

**VILLAGE OF ALERT BAY  
BYLAW #647**

**SANITARY SEWER RATES AND REGULATIONS BYLAW**

**A BYLAW TO REQUIRE OWNERS OF REAL PROPERTY TO CONNECT THEIR  
BUILDINGS AND STRUCTURES TO THE APPROPRIATE SEWER CONNECTIONS  
TO IMPOSE A CONNECTION CHARGE AND FIX THE TERMS AND CONDITIONS OF  
PAYMENT;  
TO REGULATE THE DESIGN AND INSTALLATION OF SEWAGE WORKS PROVIDED  
BY PERSONS OTHER THAN THE MUNICIPALITY;  
AND TO IMPOSE A CHARGE AGAINST THE OWNER OR OCCUPIER OF REAL  
PROPERTY FOR THE USE OF THE SANITARY SEWER SYSTEM.**

**WHEREAS** it is deemed desirable and expedient to install sewers within a specified area of the municipality referred to as the "Sewerage Area";

**AND WHEREAS** it is deemed desirable and expedient to lay connecting pipes from the sewers to lands within the "Sewerage Area" (or such as from time to time enlarged) upon which buildings or structures are situated;

**AND WHEREAS** it is deemed desirable and expedient to require owners of real property to connect their buildings and structures to the appropriate sewer connections as per Section 540 of the *Local Government Act, 2000*;

**NOW THEREFORE** the Council of the Corporation of the Village of Alert Bay, in an open meeting assembled, ENACTS AS FOLLOWS:

**Citation**

1. This bylaw may be cited as "Sanitary Sewer Rates and Regulations Bylaw #647, 2002"

**Definitions/Interpretations**

2. In this Bylaw:
  - a) "**air**" means the atmosphere but, except is a sewer or as the context may otherwise require, does not include the atmosphere inside a constructed enclosure that is not open to the weather.
  - b) "**Building or structures**" means any building or structure used wholly or in part for human habitation, or which human beings are employed in respect of any trade, business or calling.
  - c) "**Building Inspector**" means a person or persons appointed from time to time by the Council of the Village of Alert Bay as Building Inspector and include Deputy and Assistant Building Inspectors.
  - d) "**Building sewer,**" means the same as described in the BC Plumbing Code as amended from time to time.

- e) **“Administrator”** means the Chief Administrative Officer for the Municipality or his/her designate.
- f) **“Common sanitary sewer”** means and shall include any sewer upon or under, any public street, lane, right-of-way, or easement, for the purpose of bearing sewage, which sewer main is owned or maintained by the Village, whether laid by the Village or any other person whomsoever.
- g) **“condensed water:”** means water, which is produced through the process of condensation and includes condensate drainage from refrigeration equipment, air conditioning equipment and steam heating systems.
- h) **“Council”** means the Municipal Council of the Corporation of the Village of Alert Bay.
- i) **“discharge”** means to directly or indirectly introduce a substance by spilling, disposing of, abandoning, depositing, leaking, seeping, pouring, draining, emptying or any other means.
- j) **“dwelling unit”** means a unit containing a kitchen , a bathroom, a sleeping area and a living area.
- k) **“enactment”** means any applicable act, regulation, bylaw, order, or authorization, by federal, provincial, regional, municipal government or their authorized representatives.
- l) **“Foreman”** means the Public Works Foreman for the Municipality or his/her designate.
- m) **“high volume discharge”** means any discharge of non-domestic waste into a sewer in excess of 10 cubic meters per day or 300 cubic meters over any consecutive 30-day period but not including water from a pool.
- n) **“main sewer”** means a sanitary sewer.
- o) **“monitoring point”** means an access point to a sewer or a lateral for the purpose of
  - i) measuring the rate of flow or volume of wastewater being discharged from a building or a structure,
  - ii) collecting representative samples of wastewater being discharged from a building or structure.
- p) **“Municipality”** means the Corporation of the Village of Alert Bay.
- q) **“owner”** means any person who is registered under the *Land Title Act* as the owner of land or any other person who is in lawful possession of land or who is in lawful possession or occupancy of any building situated on the land.
- r) **“permission”** means permission given by the Foreman or Administrator or their duly authorized representatives.
- s) **“pool”** means any water receptacle designed for decorative purposes or used for swimming or as bath or hot tub designed to accommodate more than one bather at a time.
- t) **“premises”** means any land or building, structure or all or any part thereof.
- u) **“prohibited waste,”** means prohibited waste as defined in Schedule “B”.
- v) **“public property”** means a highway, road, roadway, street; public sidewalk, boulevard, lane, alley or land controlled by the Municipality and includes a right of way.
- w) **“Public sewer”** means a sanitary sewer.

