

CONSOLIDATED VERSION

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 1327

A bylaw to regulate the use of sanitary sewers within the municipality, and to regulate the extension of and connections to the sanitary sewer system of the municipality and to impose sewer connection fees

WHEREAS the City has constructed and is operating and maintaining a system of sanitary sewers on a self-liquidating basis for the benefit of residents of the Municipality;

AND WHEREAS it is expedient that all lands or real properties within the Municipality which require the service and are capable of being served by sanitary sewers, should be so served and connected to the sewer system as soon as possible;

AND WHEREAS it is necessary from time to time to extend the said sewer system to provide service to other residents of the Municipality;

AND WHEREAS it is deemed just that the cost of making such extensions to the said sewer system should not be permitted to place any undue burden upon the revenues of this system;

AND WHEREAS it is expedient to provide for the connection of sewers from houses and other buildings with the sanitary sewers of the Corporation of the City of Courtenay and to regulate the use of the sanitary sewers;

THEREFORE the Municipal Council of the Corporation of the City of Courtenay, in open meeting assembled, enacts as follows:

PART 1 - DEFINITIONS

In this bylaw unless the context specifically indicates otherwise, the meaning of terms used in this bylaw shall be as follows:

“Applicant” means an owner or his agent making application for sanitary sewer services and from whom the City may expect to receive revenue on a continuing basis for this service.

“BOD” or “biochemical oxygen demand” means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory conditions in five (5) days at 20 degrees Celsius, expressed in milligrams per litre as determined by the appropriate procedures in “Standard methods”.

“Building Inspector” means the Building Inspector of the City of Courtenay, and his duly authorized representatives.

“Building sewer” means a pipe, including manholes and inspection chambers laid on private property, connecting a service connection with a house or building.

“Capable of connection” means the parcel of land that abutts a street, lane, public right-of-way or easement upon or under which there is a sewer and that the service connection will have cover at the property line and drain towards the sewer. The house or building may be connected to the service connection by either a gravity building sewer or pump and force main.

“Catch basin” means a receptacle for receiving wastewater or liquid-borne wastes drained from a floor or from an exterior area or surface, and for retaining sediment.

“City” means the Corporation of the City of Courtenay.

“COD” or “chemical oxygen demand” means the measure of chemically decomposable materials in domestic or industrial wastewater as represented by the oxygen utilized as determined by the appropriate procedure described in “Standard methods”

“Collector” means the Collector of the City duly appointed by the Council pursuant to the provisions of the *Municipal Act*.

“Combustible liquid” means any liquid having a flash point at or above 38 degrees Celsius and below 93 degrees Celsius.

BL 1702 “Connection fees” means sanitary sewer connection fees shown in the current City of Courtenay Fees and Charges Bylaw.

“Council” means the Municipal Council of the Corporation of the City of Courtenay.

BL 2183 “Director” means the Director of Operational Services of the City, or his designate. The Director shall replace all reference in the bylaw to “Public Works Superintendent”.

“Domestic wastewater” means the water-carried wastes produced from non-commercial or non-industrial activities and which result from normal human living processes.

“Dwelling unit” means one or more rooms constituting a unit of living accommodation used or intended to be used for living and sleeping purposes and containing a sink and cooking facilities.

“Effluent” means the liquid outflow of any facility designed to treat or convey wastewater.

BL 2183 “Fixture” means a receptacle, appliance apparatus or other device that discharges waste water and includes floor drains.

BL 2183 “**Food Sector Establishment**” means:

- (a) a business establishment or institutional facility where food is prepared or made ready for eating or packaged and thereafter shipped to any establishment described in (b) or (c) below;
- (b) a retail establishment or institutional facility where food is prepared and made ready for retail sale or sold to the public and includes grocery stores, fresh produce stores, bakeries, butcher shops or similar establishments;
- (c) a business or institutional eating or drinking establishment where food is prepared or made ready for eating and is sold or served to the public (or with respect to institutions, sold or served to persons employed at, served by or attending those institutions) whether or not consumed on the premises, and includes restaurants, delicatessens, fast-food outlets, cafeterias, pubs, bars, lounges or other similar establishments.

“**Garbage**” means solid wastes from the domestic and commercial preparation, cooking and disposing of food, and from the handling, storage and sale of produce.

“**Grease**” means an organic substance recoverable by procedures set forth in “Standard methods” and includes but is not limited to hydrocarbons, esters, fats, oils, waxes and high molecular carboxylic acids.

