



## TOWN OF COCHRANE

### Bylaw 16/2016

Being a bylaw of the Town of Cochrane in the Province of Alberta, Canada to regulate the use of sanitary sewers within the Town of Cochrane and respecting the Sanitary Sewerage System.

**WHEREAS:** the *Municipal Government Act* authorizes a municipality to operate a Sanitary Sewerage System as a public utility for the purpose of receiving Wastewater from residents, industrial, commercial and institutional users, and from all other Customers in the Town of Cochrane and subject to Council approval, from Customers outside the Town boundaries.

**AND WHEREAS:** the *Municipal Government Act* authorizes a municipality to pass a bylaw respecting public utilities and services provided by the municipality.

**NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE TOWN OF COCHRANE, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:**

#### TITLE

1.0 This Bylaw may be cited as the "Sanitary Sewer Service Bylaw".

#### INTERPRETATION

- 2.0 In this Bylaw and any schedules to this Bylaw the following terms when capitalized shall have the following meanings:
- a. "Account" means an agreement by which a Person agrees to pay for Sanitary Sewer Service supplied to a Premises.
  - b. "Adverse Effect" means impairment of or damage to, or the risk of impairment of or damage to, the environment, human health or safety, property, or the Sanitary Sewerage System.
  - c. "Bylaw" means this Sanitary Sewer Service Bylaw.
  - d. "Bylaw Ticket" means a notice of a contravention of this Bylaw in a form approved by the Manager of Water and Wastewater issued in accordance with section 18.2(a) of this Bylaw.

- e. "Clear Water Waste" means water originating from sources other than Wastewater streams and includes, without limitation:
  - i. roof drainage;
  - ii. foundation drainage collected beneath the surface of the ground by a foundation drain or weeping tile;
  - iii. remediated groundwater;
  - iv. impounded storm drainage or impounded ground water;
  - v. non-contact cooling water; and
  - vi. water Released as directed by Alberta Environment.
- f. "Council" means the Municipal Council of the Town of Cochrane.
- g. "Customer" means any Person who is party to an Account with the Town.
- h. "Dental Amalgam" means any material used for dental fillings which contains or may contain mercury.
- i. "Dental Amalgam Separator" means an Interceptor installed on a Private System to prevent Dental Amalgam, either alone or in combination with other substances, from being Released into the Sanitary Sewerage System.
- j. "Dental Facility" means any Premises which uses, works with or processes Dental Amalgam.
- k. "EPEA" means the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c. E-12.
- l. "Hauled Wastewater" means Wastewater which is collected in a manner other than by a Service Connection or which is transported by vehicle for Release into the Sanitary Sewerage System, and includes Wastewater removed from a cesspool, septic tank system, privy vault or privy pit, chemical toilet, portable toilet, or Wastewater holding structure.
- m. "Interceptor" means a receptacle installed on a Private System to prevent substances which may cause an Adverse Effect from being Released into the Sanitary Sewerage System.
- n. "In-sink Food Waste Disposer" means a device installed in a Private System of a Residential Premises intended to grind solid food waste into small particles for the purpose of disposing of such waste into the Sanitary Sewerage System; also known as garburators, garbage grinders, or waste disposal units.
- o. "Irrigation Meter" means a water meter used to measure the quantity of potable water supplied to a Premises where such potable water is being supplied solely for such irrigation purposes such as application to plants, trees, shrubs, patio pots, lawns, sod, and otherwise to supplement the horticultural purpose.

- p. "Manager of Water and Wastewater" means the Manager of the Water and Wastewater Division for the Town.
- q. "Monitoring Access Point" means a location from which Wastewater from a Premises may be monitored or collected for testing and includes a manhole.
- r. "*Municipal Government Act*" means the *Municipal Government Act*, R.S.A. 2000, c. M-26.
- s. "Occupant" means a Person using or occupying a Premises who is not the Owner of the Premises.
- t. "Over Strength Wastewater" means Wastewater described as over strength wastewater in Schedule A to this Bylaw.
- u. "Owner" means an owner as defined in the *Municipal Government Act*.
- v. "Parcel of Land" means a parcel of land as defined in the *Municipal Government Act*.
- w. "Peace Officer" means an individual engaged by the Town as a community peace officer or a bylaw enforcement officer, a peace officer as defined in the *Peace Officer Act*, R.S.A. 2000, c. P-3.5 or a member of the Royal Canadian Mounted Police.
- x. "Person" means any individual, partnership, corporation, company, society or government entity.
- y. "Pre-treatment Facility" means a system or works which changes the concentrations, characteristics, or flow rate of Wastewater prior to Release into the Sanitary Sewerage System but does not include Interceptors or In-sink Food Waste Disposers.
- z. "Premises" means land, buildings, or both, or a portion of either, occupied or used for any purpose within the Town.
- aa. "Private System" means the pipes, fittings, valves and appurtenances that collect and convey Wastewater from fixtures within a building to a Service Connection or a private Wastewater collection and disposal system.
- bb. "Prohibited Substance" means a substance described as a prohibited substance in Schedule A to this Bylaw.
- cc. "*Provincial Offences Procedure Act*" means the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34.
- dd. "Release" means release as defined in the *EPEA*.

- ee. "Residential Premises" means a Premises used for residential purposes and includes a house, condominium, duplex, semi-detached house and apartment complex, and includes mixed use Premises which include a residential component.
- ff. "Restricted Wastewater" means Wastewater described as restricted wastewater in Schedule A to this Bylaw.
- gg. "Sanitary Sewer Service" means the utility service provided by the Sanitary Sewerage System.
- hh. "Sanitary Sewer Service Charge" means the charge applied to Accounts for Sanitary Sewer Service in accordance with sections 13.0, 13.1 and 13.2 of this Bylaw.
- ii. "Sanitary Sewer Service Surcharge" means the charge applied to Accounts for Sanitary Sewer Service in accordance with section 14.12 of this Bylaw.
- jj. "Sanitary Sewerage System" means the system or works established to supply Sanitary Sewer Service within the Town and is a municipal public utility as defined in the *Municipal Government Act*.
- kk. "Self-contained Unit" means a self-contained part of a building having regard to the use of the building, and includes a self-contained dwelling unit in a Residential Premises.
- ll. "Service Connection" means a service connection as defined in the *Municipal Government Act* and includes a Service Connection (Private) and a Service Connection (Town).
- mm. "Service Connection (Private)" means the portion of a Service Connection located on, above or underneath a Parcel of Land.
- nn. "Service Connection (Town)" means the portion of a Service Connection from the Sewer Main to the boundary of the road or easement within which the Sewer Main is located.
- oo. "Sewer Main" means the main line of the Sanitary Sewerage System located on, above or underneath a road or easement granted to the Town for that purpose.
- pp. "Storm Sewer System" means the system or works established to collect Clear Water Waste within the Town and is a municipal public utility as defined in the *Municipal Government Act*.
- qq. "Storm Sewer System Fee" means the fee levied against all Premises for the Storm Sewer System in accordance with section 12.1 of this Bylaw.
- rr. "Summer" means the period of time consisting of the months of May, June, July, August, September, and October.

- ss. "Town" means the Municipality of the Town of Cochrane in the Province of Alberta or, where the context so requires, its municipal boundaries.
  - tt. "Violation Ticket" means a violation ticket as defined in the *Provincial Offences Procedure Act*.
  - uu. "Wastewater" means the composite of water and water-carried waste from Premises, but does not include Clear Water Waste.
  - vv. "Wastewater Meter" means a device installed by the Town to measure the volume of Wastewater Released from the Premises into the Town Sanitary Sewerage System.
  - ww. "Winter" means the period of time consisting of the months of November, December, January, February, March and April.
- 2.1 Any references in this Bylaw to any statutes are to those statutes as amended or replaced from time to time and any amendments thereto, and include any regulations enacted thereunder.
  - 2.2 Where the singular or masculine form of a word is used in this Bylaw, it shall include the plural, feminine or neutral form of the word as the context so requires.
  - 2.3 The headings in this Bylaw do not form part of this Bylaw and shall not affect its interpretation.
  - 2.4 The word "may" when used in this Bylaw shall be construed as permissive and empowering, and the word "shall" when used in this Bylaw shall be construed as imperative.
  - 2.5 Whenever measurements are provided in both metric and imperial units in this Bylaw, the metric units form part of this Bylaw and the imperial units are provided for convenience only.

## **PURPOSE**

- 3.0 The purpose of this Bylaw is to regulate the Release of Wastewater within the Town and to direct and facilitate the operation of the Sanitary Sewerage System, including the following:
  - (a) to prevent Adverse Effects;
  - (b) to control the flow and composition of Wastewater and other substances Released into the Sanitary Sewerage System;
  - (c) to provide for a system of rates, fees and charges for various types of use of the Sanitary Sewerage System;
  - (d) to provide for a charge for use of the Storm Sewer System; and

- (e) to provide a system of imposing conditions on Releases into the Sanitary Sewerage System.

## **AUTHORITY**

- 4.0 The Town has the power and authority to do all things necessary for the general maintenance, management and operation of the Sanitary Sewerage System.
- 4.1 The Manager of Water and Wastewater is authorized to:
  - (a) carry out the administration, control, care and management of the Sanitary Sewerage System;
  - (b) enter into contracts on behalf of the Town in respect of the Sanitary Sewerage System; and
  - (c) delegate any or all of the powers of the Manager of Water and Wastewater pursuant to this Bylaw to employees of the Town.
- 4.2 The Manager of Water and Wastewater may establish rates, charges or fees for all the products and services provided pursuant to this Bylaw, including but not limited to any or all of the following, but not including any fees or charges set out pursuant to Schedule B to this Bylaw:
  - (a) fees for inspections;
  - (b) fees for equipment rentals, or replacement or relocation of equipment; and
  - (c) service fees for site visits, maintenance, testing and repairs.

## **RESPONSIBILITY**

- 5.0 The Town, having constructed or caused to be constructed, operated and maintained the Sanitary Sewerage System, shall supply Sanitary Sewer Service in accordance with this Bylaw and the *Municipal Government Act*.
- 5.1 The Town may supply Sanitary Sewer Service for domestic, commercial, industrial and institutional purposes to any Premises.