- x) **"Quarter"** means the relevant 3-month period ending on the last day of March, June, September, and December of any year.
- y) **"residential property"** means a property which is used primarily for the purpose of a residence by persons on a permanent, temporary or seasonal basis.
- z) **"restricted waste,"** means restricted waste as defined in Schedule "C".
- aa) **"right-of-way"** means an acquired legal right for the specific use of land owned by others.
- bb) **"sanitary sewer"** means all pipes, conduits, drains, and other equipment facilities, owned or otherwise under the control or jurisdiction of the Village of Alert Bay.
- cc) **"sanitary sewer connection"** means the section of sewer piping on public property from the sanitary sewer to the property line, which is intended to receive only sewage.
- dd) **"sanitary sewer lateral"** means the section of sewer piping on private property from the property line to the building or structure it serves which is intended to receive only sewage.
- ee) **"sanitary waste"** means waste that contains human faeces, urine, blood or body fluids originating from sanitary conveyances or other sources.
- ff) **"sewage"** means wastewater from buildings, structures, lands and industrial establishments, together with such storm water that is not intentionally admitted.
- gg) **"sewage facility"** means works owned or otherwise under the control of the jurisdiction of the Municipality that gathers, treats, transports, stores, utilizes or discharges waste.
- hh) **"sewer main"** means a sanitary sewer.
- ii) **"Sewerage Area"** means that area of the Municipality defined in this Bylaw or such area as from time to time enlarged.
- jj) **"Standard Methods"** means the current or latest edition of *Standard Methods for Examination of Water and Wastewater* jointly prepared and published from time to time by the American Public Health Association, American Water Works Association and the Water Environment Federation.
- kk) **"storm drain"** means all pipes, conduits, drains and other equipment and facilities owned or otherwise under the control or jurisdiction of the Municipality for the collection and transmission of storm water or uncontaminated water but does not include a storm drain connection or a storm drain lateral.
- ll) **"Storm drain connection"** means the section of storm drain piping on public property from the storm drain to the property line, which is intended to receive only storm water.
- mm) **"Storm drain lateral"** means the section of storm drain on private property from the property line to the building or structure it serves which is intended to receive only storm water.
- nn) **"Storm water"** means water resulting from natural precipitation from the atmosphere and which is directed into a storm drain or a watercourse.
- oo) **"Subdivision Bylaw"** means Bylaw #163, being the "Subdivision Bylaw #163" as amended or a successor bylaw as adopted by Council.

- pp) **"Uncontaminated water"** means any water excluding storm water but including cooling water, condensed water and water from municipal waterworks or a private water supply to which no contaminant has been added as a consequence of its use or to modify its use by any person.
- qq) **"Waste"** means any substance whether gaseous, liquid or solid that is or is intended to be discharged or discarded, directly or indirectly, to a sewer or storm drain.
- rr) **"Wastewater"** means the composite of water and water-carried wastes from residential, commercial, industrial or institutional premises or any other source.
- ss) **"Wastewater quality parameter"** means any parameter used to describe the quality of wastewater.
- tt) **"Water"** includes surface water, ground water and ice.
- uu) **"Watercourse"** means:
  - i) A river, stream, creek, waterway, lagoon, lake, spring, swamp, marsh or other natural body of fresh water, or
  - ii) A canal, ditch, reservoir or other manmade surface feature designed to carry or hold water or storm water whether it contains or conveys water continuously or intermittently.
- vv) **"Waterworks"** means any works owned or otherwise under the control or jurisdiction of the Village of Alert Bay that collects, treats, transports, distributes or stores drinking water.