BL 2183 “**Grease interceptor**” means a device (sometimes called a grease trap) designed and installed to separate and retain oil and grease from wastewater, while permitting wastewater to discharge.

“**Industrial wastewater**” means all water-carried wastes and wastewater excluding domestic wastewater and uncontaminated water, and includes all wastewater from any processing, institutional, commercial or other operation where the wastewater discharged includes wastes of non-human origin.

BL 2183 “**Inspector**” means any person designated by the Director and includes an Inspector in the City’s Fire Department and Development Services Department.

“**Offal**” means waste portions of food, animals, fowl or fish.

“**Owner**” shall have the meaning assigned to it by Section (1) of the *Municipal Act*, being Chapter 290, R.S.B.C. 1979.

“**Person**” means any person, firm, partnership or corporation or any trustee, manager or other person owning or occupying any building or place either individually or jointly with others, and includes any agent, workman or employee of such person, firm, partnership or corporation.

“**pH**” means the measure of the intensity of the acid or alkaline condition of a solution determined by the hydrogen ion activity of the solution in accordance with procedures set forth in “Standard

methods”.

“Properly comminuted garbage” means the wastes from the preparation, cooking and dispensing of food in residences, restaurants and hospitals that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 7 mm in any dimension.

“Service connection” means a pipe which may include an inspection chamber or clean-out connecting a sewer to a building sewer at the property line of a parcel of land.

“Sanitary sewer” means a sewer which carries wastewater and to which storm, surface and ground waters are not intentionally admitted.

“Sewerage system” means a network of wastewater collection and conveyance facilities.

“Sewage treatment plant” means any arrangements of devices and structures used for treating wastewater.

“Sewer” means a pipe or conduit that carries wastewater, rainwater, groundwater or uncontaminated process or cooling water.

“Sewer extension” means any installation requiring the construction of a sanitary sewer on any highway, Municipal right-of-way or easement, from the most convenient existing sewer. “Extension” shall not include a service connection.

“Standard methods” means the analytical and examination procedures set forth in the latest edition of *Standard Methods for the Examination of Water and Wastewater* published by the American Public Health Association, American Water Works Association and the Water Pollution Control Federation, or alternatively, procedures set out in a publication of the British Columbia Ministry of Environment that is intended to supplement or replace the procedures presented in an edition of *Standard Methods for the Examination of Water and Wastewater*.

“Special waste” shall be waste as designated by the Waste Management Branch Special Waste List, 1982.

“Storm sewer” means a sewer which carries storm and surface waters and uncontaminated drainage water, but is not intended for wastewater.

“Storm water” means water resulting from or following rainfall or snowfall but not containing wastewater.

“Suspended solids” means the insoluble matter suspended in wastewater that is separable by laboratory filtration in accordance with the procedure described in “Standard methods”.

“Uncontaminated water” means any wasted water not contaminated with wastewater and which is suitable for discharge to storm sewers.

“Wastewater” means the water-borne wastes of the community derived from human or industrial sources including domestic wastewater and industrial wastewater, but does not include rainwater, groundwater or drainage of uncontaminated water.

PART 2 - USE OF SEWER SYSTEM

Section 2.1 Right of Entry

- 2.1.1 The Director and anyone authorized by him is authorized to enter upon any property or premises at any reasonable time in accordance with Section 21 of the Waste Management Act.
- 2.1.2 Any person interfering with or obstructing the entry of the Director or his accredited representative into any premises, after that person has identified himself, shall be deemed to be guilty of an infraction of this bylaw and shall be liable to the penalties hereof.
- 2.1.3 No person shall hinder or prevent the Director or his accredited representative from entering and making reasonable inspection of any building or premises whenever necessary to secure compliance with, or prevent a violation of, any provisions of this bylaw.