## **RELEASE OF WASTEWATER**

- 6.0 No Person shall Release Wastewater within the Town except in accordance with this Bylaw.
- 6.1 No Person shall Release any substance, including Wastewater, into the Sanitary Sewerage System except in accordance with this Bylaw.

- 6.2 Without limiting the generality of sections 6.0 and 6.1 of this Bylaw:
- (a) the Owner or Occupant of a Premises shall ensure that Wastewater from that Premises is Released into the Sanitary Sewerage System, or a private Wastewater pre-treatment and disposal system that has been authorized by the Manager of Water and Wastewater; and
  - (b) no Person shall Release Wastewater into any watercourse as defined in the *EPEA*.

## **SERVICE CONNECTIONS**

### **Application for Service Connections**

- 7.0 No Person shall install, modify or expand a Service Connection except with the authorization of the Manager of Water and Wastewater.
- 7.1 The Owner of a Premises may apply for a Service Connection to be installed, modified or expanded in respect of the Premises.
- 7.2 The Manager of Water and Wastewater may approve an application pursuant to section 7.1 of this Bylaw subject to the following terms and conditions:
- (a) an Account being set up in respect of the Premises; and
  - (b) pre-payment of the costs of the Service Connection for which the Owner will be responsible pursuant to this Bylaw, or the Manager of Water and Wastewater's estimate of those costs.
- 7.3 The general layout for Service Connections shall be as set out in Schedules "C" and "D" to this Bylaw. These schedules are for guidance only, and in the event of any differences between this Bylaw or the *Municipal Government Act* and the layout described in Schedules "C" and "D", the Bylaw or the *Municipal Government Act* shall prevail.

### **Responsibility for Service Connections (Private)**

- 7.4 The Owner of a Premises shall be responsible for constructing, maintaining and repairing the Service Connection (Private) in respect of the Premises including, without limitation, connecting the Service Connection (Private) to the Service Connection (Town).
- 7.5 The Owner of a Premises shall ensure that a Service Connection (Private) for the Premises is kept in good repair and protected from damage.
- 7.6 Notwithstanding sections 7.4 and 7.5 of this Bylaw, the Manager of Water and Wastewater may require the Owner of a Premises to give the Town authorization to construct, maintain and repair the Service Connection (Private) for that Premises as a condition of:

- (a) approving an application to install, modify or expand a Service Connection in respect of the Premises; or
- (b) supplying or continuing to supply Sanitary Sewer Service to the Premises.

7.7 If the Town constructs, maintains or repairs a Service Connection (Private) pursuant to section 7.6 of this Bylaw, this shall be at the cost of the Owner.

### **Responsibility for Service Connections (Town)**

7.8 The Town shall be responsible for constructing, maintaining and repairing Service Connections (Town).

7.9 Notwithstanding section 7.8 of this Bylaw, the Manager of Water and Wastewater may require the Owner of a Premises to be responsible for the cost of constructing, maintaining and repairing the Service Connection (Town) for that Premises, as a condition of:

- (a) approving an application to install, modify or expand a Service Connection in respect of the Premises; or
- (b) supplying or continuing to supply Sanitary Sewer Service to the Premises.

### **Service Connections to a Premises**

7.10 To the extent the Manager of Water and Wastewater considers it practical or desirable to do so, the Manager of Water and Wastewater may authorize ONE (1) Service Connection per Parcel of Land.

7.11 Notwithstanding section 7.10 of this Bylaw:

- (a) if a Parcel of Land contains more than one Self-contained Unit, the Manager of Water and Wastewater may approve more than one Service Connection to a Parcel of Land;
- (b) if more than one Parcel of Land is located within a building, the Manager of Water and Wastewater may approve one or more Service Connections to the building to be shared by the Parcels of Land; and
- (c) the Manager of Water and Wastewater may approve more than one Service Connection for a Parcel of Land if, in the opinion of the Manager of Water and Wastewater, it is necessary or desirable to do so.

### **Refusal to Provide Service and Service Connections**

7.12 The Manager of Water and Wastewater may refuse to authorize a Service Connection or an expansion, modification or relocation of a Service Connection or refuse to supply Sanitary Sewer Service to a Premises if:



- (a) the Premises is not on a Parcel of Land adjacent to lands on which a Sewer Main is located;
- (b) in the opinion of the Manager of Water and Wastewater, the Town is not reasonably able to supply Sanitary Sewer Service to the Premises;
- (c) in the opinion of the Manager of Water and Wastewater, the Sanitary Sewerage System is not reasonably able to accommodate the proposed expansion, modification or relocation of a Service Connection; or
- (d) the application is not made by the Owner of the Premises.

### **Abandonment of Service Connections**

- 7.13 The Owner of a Premises shall notify the Manager of Water and Wastewater if a Service Connection for that Premises is or will be abandoned.
- 7.14 The Manager of Water and Wastewater may declare a Service Connection abandoned if:
- (a) use of the Service Connection is discontinued for SIX (6) months or more;
  - (b) there is no building on the Premises and no building is currently being constructed; or
  - (c) there is no Account in respect of the Premises.
- 7.15 If a Service Connection is abandoned in accordance with section 7.13 or 7.14 of this Bylaw, the Manager of Water and Wastewater may require the Owner of the Premises to take any steps the Manager of Water and Wastewater considers necessary or desirable for closure or removal of the Service Connection.

### **Responsibility for Private Systems**

- 7.16 The Owner of a Premises shall be responsible for constructing, maintaining and repairing the Private System in respect of the Premises including, without limitation, connecting the Private System to the Service Connection (Private).

### **Prohibited Devices for Private Systems**

- 7.17 No Person shall install an In-sink Food Waste Disposer in a Residential Premises which Releases Wastewater into the Sanitary Sewerage System.
- 7.18 The Owner of a Residential Premises which Releases Wastewater into the Sanitary Sewerage System shall ensure that no In-sink Food Waste Disposer is installed in such Premises.

7.19 Notwithstanding the above, Section 7.17 and Section 7.18 of this bylaw shall be of no force and effect until such time as the Town of Cochrane implements a curb side organics collection service.

### **Service Connections and Service for Premises other than Residential Premises**

7.20 No Person shall commence, carry on, alter or expand any activity other than a residential activity on any Premises which is connected or will be connected to the Sanitary Sewerage System except with the authorization of the Manager of Water and Wastewater.

7.21 The Manager of Water and Wastewater may require a Person seeking an authorization pursuant to section 7.20 of this Bylaw to provide a report to the satisfaction of the Manager of Water and Wastewater certified by a professional engineer stating:

- (a) the type of Wastewater to be produced by or Released from the Premises including an assessment of the risk that the Premises will Release Wastewater that does not comply with this Bylaw;
- (b) the anticipated daily volumes and peak rates of Wastewater Released from the Premises;
- (c) a description of the activity to be carried out within the Premises including the particulars of any expansion or addition;
- (d) the proposed Pre-treatment Facilities or Interceptors to be utilized on the Premises;
- (e) the location of the Monitoring Access Point for the Premises;
- (f) the monitoring equipment to be utilized on the Premises, and
- (g) such other information as the Manager of Water and Wastewater may request.

### **PROHIBITED RELEASES**

#### **Prohibitions**

8.0 No Person shall Release or allow the Release of any Prohibited Substance or Restricted Wastewater into the Sanitary Sewerage System.

8.1 Except with the authorization of the Manager of Water and Wastewater, no Person shall:

- (a) Release or allow the Release of any:
  - (i) Over Strength Wastewater;

- (ii) water which is used or produced during any manufacturing or commercial or industrial processing; or
    - (iii) Clear Water Waste; or
  - (b) for the purpose of meeting any concentration limits set out in this Bylaw, dilute any Wastewater to be Released in the Sanitary Sewerage System.
- 8.2 Sections 8.0 and 8.1 do not apply to prevent:
- (a) the Release of human excrement and urine; or
  - (b) the natural flow of groundwater into a wastewater pipe or Monitoring Access Point or of rainwater or other precipitation into the lids of Monitoring Access Points unless such flow is excessive in the opinion of the Manager of Water and Wastewater or is otherwise contrary to this Bylaw.

### **Authorizations**

- 8.3 Except with the authorization of the Manager of Water and Wastewater, no Person shall Release or allow the Release of Hauled Wastewater.
- 8.4 The Manager of Water and Wastewater may issue an authorization pursuant to section 8.3 of this Bylaw if the Manager of Water and Wastewater is satisfied that doing so will not cause any Adverse Effects.
- 8.5 If the Manager of Water and Wastewater grants an authorization pursuant to section 8.4 of this Bylaw, the Manager of Water and Wastewater may, as a condition of such authorization, require:
- (a) periodic testing, testing upon request, or both of the Hauled Wastewater;
  - (b) payment of additional fees and surcharges including, without limitation, the cost of any additional maintenance or monitoring of the Sanitary Sewerage System the Manager of Water and Wastewater considers necessary or desirable as a result of the Release; and
  - (c) an agreement to indemnify the Town against any Adverse Effects resulting from the Release.

### **Additional Requirements for Hauled Wastewater**

- 8.6 A Person who Releases Hauled Wastewater shall pay to the Town, at the time of such Release, the Hauled Wastewater disposal fee set out in Schedule B to this Bylaw.
- 8.7 The Manager of Water and Wastewater may impose any rules for use of the Hauled Wastewater receiving location that the Manager of Water and Wastewater considers necessary or desirable. Such rules shall be posted at the Hauled Wastewater receiving location.

- 8.8 A Person who Releases Hauled Wastewater shall:
- (a) only Release the Hauled Wastewater at the receiving location approved by the Manager of Water and Wastewater;
  - (b) comply with any rules imposed by the Manager of Water and Wastewater for use of the Hauled Wastewater receiving location in accordance with section 8.7 of this Bylaw;
  - (c) ensure that Hauled Wastewater is not spilled during transport or Release; and
  - (d) complete a manifest for each load of Hauled Wastewater that states:
    - i. the source or sources of the load;
    - ii. the type of substance from each source;
    - iii. the volume or quantity of the substance from each source;
    - iv. the name of the Person consigning, hauling and Releasing the load into the Sanitary Sewerage System;
    - v. the name of the Person holding the authorization pursuant to section 8.4 of this Bylaw; and
    - vi. the agreement number for the agreement granting the authorization pursuant to section 8.4 of this Bylaw; and
  - (e) submit copies of all manifests prepared pursuant to section 8.8(d) of this Bylaw to the Manager of Water and Wastewater on a monthly basis and upon request.