**SANITARY SEWER CONNECTION REQUIRED**

- 3. a) Every owner of real property which abuts a street or lane or other public right-of-way upon which there is laid a common sanitary sewer, or is within 30 m of such common sewer and upon which there is situated a building or structure shall connect or cause to be connected, the said building or structure to the common sanitary sewer in the manner provided by this bylaw.
- b) Every owner of real property which has a Public Health permitted septic field shall be exempt from connecting to the common sanitary sewer until such time as their permit expires or upgrades are needed to the field.
- c) Every owner of real property which is developed or has a building or dwelling on the property shall be assessed a yearly capital sewer fee in the amount of \$289.00 per year for the next 20 years.
- d) This yearly capital sewer fee shall be assessed at the same time as the yearly taxes, shall be due and payable on or before the same date as the due date for the taxes, if unpaid by the due date shall be liable for the 10% penalty as with the taxes and if still unpaid as of December 31<sup>st</sup> of any given year shall be added to the tax roll as taxes in arrears.
- e) This yearly capital sewer fee shall not be assessed on any property that the owner of that property has already paid to the Village of Alert Bay a total sum of \$3,000.00, which was paid on or before April 30<sup>th</sup>, 2002.

**STORM SEWER CONNECTION**

- 4. Owners of real property may connect, where available, a building or structure to the storm sewer in the manner provided by this bylaw.

**LATERAL PRIVATE SEWER LINES**

5. a) The Village shall take the responsibility of maintaining, and repairing all the lateral and private sewer lines, providing that the property owners who have sewer lines crossing their property provide the Village with a written permission giving the Village, its employees or agents the right of access to do the repairs to the sewer services as needed..
- b) The Village shall replace and renew all the lateral and private sewer lines as monies become available from the reserves as provided for in the annual budgets of the sewer system.

#### APPLICATION FOR CONNECTION

6. a) All applications for an installation of all sewer connections shall be made to the Municipal Office by the owner or his agent.
- b) The said applications shall be accompanied by the required connection charge as laid down in Schedule "A" of this bylaw.
- c) Upon approval of the application, the Public Works Working Foreman shall cause to be laid, a sewer connection extending from the common sanitary or storm sewer to the applicant's building sewers at the property line.
- d) If the application is rejected, the Chief Administrative Officer shall notify the owner of the reasons for the rejection and return the connection charge, which accompanied the application.
- e) Any extension to any sewers shall be at the expense, in accordance with the provisions of this bylaw.
- f) Where a new building or structure is being built and will come within the provisions of this bylaw, the owner or his agent shall make application for a connection permit and pay the connection charge at the time he makes application for the connection permit.

#### CONNECTION CHARGE

- 7) a) The connection charge covers:
  - i) the connection to the sewers to the property line of the applicant;
  - ii) the inspection of the applicant's building sewer and sewer lines.

#### FAILURE TO CONNECT

8) a) In the event of any owner failing to make application for a connection required under this bylaw, the Chief Administrative Officer may serve on the owner a notice stating that the said owner shall connect or cause to be connected, his buildings or structures to the common sewer within thirty (30) days of the date of the notice, or the Municipality will have the work done at the expense of the owner, including a 15% administration fee.

b) After the expiration of the (30) thirty-day period, the Municipality may enter upon the property of the owner and cause the connection to be made. The total cost and expense of making the connection, including the cost of installing the building sewer and the sewer connection, shall be charged against the owner of the property, including a 15% administration fee. Any amount remaining unpaid on the 31<sup>st</sup> day of December shall be added to and form part of the taxes payable in respect of that real property as taxes in arrears.

c) In the event of failure to make a proper connection to the satisfaction of the Building Inspector, the Chief Administrative Officer shall give notice to correct within 30 days of notice.

