon request by the registered owner for all other methods of payment. Payments shall be applied as follows:
- VII. First to the oldest and all Penalty and Interest Charges
- VIII. Then to the oldest invoice up to the current invoice
- IX. Then to other charges that have been added to the utility account

## Returned payments

Payments that are returned by the bank for denied funds marked "insufficient funds or non-sufficient funds" will be subject to an NSF fee. A notice will be mailed to advise the resident. If the payment was made through the Preauthorized Payment Plan, a letter will advise that after two "2" payments have been returned the resident will be removed from the plan.

## Water sewer/arrears collection

All fees charged under the current Water Sewer Rate Bylaw are deemed to represent the cost of providing water and wastewater services. Public utilities fees and charges imposed by a municipality are considered priority lien on the land, regardless of who consumed or wasted the water, as per Ontario Regulation 582/06. All collection actions are in accordance with The Municipal Act 2001 C25 Section 81 (1) (2) (3) (4).

The Municipality will primarily use the following methods to collect Water/Sewer Arrears:

- I. Verbal communication;
- II. First Notice (mailed): Reminder notice issued 14 days after due date;
- III. Second Notice (mailed): Notice of disconnection 14 days after first notice was mailed; and
- IV. Final Notice (Hand delivered): "Disconnection Notice" delivered 7 days from date of second notice allowing 48 hours to provide proof of payment. Municipal Act 2001 Section 81 (3).

Payment arrangement agreement (written) will need to be approved and signed by the property owner to avoid disconnection.

Disconnection of Service will occur after the collection process has been exhausted. See Municipal Act, 2001 Section 81 (1) (2). Re-instatement of utility will occur with proof of payment (certified funds).

During Winter months (December -April) water arrears will be added to the appropriate tax account in accordance with the Municipal Act 2001 Section 398. The arrears will be added the first of the month following 30 days past the original due date. These additions will have priority lien status under Ontario Regulation 581/06. Fees for transfer will apply as per Schedule B of the current Water Sewer By-law.

Reminder notices are sent based upon account aging. Categories of severity are:

- I. 30 days
- II. 60 days
- III. 90 days
- IV. 120 days

Accounts in the 90-120 days aging bracket will be pursued for additional collection activities as laid out above.

## **Payment agreements**

A written agreement signed by the property owner and approved by the municipality may be made to avoid disconnection of services. The agreement will clearly state that any payment arrangements missed will suspend services without prior notice unless the signee can demonstrate extenuating circumstances to the Town's satisfaction. In the case of a tenant making payment arrangements to clear arrears, the owner(s) must provide written permission to engage in any payment arrangements with that tenant.

A payment arrangement will be based upon receiving 50% of arrears as a first scheduled payment, unless otherwise agreed upon by the municipality.

## **Disconnection of service**

Residents will be notified that service cannot be resumed unless all outstanding invoices, penalties and interest, and water disconnection/reconnection charges are paid by certified funds in full. An additional deposit may be required as a security deposit. Service will be returned within a 2-hour time slot during normal operation times. If disconnection falls on a Friday, Saturday, Sunday or statutory holiday or one day prior to a holiday, the disconnection will occur on the next business day.

Note: If certain properties do not have a shut off valve to disconnect service. These properties will always have water arrears added to taxes (120 days of aging) and will receive the same collection notification in accordance with the Municipal By-Laws for Water and Sewer rates and Collection of Delinquent Utility Accounts.

These arrears will be collected on the tax roll in the same manner as taxes. (O Reg 581/06) Priority Lien Status.

As per the Municipal Act, 2001 Section 81 (4), a municipality may recover all fees and charges payable despite shutting off the supply of the public utility.

## **Town responsibilities**

The Township of Pickle Lake has a responsibility to provide water/sewer services to its residents. If those accounts fall into arrears, they are to provide necessary notices as described in this policy. From time to time, a payment agreement schedule may be allowable to pay for the arrears. The Town will follow up with all payment arrangements and may disconnect services due to non-payment. Every resident will be treated with courtesy and respect.

## **Additional information**

Leaks will be the responsibility of the homeowner. Special payment arrangements can be made due to the increase in normal billing.

Upon approval, an adjustment for billing affected by a leak may be considered if proof of repair can be provided. Example, (plumbers' invoice) for one time only.

Security deposits may be required for poor payment history or after disconnection of service.

Water/Sewer charges are not subject to refund or adjustment because of vacancy. Water Sewer Base rate charges will continue to apply.