BL 2183 Discharges to the Sanitary Sewer System

BL 2183 No Discharge to Sanitary Sewer System

- 2.2.1 No person shall discharge or cause to be discharged into the public sanitary sewer system any of the following sewage or wastes:
 - (a) storm waters,
 - (b) industrial cooling water,
 - (c) water from air conditioning, cooling or condensing systems,
 - (d) water except normal sanitary sewage arising from the operation of a non-circulating type car wash,
 - (e) liquid having a temperature at or higher than 65 degrees centigrade
 - (f) vapours or gaseous substances,
 - (g) waters or wastes which contain excessive amounts of fat, oil or grease, whether emulsified or not, having all inclusive concentration in excess of 150 milligrams per litre or contains more than 15 milligrams per litre of petroleum derivative, or become viscous at temperatures above 0 degrees centigrade,
 - (h) waters, sewage or wastes having a pH factor lower than 5.0 or higher than 9.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, biological sewage treatment processes, or personnel engaged in the operation or maintenance of the public sewage works,
 - (i) any noxious or malodorous substance which either singly or by interaction with other wastes is capable of creating a public nuisance, or hazard to life or preventing entry

- into a public sewer or sewage treatment plant,
- (j) any sewage, waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any public sewage treatment process, or constitute a hazard to humans or animals, or create any hazard in the receiving waters or the effluent from public sewage works or a sewage treatment plant.

Without limiting the generality of this section, the concentration of the following toxic substances at the point of discharge to the public sanitary sewer shall not exceed:

Matter Toxic Substances	Expressed As	Concentrations in Milligrams per Litre
Aluminum	Al	50.0
Arsenic	As	1.0
Barium	Ba	5.0
Boron	B	50.0
Cadmium	Cd	0.2
Chloride	Cl	1500.0
Chlorinated Phenols*		0.05
Chromium	Cr	4.0
Cobalt	Co	5.0
Copper	Cu	2.0
Cyanide	CN	1.0
Fluoride	F	10.0
Iron	Fe	10.0
Lead	Pb	1.0
Manganese	Mn	5.0
Mercury	Hg	0.05
Molybdenum	Mo	1.0
Nickel	Ni	2.0
Phenolic Compounds		1.0
Silver	Ag	1.0
Sulphate	SO ₄	1500.0
Sulphide	S	1.0
Tin	Sn	5.0
Zinc	Zn	3.0

*Chlorinated Phenols are the total of 2, 3, 4, 5 and 2, 3, 4, 6 tetrachlorophenols and pentachlorophenols.

- (k) any gasoline, benzene, naphtha, alcohols, solvents, fuel oil or other flammable or explosive liquids, solids or gas,
- (l) any radioactive wastes or sewage, except within such limits as are permitted by the license issued by the Atomic Energy Control Board of Canada,
- (m) any garbage except properly ground garbage,

- (n) any solid or viscous substance capable of obstructing sewage flow or interfering with the proper operation of the sewage works or sewage treatment plant. These substances include, but are not limited to: ashes, cinders, sand, mud, straw, grass clippings, insoluble shavings, metal, glass, rags, feathers, tar, coal tar, asphalt, creosote, cement, plastics, wood, paunch manure, offal, blood, bones, meat trimmings and wastes, fish or fowl head, shrimp, crab or clam shells, entrails, lard, tallow, baking dough, chemical residues, cannery or winery waste, bulk solids, hair and fleshings, spent grain and hops, whole or ground paper dishes or cups, whole or ground food and beverage containers, and paint residues,
- (o) any waters, sewage or wastes containing dissolved suspended solids of such character and quantity that any abnormal attention or expense would be required in the treatment of such sewage,
- (p) any waters, sewage or wastes containing more than 500 parts per million by weight of suspended solids,
- (q) any waters, sewage or wastes having B.O.D. count greater than 500 parts per million by weight,
- (r) sludge or deposit contained in septic tanks,
- (s) any material from holding tanks.

Unpolluted Discharges

2.2.2 Unpolluted industrial waters shall not be discharged into the public sanitary sewer system.

Industrial cooling water which may be polluted with insoluble oils or greases or insoluble suspended solids shall be pretreated for removal of the pollutants and the resultant unpolluted water may be discharged into a storm sewer, ditch or approved natural outlet or watercourse.

Water from air conditioning, cooling or condensing systems shall be discharged into a public storm sewer, ditch or approved natural outlet or watercourse.

Swimming Pools and Hot Tubs

2.2.3 Any and all waters discharged from a swimming pool or hot tub, as well as any effluent from pool filters, back washing and skimmers shall be discharged into the public sanitary sewer system.

Rate of Discharge

2.2.4 The rate or rates of discharge for various times of a 24 hour period for any industry connected to the public sewer system shall not exceed the extra capacity of the public sewer system after all the other regular users have been accommodated. Such industries shall install and maintain on their own properties, such holding facilities, pumps, valves, flow regulating and measuring devices as may be required by the Director to ensure that the specified flow rates shall not be exceeded.