### USE OF SEWERS

- 9) No person shall discharge or cause to be discharged:
- a) Any storm water, surface water, ground water, roof run-off, or unpolluted industrial process water to any sanitary sewer.
  - b) Any sewage into a storm sewer.
  - c) Any inflammable liquid, including gasoline, naphtha, or explosive substance or any grease, oil, lye, free acid, mud, grit, plaster of paris, lime, clay or any other trade or industrial waste which may injure or impair the efficiency of any sewer.
  - d) Any steam exhaust, blow-off or drip from drip-pipe or any heated water into any sewer until the temperature has been reduced to at least 65 degrees C provided that the steam exhausts shall be discharged into a blow-off or condensing tank and so such tank may be connected to the sewer until the Health Inspector has approved in writing the design, construction and location of such tank.
  - e) In the case of any commercial or industrial premises where there exists a possibility that such noxious wastes as described in subsection c) may be harmlessly discharged into the common sewer, a permit to connect the sewer may be issued by the Health Inspector when he has approved the layout and design of the protective devices by means of which the applicant proposes to prevent or neutralize the discharge of the said noxious wastes into the common sewer.

### BUILDING SEWERS

- 10).
- a) The minimum diameter of every sewer and sewer connection shall be 100mm.
  - b) Each lot must be separately and independently connected with any sewer.
  - c) All sewers from houses and other buildings shall be installed by and at the cost of the owner and shall be constructed of one of the following materials:
    - i) plastic PVC SDR 35
    - ii) such other material as may be approved from time to time by the B.C. Plumbing Code.
  - d) The building sewer shall be laid to an even slope of not less than one to fifty in the direction of flow in the case of 100mm, and not less than one to one hundred in the case of 150mm.
  - e) The pipe shall be laid not less than 0.90 m below the finished surface of the ground, as measured to the top of the pipe, except where the resultant grade would be less than specified in Section 4 of this bylaw, due to the lack of depth to the main sewer.
  - f) The pipe shall be laid concentric to each adjacent pipe and the joints shall be flush, even, and free of any internal obstruction.
  - g) Where the manufacturer provides couplings, the couplings shall be installed in accordance with the manufacturer's specifications.
  - h) Bell and spigot pipe shall be laid with the spigot end facing in the direction of the flow.
  - i) Excavating for house sewer trenches shall have a uniform grade at the bottom. Each length of pipe shall be given a solid, even bearing.

- j) No work of any kind connected with the sewer system either for laying new or repairing old services shall be done upon or under any street or lane in the Village by any other than the employees or agents of Council.
- k) Where the building sewer is laid near any shrub or tree whose roots may penetrate the pipe joints, the Building Inspector may require that special joint-material be used.
- l) At every change of direction, the owner shall install a long sweep bend whose radius shall be at least 0.90 m.
- m) Immediately inside the premises and in an accessible position, the owner shall install a clean out of the same diameter as the connection.
- n) Where the building sewer is laid over filled ground or in ground, which may be subject to settling, the Building Inspector may require that the cast iron soil pipe or other materials than those mentioned in subsection (3) be used.

#### INSPECTION OF BUILDING SEWERS

11).

- When the owner has completed the installation of his building connection, but before the same has been backfilled, he shall inform the Building Inspector that the installation is complete and the Building Inspector shall forthwith make an inspection of the work.
- The owner or agent shall test the house connection for water tightness in the presence of the Building Inspector. The test shall be performed by sealing the building sewer at the property line, using an approved plug, and then filling the line with water so that a head of not less than 1.8 m is placed on all sections of the building sewer. The rate, at which water escapes from the building sewer, when calculated under this test, shall not exceed 1 litre for each 3 m of building sewer.
- The backfilling of the building sewer shall not be commenced until the Building Inspector has signified in writing that he is satisfied that the materials and workmanship employed are to his satisfaction and that the pertinent sections of this and other bylaws have been adhered to.
- Materials and workmanship which, in the opinion of the Building Inspector are defective, or otherwise not in accordance with the provisions of this bylaw shall be removed and replaced by the owner, at the direction of the Building Inspector and the building sewer shall not be backfilled unless and until the said house sewer has been accepted and approved by the Building Inspector. Failure to replace materials of workmanship as provided in this section shall be cause for the municipality to proceed with the issuance of a notice referred to in Section 7 (3) of this bylaw.
- Officers, employees and agents of the Village of Alert Bay are authorized to enter upon any lands and premises in the Village at all reasonable times to ascertain whether the requirements and regulations of the Bylaw are being observed.