### **Unlawful, Unauthorized and Accidental Releases**

- 8.9 Any Person who causes or allows any Release of Wastewater or of any other substance into the Sanitary Sewerage System contrary to this Bylaw shall immediately notify:
- (a) the 9-1-1 emergency telephone number if there is any damage or immediate danger to:
  - (b)
    - (i) human health or safety;
    - (ii) property;
    - (iii) the environment, or
    - (iv) the Sanitary Sewerage System;
  - (b) the Town, by calling the Town's 24 hour emergency telephone number;
  - (c) the Owner of the Premises where the Release occurred; and
  - (d) any other Person that may be affected by the Release.
- 8.10 The Person reporting the Release pursuant to section 8.9 of this Bylaw shall supply the following information:

- (a) the name and contact information of the Person reporting the Release;
  - (b) the time of the Release;
  - (c) the location of the Release;
  - (d) the type of substance Released and any known associated hazards;
  - (e) the volume of the substance Released; and
  - (f) any corrective action being taken, or proposed to be taken, to control the Release.
- 8.11 If a Release of Wastewater or any other substance into the Sanitary Sewerage System contrary to this Bylaw has occurred from a Premises the Manager of Water and Wastewater may, as a condition of supplying or continuing to supply Sanitary Sewer Service to the Premises, require the Owner or Occupant of the Premises to provide a plan to the satisfaction of the Manager of Water and Wastewater setting out how similar Releases from the Premises will be prevented.
- 8.12 Any Person who causes or allows any Release of Wastewater or any other substance into the Sanitary Sewerage System contrary to this Bylaw shall immediately take all reasonable measures to mitigate the Release.

## **TESTING AND MONITORING WASTEWATER**

### **Monitoring Access Points and Monitoring Equipment**

- 9.0 The Manager of Water and Wastewater may test Wastewater Released from a Premises for the purpose of determining compliance with this Bylaw and establishing applicable surcharges payable pursuant to this Bylaw. The Manager of Water and Wastewater may enter upon a Premises to which Sanitary Sewer Service is supplied and obtain such samples as the Manager of Water and Wastewater deems necessary or desirable for the purpose of such testing.
- 9.1 All sampling, testing and monitoring of Wastewater or other substances Released into the Sanitary Sewerage System shall be at the cost of the Customer in respect of the Premises.
- 9.2 As a condition of supplying or continuing to supply Sanitary Sewer Service to a Premises other than a Residential Premises, the Manager of Water and Wastewater may require the Owner or Occupant of that Premises to
- (a) provide, to the satisfaction of the Manager of Water and Wastewater, a Monitoring Access Point to test Wastewater Released from the Premises into the Sanitary Sewerage System;

- (b) enter into an agreement allowing access to the Premises to facilitate testing of Wastewater Released from the Premises, to the satisfaction of the Manager of Water and Wastewater; or
  - (c) both (a) and (b).
- 9.3 As a condition of supplying or continuing to supply Sanitary Sewer Service to a Premises other than a Residential Premises, the Manager of Water and Wastewater may require the Owner or Occupant of that Premises to provide and utilize, to the satisfaction of the Manager of Water and Wastewater, monitoring equipment to monitor Wastewater Released from the Premises into the Sanitary Sewerage System.
- 9.4 If the Manager of Water and Wastewater has required monitoring equipment pursuant to section 9.3 of this Bylaw, the Owner or Occupant in respect of the Premises shall supply the results of such monitoring to the Manager of Water and Wastewater as required by the Manager of Water and Wastewater.
- 9.5 No Person shall obstruct or prevent access to a Monitoring Access Point or act in a manner that obstructs or prevents access to a Monitoring Access Point, including without limitation:
- (a) parking a vehicle of any kind over a Monitoring Access Point;
  - (b) planting shrubbery, trees or other plants that obstruct or prevent access to a Monitoring Access Point;
  - (c) constructing a fence or any other structure that obstructs or prevents access to a Monitoring Access Point;
  - (d) piling snow, wood or any other material on top of a Monitoring Access Point; or
  - (e) enclosing a Monitoring Access Point.

### **Testing of Wastewater**

- 9.6 For the purposes of this Bylaw, the content or composition of Wastewater or of any other substance Released into the Sanitary Sewerage System may be determined using the following methods as selected by the Manager of Water and Wastewater:
- (a) through the use of monitoring equipment pursuant to section 9.3 of this Bylaw; or
  - (b) by collecting a sample of the Wastewater or other substance and having it analyzed by an accredited laboratory selected by the Manager of Water and Wastewater.
- 9.7 Samples of Wastewater or any other substance for testing pursuant to section 9.6(b) of this Bylaw may be taken using the following methods as selected by the Manager of Water and Wastewater:

- (a) a single sample with a minimum volume of one (1) litre; or
  - (b) a series of samples taken over a twenty-four (24) hour period, and combined into one composite sample.
- 9.8 If more than one Premises shares a Monitoring Access Point, the results of tests performed on any sample of Wastewater collected from such Monitoring Access Point shall be deemed to apply to all Premises connected to the Monitoring Access Point.
- 9.9 If a Premises is connected to more than one Monitoring Access Point, the Manager of Water and Wastewater may estimate proportions of samples collected from each Monitoring Access Point for the purpose of determining the content or composition of Wastewater or other substances Released into the Sanitary Sewerage System by that Premises.
- 9.10 For the purpose of determining compliance with this Bylaw, the Manager of Water and Wastewater may test discrete streams of Wastewater derived from individual processes in or on a Premises.

#### **TREATMENT OF WASTEWATER PRIOR TO RELEASE**

- 10.0 No Person shall install or operate a Pre-treatment Facility that Releases Wastewater into the Sanitary Sewerage System except as authorized or required by the Manager of Water and Wastewater or as required pursuant to this bylaw.
- 10.1 The Owner or Occupant of a Dental Facility shall install a Dental Amalgam Separator on all fixtures that may Release Dental Amalgam into the Sanitary Sewerage System.
- 10.2 The Manager of Water and Wastewater may, on application or as a condition of supplying or continuing to supply Sanitary Sewer Service to a Premises, authorize or require a Person to install and operate a Pre-treatment Facility if the Manager of Water and Wastewater considers it necessary or desirable to do so.

#### **Operation and Maintenance of Interceptors and Pre-treatment Facilities**

- 10.3 The Owner or Occupant of a Premises which Releases Wastewater into the Sanitary Sewerage System on which an Interceptor or Pre-treatment Facility is installed shall:
- (a) keep the Interceptor or Pre-treatment Facility in good working condition at all times;
  - (b) ensure that such Interceptor or Pre-treatment Facility is installed in accordance with the manufacturer's directions and upstream of any Monitoring Access Point;

- (c) empty the Interceptor or Pre-treatment Facility often enough that it does not become overloaded;
- (d) allow periodic inspections of the Interceptor or Pre-treatment Facility by the Manager of Water and Wastewater; and
- (e) retain at the Premises:
  - (i) any manuals, instructions and specifications related to the installation, operation, maintenance and cleaning of the Interceptor or Pre-treatment Facility installed at the Premises; and
  - (ii) a maintenance schedule and record of each maintenance for the Interceptor or Pre-treatment Facility installed at the Premises for a period of two years, including records of disposal for residue removed from Wastewater by the Interceptor or Pre-treatment Facility;

and show or surrender to the Manager of Water and Wastewater such materials upon request.

10.4 No Person shall bypass or interfere with the operation of an Interceptor or Pre-treatment Facility including, without limitation, using any physical, chemical or other means, including emulsifiers, enzymes, bacteria, solvents and hot water, to cause any substance an Interceptor or Pre-treatment Facility is designed to remove from Wastewater prior to Release to pass through the Interceptor or Pre-treatment Facility.

## **ACCOUNTS**

### **Setting up Accounts**

- 11.0 No Sanitary Sewer Service shall be supplied to a Premises unless an Account is in place in respect of that Premises.
- 11.1 A Person who is to be the Customer in respect of an Account for a Premises may apply for an Account in respect of the Premises.
- 11.2 An application to set up a new Account pursuant to section 11.1 of this Bylaw shall:
  - (a) be subject to an Administration Fee as set out in Schedule B to this Bylaw;
  - (b) include any information required by the Manager of Water and Wastewater;
  - (c) be made not less than TWO (2) business days prior to the date on which the applicant proposes as the starting date for Sanitary Sewer Service to be supplied to the Premises; and



- (d) be made in writing, in person, by telephone or online through the Town's website.

## **Customers**

- 11.3 Where the Owner of a Premises requests that Sanitary Sewer Service be supplied to the Premises, the Owner shall be the Customer in respect of the Premises.
- 11.4 The Owner of a Residential Premises shall be the Customer in respect of the Premises. Occupants of Residential Premises shall not be eligible to be the Customer in respect of Residential Premises.
- 11.5 Notwithstanding section 11.4 of this Bylaw, the Manager of Water and Wastewater may authorize the Occupant of Residential Premises to be the Customer in respect of Residential Premises if:
  - (a) The Residential Premises consist of multiple Parcels of Land within a building where each Parcel of Land does not have its own Service Connection and the Customer is to be the Condominium Association in respect of the building; or
  - (b) The Residential Premises is currently under construction and the Person undertaking construction requests that Sanitary Sewer Service be supplied to the Premises and that Person is to be the Customer.
- 11.6 Where the Occupant of a Premises other than a Residential Premises requests that Sanitary Sewer Service be supplied to the Premises, the Occupant may be the Customer in respect of the Premises, upon approval by the Manager of Water and Wastewater, subject to section 11.7 of this Bylaw.
- 11.7 Where there is more than one Occupant of a Premises other than a Residential Premises and an Occupant of the Premises requests that Sanitary Sewer Service be supplied to the Premises, the Manager of Water and Wastewater may refuse the request unless all Occupants of the Premises agree in writing to be jointly and severally responsible for any fees and charges relating to the supply of Sanitary Sewer Service for the Premises.
- 11.8 Where the Owner of a vacant Premises requests that Sanitary Sewer Service be supplied to the Premises, the Owner shall be the Customer in respect of the Premises.
- 11.9 Accounts are not transferable.

