

# THE CORPORATION OF THE VILLAGE OF ASHCROFT

## BYLAW NO. 796

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Being a bylaw to regulate sewer connections, operations and fees

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Pursuant to Section 194 of the Community Charter, the Council of the Corporation of the Village of Ashcroft, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as "The Corporation of the Village of Ashcroft Sewer Regulations Bylaw No. 796, 2015".
2. Bylaw No. 756, cited as "The Corporation of the Village of Ashcroft Sewer Regulations Bylaw No. 756, 2008" is hereby repealed.

### DEFINITIONS

3. In this bylaw unless otherwise provided:

**"Corporation"** shall mean the Corporation of the Village of Ashcroft.

**"Council"** shall mean the Council of the Corporation of the Village of Ashcroft.

**"Public Sewer"** shall mean any sewer, sewer system or portion thereof used or intended to be used for public use under the control of the Corporation.

**"Sewer Connection"** shall mean the sewer pipe extending from the public sewer to the property line of the property being served or about to be served. Where the public sewer is located in an easement through the property, the public sewer shall be deemed to be the property line.

**"Owner's Sewer Line"** shall mean the sewer pipe extending from the property line of the property concerned, or the public sewer where this is located in an easement through said property, to the building situated thereon, and joining the sewer connection to the plumbing system at that building.

**"Foreman"** shall mean the Foreman of the Corporation or such person as the Corporation may from time to time appoint.

**"Inspector"** shall mean the Foreman of the Corporation or such other person designated by the Superintendent from time to time.

### GENERAL PROVISIONS

4. There shall be charged against the owner or occupier of land or real property, where a sewer or drain connection has been installed to the property and is connected to the Corporation's sewer system, a sewer rental as set forth in Schedule "A" of this bylaw.
5. Where multiple independent users exist on what is commonly referred to as a "common connection line", the individual rates as defined in Schedule "A" of this bylaw shall be applicable whether or not an independent sewer or drain has been installed to the property.

6. The owners of the premises, whether occupied or vacant, to which a service connection has been made, shall be responsible for the payment of all sewer rates, whether the service is actually used or not.
7. The Corporation shall not be liable for any interruption or discontinuance of service provided by sewer facilities installed and maintained by the Corporation.
8. If a parcel of land, upon which is situated a building occupied and/or used by one or more persons, abuts a street or land or right-of-way or under which there is laid a public sewer, the owner or occupier of such building shall connect or cause to be connected the said building with the public sewer in the manner provided by this bylaw.
9. Where in the opinion of the Foreman a public sewer connection is incapable of serving a said parcel of land, no permit will be issued and no such connection is allowed, however an adequate septic tank service may be used until such time as it becomes a hazard in the opinion of the Public Health Inspector, or an adequate service is provided.

### **CHARGES**

10. All charges for sewer service shall be due and payable in advance, but as a matter of convenience may be billed once annually.
11. The charges shall be payable at any place designated by the Council at the rate set forth in Schedule "A" of this bylaw.
12. To encourage early payment, there will be a ten percent (10%) discount for accounts paid before April 1<sup>st</sup> of the year in which they are first billed.
13. Accounts billed after March 31<sup>st</sup> will be allowed a ten percent (10%) discount if paid within thirty (30) days of the date of the billing.
14. Old age pensioners, and others who qualify for the additional Home Owner Grant, may upon application receive a reduction of the sewer bill for a single family residence. This discount will be available in accordance to Schedule "B".
15. Homeowners who qualify for the Home Owner Grant for Persons with Disabilities or who qualify for the home owner grant and receive the Federal Seniors' Guaranteed Income Supplement, may upon application receive a reduction of the sewer bill for a single family residence. This discount will be available in accordance with Schedule "B".

### **APPLICATION FOR CONNECTION**

16. Every application for a connection to the Corporation's sewer main shall, if the corporation has to put in the connection, be charged, in advance, on the basis of a minimum fee of Fifteen Hundred Dollars (\$1500.00) per sewer connection, and any additional costs shall be borne by the owner. If required by the Corporation, the owner shall pay the estimate of additional costs, in advance.
17. Before any owner's sewer is connected to a public sewer, the owner of the lands requiring such connection, or his agent, shall make application to the office of the Corporation, upon such form as provided from time to time, for a permit to connect the owner's sewer to the sewer connection or public sewer.

