



VILLAGE OF TAHISIS
SANITARY SEWER SYSTEM REGULATION BYLAW No. 645, 2021

A Bylaw to Regulate the Connection, Use and Extension of the Municipal Sanitary Sewer System

Council of the Village of Tahsis, in open meeting assembled, hereby enacts as follows:

PART A ADMINISTRATION

1. Title:

This bylaw may be cited for all purposes as the “Sanitary Sewer System Regulation Bylaw No. 645, 2021”

2. Administration

The Chief Administrative Officer, Director of Infrastructure and Operations, Municipal Engineer, Bylaw Enforcement Officer and Building Inspector are appointed by Council to administer this bylaw.

3. Applicability

This Bylaw must be applicable to all land within the municipal boundaries of the Corporation of the Village of Tahsis.

4. Definitions

The following definitions apply to this bylaw. The context and meaning of any other terms not defined herein are to be determined in accordance with the *British Columbia Building Code, 2018* (“BCBC”), this Bylaw, Zoning Bylaw No. 630, 2020 and the Canadian Oxford Dictionary.

“Building Inspector”	means the person appointed by Council to administer and enforce Building Bylaw No. 525, 2006, other Village bylaws and the BC Building Code.
“BOD”	means Biological Oxygen Demand, the amount of dissolved oxygen needed by aerobic biological organisms in a body of water to break down organic material present in a given water sample at certain temperature over a specific time period.

“Director”	means the Director of Infrastructure and Operations as designated by the Chief Administrative Officer to carry out the duties of this position and includes appointed delegates or representatives
“Engineer”	means a person who is adequately experienced in civil engineering to provide the report and is a member in good standing with the Association of Professional Engineers and Geoscientists of British Columbia
“Flammable Liquid”	means any liquid having a flash point at or above 38° Celsius and below 93° Celsius.
“Improved Property”	means property on which one or more structures have been built for residential, business or other purpose.
“MMCD”	means the Master Municipal Construction Documents prepared under the auspices of the Master Municipal Construction Document Association.
“Municipal System”	means, for the purpose of this Bylaw, wastewater treatment facilities, lift stations and a network of underground pipes and mains for transporting wastewater from source point to treatment and discharge.
“Owner”	means the person registered with the Land Title and Survey Authority as owner of land or a charge on land or as “Owner” as defined in the Schedule to the <i>Community Charter</i> (SBC 2003, Ch 26).
“Private Connection”	means all of the fittings and appurtenances (i.e., inspection chamber or clean out) in the area between the buildings that is served by and where it is linked to the Municipal System
“TSS”	means the Total Suspended Solids being the measure of insoluble matter obtained by separating particles from a water sample using a filter.
“Wastewater”	Means the water-borne wastes containing fecal matter and urine from domestic or industrial sources but does not include rainwater, groundwater or drainage or uncontaminated water.

5. Offences and Penalties

- a) Every person who violates any 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 which violates any of the provisions of this Bylaw is guilty of an offence against this Bylaw and liable to penalties hereby imposed.
- b) Each day that a violation is permitted to exist must constitute a separate offence.
- c) Every person who commits an offence of a continuing nature is liable to a fine not exceeding \$10,000 for each day such offence is continued.
- d) Where any person contravenes any provision of this Bylaw and thereby causes damage to the municipal system, such person shall be liable to the Village for all costs incurred in making repairs or taking remedial action.
- e) If such costs are not paid forthwith after demand, the Village may recover the same by action in any court of competent jurisdiction.

6. Repeal

The Village of Tahsis Sewer Regulations and Rates Bylaw No. 582, 2016 and all amendments thereto is hereby repealed.

PART B GENERAL PROVISIONS

1. Municipal Sanitary Sewer System

It is lawful for the Village to operate and maintain a sanitary sewer system for the Village.

2. Compulsory Private Connections

All improved properties must be connected to the municipal system unless granted an exemption by the Director.

3. Not Liable for Failure of Municipal System

The Village shall not be liable for the failure of the sanitary sewer system due to an accident or damage to the municipal system or for any temporary stoppage on account of alterations or repairs, whether the failure arises from negligence of any person in the employ of the Village or any other person or through natural deterioration or obsolescence of the municipal system.

