

## Bylaw 15715

### Amendment to EPCOR Rates Procedures Bylaw 12294

#### Purpose

To amend the EPCOR Rates Procedures Bylaw 12294 to permit the Utility Committee to review EPCOR water utility rates reports and to direct that non-statutory public hearings relating to water utility rates and charges be held by the Utility Committee.

#### Readings

Bylaw 15715 is ready for three readings.

If Council wishes to give three readings during a single meeting, then prior to moving third reading, Council must unanimously agree "That Bylaw 15715 be considered for third reading."

#### Advertising and Signing

This Bylaw does not require advertising.

#### Position of Administration

Administration supports this Bylaw.

#### Report Summary

**This report, and the associated bylaw amendment to the Procedures and Committee Bylaw, recommend the necessary amendments to permit the Utility Committee to review reports and make recommendations to Council on EPCOR water utility matters, including water utility rates and bylaws, and hold non-statutory public hearings related to water utility rates and charges.**

#### Previous Council/Committee Action

- At the April 5, 2011, Utility Committee meeting, Bylaw 15715

was forwarded to City Council for the appropriate readings.

- At the December 10, 2010, City Council meeting, the following motion was passed:

That Administration prepare amendments to EPCOR Waters Rates Procedure Bylaw 12294 and EPCOR Waterworks Bylaw 12585, and any other related bylaws that may need to be changed as a result of amendments to these bylaws that would permit the Utility Committee to review reports from EPCOR Water, and submit recommendations to Council through the Utility Committee.

#### Report

- This bylaw amendment gives the Utility Committee the authority to review EPCOR water utility rates reports and hold public hearings on proposed changes to water utility rates and charges.
- After review of the bylaws, Administration determined that the Waterworks Bylaw 12585 did not require amendments to allow EPCOR water utility matters to be routed through the Utility Committee to Council. However, amendments are required to the Procedures and Committees Bylaw 12300. These amendments are outlined in report 2011COC048, also going forward to the Utility Committee on April 5, 2011, and should be considered together with this report.

#### Attachments

- Bylaw 15715
- Summary of Proposed Amendments

**Others Reviewing this Report**

- L. Rosen, Chief Financial Officer and Treasurer

**THE CITY OF EDMONTON**  
**BYLAW 15715**  
**EPCOR RATES PROCEDURES BYLAW AMENDMENT No. 2**

Edmonton City Council enacts:

- 1 Bylaw 12294 EPCOR Rates Procedures Bylaw is amended by this bylaw.
- 2 Section 7(1) is amended by deleting “for inclusion at a regular meeting of Council”, and by adding a period at the end of this subsection.
- 3 Section 8(1)(c)(i) is amended by deleting “Council” and substituting “Utility Committee”.
- 4 Section 8.1(1) is amended by deleting “When a Rates Report dealing with Special Rates is before Council, Council” and substituting “When a Rates Report dealing with Special Rates is before the Utility Committee or Council, the Utility Committee or Council as the case may be”.
- 5 Section 11(1), Section 12(3) and Section 12(7) are amended by deleting “Council” and substituting “the Utility Committee”.
- 6 Section 12(9) is deleted and the following is substituted:  
  
12(9) The Utility Committee may propose amendments to the bylaw and may allow an opportunity to all persons to respond to any new information that has arisen.
- 7 Section 12(10) is deleted.

- 8 Section 12(11) is renumbered as Section 12(10) and is amended by deleting “Councillor” and substituting “Utility Committee member”.
- 9 A new Section 12(11) is added as follows:  
  
12(11) The Utility Committee may make recommendations to Council on the bylaw and any proposed amendments to the bylaw.
- 10 Section 13 is amended by deleting “After the close of the hearing” and adding “amend,” immediately prior to “pass or defeat the bylaw”.
- 11 This bylaw comes into effect on the day on which it is passed.

Read a first time

Read a second time

Read a third time

SIGNED AND PASSED

THE CITY OF EDMONTON

MAYOR

CITY CLERK

## Summary of Proposed Amendments

Current		Proposed
<b>CITY MANAGER FUNCTION</b>	7(1) Upon receiving the Rates Notice and Rates Report, the City Manager will arrange for the Rates Report to be placed on the Agenda of the next Agenda Review Committee for inclusion at a regular meeting of Council	7 (1) Upon receiving the Rates Notice and Rates Report, the City Manager will arrange for the Rates Report to be placed on the Agenda of the next Agenda Review Committee. <del>for inclusion at a regular meeting of Council.</del>
<b>COUNCIL FIRST READING</b>	<p>8 (1) When a Rates Report dealing with Rates is before Council, Council:</p> <ul style="list-style-type: none"> <li>(a) will allow EPCOR to introduce the matter;</li> <li>(b) may move and vote on first reading of the bylaw;</li> <li>(c) if first reading passes; <ul style="list-style-type: none"> <li>(i) refer the matter to a Council meeting for a public hearing to commence within sixty (60) days thereafter;</li> </ul> </li> </ul>	<p>8 (1) When a Rates Report dealing with Rates is before Council, Council:</p> <ul style="list-style-type: none"> <li>(a) will allow EPCOR to introduce the matter;</li> <li>(b) may move and vote on first reading of the bylaw;</li> <li>(c) if first reading passes; <ul style="list-style-type: none"> <li>(i) refer the matter to a <del>Council</del> <b>Utility Committee</b> meeting for a public hearing to commence within sixty (60) days thereafter;</li> </ul> </li> </ul>
	<p>8.1(1) When a Rates Report dealing with Special Rates is before Council, Council:</p> <ul style="list-style-type: none"> <li>(d) will allow EPCOR to introduce the matter;</li> </ul>	<p>8.1(1) <del>When a Rates Report dealing with Special Rates is before Council, Council</del> <b>When a Rates Report dealing with Special Rates is before the Utility Committee or Council, the Utility</b></p>