2.2.2 Any special waste without current permit.

BL 2183 Prohibited Discharges

2.3.1 No person shall place or discharge or cause to be placed or discharged into the sewage system, or any watercourse any of the following:

Explosives and Flammable Substances

- (a) any flammable or explosive liquid, solid or gas including but not limited to gasoline, benzene, naphtha, alcohol and propane;
- (b) any substance that is water reactive or by interaction with other wastes will cause an explosion, generate flammable gases or support combustion, including but not limited to calcium carbide, sodium and oxidizers.

Poisonous and Infectious Substances

- (c) any water or waste containing a toxic, poisonous or infectious substance in sufficient quantity to injure or constitute a hazard to humans or animals, or to create any hazard to the receiving waters of the storm drainage system;
- (d) any pesticides, herbicides or fungicides.

Corrosive and Noxious Substances

- (e) any gases, liquids, or solids including but not limited to corrosive, noxious or malodorous materials which either by themselves or by interaction with other wastes are capable of:
 - (i) creating a public nuisance, or
 - (ii) causing a hazard to life or damage to property or the environment.

Radioactive Substances

- (f) any radioactive material except within such limits as are permitted by the license issued by the Atomic Energy Control Board of Canada.

Special Wastes

- (g) any special waste as defined in the British Columbia Waste Management Act.

High Temperature Wastes

- (h) any material that will react with water that will create heat in amounts which will interfere with the operation and maintenance of the sewage system or exceed the temperature limits in Clause 2.2.1(e).

Trucked Wastes

- (i) any material from a cesspool, septic tank or sewage holding tank, including those in recreational vehicles, or any trucked wastes.

Dyes

- (j) any dyes except those approved by the Director or where permission has been granted by the Inspector.

Obstructive Wastes

- (k) any substance which may solidify or become discernibly viscous at temperatures above 0° C.;
- (l) any substance which will solidify or become discernibly viscous when it reacts with water.

2.3.2 No person shall cause or permit any storm water or uncontaminated water to be discharged to a sanitary sewer.

Interceptors

2.3.3 Grease, oil and sand interceptors shall be provided upstream of the service connection on private property for all garages, gasoline service stations and vehicle and equipment washing establishments. Interceptors will be required for other types of industries or commercial establishments when they are necessary for the proper handling of liquid waste containing grease in excessive amounts or any flammable wastes, sand grit or other harmful ingredients except that such interceptors shall not be required for private living quarters or single dwelling units. Such interceptors shall be so located as to be readily and easily accessible for cleaning and inspection. All interceptors shall be maintained in a continuously efficient operation at all times at the owner's expense.

Grease Interceptors

2.3.4. All Food Sector Establishments that discharge wastewater containing oil and grease must install and maintain a grease interceptor in accordance with this bylaw.

- 2.3.5 Food Sector Establishments that discharge wastewater containing oil and grease must connect the following fixtures to, and use, a grease interceptor:
- (a) sinks used for washing pots, pans, dishes, cutlery, and kitchen utensils;
 - (b) drains serving self-cleaning exhaust hoods installed over commercial cooking equipment;
 - (c) drains serving commercial cooking equipment;
 - (d) drains serving a garbage compactor used to compact garbage that may contain, or be contaminated with food waste;
 - (f) any other fixture that discharges wastewater containing oil and grease.
- 2.3.6 The following fixtures in a Food Sector Establishment must not be connected to a grease interceptor:
- (a) food grinders, potato peelers, and similar equipment discharging solids; and
 - (b) toilets, urinals and hand sinks.
- 2.3.7 Grease interceptors in a Food Sector Establishment must be labelled with information containing the rated flow capacity of the unit. The label must be permanently affixed and visible following installation. Where a permanently affixed and visible label is not possible or practical, manufacturers and installation drawings of the grease interceptor must be maintained at the Food Sector Establishment and available for inspection on request by the Director or Inspector.