## **Terminating an Account**

- 11.10 Prior to vacating a Premises to which Sanitary Sewer Service is supplied, the Customer shall close the Account in respect of the Premises.
- 11.11 A Customer may close an Account by:

- (a) providing TWO (2) business days' notice to the Manager of Water and Wastewater in writing, in person, by telephone or online through the Town's website; and
- (b) paying all outstanding fees and charges owing pursuant to that Account.

## **STORM SEWER SYSTEM**

12.0 The Storm Sewer System Fee shall be as set out in Schedule B to this Bylaw.

12.1 The Storm Sewer System Fee shall be payable for:

- (a) all Premises which have an Account with the Town pursuant to this Bylaw for the provision of Sanitary Sewer Service; and
- (b) all Premises which receive potable water from the Town's water utility.

12.2 The Storm Sewer System Fee shall be payable by:

- (a) the Customer in respect of a Premises for which there is an Account;  
or
- (b) if there is no Account for the Premises, the Owner of the Premises.

## **SEWER RATES AND CHARGES**

### **Sanitary Sewer Rates**

13.0 A Customer shall pay all applicable rates and charges for the supply of Sanitary Sewer Service to the Premises for which the Customer has an Account including, without limitation:

- (a) the Sanitary Sewer Service Charge;
- (b) any applicable Sanitary Sewer Service Surcharge;
- (c) any fees or surcharges imposed by the Manager of Water and Wastewater in accordance with section 8.5 of this Bylaw; and
- (d) the cost of any testing required by the Manager of Water and Wastewater in accordance with section 9.0 of this Bylaw.

13.1 If a Premises receives potable water from the Town's water utility or if the Town has installed a Wastewater Meter on the Premises, the Sanitary Sewer Service Charge shall be:

- (a) the base rate as set out in Schedule B to this Bylaw; and
- (b) the consumption charge as set out in Schedule B to this Bylaw multiplied by the volume of Wastewater Released from the Premises.

13.2 If a Premises does not receive potable water from the Town's water utility and the Town has not installed a Wastewater Meter on the Premises, the Sanitary Sewer Service Charge shall be the sewer consumption flat rate as set out in Schedule B to this Bylaw.

**Calculating the Volume of Wastewater**

13.3 For the purposes of this Bylaw, the volume of Wastewater Released from a Premises which receives potable water from the Town's water utility shall be in accordance with the following:

- (a) For Residential Premises:
  - (i) if the Customer has had an Account for the Premises for the full preceding Winter period:
    - (A) during the Winter months the monthly volume of Wastewater Released shall be equal to the volume of potable water received from the Town's water utility during the same billing period; and
    - (B) during the Summer months the monthly volume of Wastewater Released shall be equal to the average volume of potable water per month received from the Town's water utility during the preceding Winter, excepting that the average shall be calculated using a minimum of FIVE (5) cubic meters per month for any months when less than FIVE (5) cubic meters of potable water was received;
  - (ii) if the Customer has not had an Account for the Premises for the full preceding Winter period:
    - (A) during the Winter months the monthly volume of Wastewater Released shall be equal to the volume of potable water received from the Town's water utility during the same billing period; and
    - (B) during the Summer months the monthly volume of Wastewater Released shall be equal to EIGHTY PERCENT (80%) of the volume of potable water received from the Town's water utility during the same billing period;
- (b) Notwithstanding section 13.3(a), if the Manager of Water and Wastewater is satisfied that a Residential Premises consists of:
  - (i) an apartment-style building in which more than one dwelling unit shares an outside entrance where an Irrigation Meter measures potable water delivered to the Premises for irrigation of shared or common areas; or

- (ii) a single dwelling unit within a building where an Irrigation Meter measures potable water delivered to the Premises for irrigation of outdoor amenity spaces on the Premises,

the monthly volume of Wastewater Released shall be equal to the volume of potable water received from the Town's water utility during the same billing period;

- (c) For Premises other than Residential Premises, the monthly volume of Wastewater Released shall be equal to the volume of potable water received from the Town's water utility during the same billing period;
- (d) If a Premises other than a Residential Premises is equipped with an Irrigation Meter, the volume of Wastewater Released from the Premises shall not include the volume of potable water supplied to the Premises for irrigation purposes as measured by that Irrigation Meter;
- (e) If the Manager of Water and Wastewater is satisfied that potable water supplied to a Premises is not Released into the Sanitary Sewerage System, the Manager of Water and Wastewater may exclude that water from the calculation of the volume of Wastewater Released by the Premises for the purposes of this Bylaw; and
- (f) If the Manager of Water and Wastewater determines for any reason that the calculation set out in section 13.3(a) to (e) does not accurately reflect the volume of Wastewater Released, the Manager of Water and Wastewater may estimate the volume of Wastewater Released.

13.4 The Manager of Water and Wastewater may, as a condition of supplying or continuing to supply Sanitary Sewer Service to a Premises, require the Owner of that Premises to authorize the Town to install and maintain a Wastewater Meter on the Premises at the Owner's expense.

13.5 If the Town has installed a Wastewater Meter on a Premises, notwithstanding section 13.3 of this Bylaw:

- (a) the volume of Wastewater Released from the Premises shall be the volume indicated by the Wastewater Meter; or
- (b) if the Manager of Water and Wastewater determines that for any reason the Wastewater Meter has not accurately recorded the volume of Wastewater Released from the Premises, including without limitation because any portion of the Service Connection (Private) including the Wastewater Meter is damaged or has been tampered with, the Manager of Water and Wastewater may determine the volume of Wastewater Released as if the Town has not installed a Wastewater Meter on that Premises.

## **UTILITY BILLS**

### **Issuance of Utility Bills**

- 14.0 The Manager of Water and Wastewater shall issue a utility bill for each Account, on a monthly basis or such other periods as determined in the discretion of the Manager of Water and Wastewater.
- 14.1 The Manager of Water and Wastewater shall issue a utility bill for each Premises which does not have an Account but for which the Storm Sewer System Fee is payable pursuant to section 12.1(b) of this Bylaw, on a monthly basis or such other periods as determined in the discretion of the Manager of Water and Wastewater.
- 14.2 A utility bill issued pursuant to this Bylaw shall specify the date on which it is payable.
- 14.3 If a Customer fails to pay a utility bill on or before the date specified pursuant to section 14.2 of this Bylaw, the Customer shall pay a penalty as specified in Schedule B to this Bylaw, and this penalty shall be added to and form part of the Customer's utility bill.
- 14.4 A penalty pursuant to section 14.3 of this Bylaw shall be in addition to any other remedies available to the Town for non-payment of a utility charge.
- 14.5 Failure to receive a utility bill, or an error on a utility bill, shall not constitute a valid defence for failure to pay the rates and charges for the provision of Sanitary Sewer Service or Storm Sewer System service to a Premises.
- 14.6 The Manager of Water and Wastewater may issue a combined utility bill including multiple public utility services provided by the Town in respect of a Premises.
- 14.7 A utility bill issued pursuant to this Bylaw shall separately state the amount payable for each public utility service included in that utility bill, including without limitation the Storm Sewer System Fee payable pursuant to this Bylaw.

### **Adjustments to Utility Bills**

- 14.8 The Manager of Water and Wastewater shall not reduce Sanitary Sewer Service rates and charges or the Storm Sewer System Fee for any service interruption regardless of the cause.
- 14.9 If the Manager of Water and Wastewater is satisfied that a utility bill contains an error, the Manager of Water and Wastewater may adjust the utility bill.
- 14.10 If the Manager of Water and Wastewater is satisfied that unusual circumstances beyond the control of a Customer have resulted in excessively high Sanitary Sewer Service rates and charges, and is further satisfied that it is fair and equitable to do so, the Manager of Water and Wastewater may adjust the utility bill.

## **Sanitary Sewer Service Surcharge**

- 14.11 If Wastewater Released from a Premises other than a Residential Premises meets the standards as set out in Schedule A to this Bylaw for Wastewater which is subject to the Sanitary Sewer Service Surcharge, the rates and charges payable by the Customer in respect of the Premises for Sanitary Sewer Service shall include the Sanitary Sewer Service Surcharge.
- 14.12 The Sanitary Sewer Service Surcharge payable in respect of a Premises shall be:
- (a) the Sanitary Sewer Service Surcharge rate calculated in accordance with Schedule B to this Bylaw, multiplied by
  - (b) the volume of Wastewater Released from the Premises calculated in accordance with sections 13.3 to 13.5 of this Bylaw.
- 14.13 Notwithstanding section 14.12 of this Bylaw, if the Manager of Water and Wastewater is satisfied that a Customer has been charged an abnormally high Sanitary Sewer Service Surcharge, the Manager of Water and Wastewater may adjust the Sanitary Sewer Service Surcharge, conditional on the Customer correcting the cause for the abnormally high Sanitary Sewer Service Surcharge to the satisfaction of the Manager of Water and Wastewater.
- 14.14 If a Sanitary Sewer Service Surcharge rate has been established pursuant to section 14.12 of this Bylaw for a Premises, it shall remain in effect for a minimum period of six (6) months.
- 14.15 Notwithstanding section 14.14 of this Bylaw, if the Manager of Water and Wastewater is satisfied that a significant change has occurred to Wastewater Released from the Premises, the Manager of Water and Wastewater may test the Wastewater Released from the Premises and establish a new Sanitary Sewer Service Surcharge rate prior to the expiration of the minimum six (6) month period.
- 14.16 If more than one Premises other than a Residential Premises share a common Monitoring Access Point and Wastewater collected from that Monitoring Access Point meets or exceeds the specifications set out in Schedule A to this Bylaw, the Sanitary Sewer Service Surcharge Rate so determined shall be applied to all Premises sharing that Monitoring Access Point.
- 14.17 If a Sanitary Sewer Service Surcharge is levied, it shall be shown as a separate item on the utility bill and the Sanitary Sewer Service Surcharge shall form part of and be due and payable to the Town at the same time as the rest of the charges on that utility bill.

