

**DISTRICT OF FORT ST JAMES
SEWER CONNECTION AND REGULATION
BYLAW NO. 835, 2006**

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DISTRICT OF FORT ST JAMES

BYLAW NO. 835

SEWER CONNECTION AND REGULATION BYLAW

A Bylaw to provide for the imposition of a charge against the owner of real property for the use and connection to the public sewer system owned and operated by the District of Fort St. James, and to provide for the government, management, terms and conditions under which the sewage system may be used.

NOW THEREFORE The Council of the District of Fort St. James, in open meeting assembled, enacts as follows:

1. TITLE/GENERAL

- 1.1 This Bylaw may be cited for all purposes as “District of Fort St. James Sewer Connection and Regulation Bylaw No. 835, 2006”.
- 1.2 This Bylaw includes:
 - (a) Schedule “A”: Sanitary Sewers Prohibited Waste
 - (b) Schedule “B”: Sanitary Sewers Restricted Waste
 - (c) Schedule “C”: Storm Sewers Prohibited Waste
 - (d) Schedule “D”: Application for a Sewer Connection
 - (e) Schedule “E”: Application for a Storm Water Connection
 - (f) Schedule “F”: Work Order
 - (g) Schedule “G”: Fees and Permits
 - (g) Schedule “H”: Sewer Rates
 - (i) Schedule “I”: Fines
- 1.3 If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by a decision of any court of competent jurisdiction, the invalid portion shall be severed, without affecting the remainder of this Bylaw.
- 1.4 Metric dimensions are used in this Bylaw.
- 1.5 In this Bylaw words imparting the male gender include the female gender and either includes the neuter and vice versa, and words importing the singular number include the plural number and vice versa.
- 1.6 Nothing in this Bylaw shall be interpreted as relieving a person discharging waste from complying with Federal, Provincial and local government enactments governing the discharge of stormwater into storm sewers and watercourses, and in the event of a conflict between the provisions of this Bylaw and a Federal or Provincial enactment, the provisions of the Federal or Provincial enactment shall prevail.

2. REPEAL

The District of Fort St. James “Sewer Connection Bylaw No. 84, 1968” and all amendments thereto are hereby repealed.

3. DEFINITIONS/INTERPRETATION

In this Bylaw:

- 3.1 “air” means the atmosphere but, except in a sewer (or a stormwater management facility) or as the context may otherwise require, does not include the atmosphere inside a constructed enclosure that is not open to the weather;
- 3.2 “air contaminant” means any substance or odour whether gaseous, liquid, solid or a combination that is emitted into the air and that:
- (a) injures or is capable of injuring the health or safety of a person,
 - (b) injures or is capable of injuring property or any life form,
 - (c) interferes or is capable of interfering with visibility,
 - (d) interferes or is capable of interfering with the normal conduct of business,
 - (e) causes or is capable of causing material physical discomfort to a person, or
 - (f) damages or is capable of damaging the environment;
- 3.3 “biomedical waste” means biomedical waste as defined in “Guidelines for the Management of Biomedical Waste” established by the Canadian Council of Ministers of the Environment (CCME) and dated February 1992;
- 3.4 “BOD” means biochemical oxygen demand, being the quantity of oxygen utilized in the biochemical oxidation of organic substances under standard laboratory procedures in 5 days at 20 degrees Celsius expressed in milligrams per litre, as determined by the appropriate procedure in Standard Methods;
- 3.5 “COD” means chemical oxygen demand, being a measure of the oxygen equivalent of the organic matter content of a sample that is susceptible to oxidation by a strong chemical oxidant, as determined by the appropriate procedure in Standard Methods;
- 3.6 “colour” means the true colour unit of water from which turbidity has been removed, as determined by the appropriate procedure in Standard Methods;
- 3.7 “composite sample” means a sample which is composed of equivalent portions of a specified number of grab samples collected manually or automatically at the same sampling point, at specified times or flow intervals during a specified sampling period;
- 3.8 “condensed water” means water that is produced through the process of condensation and includes condensate drainage from refrigeration equipment, air conditioning equipment and steam heating systems;
- 3.9 “connection” means that section of a public sewer to which the sewer lateral servicing a parcel of land is connected;
- 3.10 “contaminant” means any substance, whether gaseous, liquid, or solid, whether dissolved or suspended, or any wastewater quality parameter that, when present above a certain concentration in wastewater:
- (a) injures or is capable of injuring the health or safety of a person,
 - (b) injures or is capable of injuring property or any life form,
 - (c) interferes or is capable of interfering with the proper operation of a sewer or stormwater management facility,
 - (d) causes or is capable of causing material physical discomfort to a person, or
 - (e) damages or is capable of damaging the environment;
- 3.11 “Council” means the Municipal Council of the District of Fort St. James;