Grease Interceptor Size and Installation

- 2.3.8 All grease interceptors must be connected so that all discharges are made either to a sanitary sewer or to a combined sewer. A grease interceptor must not be connected so as to discharge into a storm sewer.
- 2.3.9 The flow capacity of a grease interceptor in a Food Sector Establishment must not be less than the maximum discharge flow from all fixtures connected to the grease interceptor that will discharge simultaneously.
- 2.3.10 Grease interceptors in Food Sector Establishments must:
- (a) without limiting the provisions of section s.2.3.10, have a flow capacity of not less than 3.2L/s (50 USgpm);
 - (b) be located so that they are readily and easily accessible for inspection and maintenance; and
 - (c) be equipped with a sampling tee located outside the building in which the Food Sector Establishment is located. The sampling tee must not be less than 15.2 cm (6 inches) nominal diameter and must be installed so that it opens in a direction at right angles to and vertically above the flow of the sewer pipe. The sampling tee must be accessible at all times for inspection.

Grease Interceptor Operation and Maintenance

- 2.3.11 Operators of Food Sector Establishments must maintain and repair grease interceptors so that they provide effective service at all times and are in compliance to ASPE Data Book 35, Grease Interceptors 1994 and amendments thereto, as referenced in the B.C. Plumbing Code.
- 2.3.12 The maximum depth of oil and grease which an operator of a Food Sector Establishment may allow to accumulate in a grease interceptor prior to servicing must not exceed the less of six inches or 25% of the wetted height of the grease interceptor.
- 2.3.13 The operator of a Food Sector Establishment must keep and maintain at the Food Sector Establishment a record of all grease interceptor inspections and maintenance carried out, recording the date of inspection, the date of cleaning or maintenance, the type and quantity of material removed from the grease interceptor and the disposal location. The inspection and maintenance record must be retained for a period of two years and must be available for inspection by the Director.
- 2.3.14 Oil and grease removed from grease interceptors must not be discharged to any sewer, sanitary sewer, storm sewer, or other sewer, drainage ditch or surface water.
- 2.3.15 Oil and grease removed from grease interceptors must not be disposed of with regular garbage.
- 2.3.16 No person shall use enzymes, solvents, hot water or other agents in order to facilitate the passage of oil and grease through a grease interceptor.

Accidental Discharges

- 2.4.1 Every person responsible for the accidental discharge of prohibited substances into a public or private sewer shall report the same immediately to the Director in order that the necessary precautions can be taken to minimize the deleterious effects of the discharge.

General Requirements for Connection to the Sewerage System

Wastewater Treatment Facilities

- 2.5.1 Any industrial wastewaters likely to damage or increase maintenance costs on the sewerage system or which may detrimentally affect the sewage treatment plant, or contaminate surface or subsurface waters, shall be pretreated to render them innocuous prior to discharge into a public sewer.
- 2.5.2 Discharges of liquid wastes exceeding the strength, nature, quantity or quality permitted by this bylaw, shall be treated in a facility designed, constructed and operated so as to fulfill all of the requirements of this bylaw.

- 2.5.3 All details pertaining to the treatment process or processes, capacity, location, materials, equipment, methods of construction and all operational procedures and methods of process control of treatment facilities shall be approved by the Director before any portion of such facilities is installed.
- 2.5.4 All wastewater treatment facilities must be kept clear of obstructions so as to provide immediate access for inspection and servicing.

General Design Requirements for Connecting to the Sewerage System

- 2.6.1 Where an owner or occupier of premises upon which an industrial or commercial activity is proposed or is carried on wishes to connect these premises to the sewerage system he shall comply with sentence 2.6.3 herein.
- 2.6.2 Where an owner or occupier intends to expand an industrial or commercial activity so that the quantity, biochemical oxygen demand, suspended solids concentration or grease concentration of sewage will be increased, he shall comply with sentence 2.6.3 herein.
- 2.6.3 Except as provided in sentence 2.6.4, the owner shall supply to the Director, plans and reports certified by a professional engineer indicating:
- (a) the proposed or existing development or addition,
 - (b) the daily volumes and peak discharges,
 - (c) the type of waste to be processed or discharged,
 - (d) the anticipated biochemical oxygen demand and the amount of suspended solids or grease,
 - (e) the pH factor and temperature of the wastewater,
 - (f) toxic chemicals contained in the wastewater,
 - (g) the proposed pretreatment,
 - (h) flow equalizing or mixing facilities,
 - (i) the location of sampling manhole,
 - (j) the monitoring equipment,
 - (k) any other information deemed necessary by the Director.
- 2.6.4 The Director may deal with the application and make a decision thereon without the above information if in his opinion the nature of the application is such that a decision can be properly made without such information.