## **INSPECTION**

18. The Inspector shall inspect the owner's sewer when advised by the owner that the said sewer has been laid and is ready for inspection.
19. All of the owner's sewer shall be left uncovered and convenient for examination until it has been inspected by the Inspector.
20. The owner or his agent shall test the house connections for water-tightness in the presence of the Inspector. The test shall be performed by sealing the owner's sewer at the property line, using an approved plug, and then filling the line with water so that a head of not less than 2.5 meters (8 feet) is placed on all sections of the building sewer or a minimum of 20 psi air pressure has to be maintained on the system for 15 minutes, without losing more than 2 psi. The rate at which the water escapes from the owner's sewer, when calculated under this test, shall not exceed ½ litre (1/10 gallon) per hour for each three meters (10 feet) of the owner's sewer.
21. The owner's sewer shall not be covered or backfilled until the Inspector has given written approval of the installation.
22. After final inspection has been made it shall be incumbent upon the property owner to see that the sewer connection does not become obstructed from rocks, gravel, sand, sticks, garbage or any other foreign material, grease build-up, and freezing of lines. Property owners shall see that clean-out caps are not removed except for inspection either by property owners or other authorized persons. In instances where an act of nature, such as landslide, shifting of earth, washouts caused by contractors digging and breaking sewer, water and gas lines, construction of new streets or any other work or act of nature that would cause damage or break sewer service lines on a Village street, right-of-way, or easement, the Corporation's Inspector shall determine the cause of such damage, and repair or cause to have repaired, the said line, and further, determine who shall be liable for payment.
23. Where the Inspector finds that the materials or workmanship of an owner's sewer are defective or otherwise not in accordance with the provisions of this bylaw, he shall so notify the owner, who shall forthwith replace the defective materials or correct the faulty workmanship, and notify the Inspector when the installation is again ready for inspection.
24. An inspection fee of Twenty-Five Dollars (\$25.00) shall be paid to the Corporation for each additional inspection required after the first inspection because of defective materials or workmanship.

## **INSTALLATION**

25. Upon receipt of the application to connect to the sewer and of the fee required under Section 16 hereof, the Corporation shall cause to be laid a sewer connection. Thereupon, the owner shall connect his building sewer to the sewer connection provided, in accordance with the regulations contained herein.
26. The sewer connection fee deposited in accordance with Section 16 hereof, does not embrace works within the property of the applicant.
27. No person other than the Corporation, its employees, or its contractors shall install or cause to be installed any part of the sewer connection provided for in this bylaw, or in any way to break, interfere or tamper with any public sewer of the Corporation.

## **SPECIFICATIONS**

28. Each lot or potential lot must be independently and separately connected with the public sewer.
29. The minimum diameter of every owner's sewer shall be 100mm (4 inches).
30. The owner's sewer line shall be excavated and back-filled at his or her expense and the Corporation shall not be held responsible for any or all damages resulting from said excavating or back-filling. The owner shall supply all pipe and appurtenances and the owner's sewer line shall be constructed of one of the following materials:
  - a. Concrete sewer pipe (ASTM Specification C14-54) with approved gasket joint;
  - b. Plastic sewer pipe (Polyvinyl Chloride – SDR 35 conforming to ASTM Specification D30-34) or as approved by the Superintendent;
  - c. Such other materials as the Corporation may from time to time approve.
31. The owner's sewer shall be laid to an even slope of not less than 1 to 50 (1/4 inch to the foot) in the direction of the flow, in the case of 100mm (4 inch lines); and not less than 10 to 100 (1/8 inch to the foot) in the case of 150mm (6 inch lines).
32. The pipe shall be laid not less than .5 meters (20 inches) below the finished surface of the ground as measured to the top of the pipe.
33. The pipe shall be laid concentric to each adjacent pipe and the joints shall be flush, even, and free of any internal obstruction.
34. Where couplings are provided by the manufacturer as in the case of asbestos cement, or plastic pipes, the couplings shall be installed in accordance with the manufacturer's specifications.
35. In no case will cement mortar and oakum joints be permitted.
36. Bell and spigot pipe shall be laid with the spigot end facing the direction of the flow.
37. Where the owner's connection is laid over filled ground or in ground which may be subject to settling, the Inspector may require that cast iron soil pipe, or other materials than those stated in Section 29 of this bylaw, be used.
38. At the point where the owner's sewer is joined to the sewer connection, the owner shall install a 100mm (4 inch) wye with cap or stopper connected to the branch, to serve as a clean-out for the sewer connection pipe. The cap or stopper shall be fitted in such a way as to positively prevent the entrance of ground water into the sewer connection. The clean-out wye shall be brought to .3 meters (1 foot) of finished grade.
39. The pipe shall not bear any plant, timber, rock or other unyielding object, nor shall any such object be placed against the pipe in backfilling.
40. Where the building sewer is laid near any shrub or tree whose roots may penetrate the pipe joints, the Inspector may require that special joint material be used.
41. The owner's sewer pipe shall have a 150mm (6 inch) bed of sand prior to being installed, and shall be covered with a layer of sand not less than 300mm (12 inches) thick over top of the pipe. Select site material may be used if prior approval is obtained from the Inspector or Foreman.

