

TOWN OF PORT McNEILL
Bylaw No. 560, 2003

A bylaw to regulate the charges, rates, terms and conditions under which a connection to the municipal sewage system will be undertaken.

WHEREAS in accordance with the provisions of Section 8(2) of the Community Charter, a municipality may provide any service that the council considers necessary or desirable, and may do this directly or through another public authority or another person or organization,

AND WHEREAS in accordance with the provisions of Section 8(3) of the Community Charter, a council may, by bylaw, regulate, prohibit and impose requirements in relation to municipal services,

AND WHEREAS in accordance with the provisions of Section 12 of the Community Charter a council may, by bylaw, establish variations, terms and conditions in relation to municipal services,

AND WHEREAS in accordance with the provisions of Section 194 of the Community Charter a council may, by bylaw, impose a fee payable in respect of all or part of a service of the municipality,

NOW THEREFORE the Municipal Council of the Town of Port McNeill in open meeting assembled, enacts as follows:

1. Citation

This bylaw may be known and cited as the "Town of Port McNeill Sewer Regulation Bylaw No. 560, 2003."

2. Definitions

In the Bylaw, unless the context otherwise requires:

Town shall mean the Town of Port McNeill.

Collector shall mean the person appointed from time to time by the Council as Collector.

Common Sewer shall mean all sanitary or storm sewer pipes, lift stations, manholes, catch basins and other fittings and fixtures on or under Town right-of-ways and easements under the control of the Town.

Prohibited Waste shall mean waste collected by a grab or composite sample and determined to be:

- flammable or explosive

- a cause of obstruction or interference of flow within a common sewer or sewer connection pipe odorous
- greater than 65 degrees celsius in temperature
- pathogenic
- corrosive
- radioactive

Property Owner shall mean the registered owner of any lands and premises within the Town and shall, where applicable, include the agent, executor or administrator of such owner or the lessees or occupier of the premises.

Restricted Waste shall mean waste collected through one operating day composite sampling process and determined to contain any one element in concentrations greater than the following:

Factor/Element	Maximum limit or concentration
• Maximum temperature	- 65 °C
• pH low	- 5.5
• pH high	- 10.5
• Synthetic Oil/Grease	- 15 mg/L
• Natural Oil/Grease	- 150 mg/L
• Pheolics	- 1.0 mg/L
• Biological Oxygen Demand	- 500 mg/L
• Suspended Solids	- 600 mg/L
• Aluminium	- 50.0 mg/L
• Arsenic	- 1.0 mg/L
• Cadmium	- 0.2 mg/L
• Chromium	- 4.0 mg/L
• Cobalt	- 5.0 mg/L
• Iron	- 10.0 mg/L
• Lead	- 1.0 mg/L
• Manganese	- 5.0 mg/L
• Mercury	- 0.05 mg/L
• Silver	- 1.0 mg/L
• Sulphates	- 1500.0 mg/L
• Sulphides	- 1.0 mg/L
• Zinc	- 3.0 mg/L

Sanitary Building Sewer shall mean the sanitary sewer pipe extending from the property line of the property concerned to the building situated thereon, and joining the sewer connection to the plumbing system at the building.

Sewer Connection shall mean the sewer pipe extending from the common sanitary sewer or common storm sewer to the property line of the property being served.

Sewer Service shall mean works or services provided by the Town and include:

- collection and treatment of waste
- sewer connection common sewer extension
- collection of storm runoff

Sewer Treatment Facility shall mean a sewer treatment facility owned and operated by the Town.

Storm Building Sewer shall mean the storm sewer pipe extending from the property line of the property concerned to the building or area having drainage thereon, also joining the sewer connection to the plumbing system at the building.

Supervisor of Public Works shall mean the person appointed as such by the Council of the Town and any person delegated to assist him in carrying out his duties under this bylaw.

Waste shall mean any material deposited in or collected by a common sewer pipe, sewer connection pipe or sewer treatment facility.

3. General Provisions

- 3.1 No person shall make any connection to the common sewer without first receiving approval from the Town.
- 3.2 The property owner shall keep the building sewer pipes, fixtures, fittings on their own premises or property free flowing, in good repair, and protect them from frost at their own risk and expense.
- 3.3 If a parcel of land, upon which is situated a building occupied by one or more persons, abuts a street or lane or right-of-way upon or under which there is a common sewer, the owner or occupier of such building shall connect or cause to be connected, the said building sewer with the common sewer in the manner provided by this bylaw.
- 3.4 The Town shall not be required to supply a sewer connection to any property within the Town, which is serviced by other than the common sewer.
- 3.5 The property owner shall be responsible for all costs associated with the works required for the installation of a sewer connection for his property.