BL2183 Volume Control

- 2.7.1 Where wastewater is discharged into the sewerage system in volumes which are highly variable or unusual, the owner or occupier shall ensure that discharges do not exceed the limits on flow volumes set by the Director.
- 2.7.2 Equipment necessary to comply with sentence 2.7.1 shall be provided, maintained and operated by the owner or occupier of such premises in a manner satisfactory to the Director.
- 2.7.3 The Director, if of the opinion that a public sewer or any portion thereof has insufficient capacity to handle existing or proposed wastewater, may require that the amount of flow which can be discharged into the sewer via the public sewer connection be limited by satisfactory means.

Control of Industrial Wastes

Special Control Manholes

- 2.8.1 Any property discharging industrial wastewater to the public sewer shall have installed a control manhole suitable for the inspection and sampling of the discharged wastes.
- 2.8.2 Any design and location of the control manhole shall be approved by the Director.
- 2.8.3 The control manhole shall be installed and maintained at the sole expense of the owner of the premises and shall be accessible at all times to the Director.
- 2.8.4 All industrial wastewater discharged to public sewers shall first pass through the control manholes.
- 2.8.5 Where installation of a control manhole is not possible, an alternative device or facility may be substituted if approved by the Director.

Monitoring of Wastewater

- 2.9.1 Should any testing of wastewater show that it is not in compliance with this bylaw, the Director, in addition to any other provision of this bylaw may direct the owner to so comply with the bylaw and may, in addition, direct the owner at his expense to install such automatic monitoring and recording equipment as the Director deems necessary and supply the results of such monitoring to the Director.
- 2.9.2 All tests, measurements, analysis and examination of wastewater, its characteristics or contents shall be carried out in accordance with "Standard methods".

Control of Waste Disposal

- 2.10.1 The Director may at any time require a person who intends to dispose of wastes of liquid, semi-liquid or solid nature to show proof that these wastes are being stored and subsequently

disposed of in a place and manner which is acceptable to the Director; the information must also include method of packaging, storing and transporting.

2.10.2 The Director may require a person to provide an analysis, prepared by a qualified chemist, of the waste referred to in sentence 2.10.1.

Protection of Public Sewerage System

Disconnection of Sewer

2.11.1 Where any wastewater which:

- (a) is hazardous or creates an immediate danger to any person, or
- (b) endangers or interferes with the operation of the sewerage system

is discharged to the sewerage system, the Director may, in addition to any action provided for in this bylaw, disconnect, plug or seal off the sewer line discharging the unacceptable wastewater into the sewerage system or take such other action as is necessary to prevent such wastewater from entering the sewerage system.

2.11.2 The unacceptable wastewater described in sentence 2.11.1 may be prevented from being discharged into the sewerage system until evidence satisfactory to the Director has been produced to ensure that no further discharge of hazardous wastewater will be made to the sewerage system.

2.11.3 The owner or occupier of the land from which the wastewater described in sentence 2.11.2 herein is being discharged shall pay the costs incurred by the City in taking all necessary action relative to the sewer disconnection and/or reconnection.

2.11.4 The costs incurred in sentence 2.11.3 shall be in addition to and not in substitution for any fine or other penalty to which the owner or occupier of the premises in question may be subject pursuant to the provisions in this bylaw.

2.11.5 The sewer shall not be reconnected until the costs in sentence 2.11.3 are paid.

Recovery of Costs for Damage to the Public Sewerage System

2.12.1 Where any person contravenes any provision of this bylaw and thereby causes damage to the sewerage system, such person shall be liable to the City for all costs incurred in making repairs or taking remedial action.

2.12.2 If such costs are not paid forthwith after demand, the City may recover the same by action in any court of competent jurisdiction.

PART 3 - USE OF SEWER SYSTEM – CONNECTIONS

Illegal Connections

- 3.1.1 No person shall connect or attempt to connect, or allow to be connected, or allow to remain connected to the sewer system any property or premises otherwise than in accordance with the provisions of this bylaw.

Building Sewer Required

- 3.2.1 The owner of every parcel of land to which a service connection can be or has been made, and on which a building or structure is situated shall connect such building or structure to the sewer system. In the event of any such owner failing to make the necessary connection within thirty (30) days after being notified in writing by the Director to do so, the Director, by his workmen or others, may have the work done at the expense of any such owner, and the City shall recover the expense thereof with interest with costs in like manner as Municipal taxes. Notwithstanding the foregoing, an owner failing to connect his building or structure to the sewer system within the aforesaid period of thirty (30) days shall be liable to the penalties provided by this bylaw.