- 3.12 “discharge” means to directly or indirectly introduce a substance by spilling, disposing of, abandoning, depositing, leaking, seeping, pouring, draining, emptying, or by any other means;
- 3.13 “domestic waste” means sanitary waste and the water-carried wastes from drinking, culinary uses, washing, bathing, laundering or food processing, which is produced on a residential property;
- 3.14 “enactment” means any applicable act, regulation, bylaw, order, or authorization, by a federal, provincial, regional, municipal government or their authorized representatives;
- 3.15 “garbage” means solid wastes from the domestic or commercial preparation, cooking and dispensing of food and from the handling, storage and sale of produce;
- 3.16 “grab sample” means a sample of waste water collected at a particular time and place;
- 3.17 “hazardous waste” means hazardous waste as defined in the Hazardous Waste Regulation of British Columbia or any legislation that replaces the Hazardous Waste Regulation;
- 3.18 “Hazardous Waste Regulation” means the Hazardous Waste Regulation enacted pursuant to the Environmental Management Act or any legislation that replaces the Environmental Management Act;
- 3.19 “high volume discharge” means any discharge of non-domestic waste into a sewer in excess of 10 cubic metres per day or 300 cubic metres over any consecutive 30 day period but not including water from a pool;
- 3.20 “main sewer” see “Sewer”
- 3.21 “monitoring point” means an access point to a sewer or a lateral for the purpose of
- (a) measuring the rate of flow or volume of wastewater being discharged from a building or a structure,
 - (b) collecting representative samples of wastewater being discharged from a building or a structure;
- 3.22 “Municipality” means The District of Fort St. James;
- 3.23 “non-domestic waste” means all waste except domestic waste, trucked liquid waste, and sanitary waste;
- 3.24 “oil and grease” means an organic substance or substances recoverable by procedures set out in Standard Methods or procedures authorized by the Public Works Superintendent and includes, but is not limited to, hydrocarbons, esters, fats, oils, waxes, and high- molecular weight carboxylic acids;
- 3.25 “owner” means any person who is registered under the Land Title Act as the owner of land, or any other person who is in lawful possession of land or who is in lawful possession or occupancy of any buildings situated on the land;
- 3.26 “PCB” means any monochlorinated, dichlorinated, or polychlorinated biphenyl or any mixture that contains one or more of these;
- 3.27 “permission” means permission given by the Public Works Superintendent or his duly authorized representative;
- 3.28 “pesticides” means pesticides regulated under the Pesticide Control Act of British Columbia;