PART C

PRIVATE CONNECTIONS

1. Application for Private Connection

- a) The Director is authorized to prescribe the form of application for:
 - i. the connection to the municipal system
 - ii. to alter and repair a private connection
 - iii. to abandon a private connection
- b) Prior to connecting with the municipal system, the Owner must:
 - i. make application for a connection on the prescribed form; and
 - ii. make full payment of fees as prescribed in the applicable fees and charges bylaw
- c) If a private connection application is denied, the Owner will be informed with reasons given and the applicable fee refunded.
- d) The private connection will be installed at a location selected by the Owner wherever possible. If the Director determines the Owner's preferred location is not practicable, the Director will determine the location of the private connection.
- e) No person, other than the Village, its employees or its contractors, and under the direction of the Director, shall install, alter or remove or cause to be installed, altered or removed, any part of a private connection without written approval of the Director.
- f) There shall be only one private connection provided to each legal lot¹, however, where a parcel of land can be subdivided as permitted by Bylaw or a hardship exists as determined by the Director, an owner may be granted a second private connection.
- g) Except where otherwise dictated by this bylaw, the standards for private connection to the municipal system, and for the repair or alteration of a private connection, shall be as required by the BC Building Code.

2. Standards for Private Connection

- a) The standards for installation, repair, or alteration of any private connection are as required by the BCBC, except as provided elsewhere in this Bylaw.
- b) The minimum size of the private connection that supplies any building or parcel shall be determined by the BCBC and approved by the Village.
- c) The Village undertakes no duty of care to ensure that the capacity of a connection is sufficient for the future development potential of a lot by approving a private connection under this Bylaw.
- d) All works must be designed and built in accordance with the BCBC. The private connection must 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 Private Connection at the connection to the Municipal System and the lowest floor of the building or structure. Where the elevation cannot be met, the required lift station/equipment must be installed at the Owner's expense.

¹ "Lot" refers to those subdivided in fee simple only. Connections to those properties subdivided under the Strata Property Act or Residential Tenancy Act will be required and made to the edge of the parent lot.

- e) All requirements of this Bylaw for the installation of a private connection must be met before the Director will connect the private connection to the Municipal System.

3. Upgrading a Private Connection

If an owner is increasing the capacity, altering, modifying, relocating, or repairing an existing private connection or internal system and upgrades to current standards are required, the owner must pay the Village, in accordance with the applicable fees and charges bylaw, for any required works (materials, labour, and equipment) to the Municipal System.

4. Private Connection Disconnection

- a) The Director may, within 24 hours of sending a written notice to the owner, disconnect a private connection where the discharge is or has the potential to:
 - i) be hazardous or creates an immediate danger to any person, or
 - ii) endanger or interfere with the operation of the Municipal System; or
 - iii) be a risk to public health and safety.
- b) The costs incurred in section 4(a) above shall be in addition to and not in substitution for any fine or other penalty to which the owner of the building may be subject pursuant to the provisions in this Bylaw or any other statute or regulation.
- c) The private connection must not be reconnected until the applicable costs, charges and fines have paid.

5. Notice Given

Notice in writing required to be given by the Village shall be considered as sufficiently given if sent by registered mail or hand delivered to the Owner at the address shown on the last revised Assessment Roll of the Village.

6. Appeal to Council

An owner who has received disconnection notice under section 4 of this Bylaw may, by written notice delivered to the Village within 14 days of receipt of the notice of disconnection, request that Council reconsider the implementation of the notice

7. Private Connection Restoration

- a) Where a Private Connection has been disconnected in accordance with this Bylaw, such service must not be reconnected until the owner has:
 - i) paid to the Village all outstanding fees or charges owing relating to the provision of the connection pursuant to the Bylaws of the Village; and
 - ii) paid to the Village any additional costs incurred by the Village in order to prevent the continued discharge after the connection was disconnected; and
 - iii) installed, repaired, rectified any outstanding issues leading to the disconnection to the satisfaction of the Director.

- b) The costs incurred in section 7(a) above shall be in addition to and not in substitution for any fine or other penalty to which the owner of the property in question may be subject pursuant to the provisions in this Bylaw or any other statute or regulation.

8. Abandonment

When a building on a lot serviced by the Municipal System is abandoned or demolished, the Director may require the disconnection of the private connection and the cost shall be recovered from the owner as set out in the applicable fees and charges bylaw.

PART D USE OF MUNICIPAL SERVICE

1. Prohibitions

- a) No person must connect or attempt to connect, or allow to be connected, or allow to remain connected to the municipal system of any property or premises, otherwise, than in accordance with the provisions of this Bylaw.

- b) Unless authorized by this Bylaw or the Director in writing, or a person must not:
 - i) use, change, tamper, connect to, obstruct, destroy damage or in any manner interfere with the municipal system or any part thereof;
 - ii) obstruct, at any time or in any manner, the Village access to the municipal system;

- c) Without first obtaining written approval from the Director, a person must not repair or alter, or cause any repairs or alteration to any private connection that is part of the municipal system

- d) The prohibitions under sections Part D(1)(a), (b) & (c) do not apply to the employees, agents or contractors of the Village when carrying out necessary works on the municipal system.