Notice Given

- 3.3.1 Notice in writing required to be given by the Director (pursuant to this section) shall be sufficiently given if sent by registered mail to the owner at the address shown on the last revised Assessment Roll of the City.

Connection Application

- 3.4.1 Each application for a service connection shall be made to the City by the owner or his authorized agent in the form prescribed by Council. Such owner shall, on making application, pay to the City the applicable connection fee. If such connection is practicable, the Director will, within ninety (90) days, weather permitting, provide and install a service connection to the applicants' property. If such connection is not practicable, the Director shall so notify the applicant within sixty (60) days and the City shall refund the charges or fees paid by the applicant.

Individual Connections

- 3.5.1 Each property shall have its own service connection which shall be installed by the City. Where two or more buildings exist on one parcel of land and where such parcel of land can be subdivided, each building shall have a separate service connection.

Connection Location

- 3.6.1 Where possible the service connection will be located at the location requested by the applicant. In the event the applicants preferred location is not practicable due to the existence

of installed surface improvements or is in conflict with installed underground utilities, the Director shall designate the location of each service connection to each parcel of land or premises.

Compulsory Service Connections

3.7.1 Where street surface improvements are scheduled for installation by the City during a current budget year, the Director shall order a compulsory service connection to be installed to any property abutting such street and served by a sewer regardless of whether or not any improvement is constructed on the property and the cost of the service connection shall be recovered as set out in Part 6 of this bylaw.

PART 4 - SEWER SYSTEM EXTENSIONS

Extension Applications

4.1.1 All applications for sewer system extension shall be made in writing to the Director by the owner or owners of the property to be served by such system extensions.

Extension by Council Resolution

4.2.1 The Council of the Corporation of the City of Courtenay may designate sewer system extensions for any budget planning unit covering one or more years and such designated extension shall be included in a construction bylaw.

BL 1702 Extension Other than by Council Resolution

4.3.1 In the event an applicant wishes to proceed with a sewer system extension which has not been designated by Council, the Director may, proceed with the extension provided that the applicant shall pay to the City in advance the total cost of construction as estimated by the Director. The final cost to the applicant of the sewer system extension shall be the actual cost to the City of construction. The service connection costs for each parcel of land owned by the applicant or applicants to be served by such extension shall be as set out in the current City of Courtenay Fees and Charges Bylaw.

Extension Limits

4.4.1 Where a sewer is extended by other than Council resolution, the minimum inside diameter shall be eight inches (8") and shall extend from the most convenient existing sewer having sufficient surplus capacity and grade to carry the additional sewage resulting from the said extension, to a point opposite the furthest boundary of the last parcel of land to be served by the said extension.

Cost Shareable for Oversize Extensions

4.5.1 Where any sewer is extended other than by Council resolution and where the City may desire

to install a sewer of greater capacity than is required to provide service to the lands for which application for an extension has been made, and if such excess capacity will be available to permit further extension beyond the boundaries of the land to be immediately served thereby, the City shall pay the difference in cost of installation between the actual cost of sewer installation with the excess capacity and the estimated cost of a ten inch (10") sewer. This is provided however, that the funds required therefore are available and have been allocated specifically for sewer construction in the current annual budget of the City.

PART 5 -BUILDING SEWERS

Plumbing Bylaw

5.1.1 Building sewers shall be installed in accordance with the City's Plumbing Bylaw and shall be constructed by and at the expense of the owner, and shall be approved by the Building Inspector prior to connection being made to the service connection.

Blockages

5.2.1 The building sewer shall be maintained by the property owner at his sole expense. Where any sewer or service connection becomes stopped or otherwise fails to function, the owner or occupier of the premises served shall first determine that the blockage is not located in his building sewer and then notify the Director forthwith and the Director shall, as soon as practicable, arrange to have said sewer or service connection unstopped or otherwise restored to serviceable condition.

5.2.2 Where any stoppage or failure is found to exist in the service connection or sewer and where such stoppage or other failure is found to have been caused by the act or neglect of the owner or occupier of the premises, all costs incurred by the City in restoring service and unstopping the sewer or service connection shall be paid by such owner or occupier upon demand and if unpaid on the thirty-first of December of the year in which such work is done, shall be deemed to be taxes in arrears on the property concerned and shall be dealt with in the same manner as ordinary municipal taxes upon land in accordance with the applicable provisions of the Municipal Act.