- 3.6 No works or services shall be performed on the common sewer unless authorized in writing by the Supervisor of Public Works.
- 3.7 All works and services performed on the common sewer shall conform with the requirements of the Town of Port McNeill Standard Construction Specifications as written in the Subdivision Development and Servicing Bylaw and Master Municipal Construction Documents.
- 3.8 No person shall in any way interfere or tamper with any pipe, fixture, fitting, or other component of the common sewer.
- 3.9 The Town shall not be liable for damages caused as a result of a disruption or discontinuation of sewer service.
- 3.10 No person being a property owner, occupant, or tenant of any premises supplied with sewer services by the Town shall sell, give away or permit use of the common sewer for the benefit of others, except to those persons provided written authorization from the Supervisor of Public Works.

4. Application - Connection

- 4.1 No permit for sewer service shall be issued where, in the opinion of the Supervisor of Public Works the common sewer is incapable of adequately serving the said parcel of land, and in such case the provision of Section 5 of this bylaw shall be deemed to have been waived in respect to that parcel of land.
- 4.2 Application for sewer service shall be made to the Town and shall be made on the form contained in Schedule "A" of this Bylaw and shall be accompanied by the proper fee as specified in Schedules "B" of Fee Setting Bylaw No 560, 2003. Each application, when duly signed by the property owner includes agreement to abide by the terms and conditions of this Bylaw and any subsequent amendments thereto.
- 4.3 Applications for sewer service submitted by other than the registered or legal property owner must be accompanied by a letter of consent or authorization from the registered or legal property owner.
- 4.4 The sewer service fee paid in accordance with Section 14 hereof, does not include works within private property.

5. Application - Disconnection

When any building within the Town is removed or demolished application for disconnection of a sewer connection shall be made in writing, by the property owner, and delivered to the Town office, and until such application has been

submitted, sewer rates may be charged as prescribed by Schedule "B" of Fee Setting Bylaw No 560, 2003 to the property owner.

6. Waste Standards

- 6.1 No person shall discharge or allow to be discharged into a common sewer or sewage treatment facility any restricted or prohibited waste.
- 6.2 No person shall discharge any deleterious material into a common sewer or Sewage Treatment Facility without a Waste Discharge Permit. The Supervisor of Public Works may require the material to be discharged be analyzed by a recognized laboratory to ensure conformance with restricted or prohibited waste standards of this bylaw. The cost of the laboratory testing must be prepaid by the applicant.
- 6.3 Applications for a Waste Discharge Permit shall be made to the Town and shall be made on the form contained in Schedule "B" of this bylaw and shall be accompanied by the proper fee specified in Schedule "B" of Fee Setting Bylaw No. 560, 2003.
- 6.4 No person shall discharge waste into a common sewer or sewage treatment facility in excess of 100 cubic meters over any consecutive 30-day period.
- 6.5 Any waste likely to damage or increase maintenance costs on the sewer collection system or which may detrimentally affect the sewage treatment process shall be pre-treated to render them innocuous prior to discharge into a common sewer.

7. Rates and Charges

- 7.1 Property owners shall be responsible for payment of all rates for sewer services provided to properties owned by them.
- 7.2 The user rates and charges specified in Schedule "B" of the Town of Port McNeill Fee Setting Bylaw No. 558, 2003 as amended from time to time, are hereby imposed and levied for sewer services supplied by the Town.
- 7.3 Accounts are billed from January 1st to December 31st in each year.
- 7.4 If the account remains unpaid as at October 31st, a penalty of ten percent (10%) will be applied to the outstanding balance, any unpaid amounts will be transferred to taxes and collectible in the manner forth in the Community Charter.
- 7.5 The cost of works required to clear or flush waste or debris originating from a property and interrupting the free flow within the common sewer shall be charged to the owner of the originating property.

8. Inspection

- 8.1 The sanitary and storm building sewer shall be left uncovered at the joint with the common sewer until it has been inspected and approved in writing by the Supervisor of Public Works.
- 8.2 Officers, employees, and agents of the Town of Port McNeill are hereby authorized to enter upon any lands and premises in the municipality at all reasonable times to ascertain whether the requirements and regulations of the of the Bylaw are being observed.

9. Enforcement

- 9.1 Any person who installs a connection to the Town common sewer without first obtaining approval and paying the applicable charges, will be guilty of an offence under this Bylaw.
- 9.2 Any person who violates any provision of this bylaw, or who suffers or permits any act to be done in contravention or violation of any of the provisions of this bylaw, or who neglects or refrains from doing anything required to be done by any provision of this bylaw, commits an offence and is liable to:
- a) Prosecution of the offence in accordance with the Offence Act; or
 - b) Proceedings under Division 3 of Part 8 of the Community Charter (Ticketing for Bylaw Offences); or
 - c) Court action under Division 4 of Part 8 of the Community Charter (Enforcement by Civil Proceedings).

10. Enactment

- 10.1 The "Town of Port McNeill Sewer Rates Amendment Bylaw No. 552, 2003" and all amendments are repealed on the date this bylaw comes into effect.
- 10.2 This bylaw shall take effect January 1, 2004.