## SUSPENSION AND TERMINATION OF SANITARY SEWER SERVICES

### Suspension and Termination

- 15.0 The Manager of Water and Wastewater may suspend or discontinue Sanitary Sewer Service to a Premises if, in the opinion of the Manager of Water and Wastewater, it is necessary or desirable to do so, upon giving reasonable notice to the Owner or Occupant.
- 15.1 Without limiting the generality of section 15.0 of this Bylaw, the Manager of Water and Wastewater may suspend or discontinue Sanitary Sewer Service to a Premises upon giving reasonable notice to the Owner or Occupant if:
- (a) the Customer in respect of the Premises has provided false or incomplete information in respect of an Account;
  - (b) a Person has breached any term or condition of any authorization respecting the Premises issued by the Manager of Water and Wastewater pursuant to this Bylaw;
  - (c) a Customer has failed to pay the utility bill issued by the Manager of Water and Wastewater within 60 (SIXTY) days after the payment date specified in that bill;
  - (d) the Service Connection (Private) or Private System is not installed or maintained to the satisfaction of the Manager of Water and Wastewater; or
  - (e) the Owner, Occupant or Customer in respect of the Premises has been convicted of any offence pursuant to this Bylaw.
- 15.2 Without limiting the generality of sections 15.0 and 15.1 of this Bylaw, if in the opinion of the Manager of Water and Wastewater, Wastewater is Released or may be Released from a Premises which will or may cause an Adverse Effect, the Manager of Water and Wastewater may, in addition to any other remedy available, disconnect, plug or seal off the Service Connection to that Premises or take such other action as the Manager of Water and Wastewater considers necessary or desirable to prevent such Wastewater from being Released into the Sanitary Sewerage System, in which case:
- (a) the Manager of Water and Wastewater may refuse to allow Wastewater from the Premises to be Released into the Sanitary Sewerage System until the Manager of Water and Wastewater is satisfied that there is no further risk of Adverse Effects; and
  - (b) any steps taken pursuant to this section 15.2 of this Bylaw shall be at the cost of the Customer in respect of the Premises.

## **Disconnection and Removal of Service Connections**

15.3 If the Manager of Water and Wastewater has suspended or terminated the Sanitary Sewer Service to a Premises, the Manager of Water and Wastewater may close or remove the Service Connection at the cost of the Owner.

## **Recommencement of Sanitary Sewer Service**

15.4 Where Sanitary Sewer Service to a Premises has been suspended or terminated, the Owner or Occupant may apply to have it recommenced subject to the following:

- (a) the application shall be in accordance with section 11.2 and, if the Service Connection has been removed, sections 7.1 and 7.2 of this Bylaw (excepting out the payment of Administration Fee pursuant to section 11.2(a));
- (b) the applicant shall pay any arrears for the Sanitary Sewer Service to the Premises; and
- (c) the applicant shall be responsible for any costs associated with recommencement, including without limitation any costs associated to restore the connection between the Premises and the Sanitary Sewerage System.

## **PRIVATE SERVICES**

16.0 No Person shall use any Wastewater treatment or disposal system for a Premises which could be connected to the Sanitary Sewerage System in accordance with the terms of this Bylaw without the authorization of the Manager of Water and Wastewater.

16.1 No Person who has been given an authorization to use an alternate Wastewater treatment or disposal system shall allow that system to be connected, either directly or indirectly, to the Sanitary Sewerage System without the authorization of the Manager of Water and Wastewater.

16.2 Any Person using an alternate Wastewater treatment or disposal system shall do so at their own risk and cost.

16.3 An authorization of the Manager of Water and Wastewater pursuant to section 16.0 of this Bylaw shall not be interpreted as approval of the system or any endorsement of its quality or effectiveness.

## **GENERAL**

### **General Prohibitions**

17.0 Except as authorized by the Manager of Water and Wastewater or as otherwise permitted by this Bylaw, no Person shall:



- (a) operate, handle, interfere with, damage, remove, destroy or tamper with any part of the Sanitary Sewerage System;
- (b) hinder or disrupt the supply of Sanitary Sewer Service to any Premises;
- (c) impede access to any part of the Sanitary Sewerage System by the Manager of Water and Wastewater;
- (d) provide any utility system services of the type provided by the Town pursuant to this Bylaw;
- (e) enter any fenced or enclosed area of the Sanitary Sewerage System;
- (f) climb on any structure that is part of the Sanitary Sewerage System;  
or
- (g) carry out any activity for which that Person has been given or issued an authorization or permit in accordance with this Bylaw except in accordance with the terms and conditions of that authorization or permit.

### **Authorizations**

17.1 Where pursuant to this Bylaw the Manager of Water and Wastewater may authorize a Person to do anything or approve any application, that authorization or approval shall be:

- (a) subject to any terms and conditions the Manager of Water and Wastewater considers necessary or desirable, in addition to any terms and conditions required or permitted pursuant to this Bylaw;
- (b) revocable by the Manager of Water and Wastewater upon written notice to the Person; and
- (c) of no force and effect unless in writing.

17.2 A Person carrying out any activity pursuant to an approval or authorization pursuant to section 17.1 of this Bylaw shall keep that approval or authorization available and shall show or surrender it to a Peace Officer or the Manager of Water and Wastewater upon request.

### **Inspections and Access to Premises**

17.3 The Manager of Water and Wastewater may, after giving reasonable notice to the Owner or Occupant of a Premises, enter upon any Premises connected to the Sanitary Sewerage System to inspect the Premises for compliance with this Bylaw and to remedy any contravention of this Bylaw.

## **Owners and Occupants**

- 17.4 Whenever this Bylaw imposes an obligation or prohibition on an Owner or Occupant of a Premises, the obligation or prohibition shall apply to both the Owner and Occupant and to each of them individually.
- 17.5 Whenever this Bylaw imposes an obligation or prohibition on more than one Person, each Person shall be liable to prosecution for breach of this Bylaw, and it shall be no defence for any such Person that any other Person is responsible for such breach.

## **CONVICTIONS AND PENALTIES**

### **Offences**

- 18.0 A Person who:
- (a) does something that is prohibited in this Bylaw;
  - (b) fails to do something that is required in this Bylaw; or
  - (c) does something in a manner different from that which is required or permitted in this Bylaw;

is guilty of an offence.

- 18.1 Where a contravention of this Bylaw is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which the offence continues and any Person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such day or part of a day.

### **Enforcement**

- 18.2 Where a Peace Officer believes that a Person has contravened any provision of this Bylaw, that Peace Officer may:
- (a) serve that Person with a Bylaw Ticket by personal service or by regular or registered mail; or
  - (b) serve that Person a summons by means of a Violation Ticket in accordance with Part 2 of the *Provincial Offences Procedure Act*.
- 18.3 Nothing in this Bylaw shall prevent a Peace Officer from issuing a summons for the mandatory court appearance of any Person who the Peace Officer has reason to believe is committing, or has committed, a breach of any provision of this Bylaw, or from laying an information.

## Penalties

- 18.4 A Bylaw Ticket issued pursuant to section 18.2(a) of this Bylaw shall state the minimum penalty payable in respect of the contravention of this Bylaw, as set out in Schedule E to this Bylaw.
- 18.5 Notwithstanding section 18.4 of this Bylaw:
- (a) where a Person has been convicted of a contravention or been issued and paid a Bylaw Ticket for a contravention of the same provision of this Bylaw twice within the same TWELVE (12) month period, the minimum penalty payable in respect of the second contravention shall be double the minimum penalty set out in Schedule E to this Bylaw; and
  - (b) where a Person has been convicted of a contravention or been issued and paid a Bylaw Ticket for a contravention of the same provision of this Bylaw three or more times within the same TWELVE (12) month period, the minimum penalty payable in respect of the third or subsequent contravention shall be triple the minimum penalty set out in Schedule E to this Bylaw.
- 18.6 A Person who has been issued a Bylaw Ticket pursuant to section 18.2(a) of this Bylaw and has paid it to the Town prior to the date specified on that Bylaw Ticket shall not be liable to prosecution for the subject contravention.
- 18.7 A Violation Ticket issued pursuant to section 18.2(b) of this Bylaw may state the specified penalty payable in respect of the contravention of this Bylaw, as set out in Schedule E to this Bylaw.
- 18.8 Notwithstanding section 18.7 of this Bylaw:
- (a) where a Person has been convicted of a contravention or been issued and paid a Violation Ticket for a contravention of the same provision of this Bylaw twice within the same TWELVE (12) month period, the specified penalty payable in respect of the second contravention shall be double the specified penalty set out in Schedule E to this Bylaw; and
  - (b) where a Person has been convicted of a contravention or been issued and paid a Violation Ticket for a contravention of the same provision of this Bylaw three or more times within the same TWELVE (12) month period, the specified penalty payable in respect of the third or subsequent contravention shall be triple the specified penalty set out in Schedule E to this Bylaw.
- 18.9 A Person who is convicted of an offence pursuant to this Bylaw is liable on summary conviction to a fine not exceeding TEN THOUSAND DOLLARS (\$10,000.00) and in default of payment of any fine imposed, to imprisonment for not more than ONE (1) year.

18.10 The levying and payment of any fine or imprisonment for any period provided in this Bylaw shall not relieve a Person from paying any fees, charges or costs for which that Person is liable pursuant to this Bylaw.

#### **GENERAL PROVISIONS AND COMING INTO FORCE**

19.0 If any term, clause or condition of this Bylaw or application thereof is found to be invalid or unenforceable, the remainder of this Bylaw or application of such term, clause or condition shall not be affected and shall remain in force and effect.

19.1 The Schedules to this Bylaw may be amended or replaced from time to time by resolution of Council.

19.2 Nothing in this Bylaw relieves any Person from compliance with any other bylaw or any applicable federal or provincial law, regulation or enactment.