2. Prohibited Discharges

No person must place or discharge or cause to be placed or discharged into the Municipal System any of the following:

- a) stormwater;
- b) untreated and treated industrial cooling water;
- c) water from air conditioning, cooling or condensing systems;
- d) **Explosives and Flammable Substances**
 - i) any flammable or explosive liquid, solid, or gas; and
 - ii) any substance that is water reactive or by interaction with other wastes will cause an explosion, generate flammable gases, or support combustion;

e) Poisonous and Infectious Substances

- i) 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 Municipal System;
- ii) any pesticides, herbicides or fungicides;

f) Corrosive and Noxious Substances

Any gases, liquids, or solids such as corrosive, noxious or malodorous materials which either by themselves or by interaction with other wastes are capable of creating a public nuisance, or hazard to life or preventing entry into a municipal sanitary sewer or sewage treatment system. This includes 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 Municipal System.

g) Radioactive Substances

Any radioactive material.

h) Special Wastes

Any special waste as defined in the BC *Environmental Management Act*.

i) High Temperature Wastes

Any materials that, when reacting with water, will create heat which will interfere with the operation and maintenance of the Municipal System or exceed a temperature of 65°Celsius.

j) Trucked Wastes

Any material from a cesspool, septic tank, or sewage holding tank, including those in recreational vehicles, or any trucked wastes, except those as approved by the Director.

k) Dyes

Any dyes except those where permission has been granted by the Director.

l) Obstructive Wastes

- i) any substance which may solidify or become discernibly viscous at temperatures above 0°Celsius;
- ii) any substance which will solidify or become discernibly viscous when it reacts with water;
- iii) any garbage except comminuted foodstuffs having particles no greater than 7.0mm in any dimension, such as handled by kitchen garbage disposals;
- iv) any solid or viscous substance capable of obstructing sanitary sewage flow or interfering with the proper operation of the Municipal System;

- v) any waters, sewage or wastes containing dissolved suspended solids of more than 500parts per million by weight of TSS, so that any abnormal attention or expense would be required in the treatment of such sewage;
- vi) any waters, sewage or wastes having BOD count greater than 500parts per million by weight; and
- vii) any sludge or deposit contained in septic system tanks.

3. Accidental Discharges from Private Connections

Every person responsible for the accidental discharge of prohibited substances into a Private Connection or the Municipal System must immediately report the discharge to the Director in order that the necessary precautions can be taken to minimize the deleterious effects of the discharge.

4. Blockages

- a) The Private Connection shall be maintained by the Owner at their sole expense. Where any Private Connection or the Municipal System becomes stopped or otherwise fails to function, the Owner shall contact the Director who shall determine where the stoppage or blockage is located:
 - i) If the stoppage or failure is found on private property, the Owner is responsible for the repair; or
 - ii) If the stoppage or failure is located outside Private Connection, the Director will, as soon as practicable, arrange to have the Municipal System restored to serviceable condition.

- b) Where any stoppage or failure is found to exist within the Municipal System and the stoppage or other failure is found to have been caused by the act or neglect of an Owner, all costs incurred by the Village in restoring service to the Municipal System shall be paid by said Owner. The amount invoiced shall be paid upon demand and if unpaid on December 31st 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 Community Charter

5. Right of Entry to Private Property

- a) Access to private property, at all reasonable times, must be permitted to any person authorized to administer this Bylaw, to enter into and inspect the private connection. Where possible, 24 hours' notice shall be given in accordance with the *Community Charter* (s. 16).

- b) Any person interfering with or obstructing the entry of the authorized person after that person has identified himself, must be deemed to be guilty of an infraction of this Bylaw and is liable to the penalties in this Bylaw.
- c) Any person authorized to administer this Bylaw may remove any material or thing that obstructs or impedes access to the municipal system and the expense of such removal must be charged to and paid by the person responsible for the obstruction or the Owner of the property serviced.

PART E MUNICIPAL SYSTEM EXTENSIONS

1. Application for Extension

Where an application for a Private Connection has been made and cannot be provided unless the Municipal System is extended, that extension works must be installed under the following conditions:

- a) Payment of fees as required in the applicable bylaw; and
- b) Where two or more applications are received, the total cost applicable shall be divided pro rata among the applicants;
- c) Where the extension is to be constructed in a public road right-of-way, approval from the Municipal Engineer is required prior to works being undertaken.

2. Design Guidelines and Construction Specifications

All works built in the Village right-of-ways shall be designed and built in accordance with MMCD design guidelines.

READ a first time this 2nd day of November, 2021

READ a second time this 2nd day of November, 2021

READ a third time this 2nd day of November, 2021

Reconsidered, Finally Passed and Adopted this 16th day of November, 2021



MAYOR



CORPORATE OFFICER

I hereby certify that the foregoing is a true and correct copy of the original Bylaw No. XXX, 2021 duly passed by the Council of the Village of Tahsis on this 16th day of November, 2021.



CORPORATE OFFICER

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