READ A FIRST TIME on the 15th day of December 2003

READ A SECOND TIME on the 15th day of December 2003

READ A THIRD TIME on the 05th day of January 2004

RECONSIDERED AND FINALLY ADOPTED, on the 07th day of January 2004

Mayor

Corporate Officer

Certified to be a correct copy of Bylaw No. 560, 2003 as adopted.

Corporate Officer

SCHEDULE "A"

Town of Port McNeill Sewer Regulations and Rates Bylaw No. 560, 2003 and
Amendments Thereto

APPLICATION FOR SEWER DISPOSAL SERVICE(S)

I, _____ being the property owner of the premises described as:

Lot _____ Block _____ D.L. _____ Plan _____

and situated at # _____ Street/Avenue, in the Town of
Port McNeill, hereby make application for the following services:

_____ the use of a common sewer of residential, commercial or other. The use or
occupancy of the property or premise supplied will be
_____ (describe current or proposed occupancy and
zoning) consisting of _____ square metres of total building floor area.

_____ new sewer connection(s) or installation(s).

_____ sewer connection repair(s) or adjustment(s)

_____ common sewer main extension

_____ other (provide description)

DATED at the Town of Port McNeill this _____ day of _____, 20_____.

APPLICANT _____

TOTAL COST OF SERVICE(S) = \$ _____

note: (a) a detailed cost summary is attached for the property owners review.

(b) the total costs presented herein will be held firm for a period not exceeding
sixty (60) days from date of issuance.

_____ DATE: _____
(Supervisor of Public Works or designate)

SCHEDULE "A"

Town of Port McNeill Sewer Regulations and Rates Bylaw No. 560, 2003 and
Amendments Thereto

AGREEMENT FOR SEWER DISPOSAL SERVICE(S)

The completion of this agreement does not relieve the applicant, authorized agent or owner from conforming to all requirements or every pertinent bylaw and regulation enforced within the Town of Port McNeill.

In consideration of the approval of this application, I/we agree to duly pay all applicable user rates and - service charges for all sewer services provided herein as prescribed by the Town of Port McNeill Sewer Regulations and Rates Bylaw", and amendments thereto. I/we further agree that I/we will be bound by all the provisions of the said Bylaw where applicable and the rules and regulations made there under and that in consideration of the aforesaid I will protect and save harmless the Town of Port McNeill from all claims for damages caused by the delivery of the said service(s), I/we further agree to release and indemnify the Town of Port McNeill, its Council members, employees and agents from and against all liability, demands, claims, causes of action, suits, judgements, losses, damages, costs and expenses of whatever kind I/we or any other person, partnership or corporation or our respective heirs, successors, administrators or assignees may have to incur in consequence of or incidental to this agreement.

DATED at the Town of Port McNeill this _____ day of _____, 20____.

Property Owner _____

(signature)

AUTHORIZATION TO PROCEED WITH WORKS:

(Supervisor of Public Works or designate) DATE: _____

SCHEDULE "B"

Town of Port McNeill Sewer Regulations and Rates Bylaw No. 560, 2003 and
Amendments Thereto

APPLICATION FOR A WASTE DISCHARGE PERMIT

I, _____ being the property owner of the premises described
as:

Lot _____ Block _____ D.L. _____ Plan _____

and situated at # _____ Street/Avenue, in the Town of Port McNeill
hereby make application for the following services:

- _____ septic waste disposal from a single residential home
- _____ septic waste disposal from a commercial, industrial or institutional
establishment. The activities/business currently being carried out at this
property can generally be described as

The quantity of waste to be discharged is _____ gallons/litres

The carrier will be _____ phone: _____

DATED at the Town of Port McNeill this ____ day of _____, 20__.

APPLICANT _____ phone: _____

SCHEDULE "B"

Town of Port McNeill Sewer Regulations and Rates Bylaw No. 560, 2003 and
Amendments Thereto

AGREEMENT FOR A WASTE DISCHARGE PERMIT

The completion of this agreement does not relieve the applicant, authorized agent or owner from conforming to all requirements or every pertinent bylaw and regulation enforced within the Town of Port McNeill.

In consideration of the approval of this application, I/we agree to duly pay all applicable user rates and service charges for all sewer services provided herein as prescribed by the "Town of Port McNeill Sewer Regulations and Rates Bylaw", and amendments thereto. I/we further agree that I/we will be bound by all the provisions of the said Bylaw where applicable and the rules and regulations made there under and that in consideration of the aforesaid I will protect and save harmless the Town of Port McNeill from all claims for damages caused by the delivery of the said service(s). I/we further agree to release and indemnify the Town of Port McNeill, its Council members, employees and agents from and against all liability, demands, claims, causes of action, suits, judgements, losses, damages, costs and expenses of whatever kind I/we or any other person, partnership or corporation or our respective heirs, successors, administrators or assignees may have to incur in consequence of or incidental to this agreement.

DATED at the Town of Port McNeill this ____ day of _____, 20____.

Property Owner _____

(signature)

AUTHORIZATION TO PROCEED WITH DISPOSAL:

_____ DATE: _____
(Supervisor of Public Works or designate)