- 3.29 “pH” means the expression of the acidity or basicity of a solution as defined and determined by the appropriate procedure described in Standard Methods;
- 3.30 “pollution” means the presence in the environment of substances or contaminants that substantially alter or impair the usefulness of the environment;
- 3.31 “pool” means any water receptacle designed for decorative purposes or used for swimming or as a bath or hot tub designed to accommodate more than one bather at a time;
- 3.32 “premises” means any land or building, structure or all or any part thereof;
- 3.33 “prohibited waste” means, for sanitary sewers, prohibited wastes as defined in Schedule “A”, and for storm sewers and watercourses, prohibited wastes as defined in Schedule “B”;
- 3.34 “public property” means a highway, road, roadway, street, public sidewalk, boulevard, lane, alley, or land controlled by the Municipality and includes a right of way;
- 3.35 “public sewer” see “Sewer”;
- 3.36 “Public Works Superintendent” means the Public Works Superintendent for the Municipality or his designate;
- 3.37 “radioactive materials” means radioactive materials as defined in the Atomic Energy Control Act of Canada and Regulations under that Act;
- 3.38 “residential property” means a property that is used primarily for the purpose of residence by persons on a permanent, temporary or seasonal basis;
- 3.39 “right of way” means an acquired legal right for the specific use of land owned by others;
- 3.40 “sanitary sewer lateral” means the section of sewer piping from the sanitary sewer connection to the building or structure it serves and is intended to receive only sewage;
- 3.41 “sanitary waste” means waste that contains human faeces, urine, blood or body fluids originating from sanitary conveniences or other sources;
- 3.42 “sewage” means waste water from buildings, structures, lands and industrial establishments, together with such storm water that is not intentionally admitted;
- 3.43 “sewage facility” means works owned or otherwise under the control or jurisdiction of the Municipality that gathers, treats, transports, stores, utilizes or discharges waste;
- 3.44 “sewage treatment plant” means any arrangement of devices and structures used for treating sewage;
- 3.45 “sewer” means all pipes, conduits, drains, and other equipment and facilities, owned or otherwise under the control or jurisdiction of the Municipality, for collecting, pumping, and transporting wastewater and includes all such pipes, conduits, drains, and other equipment and facilities which connect with those of the Municipality, but which does not include a sewer lateral or a sewer connection;
- 3.46 “sewer lateral” means the pipe or conduit that connects the public sewer to the building or structure it serves;
- 3.47 “sewer main” see “sewer”

- 3.48 “sharps” means hypodermic needles, hypodermic syringes, blades, broken glass, and any devices, instruments or other objects which have acute rigid corners, edges or protuberances;
- 3.49 “Standard Methods” means the current or latest edition of “Standard Methods for the Examination of Water and Wastewater” jointly prepared and published from time to time by the American Public Health Association, American Water Works Association, and the Water Environment Federation;
- 3.50 “storm sewer” means all pipes, conduits, drains, and other equipment and facilities for the collection and transmission of stormwater or uncontaminated water;
- 3.51 “storm sewer lateral” means the section of sewer piping from the storm sewer connection to the building or structure it serves and is intended to receive only storm water;
- 3.52 “stormwater” means water resulting from natural precipitation from the atmosphere and which is directed into a storm sewer, or a watercourse;
- 3.53 “stormwater management facility” means an impoundment and appurtenant structures, connections and controls for containment, detention or retention of stormwater and its delayed release at a controlled rate to a receiving storm sewer or watercourse;
- 3.54 “structure” includes paved parking surfaces;
- 3.55 “Subdivision Servicing Bylaw” means Bylaw No. 599 “Subdivision Servicing Bylaw, 1995” as amended, or its successor Bylaws as adopted by Council;
- 3.56 “suspended solids” means solids that either float on the surface of, or are in suspension in, water sewage or other liquids, and which are removable by laboratory filtering;
- 3.57 “trucked liquid waste” means any waste that is collected and transported from the site where the waste originated by means other than discharge to a sewer including, but not limited to, holding tank waste, septic tank waste, chemical toilet contents, oil and grease from interceptors or traps, and other sludges of organic or inorganic origin;
- 3.58 “uncontaminated water” means any water excluding stormwater but including cooling water, condensed water and water from municipal waterworks or a private water supply to which no contaminant has been added as a consequence of its use, or to modify its use by any person;
- 3.59 “waste” means any substance whether gaseous, liquid or solid, that is, or is intended to be, discharged or discarded, directly or indirectly, to a sewer management facility;
- 3.60 “wastewater” means the composite of water and water-carried wastes from residential, commercial, industrial or institutional premises or any other source;
- 3.61 “wastewater quality parameter” means any parameter used to describe the quality of wastewater;
- 3.62 “water” includes surface water, ground water, storm water and ice;
- 3.63 “watercourse” means:
- (a) a river, stream, creek, waterway, lagoon, lake, spring, swamp, marsh or other natural body of fresh water, or
 - (b) a canal, ditch, reservoir or other man-made surface feature designed to carry or hold water or stormwater whether it contains or conveys water continuously or intermittently;

- 3.64 “waterworks” means any works owned or otherwise under the control or jurisdiction of the municipality that collects, treats, transports, or stores drinking water;
- 3.65 “work order” means a written application for work to be undertaken by or through the Municipality, incorporating a commitment from the applicant to pay for the costs of same, including but not limited to materials, labour, equipment, and engineering charges, substantially in the form annexed to this bylaw in Schedule “F”.