## **COMPULSORY CONNECTION**

42. It shall be compulsory for any owner or owners who come under the provisions of Section 8 of this bylaw to connect or cause to be connected such building with the public sewer within six (6) months after the date that the sewer is completed and rendered operational.
43. Where the owner or owners of any parcel of land in the Village which is required to be connected to the public sewer by this bylaw, neglects, omits or refuses to comply with the provisions of this bylaw, the Council may by resolution cause the owner to be served with a notice requiring him to comply with this bylaw within sixty (60) days of receipt of such notice, then and that event the owner shall be guilty of an infraction of this bylaw.

## **PROHIBITIONS**

44. Nothing in this bylaw shall be construed to permit the connection of surface water to the public sewer. The connection either directly or indirectly of roof leaders, foundation drains, swimming pools, sumps or any other collector of surface or ground water is not permitted. The owner of property who connects, permits or causes to be connected, any such storm or surface or ground water from his premises or property to the public sewer shall be guilty of an infraction of this bylaw and shall rectify if at his/her expense.
45. No gasoline, naphtha, or other flammable liquid or explosive substance, and no 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 or safety of the public sewer or cause an upset or malfunction of the sewage treatment plant through deposits forming in the same or owing to the attacking and weakening of such public sewer shall be discharged into any public sewer within the Village.
46. In the case of any commercial or industrial premises where there exists a possibility that such noxious wastes as are described in Section 44 of this bylaw may be discharged into the public sewer, a permit to connect to the sewer shall not be issued until the Superintendent has examined fully and 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 sanitary sewer.

## **DISCONNECTION AND RECONNECTION**

47. When a building within the Corporation is removed or demolished, it shall be the duty of the owner or his agent to immediately apply to the office of the Corporation, upon such forms as the Council shall prescribe, for a permit to disconnect from the public sewer, at the property line. The fee for such disconnection shall be the actual cost of the work as determined by the Corporation.
48. If the owner or his agent of any property where the sewer line has been disconnected wishes to reconnect to the public sewer, he shall make application upon such forms as the Council shall prescribe for the reconnection. He shall pay the estimated cost of such work. Upon completion of the reconnection, the owner or his agent shall be sent a statement showing the actual cost of the work and he shall be refunded any overpayment or conversely he shall pay the Corporation any cost over and above the estimated cost of this work.

## **CHARGES**

49. Any charges authorized by this bylaw which remain unpaid by December 31<sup>st</sup> in the year in which they were imposed, 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.

**INFRACTIONS AND PENALTIES**

- 50. 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 of this bylaw, or who neglects or refrains from doing anything required to be done by any of the provisions of this bylaw, shall be deemed to be guilty of an infraction hereof and shall be liable to the penalties imposed.
  
- 51. Every person who violates this bylaw shall, in addition to any other penalties herein provided, be liable on summary conviction to a fine of no less than One Hundred Dollars (\$100.00), but not exceeding Five Hundred Dollars (\$500.00).

READ A FIRST TIME THIS	14 <sup>th</sup>	DAY OF	September	, 2015
READ A SECOND TIME THIS	26 <sup>th</sup>	DAY OF	October	, 2015
READ A THIRD TIME THIS	26 <sup>th</sup>	DAY OF	October	, 2015
RECONSIDERED AND ADOPTED THIS	9 <sup>th</sup>	DAY OF	November	, 2015

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John C. (Jack) Jeyes, Mayor

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J. Michelle Allen, Chief Administrative Officer

Certified to be a true and correct copy of Bylaw No. 796 as adopted by Council.

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J. Michelle Allen, Chief Administrative Officer

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