

DISTRICT OF CHETWYND

BYLAW NO. 918, 2010

A bylaw to require and regulate connections to the sewer system

WHEREAS pursuant to the *Community Charter*, Council may regulate, prohibit and impose requirements with respect to municipal services;

AND WHEREAS the Municipality has established a system of sewerage works for the collection, conveyance and disposal of sewage;

NOW THEREFORE the Council of the District of Chetwynd, in open meeting assembled, enacts as follows:

1. CITATION

This bylaw may be cited as the “District of Chetwynd Sewer Regulation Bylaw No. 918, 2010”.

2. APPLICATION

This Bylaw applies to connections, collection, conveyance and disposal of sewage into the sewage collection system operated by the District of Chetwynd.

3. DEFINITIONS

“**Council**” means the Council of the District of Chetwynd;

“**Director of Engineering and Public Works**” means the person appointed as such by Council for the District of Chetwynd and any person designated to assist in carrying out any duties under this Bylaw;

“**Municipality**” means the District of Chetwynd;

“**Sanitary Sewers**” means a sewer owned and operated by the District of Chetwynd that carries sanitary sewage, and to which storm waters are not intentionally admitted;

“**Sewage**” means human excretion or water-carried wastes from drinking, culinary purposes, ablutions, laundering, food processing, ice producing or other matter permitted by the Director of Engineering and Public Works;

“**Sewage Collection System**” means the pipe or conduit for conveying sewage;

“Sewer Lateral” means the sewer pipe extending from the sanitary sewer main to the property line of the property being served or proposed to be served;

“Sewer System” means all of the system of sanitary sewers, treatment and disposal facilities owned and operated by the District of Chetwynd.

4. POWERS OF THE DIRECTOR OF ENGINEERING AND PUBLIC WORKS

4.1 The Director of Engineering and Public Works may enforce the provisions of this Bylaw.

4.2 The Director of Engineering and Public Works is authorized to issue permits and direct specific work under the provisions of this Bylaw.

4.3 The Director of Engineering and Public Works may issue a ‘Notice to Connect’ to the owner of any parcel of land capable of connection which will require the owner to carry out the connection within the time period specified in that notice.

5. MANDATORY CONNECTION TO SEWAGE COLLECTION SYSTEM

5.1 Where there is the ability to connect, every property owner must ensure that all sewage originating from any building located on such property owner’s property is connected to and discharged into the municipal sewage collection system.

5.2 Each parcel connected to the sewage collection system shall have its own service directly from the principal building to the sewer main.

5.3 Every property owner shall pay all installation costs and connection fees to the sewage collection system, including the connection to the sewer main.

5.4 Where the property owner does not connect the property owner’s property to the municipal sewage collection system as required in section 5.1, the Director of Engineering and Public Works may direct that the Municipality undertake such connections at the expense of the property owner in accordance with section 17 of the *Community Charter*.

5.5 Any costs incurred by the Municipality under the provisions of section 5.4 if not paid by December 31st in the year in which they were incurred are considered to be taxes in arrears on the property in question and the provisions of Division 14 of Part 7 of the *Community Charter* shall apply.

6. APPLICATION

- 6.1** Every property owner wishing to connect a property to the sewer system must, prior to installation:
- (a) apply to the Municipality to make the connection on the application form attached to the Sewer Fees and Charges Bylaw No. 915, 2010;
 - (b) attach to the application form the drawings showing the dimensions of all buildings and sewers and their location in relation to the property line and shall include locations of clean-outs, ground cover over pipe, type of pipe proposed to be used and, where applicable, location, size and depth of any existing septic tank;
 - (c) pay to the Municipality a sewer service connection fee in an amount specified in the Sewer Fees and Charges Bylaw No. 915, 2010; and
 - (d) receive approval in the form of a permit issued for the sewer connection by the Director of Engineering and Public Works.
- 6.2** No connection to the sewer system will be made until all required connection fees and charges, and any other related costs have been paid in full, and all approvals under the provisions of this Bylaw have been given.

7. CONNECTION LOCATION

Where possible, a sewer connection will be located where requested by the applicant, however if the applicant's preferred location is not practicable due to unsuitable ground conditions or the existence of installed surface improvements or underground utilities, the Director of Engineering and Public Works may designate the location of the sewer connection.

8. CONSTRUCTION

- 8.1** All sewer service pipes and fittings which may be required by the Municipality must be in accordance with Standards and Specifications of the District of Chetwynd Subdivision Servicing Bylaw.
- 8.2** All service pipes and fittings to connect the sewer service from the property line to any premises shall be constructed and laid by the owner, or his duly authorized agent, in accordance with the Standards and Specifications set out in Provincial Codes and Regulations, and Municipal Bylaws.

9. INSPECTIONS

- 9.1** Every property owner shall be responsible to call for inspections and shall ensure that service connections are not backfilled until approval has been granted by the Director of Engineering and Public Works.

- 9.2** Where a sewer connection or other work has been covered without first having been inspected and approved by the Director of Engineering and Public Works, the property owner shall, when requested by the Director of Engineering and Public Works, have such sewer connection or other works uncovered forthwith so that it may be inspected, and all costs relating to uncover the connection and other work will be the responsibility of the property owner.
- 9.3** Where a new sewer connection has been made to an existing property that previously was connected to a private septic tank and field, the owner must decommission, remove or fill any existing septic tank on the property in accordance with all applicable regulations.