4. REQUIREMENTS TO CONNECT TO PUBLIC SEWERS

- 4.1 The owner of every building or structure from which domestic waste or non-domestic waste is being discharged or from which domestic waste or non-domestic waste may be discharged, is required to connect such building or structure to the public sewer.
- 4.2 Notwithstanding section 4.1, the owner of a building or structure constructed prior to the adoption of this bylaw and from which stormwater is being discharged to a watercourse, may continue to discharge stormwater to that watercourse, except:
- (a) where in the opinion of the Public Works Superintendent, the continuance of the discharge to the watercourse will be in conflict with existing or proposed underground utilities, will have a deleterious effect upon the watercourse, or will create a hazard to life or constitute a public nuisance; or
 - (b) where a renovation, addition, or upgrading of the perimeter drains of the building or structure is undertaken and where a public storm sewer is available to receive the stormwater discharge from the building or structure.
- 4.3 In the event of any owner failing to make the necessary connection to the public sewer within thirty (30) days after being notified in writing by the Public Works Superintendent to do so, the Public Works Superintendent may direct that the Municipality, by its workers or others, may have the required connection or connections completed at the expense of such owner, and the Municipality shall recover the expense thereof with costs in like manner as municipal taxes.
- 4.4 Notwithstanding the foregoing, an owner failing to connect his building or structure to the public sewer within the aforesaid period of thirty (30) days shall still be liable for any penalties provided by this Bylaw.
- 4.5 Notice in writing required to be given by the Public Works Superintendent pursuant to this Section shall be sufficiently given if sent by registered mail to the owner at the address as shown on the last revised assessment roll of the Municipality.

5. DESIGN AND INSTALLATION

- 5.1 Pursuant to the provisions of this Bylaw, and subject to the authority of the Public Works Superintendent under the current Subdivision Servicing Bylaw, all sewerage works provided by persons other than the Municipality shall be constructed and installed strictly in accordance with the Subdivision Servicing Bylaw of the Municipality and shall comply with the relevant provisions of the current or latest editions of the British Columbia Plumbing Code or British Columbia Building Code as the case may require.

6. APPLICATION FOR SERVICE

- 6.1 Each connection to the public sewer shall be made only where, and in the manner authorized or ordered by the Municipality.

- 6.2 Each application to connect to the public sewer shall be made to the Municipality by the owner or his authorized agent, using Schedule "E" (Application for a Sewer Connection).
- 6.3 Such owner shall, on making application, pay to the Municipality the applicable connection fee as set out in Schedule "G" attached to and forming part of this Bylaw. If such connection is practicable, the Public Works Superintendent shall, within ninety (90) days, weather permitting, provide and install a sewer connection for service to the applicant's property. If such connection is not practicable, the Public Works Superintendent shall so notify the applicant within sixty (60) days and the Municipality shall refund the charges or fees paid by the applicant.
- 6.4 It shall be the responsibility of the applicant for a sewer connection to provide the Municipality with accurate information as required by the application and to construct any building or structure or to locate therein any fixtures requiring discharge to a sewer connection at such elevation or provide such equipment or device as will permit their discharge into the municipal sewer.

7. INSTALLATION OF SEWERS

- 7.1 The Public Works Superintendent shall determine the location, size and depth of each sewer connection or sewer lateral on public property.
- 7.2 Whenever possible, the connection to the public sewer shall be installed at a gradient and elevation that will allow gravity flow of sewage from the building to the main sewer.
- 7.3 Where possible, a sewer connection will be installed at the location requested by the applicant. In the event the applicant's preferred location is not practicable due to topographical features, the existence of installed surface improvements, or is in conflict with installed underground utilities, the Public Works Superintendent shall designate the location of each service connection to each parcel of land or premises.
- 7.4 When, in the opinion of the Public Works Superintendent, problems may occur because of the surcharging of the public sewer, the Public Works Superintendent may refuse an application and the provisions of the Subdivision Servicing Bylaw shall apply.
- 7.5 The connecting of a sanitary sewer lateral into a public sewer shall conform to the requirements of the current or latest editions of the Building and Plumbing Codes or other applicable rules and regulations of the Municipality. All such connections or laterals shall be made gas-tight and watertight and be verified by proper testing in accordance with Standard Methods. Any deviation from the prescribed procedures and materials must be approved by the Public Works Superintendent before installation.
- 7.6 The Public Works Superintendent may require a user of sewer services to provide information needed to determine compliance with this Bylaw. These requirements may include:
- (a) sewage discharge peak rate and volume over a specified time period;
 - (b) chemical analysis of sewage;
 - (c) Information on raw materials, processes and products affecting sewage volume and quality;
 - (d) quantity and disposition of specific liquid, sludge, oil, solvent or other materials important to sewer use control;