19.3 This Bylaw repeals Bylaw 4/83, Bylaw 08/97, and any amendments thereto.

19.4 This Bylaw comes into force on the date of third reading.

Read a first time March 14, 2016

Read a second time March 29, 2016

Read a third time March 29, 2016



\_\_\_\_\_  
Mayor



\_\_\_\_\_  
Manager, Legislative Services

## SCHEDULE A

### Prohibited Substances

- 1.0 The following substances are Prohibited Substances for the purposes of this Bylaw unless they are otherwise identified as substances contained in or characteristics of Restricted Wastewater, Over Strength Wastewater or Wastewater subject to the Sanitary Sewer Service Surcharge in this Schedule:
- (a) any substance which, alone or in combination with another substance:
    - (i) causes or may cause an Adverse Effect;
    - (ii) causes or may cause a violation or non-compliance event with respect to any approval held by the Town for the Sanitary Sewerage System or pursuant to which the Town operates the Sanitary Sewerage System;
    - (iii) interferes or may interfere with the disposal of any solid or semi-solid substances produced by the Sanitary Sewerage System which may be beneficially recycled ("biosolids");
    - (iv) is explosive or flammable;
    - (v) causes or may cause:
      - (A) odours, including without limitation ammonia, trichloroethylene, formaldehyde, sulphur dioxide, hydrogen sulphide, carbon disulphide or other reduced sulphur compounds, but not including Domestic Wastewater;
      - (B) odours or tastes in water after conventional water purification treatment; or
      - (C) colouration of water after conventional water purification treatmentbut not including Wastewater that is the composite of liquid and water-carried wastes associated with normal household purposes, including without limitation food preparation, bathing, washing clothes and dishes and flushing toilets;
    - (vi) is or may become solid or viscous and capable of obstructing the flow of Wastewater in the Sanitary Sewerage System, including without limitation grease, ashes, bones, cinders, sand, hygiene products, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, animals or animal parts, animal feces and blood;
    - (vii) is Released in layers or forms or may form layers in the Sanitary Sewerage System; or
    - (viii) interferes with or may interfere with maintenance of the Sanitary Sewerage System;
  - (b) nuclear substances as defined in the *Nuclear Safety and Control Act*, S.C. 1997, c.9;

- (c) substances Released from hospitals, medical clinics, medical laboratories, dental laboratories, dental clinics, health care facilities, necropsy facilities, research laboratories, biological research facilities or from other similar facilities, and which contain or may contain one or more of the following:
  - (i) pathogenic materials, substances or agents which will not or cannot be treated to acceptable levels by conventional water purification treatment; or
  - (ii) experimental biological materials, substances or agents which will not or cannot be treated to acceptable levels by conventional water purification treatment
 and may cause an Adverse Effect;
- (d) drugs as defined in the *Pharmacy and Drug Act*, RSA 2000, c. P-13;
- (e) unused or waste household or industrial chemical substances including without limitation cleaning products;
- (f) hazardous waste as defined in the *EPEA*;
- (g) corrosive substances;
- (h) pesticides or herbicides;
- (i) substances removed from Wastewater by an Interceptor or a Pre-treatment Facility; or
- (j) Wastewater which:
  - (i) has a pH of less than FIVE AND ONE HALF (5.5) or greater than ten (10); or
  - (ii) has a temperature in excess of SEVENTY-FIVE (75) degrees Celsius.

**Restricted Wastewater**

2.0 The following Wastewater is Restricted Wastewater for the purposes of this Bylaw:

- (a) Wastewater which contains the following inorganic substances in excess of the following concentrations:

<b>Substance</b>	<b>Concentration Limit (mg/L)</b>
Aluminum	50
Antimony	5
Arsenic	1
Beryllium	1
Bismuth	5
Boron	5
Cadmium	0.7
Chloride	1500
Chromium, total	3
Cobalt	5
Copper	2

Cyanide	1.2
Fluoride	10
Iron	50
Lead	0.7
Manganese	5
Mercury	0.01
Molybendum	5
Nickel	2
Nitrogen, total	50
Selenium	1
Silver	0.5
Sulphate	1500
Siulphides	1
Thallium	0.5
Tin	5
Titanium	5
Vanadium	5
Zinc	2

- (b) Wastewater which contains the following organic substances in excess of the following concentrations

<b>Substance</b>	<b>Concentration Limit (mg/L)</b>
Benzene	0.5
BTEX (total Benzene, toluene, ethyl benzene and xylenes)	1
Chloroform	0.05
Dichlorobenzene (1,2-)	1
Dichlorobenzene (1,4)	1
Ethylbenzene	0.5
Hexachlorobenzene	0.06
Hydrocarbons	50
Methylene Chloride (Dichloromethane)	0.09
PCB (Chlorobiphenyls), total	0.004
Phenol Compounds	1
Tetrachloroethane	0.06
Tetrachloroethylene	0.06
Toluene	0.5
Trichloroethylene	0.054
Xylenes (total)	0.5

### **Over Strength Wastewater**

3.0 Wastewater which has the following characteristics is Over Strength Wastewater for the purposes of this Bylaw:

- (a) a biochemical oxygen demand greater than TWELVE HUNDRED (1200) milligrams per litre;
- (b) a chemical oxygen demand greater than TWENTY FOUR HUNDRED (2400) milligrams per litre;

- (c) a total suspended solids greater than TWELVE HUNDRED (1200) milligrams per litre; or
- (d) a fat, oil and grease ("FOG") content greater than FOUR HUNDRED AND FIFTY milligrams (450) per litre.

### **Sanitary Sewer Service Surcharge**

4.0 Wastewater which has the following characteristics, but which is not Restricted Wastewater or a Prohibited Substance, is subject to the Sanitary Sewer Service Surcharge pursuant to section 14.11 of this Bylaw:

- (a) a biochemical oxygen demand greater than THREE HUNDRED (300) milligrams per litre;
- (b) a chemical oxygen demand greater than SIX HUNDRED (600) milligrams per litre;
- (c) a total suspended solids greater than THREE HUNDRED (300) milligrams per litre;
- (d) a fat, oil and grease ("FOG") content greater than ONE HUNDRED milligrams (100) per litre;
- (e) a total phosphorus (TP) content greater than TEN (10) milligrams per litre; or
- (f) a total Kjeldahl nitrogen (TKN) content greater than FIFTY (50) milligrams per litre.



Bylaw 16/2016

Town of Cochrane - Sanitary Sewer Bylaw

Schedule B Rates and Charges

Effective January 1, 2020

**Sanitary Sewer Service Charge**

1.0 The following is the Sanitary Sewer Service Charge payable pursuant to sections 13.1 of the Bylaw:

(a) The Base Rate per month shall be as follows:

(i) The Base Rate shall be as set out in the following table based on the size of the potable water meter for the Premises:

Meter Size	Rate
15 mm (3/4")	\$6.50
25 mm (1")	\$11.61
40 mm (1.5")	\$22.16
50 mm (2")	\$36.86
75 mm (3")	\$78.90
100 mm (4")	\$137.78
150 mm (6")	\$306.03
200 mm (8")	\$541.58

(ii) Notwithstanding section 1.0(a)(i) of this Schedule, the monthly Base Rate for a Residential Premises consisting of more than one Self-contained Unit which share a potable water meter and Account shall be \$6.50 multiplied by the number of Self-contained Units on the Premises as determined by the Manager of Water and Wastewater.

(iii) Base Rates are on a per month basis. In the event that a billing period is more or less than one calendar month, the Base Rates shall be payable on a pro rata basis calculated using the number of days in the calendar month.

(b) The Consumption Charge shall be \$2.26 per cubic metre of Wastewater Released from the Premises.

(c) The Sewer Consumption Flat Rate shall be \$35.68 per month. In the event that a billing period is more or less than one calendar month, the Sewer Consumption Flat Rate shall be payable on a pro rata basis calculated using the number of days in the calendar month.

## **Storm Sewer Fee**

- 2.0 The Storm Sewer Fee payable pursuant to section 12.0 of the Bylaw shall be \$4.47 per month. In the event that a billing period is more or less than one calendar month, the Storm Sewer Fee shall be payable on a pro rata basis calculated using the number of days in the calendar month.

## **Sanitary Sewer Service Surcharge**

- 3.0 The Sanitary Sewer Service Surcharge rate payable pursuant to section 14.12 of the Bylaw in cents per cubic metre shall be calculated using the following formula:

$$(BOD \times 0.1710) + (TSS \times 0.1360) + (FOG \times 0.2308)$$

where:

- (a) "BOD" means the amount in milligrams per litre by which the biochemical oxygen demand of the Wastewater tested exceeds THREE HUNDRED (300) milligrams per litre;
- (b) "TSS" means the amount in milligrams per litre by which the total suspended solids of the Wastewater tested exceeds THREE HUNDRED (300) milligrams per litre; and
- (c) "FOG" means the amount in milligrams per litre by which the FOG content of the Wastewater tested exceeds ONE HUNDRED (100) milligrams per litre

as determined by the Manager of Water and Wastewater.

## **Hauled Wastewater Disposal Fee**

- 3.0 The fee for Releasing Hauled Wastewater payable pursuant to section 8.5 of the Bylaw shall be \$14.30 per cubic metre of Hauled Wastewater.

## **Administration Fee**

- 4.0 The Administration Fee payable pursuant to section 11.2(a) of this Bylaw shall be \$25.00.

## **Penalty**

6.0 The penalty payable pursuant to section 14.3 of this Bylaw shall be THREE PERCENT (3%) of the then unpaid current outstanding balance.

## Bylaw 16/2016 SCHEDULE B: RATES AND CHARGES

Effective January 1, 2019

### Sanitary Sewer Service Charge

1.0 The following is the Sanitary Sewer Service Charge payable pursuant to sections 13.1 of the Bylaw:

(a) The Base Rate per month shall be as follows:

(i) The Base Rate shall be as set out in the following table based on the size of the potable water meter for the Premises:

Meter Size	Rate
15 mm (3/4")	\$6.50
25 mm (1")	\$11.61
40 mm (1.5")	\$22.16
50 mm (2")	\$36.86
75 mm (3")	\$78.90
100 mm (4")	\$137.78
150 mm (6")	\$306.03
200 mm (8")	\$541.58

(ii) Notwithstanding section 1.0(a)(i) of this Schedule, the monthly Base Rate for a Residential Premises consisting of more than one Self-contained Unit which share a potable water meter and Account shall be \$6.50 multiplied by the number of Self-contained Units on the Premises as determined by the Manager of Water and Wastewater.

(iii) Base Rates are on a per month basis. In the event that a billing period is more or less than one calendar month, the Base Rates shall be payable on a pro rata basis calculated using the number of days in the calendar month.

(b) The Consumption Charge shall be \$2.26 per cubic metre of Wastewater Released from the Premises.

(c) The Sewer Consumption Flat Rate shall be \$35.68 per month. In the event that a billing period is more or less than one calendar month, the Sewer Consumption Flat Rate shall be payable on a pro rata basis calculated using the number of days in the calendar month.

## **Storm Sewer Fee**

- 2.0 The Storm Sewer Fee payable pursuant to section 12.0 of the Bylaw shall be \$4.47 per month. In the event that a billing period is more or less than one calendar month, the Storm Sewer Fee shall be payable on a pro rata basis calculated using the number of days in the calendar month.