	<p>(e) will allow the Administration to present its report reviewing the classification as Special Rates.</p> <p>(f) may deal with the bylaw in accordance with the provisions of Bylaw 12300 Procedures and Committees Bylaw and the Municipal Government Act.</p>	<p><b>Committee or Council as the case may be:</b></p> <p>(d) will allow EPCOR to introduce the matter;</p> <p>(e) will allow the Administration to present its report reviewing the classification as Special Rates.</p> <p>(f) may deal with the bylaw in accordance with the provisions of Bylaw 12300 Procedures and Committees Bylaw and the Municipal Government Act.</p>
<b>PUBLIC SUBMISSIONS</b>	<p>11 (1) Any interested person may make a submission to Council by delivery of a written submission to the City Manager.</p> <p>(2) Submissions received not less than 21 days in advance of the public hearing will be delivered to EPCOR not later than 14 days before the public hearing, and will be reviewed and responded to by EPCOR and the City at the public hearing if appropriate.</p> <p>(3) Submissions received within 21 days of the public hearing will be received for information only.</p>	<p>11 (1) Any interested person may make a submission to <del>Council</del> <b>the Utility Committee</b> by delivery of a written submission to the City Manager.</p> <p>(2) Submissions received not less than 21 days in advance of the public hearing will be delivered to EPCOR not later than 14 days before the public hearing, and will be reviewed and responded to by EPCOR and the City at the public hearing if appropriate.</p> <p>(3) Submissions received within 21 days of the public hearing will be received for information only.</p>

<b>PUBLIC HEARING</b>	<p>12 (1) The procedural rules of the public hearing will be in accordance with this section.</p> <p>(2) To begin the hearing, EPCOR will introduce the matter.</p> <p>(3) The Administration will present its report and provide to Council a summary of any written submissions filed with the City Manager by interested parties.</p> <p>(4) The City Manager will ask if anyone is present to speak to the proposed bylaw.</p> <p>(5) A person who indicates his presence to speak to the proposed bylaw will be allowed five minutes to speak; those in favour will speak first, followed by those opposed.</p> <p>(6) After a person has spoken, any Councillor may ask that speaker relevant questions.</p> <p>(7) After Council has heard from all individuals present to speak, EPCOR may respond to any new information that has arisen.</p> <p>(8) Any Councillor may then ask EPCOR and the Administration relevant questions.</p> <p>(9) Council may make any necessary amendments to the bylaw.</p> <p>(10) Council may allow an opportunity to all persons to respond to any new</p>	<p>12 (1) The procedural rules of the public hearing will be in accordance with this section.</p> <p>(2) To begin the hearing, EPCOR will introduce the matter.</p> <p>(3) The Administration will present its report and provide to <del>Council</del> <b>the Utility Committee</b> a summary of any written submissions filed with the City Manager by interested parties.</p> <p>(4) The City Manager will ask if anyone is present to speak to the proposed bylaw.</p> <p>(5) A person who indicates his presence to speak to the proposed bylaw will be allowed five minutes to speak; those in favour will speak first, followed by those opposed.</p> <p>(6) After a person has spoken, any Councillor may ask that speaker relevant questions.</p> <p>(7) After <del>Council</del> <b>the Utility Committee</b> has heard from all individuals present to speak, EPCOR may respond to any new information that has arisen.</p> <p>(8) Any Councillor may then ask EPCOR and the Administration relevant questions.</p> <p>(9) <del>Council may make any necessary amendments to the bylaw.</del> <b>The Utility Committee may propose</b></p>
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	<p>information that has arisen.</p> <p>(11) Any Councillor may then move that the hearing on the proposed bylaw be closed.</p>	<p><b>amendments to the bylaw</b> and <del>Council</del> may allow an opportunity to all persons to respond to any new information that has arisen.</p> <p>(10) Any Utility Committee member may then move that the hearing on the proposed bylaw be closed.</p> <p><b>(11)The Utility Committee may make recommendations to Council on the bylaw and any proposed amendments to the bylaw.</b></p>
<b>AFTER CLOSE OF HEARING</b>	<p>After the close of the hearing, Council may debate the proposed bylaw and may pass or defeat the bylaw without further advertisement or hearing.</p>	<p><del>After the close of the hearing,</del> Council may debate the proposed bylaw and may amend, pass or defeat the bylaw without further advertisement or hearing.</p>