BL 2183 Abandonment

5.3.1 When any building sewer is abandoned, the owner or his agent shall notify the Director and the Director shall cut off the service at the junction with the main. The owner shall be liable for the abandonment charge specified the City's Fees and Charges bylaw.

Connection to Service Connection

5.4.1 In all cases, the service connection shall be installed by the City prior to installation of the building sewer and connection of the building sewer to the service connection by the owner. The City shall not be responsible to meet the elevation or connect to an existing building

sewer installed by the owner prior to installation of the service connection.

Depth

- 5.5.1 Where practicable as governed by the depth of the sewer, the minimum depth of the service connection at the property line shall be four (4) feet. Where possible, the service connection will be installed with sufficient depth to provide natural drainage from the lowest floor of any building or structure except where natural drainage is impractical due to the relative elevation of the sewer and the lowest floor of the building or structure.

PART 6 - CHARGES FOR SERVICE

BL 1702 Connection Fee

- 6.1.1 The owner or his agent shall, on making application for a service connection pay to the City the applicable connection fee.

Fee Added to Taxes

- 6.2.1 Connection fees not paid on or before the thirty-first day of December in any year shall be deemed to be taxes in arrears in respect of the parcels of land served by the said service connections and such sum shall be recoverable as such.

Fee Waived

- 6.3.1 Where service connections were provided and prepaid to any parcel of land existing at the date of this bylaw, the connection fee payable by any owner-applicant of such parcel pursuant to this bylaw shall be waived. The provisions of this clause shall not apply to any parcel of land created by subdivision where such connection fee was not prepaid, nor to the additional costs payable by any owner-applicant for additional service connections or for a service connection exceeding four inches (4") in diameter.

BL 2038 Sanitary Sewer Use Charge

- 6.4.1 There is hereby imposed a sanitary sewer user charge against the owner or occupier of land or real property that is connected to the sanitary sewer system and such charges may be collected annually by the Collector at the same time and in a like manner as property taxes, and shall be subject to the same penalties, if not paid by the due date for payment of property tax.
- 6.4.2 Except as provided for in Section 6.4.1 a sanitary sewer user charge imposed against the owner or occupier of land or real property that is connected to the sanitary sewer system will be billed on an annual basis and will be subject to a penalty of 5%, and the penalty shall be applied to the current charges if the account is not paid on or before July 31st in the year of the billing.

- 6.4.3 The sanitary sewer user charges shall be applied on the first day of the month following the issuance of an occupancy permit, or the date of actual occupancy if different.
- 6.4.4 Non receipt of the utility bill will not be recognized as a valid excuse for failure to pay the rates when due.
- 6.4.5 Any fees and charges remaining unpaid on the thirty-first day of December in any year, including any penalty amounts levied on unpaid utility billings, shall be added to and form part of the taxes payable in respect of the land on which said premises is situated, and shall be entered upon the Collector's roll as taxes in arrears.

BL2183

PART 7 - INSPECTION AND ENFORCEMENT

- 7.1.1 Building sewers shall have passed inspection by the Building Inspector prior to connection being made to the service connection.
- 7.1.2 Should any person who is required by the provisions of the bylaw to do any matter or thing, be in default of it being done by that person, such matter or thing may be done at the expense of the person in default and the Council may recover the expense thereof, with costs in like manner as municipal taxes.

PART 8 - OFFENCES AND PENALTIES

Offences

- 8.1.1 Every person who violates any of the provisions of this bylaw or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this bylaw or who does any act which violates any of the provisions of this bylaw is guilty of an offence against this bylaw and liable to the penalties hereby imposed.
- 8.1.2 Each day that a violation is permitted to exist shall constitute a separate offence.

Penalties

- 8.2.1. Every person who commits an offence of a continuing nature is liable to a fine not exceeding \$50.00 for each day such offence is continued.
- 8.2.2. Offences and penalties shall not contravene Section 34 of the Waste Management Act.

This bylaw shall come into force and take effect on and after the date of the passing hereof.

Bylaw No. 1104 is hereby repealed.

This bylaw may be cited for all purposes as "Sanitary Sewer Use, Extension and Connection

Bylaw No. 1327, 1983”.

Read a first time this 21st day of February, 1983.

Read a second time this 21st day of February, 1983.

Read a third time this 21st day of February, 1983.

Reconsidered, finally passed and adopted this 7th day of March, 1983.

George Cochrane
Mayor

Jim Cuthbert
Acting Clerk