## **Sanitary Sewer Service Surcharge**

- 3.0 The Sanitary Sewer Service Surcharge rate payable pursuant to section 14.12 of the Bylaw in cents per cubic metre shall be calculated using the following formula:

$$(BOD \times 0.1710) + (TSS \times 0.1360) + (FOG \times 0.2308)$$

where:

- (a) "BOD" means the amount in milligrams per litre by which the biochemical oxygen demand of the Wastewater tested exceeds THREE HUNDRED (300) milligrams per litre;
- (b) "TSS" means the amount in milligrams per litre by which the total suspended solids of the Wastewater tested exceeds THREE HUNDRED (300) milligrams per litre; and
- (c) "FOG" means the amount in milligrams per litre by which the FOG content of the Wastewater tested exceeds ONE HUNDRED (100) milligrams per litre

as determined by the Manager of Water and Wastewater.

## **Hauled Wastewater Disposal Fee**

- 3.0 The fee for Releasing Hauled Wastewater payable pursuant to section 8.5 of the Bylaw shall be \$14.30 per cubic metre of Hauled Wastewater.

## **Administration Fee**

- 4.0 The Administration Fee payable pursuant to section 11.2(a) of this Bylaw shall be \$25.00.

## **Penalty**

- 6.0 The penalty payable pursuant to section 14.3 of this Bylaw shall be THREE PERCENT (3%) of the then unpaid current outstanding balance.

## Bylaw 16/2016 SCHEDULE B: RATES AND CHARGES

Effective January 1, 2018

### Sanitary Sewer Service Charge

1.0 The following is the Sanitary Sewer Service Charge payable pursuant to sections 13.1 of the Bylaw:

(a) The Base Rate per month shall be as follows:

(i) The Base Rate shall be as set out in the following table based on the size of the potable water meter for the Premises:

Meter Size	Rate
15 mm (3/4")	\$5.70
25 mm (1")	\$10.81
40 mm (1.5")	\$21.36
50 mm (2")	\$36.06
75 mm (3")	\$78.10
100 mm (4")	\$136.98
150 mm (6")	\$305.23
200 mm (8")	\$540.78

(ii) Notwithstanding section 1.0(a)(i) of this Schedule, the monthly Base Rate for a Residential Premises consisting of more than one Self-contained Unit which share a potable water meter and Account shall be \$5.70 multiplied by the number of Self-contained Units on the Premises as determined by the Manager of Water and Wastewater.

(iii) Base Rates are on a per month basis. In the event that a billing period is more or less than one calendar month, the Base Rates shall be payable on a pro rata basis calculated using the number of days in the calendar month.

(b) The Consumption Charge shall be \$2.26 per cubic metre of Wastewater Released from the Premises.

(c) The Sewer Consumption Flat Rate shall be \$35.68 per month. In the event that a billing period is more or less than one calendar month, the Sewer Consumption Flat Rate shall be payable on a pro rata basis calculated using the number of days in the calendar month.

## **Storm Sewer Fee**

- 2.0 The Storm Sewer Fee payable pursuant to section 12.0 of the Bylaw shall be \$4.16 per month. In the event that a billing period is more or less than one calendar month, the Storm Sewer Fee shall be payable on a pro rata basis calculated using the number of days in the calendar month.

## **Sanitary Sewer Service Surcharge**

- 3.0 The Sanitary Sewer Service Surcharge rate payable pursuant to section 14.12 of the Bylaw in cents per cubic metre shall be calculated using the following formula:

$$(BOD \times 0.1710) + (TSS \times 0.1360) + (FOG \times 0.2308)$$

where:

- (a) "BOD" means the amount in milligrams per litre by which the biochemical oxygen demand of the Wastewater tested exceeds THREE HUNDRED (300) milligrams per litre;
- (b) "TSS" means the amount in milligrams per litre by which the total suspended solids of the Wastewater tested exceeds THREE HUNDRED (300) milligrams per litre; and
- (c) "FOG" means the amount in milligrams per litre by which the FOG content of the Wastewater tested exceeds ONE HUNDRED (100) milligrams per litre

as determined by the Manager of Water and Wastewater.

## **Hauled Wastewater Disposal Fee**

- 3.0 The fee for Releasing Hauled Wastewater payable pursuant to section 8.5 of the Bylaw shall be \$14.30 per cubic metre of Hauled Wastewater.

## **Administration Fee**

- 4.0 The Administration Fee payable pursuant to section 11.2(a) of this Bylaw shall be \$25.00.

## **Penalty**

- 6.0 The penalty payable pursuant to section 14.3 of this Bylaw shall be THREE PERCENT (3%) of the then unpaid current outstanding balance.

## SCHEDULE B: RATES AND CHARGES

### Sanitary Sewer Service Charge

1.0 The following is the Sanitary Sewer Service Charge payable pursuant to section 13.1 of the Bylaw:

(a) The Base Rate per month shall be as follows:

(i) The Base Rate shall be as set out in the following table based on the size of the potable water meter for the Premises:

Meter Size	Rate
15 mm (5/8")	\$5.60
25 mm (1")	\$10.62
40 mm (1.5")	\$20.99
50 mm (2")	\$35.43
75 mm (3")	\$76.73
100 mm (4")	\$134.58
150 mm (6")	\$299.89
200 mm (8")	\$531.32

(ii) Notwithstanding section 1.0(a)(i) of this Schedule, the monthly Base Rate for a Residential Premises consisting of more than one Self-contained Unit which share a potable water meter and Account shall be \$5.60 multiplied by the number of Self-contained Units on the Premises as determined by the Manager of Water and Wastewater.

(iii) Base Rates are on a per month basis. In the event that a billing period is more or less than one calendar month, the Base Rates shall be payable on a pro rata basis calculated using the number of days in the calendar month.

(b) The Consumption Charge shall be \$2.26 per cubic metre of Wastewater Released from the Premises.

(c) The Sewer Consumption Flat Rate shall be \$35.68 per month. In the event that a billing period is more or less than one calendar month, the Sewer Consumption Flat Rate shall be payable on a pro rata basis calculated using the number of days in the calendar month.

### Storm Sewer Fee

2.0 The Storm Sewer Fee payable pursuant to section 12.0 of the Bylaw shall be \$4.16 per month. In the event that a billing period is more or less than one calendar month, the Storm Sewer Fee shall be payable on a pro rata basis calculated using the number of days in the calendar month.



## **Sanitary Sewer Service Surcharge**

3.0 The Sanitary Sewer Service Surcharge rate payable pursuant to section 14.12 of the Bylaw in cents per cubic metre shall be calculated using the following formula:

$$(BOD \times 0.1710) + (TSS \times 0.1360) + (FOG \times 0.2308)$$

where:

- (a) "BOD" means the amount in milligrams per litre by which the biochemical oxygen demand of the Wastewater tested exceeds THREE HUNDRED (300) milligrams per litre;
- (b) "TSS" means the amount in milligrams per litre by which the total suspended solids of the Wastewater tested exceeds THREE HUNDRED (300) milligrams per litre; and
- (c) "FOG" means the amount in milligrams per litre by which the FOG content of the Wastewater tested exceeds ONE HUNDRED (100) milligrams per litre

as determined by the Manager of Water and Wastewater.

## **Hauled Wastewater Disposal Fee**

4.0 The fee for Releasing Hauled Wastewater payable pursuant to section 8.6 of the Bylaw shall be \$11.38 per cubic metre of Hauled Wastewater.

