

VILLAGE OF BEISEKER



Title	Billing Cycle Alignment & Compliance	Policy Number	WS-3
Legislation Reference			
Purpose	<p>This policy establishes mandatory procedural requirements governing the timing, coming-into-force, and billing application of all bylaws that establish or amend utility rates, fees, and charges for services provided by the Village of Beiseker. The policy ensures full compliance with the Municipal Government Act, RSA 2000, c M-26 (MGA), prevents the application of any rate without lawful authority, and provides predictable, transparent billing practices for residents</p>		
Legislative Authority	<ul style="list-style-type: none"> • Section 3(b) — Municipalities must provide good government, including fair and transparent dealings with residents in all matters of fees and charges. • Section 8 — Authority to pass bylaws for municipal purposes, including establishing fees and charges. • Section 9 — Municipal powers must be exercised only as conferred by legislation. • Section 61(2) — Authority to charge fees, tolls, and charges for municipal services. • Section 63(1) — A bylaw comes into force on the date it is passed unless it specifies a later date. No bylaw may be applied before it comes into force. • Section 153(b) — Councillors must act in the best interests of the municipality and its residents. • Section 201(1) — The CAO must ensure administrative practices comply with legislation and that Council’s policies and directions are implemented 		

POLICY STATEMENTS

Prohibition on Retroactive Rate Application

No increased or decreased rate, fee, or charge shall be applied to any billing period or portion of a billing period that precedes the coming-into-force date of the authorizing bylaw. Any application of a rate without lawful bylaw authority is ultra vires and without legal effect.

Explicit Coming-Into-Force Clause Required

Every rate bylaw shall contain an explicit coming-into-force clause that states either:

- A specific calendar date that aligns with the start of a billing cycle; or
- That the bylaw comes into force on the date of final passing.

The coming-into-force clause shall appear as the final operative clause of the bylaw. If a bylaw is silent, it is deemed to come into force on the date of final passing per MGA s.63(1).

Billing Cycle Alignment (Default Rule)

Rate bylaws and amendments shall be scheduled for three readings so that the coming-into-force date aligns with the start of the next billing cycle. This requirement applies to all Village-initiated amendments.

Provider-Driven Amendments (Exception Rule)

Where an amendment is required due to external provider cost changes or contractual adjustments:

- The bylaw shall be brought forward as soon as practicable.
- The coming-into-force date may fall mid-cycle.
- Section 5.5 (Mid-Cycle Coming-Into-Force) applies.
- Administration shall document the external cost change necessitating the amendment and retain that documentation with the bylaw record.

Mid-Cycle Coming-Into-Force

Where a rate bylaw comes into force mid-cycle, Administration shall:

- Apply the previous rate for consumption prior to the coming-into-force date.
- Apply the new rate only for consumption on or after the coming-into-force date.
- Calculate any required adjustment using the following proration formula:

$$\text{Credit or Adjustment} = \text{Total Consumption (m}^3\text{)} \div \text{Total Days in Billing Period} \times \text{Days Billed at Incorrect Rate} \times \text{Rate Difference per m}^3$$

- Apply any resulting credit or adjustment to the next utility bill. This formula applies to both overcharges and undercharges.

Pre-Billing Compliance Confirmation

Before issuing any utility bill following a rate change, the Municipal Clerk shall provide written confirmation to the CAO that includes:

- Bylaw number
- Coming-into-force date
- Billing cycle start and end dates
- Rates entered into the billing system

- Whether the amendment is cycle-aligned or mid-cycle
- If mid-cycle, the documented reason for the exception

The CAO shall review and countersign this confirmation prior to bill issuance. The Clerk shall retain the confirmation as part of the permanent billing record.

Amendment-Specific Compliance Reporting

For each rate amendment bylaw, Administration shall provide Council with a brief compliance confirmation at the first Regular Council Meeting following implementation, including:

- Bylaw number
- Reason for amendment (Village-initiated or provider-driven)
- Coming-into-force date
- Whether mid-cycle
- Confirmation that proration was applied if required

Annual Compliance Reporting

At the first Regular Council Meeting following issuance of the first utility bill of each calendar year, Administration shall present a written report confirming:

- The coming-into-force date of the applicable Fees and Schedules Bylaw or rate amendment bylaws
- The first billing cycle to which the new rates were applied
- Confirmation of compliance with this policy, including proration where applicable
- Disclosure of any variance and corrective action taken

RESPONSIBILITIES

Chief Administrative Officer

- Ensuring all rate bylaws comply with this policy and the MGA before presentation to Council.
- Ensuring the billing system is updated only on or after the coming-into-force date.
- Reviewing and countersigning the pre-billing compliance confirmation.
- Presenting amendment-specific and annual compliance reports to Council.
- Ensuring all relevant staff are trained on this policy.

Municipal Clerk

- Ensuring every rate bylaw contains an explicit coming-into-force clause.
- Completing the pre-billing compliance confirmation for each amendment.
- Maintaining a cumulative log of all in-year amendments, including reasons and compliance confirmations.
- Retaining all confirmations as part of the permanent billing record.

Council

- Scheduling readings of rate bylaws to support billing cycle alignment unless provider-driven amendments require earlier implementation.
- Reviewing amendment-specific and annual compliance reports.

- Directing corrective action where non-compliance is identified.

NON-COMPLIANCE

Any billing issued in contravention of this policy shall be corrected by applying a prorated credit or adjustment to affected accounts on the next utility bill, calculated using the formula in Section 5.5. Council shall be notified of any such correction at the next Regular Council Meeting. Repeated non-compliance shall be addressed by Council as a matter of administrative accountability under MGA s.201.

RELATED DOCUMENTS

- Municipal Government Act, RSA 2000, c M-26
- Village of Beiseker — Fees and Schedules Bylaw
- Village of Beiseker — Current Annual Taxation Bylaw
- Village of Beiseker — Policy M-39 Records Retention/Disposal

1. Policy Review

This policy shall be reviewed every three (3) years from the date of adoption, or earlier if required by legislative changes or following any identified instance of non-compliance.

	Date	Resolution Number

Chief Administrative Officer

Chief Elected Official