10. GENERAL PROVISIONS

- 10.1** The Municipality will be responsible for repairs necessary in that portion of the service line between the main and the property owner's property line, but only if such repairs are caused by pipe failure and/or deterioration.
- 10.2** Where any sewer connection or service connection becomes stopped up or otherwise fails to function, the owner or occupier of the premises served must first determine the location of the blockage.
- 10.3** The owner or occupier of the premises must at their expense unblock any blockage in the building.
- 10.4** Where any stoppage or failure is found to exist in a sewer connection or service connection, the owner or occupier must immediately notify the Director of Engineering and Public Works.
- 10.5** All costs incurred by the Municipality in restoring service and unstopping the sewer connection or service connection must be paid by the owner or occupier of the premise upon demand unless the stoppage or failure was caused by the Municipality.
- 10.6** If costs imposed under section 10 remain unpaid on the 31st day of December in the year in which the work is done, the costs will be recovered in accordance with Division 14 of Part 7 – Recovery of Special Fees of the *Community Charter*.
- 10.7** Only sewage, as defined in this Bylaw, shall enter or be caused to be entered into the sewer system.
- 10.8** No person shall connect to the sewer, any storm drain for the purpose of disposing of storm sewer water, surface water from a roof, yards or street.

11. REQUIREMENTS PRIOR TO DEMOLITION

- 11.1** A property owner wishing to demolish a building connected to the municipal sewer system must not do so until all connections to the sewer system have been disconnected and capped in a manner satisfactory to the Director of Engineering and Public Works.
- 11.2** Where a property owner chooses not to disconnect and cap the connection to the sewer system, the Director of Engineering and Public Works may direct that the Municipality undertake such disconnection and capping at the expense of the property owner and the property owner shall forthwith pay the Municipality the disconnection charges set out in the Sewer Fees and Charges Bylaw No. 915, 2010.
- 11.3** Where a property owner fails to disconnect the connection from such property owner's property to the sewer system in accordance with this Bylaw and such failure results in damage to the sewer system, the property owner must pay the actual costs incurred by the Municipality in repairing the resulting damage.
- 11.4** Any costs incurred by the Municipality under the provisions of sections 11.2 or 11.3 if not paid by December 31st of the year in which they were incurred are considered to be taxes in arrears on the property in question and the provisions of Division 14 of Part 7 of the *Community Charter* shall apply.

12. RECONNECTIONS

Applications for reconnections shall be made in the same manner as applications for connections under the provisions of this Bylaw, but shall only be approved provided:

- (a) the applicant makes full payment of the reconnection fee payable under the Sewer Fees and Charges Bylaw No. 915, 2010; and
- (b) the reconnection is made to the original sewer lateral.

13. PROHIBITIONS

- 13.1** A person must not discharge, or cause or permit to be discharged, in the sewer system or into any manhole or inspection drain or other part the sewer system or into any plumbing fixture connection to the sewer system, any substance of any kind that:
- (a) obstructs or tends to obstruct or damage the sewer system;
 - (b) causes or tends to cause a nuisance;
 - (c) interferes or tends to interfere in any manner with the proper functioning, maintenance or repair of the sewer system;
 - (d) without limiting the generality of the foregoing, is a prohibited waste as set out in the District of Chetwynd Sanitary Waste Discharge Bylaw.

- 13.2** A person must not damage, destroy, uncover, deface, or otherwise tamper with any part of the sewer system.
- 13.3** A person shall not make any alterations or connections to the sewer system without obtaining the required permits or written authorization from the Director of Engineering and Public Works.
- 13.4** Where a connection has been made contrary to the provisions of this Bylaw, the Director of Engineering and Public Works may order the disconnection, stopping up and closing of a service connection to the sewer system, at the expense of the owner.

14. ENTER ONTO PROPERTY

The Director of Engineering and Public Works or any person authorized by the Director of Engineering and Public Works may at any reasonable time and upon presentation of proof of his or her identity, enter into or upon any property in respect of which sewer service is supplied by the Municipality for the purposes of inspecting the sewer pipes, connections, fixtures and any other apparatus used in connection with such sewer supply and to ascertain whether this Bylaw is being complied with.

15. OFFENCE

- 15.1** Any person who does any act or thing or who suffers or permits any act or thing to be done in contravention of this Bylaw commits an offence.
- 15.2** Where this Bylaw requires that a person perform any act or do any thing pursuant to this Bylaw, and the person fails to take the required action, the matter or thing may be done at the expense of the person in default and the costs will be recovered in accordance with Division 14 of Part 7 – Recovery of Special Fees of the *Community Charter*.

16. PENALTY

- 16.1** Any person who violates any provision of this Bylaw is guilty of an offence and is liable upon conviction to the penalties prescribed by the *Offence Act*.
- 16.2** The penalties imposed under section 16.1 are in addition to and not in substitution for any other penalty or remedy imposed under this Bylaw or any other statute, law or regulation.

17. SEVERABILITY

If any portion of this bylaw is for any reason held to be invalid by a Court of competent jurisdiction, the invalid portion shall be severed without affecting the remainder of this Bylaw.

18. REPEAL

The following bylaws are hereby repealed:
“Sewer Connection Charge and Regulation Bylaw No. 22” and amendments thereto.

Read a first time this	6 th	day of	April, 2010
Read a second time this	6 th	day of	April, 2010
Read a third time this	6 th	day of	April, 2010
Reconsidered and Adopted by Council this	19 th	day of	April, 2010

Mayor

Director of Corporate Administration