#### USER CHARGE

12). There shall be and is hereby imposed and levied a sewer user charge against the owner or occupier of real property whose property or premises is connected to any sewer system.

- Each parcel of land or premises shall be classified in accordance with the categories set out in "Schedule A" attached hereto and forming part of this bylaw and the user charge imposed shall be the rate shown opposite the relevant category.

- In the case of a connection being made during any year, the charge imposed shall begin with the month during which the final inspection of the sewer connection was made, if made on or before the fifteenth (15<sup>th</sup>) day of the month, the user charge shall be for the total month, or if made after the fifteenth (15<sup>th</sup>) day of the month, the charge shall be for Fifty Percent (50%) of the current monthly user charge.
- The user rates as set forth in Schedule "A" to this Bylaw shall be charged irrespective of whether the premises are occupied
- The user rates and charges as set forth in Schedule A - Section I shall be payable quarterly, unless otherwise required, at the Municipal Office, on or before the last business day of the current quarter, and if the charges remain unpaid after the last day of the quarter a 10% penalty shall be imposed.
- When any rates, rents, or penalties imposed to any person or property under this bylaw for sewerage services supplied by the Village remains unpaid on the thirty-first (31<sup>st</sup>) day of December, these unpaid charges shall be deemed taxes in arrears in respect of the property to which the service was provided and shall forthwith be entered on the real property tax roll by the Collector as taxes in arrears.

**OFFENSES**

- 13). Any person who violates any of the provisions 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 provisions of this bylaw, commits an offence and is liable on conviction to a fine of not more than the sum of Two Thousand Dollars (\$2,000.00), plus the actual cost of repairs. Each day during which such violation is continued shall be deemed to constitute a new and separate offence.

READ for a first time this 23<sup>rd</sup> day of July, 2002

READ for a second time this 23<sup>rd</sup> day of July, 2002

READ for a third time this 23<sup>rd</sup> day of July, 2002

ADOPTED this 27 day of August, 2002

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Administrative Officer



Certified a true copy of the Sanitary Sewer Rates and Regulations Bylaw # 647, 2002 as adopted by resolution # 11605 on the 27 day of August, 2002

\_\_\_\_\_  
Chief Administrative Officer



**SCHEDULE "A"**

<b>I</b>	<b>SEWER RATES</b>	<b><u>Monthly</u></b>	<b><u>Quarterly</u></b>
a)	Each self contained dwelling unit, including each Suite within a multiple dwelling or each apartment Within an Apartment Block - Each Unit	\$20.00	\$60.00
b)	Each property whether residential or commercial shall Be charged the basic monthly sewer rate.	\$20.00	\$60.00
c)	Pubs shall be charged on a per square footage fee Plus the basic rate	\$0.015	\$0.045
d)	Restaurants shall be charged on a per chair fee Plus the basic rate.	\$0.95	\$2.85
e)	Hotel rooms shall be charged on a per room rate Plus the basic rate	\$5.25	\$15.75
f)	Laundromats shall be charged per washing machines Plus the basic rate	\$4.55	\$13.65
g)	Hair Salons shall be charged per chair plus the basic Rate.	\$4.55	\$13.65
h)	Retail businesses shall be charged per employee plus The basic rate.	\$2.50	\$7.50
i)	Theatres shall be charged per seat plus the basic rate.	\$0.50	\$1.50
j)	Trailer parks shall be charged the basic rate per pad Whether occupied or not.	\$20.00	\$60.00
k)	Schools shall be charged the basic rate per Classroom	\$20.00	\$60.00
l)	Bed & Breakfasts and hostels shall be charged Per room plus the basic rate.	\$5.25	\$15.75
m)	Office complexes shall be charged per person Occupying office space plus the basic rate.	\$2.50	\$7.50
n)	Campsites shall be charged per site plus the Basic rate.	\$5.25	\$15.75
o)	Churches	no charge	
<b>II</b>	<b>CONNECTION CHARGES</b>		
a)	sanitary sewer connection	\$3,000.00 per lot	
b)	all road crossings and rock excavating shall be an additional cost.		
c)	150mm storm sewer connection	cost	