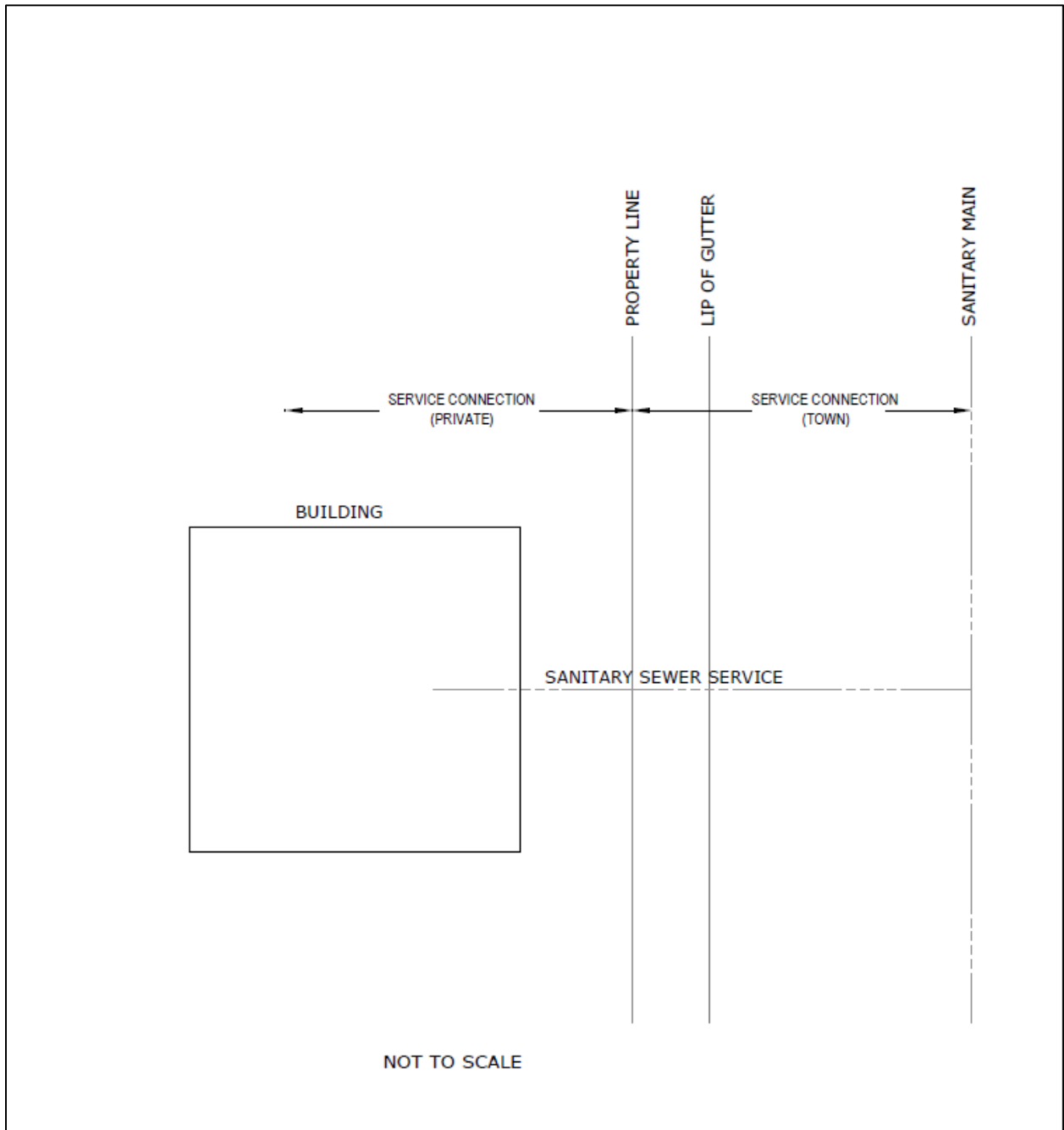
## **Administration Fee**

5.0 The Administration Fee payable pursuant to section 11.2(a) of this Bylaw shall be \$25.00.

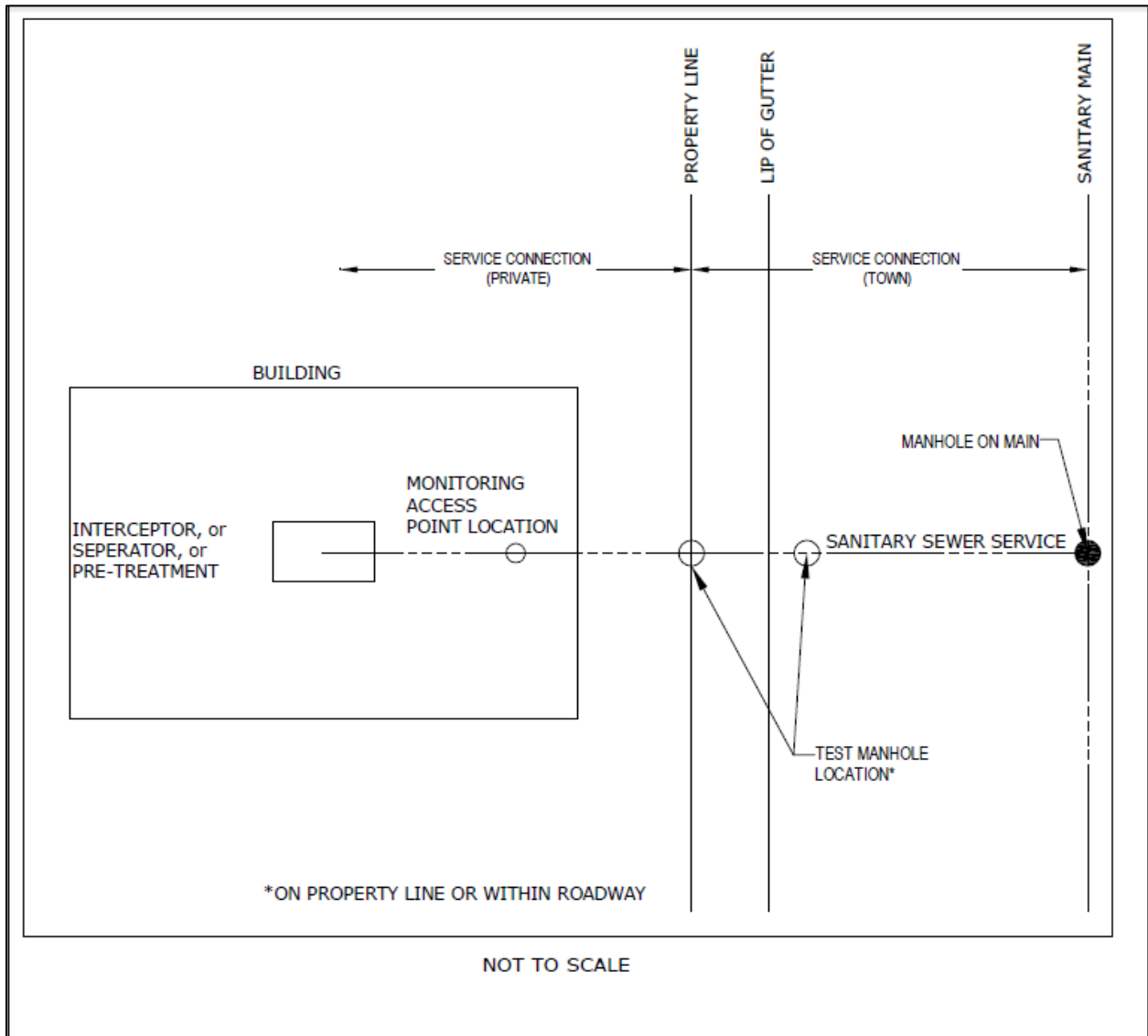
## **Penalty**

6.0 The penalty payable pursuant to section 14.3 of this Bylaw shall be THREE PERCENT (3%) of the then unpaid current outstanding balance.

# SCHEDULE C: RESIDENTIAL PREMISES SERVICE LAYOUT



**SCHEDULE D: PREMISES OTHER THAN RESIDENTIAL SERVICE LAYOUT**



## SCHEDULE E: OFFENCES AND PENALTIES

Except as specified in the following table, the minimum penalty for any offence pursuant to this Bylaw shall be \$250 and the specified penalty shall be \$500.

### Minimum and Specified Penalties

Section Number	Penalty Offence	Minimum Penalty (Bylaw Ticket)	Specified Penalty (Violation Ticket)
6.0	Release of Wastewater within the Town except in accordance with Bylaw	\$500	\$1000
6.1	Release of any substance, including Wastewater, into the Sanitary Sewerage System except in accordance with Bylaw	\$500	\$1000
6.2(a)	Failure to ensure that Wastewater from a Premises is Released into the Sanitary Sewerage System or an approved private system	\$500	\$1000
6.2(b)	Release of Wastewater into a watercourse as defined in the <i>EPEA</i>	\$500	\$3000
7.0	Installation, modification or expansion of a Service Connection without authorization	\$500	\$1000
7.5	Failure to ensure that Service Connection (Private) is kept in good repair and protected from damage	\$250	\$1000
7.13	Failure to notify Manager of Water and Wastewater that a Service Connection is or will be abandoned	\$100	\$200
7.17	Installing a In-sink Food Waste Disposer	\$250	\$500
7.20	Commencing, carrying on, altering or expanding activity on Premises connected to Sanitary Sewerage System without authorization	\$500	\$1000
8.0	Releasing or allowing Release of Prohibited Substance or Restricted Wastewater into Sanitary Sewerage System	\$1000	\$3000
8.1(a)(i)	Unauthorized Release of Over Strength Wastewater	\$1000	\$3000
8.1(a)(ii)	Unauthorized Release of water used or produced in manufacturing or processing	\$1000	\$3000
8.1(a)(iii)	Unauthorized Release of Clear Water Waste	\$500	\$1000
8.1(b)	Unauthorized dilution of Wastewater	\$500	\$1000
8.3	Unauthorized Release of Hauled Wastewater	\$1000	\$3000
8.8(a)	Release of Hauled Wastewater other than at approved receiving location	\$500	\$1000
8.8(b)	Failure to comply with rules imposed for use of Hauled Wastewater receiving location	\$250	\$500
8.8(c)	Failure to ensure that Hauled Wastewater is not spilled during transport or Release	\$500	\$1000
8.8(d)	Failure to complete manifest containing all required information	\$100	\$250
8.8(e)	Failure to provide manifest as required	\$100	\$250
8.9	Failure to issue required notice of Release of Wastewater or any other substance into Sanitary Sewerage System contrary to Bylaw	\$1000	\$3000
8.12	Failure to take reasonable measures to mitigate	\$1000	\$3000

	Release of Wastewater or any other substance into Sanitary Sewerage System contrary to Bylaw		
9.4	Failure to supply required results of monitoring equipment	\$250	\$500
9.5	Obstructing or preventing access to a Monitoring Access Point	\$150	\$250
10.0	Installing or operating an unauthorized Pre-treatment Facility	\$250	\$500
10.1	Failure to install Dental Amalgam Separator on fixture that may Release Dental Amalgam into Sanitary Sewerage System	\$500	\$1000
10.3(a)	Failure to keep Interceptor or Pre-Treatment Facility in good working condition	\$500	\$1000
10.3(b)	Failure to ensure that Interceptor or Pre-Treatment Facility is installed in accordance with manufacturer's directions and upstream of Monitoring Access Points	\$250	\$500
10.3(c)	Failure to empty Interceptor or Pre-Treatment Facility often enough that it does not become overloaded	\$500	\$1000
10.3(d)	Failure to allow periodic inspection of Interceptor or Pre-Treatment Facility	\$150	\$250
10.3(e)	Failure to retain, show or surrender manuals, instructions, specifications or maintenance schedule or records of maintenance for Interceptor or Pre-Treatment Facility	\$150	\$250
10.4	Bypassing or interference with Interceptor or Pre-Treatment Facility	\$500	\$1500
16.0	Use of any unauthorized Wastewater treatment or disposal system for a Premises which could be connected to Sanitary Sewerage System	\$500	\$1500
16.1	Unauthorized connection of alternate Wastewater treatment or disposal system to Sanitary Sewerage System	\$500	\$1500
17.0(a)	Unauthorized operation, handling, interference with, damage to, removal of, destruction, or tampering with Sanitary Sewerage System	\$500	\$1500
17.0(b)	Unauthorized hindrance or disruption of Sanitary Sewer Service to a Premises	\$500	\$1500
17.0(c)	Unauthorized impairment of access to Sanitary Sewerage System	\$500	\$1000
17.0(d)	Unauthorized provision of utility system services of same type as Sanitary Sewer Service	\$500	\$1000
17.0(e)	Unauthorized entry of fenced or enclosed area of Sanitary Sewerage System	\$500	\$1500
17.0(f)	Unauthorized climbing on structure that is part of Sanitary Sewerage System	\$500	\$1500
17.0(g)	Carrying out authorized activity other than in accordance with terms and conditions of authorization or permit	\$250	\$1000
17.2	Failure to keep approval or authorization available or failure to show or surrender approval or authorization	\$150	\$1000