- (e) a plot plan of sewer laterals on the user's property showing details of sewage pre-treatment facilities; or
- (f) details of systems to prevent and control the losses of materials through spills to the public sewer.

7.7 When the Public Works Superintendent has reasonable grounds to believe that Restricted Waste or Prohibited Waste may be discharged to a public sewer, he may require the owner of a property to install monitoring points to facilitate monitoring of discharges as specified in this bylaw.

8. MAINTENANCE OF SEWER LATERALS/SEWER CONNECTIONS

8.1 The owner of a property serviced by a public sewer shall be responsible for the costs of servicing, clearing, rodding, removing blockages or tree roots, or maintaining in any way the sewer lateral or sewer connection that serves that property including any portion of the sewer lateral or sewer connection which is upon, under or over public property provided, however, that in the event of a blockage of a portion of a sewer lateral on public property which, in the assessment of the Public Works Superintendent, is solely attributable to the intrusion of municipal boulevard tree roots, the Municipality will bear the cost of clearing the blockage where the Public Works Superintendent has examined the site of the blockage immediately prior to completion of the work. Such cost shall be verified by receipts and shall be borne by the Municipality only where the lateral is in serviceable condition and does not require repair or replacement as set out in Section 9.

8.2 Subject to Section 8.1, the owner of a property serviced by a public sewer shall be responsible for the costs of repairing or replacing the sewer lateral or sewer connection that serves that property including any portion of the sewer lateral or sewer connection which is upon, under or over public property.

9. REPAIR AND REPLACEMENT OF SEWER LATERALS/SEWER CONNECTIONS

9.1 Where a property owner commits to the payment of the associated costs through the signing of a work order, the Public Works Superintendent may cause the investigation of a sewer lateral or sewer connection with a view to assessing its condition.

9.2 Where the servicing, clearing, rodding, repairing, or maintenance or replacement of a sewer connection or sewer lateral on public property is required as a result of the deterioration of the sewer connection or sewer lateral on public property as determined by the Public Works Superintendent using generally accepted practices for determining such deterioration, the Public Works Superintendent may, at his option based on his professional assessment of the remedial action required, and upon application by the property owner,

- (a) install a clean-out fixture,
- (b) replace or repair the sewer connection, or
- (c) replace or repair that portion of the sewer lateral situate on public property.

9.3 Where the Public Works Superintendent has determined that the installation of a clean out fixture or the replacement or repair of a sewer connection or sewer lateral on public property is required as a result of the deterioration of the sewer connection or sewer lateral on public property, the fee to be paid by the applicant for the installation of the clean-out fixture or the replacement or repair of the sewer connection or the portion of the sewer lateral on public property shall be the actual cost of installing a clean-out fixture, or repairing, or replacing the sewer connection or sewer lateral on public property including but not limited to materials,

labour and equipment charges, engineering costs, and costs of excavation and reinstatement as determined necessary by the Public Works Superintendent, provided, however, that the total cost shall not exceed the limits prescribed in Schedule "G".

- 9.4 Notwithstanding section 9.2, the property owner is responsible for all costs of repairing or replacing a sewer connection or sewer lateral where the required repair or replacement of the sewer connection or sewer lateral or both is required as a result of a blockage or damage which has arisen as the result of a condition existing on private property, an improper connection between the private and public portions of the sewer lateral, or a prohibited waste being discharged by the owner into the sewer connection, lateral or main.

10. DISCHARGES TO SANITARY SEWERS

- 10.1 No person shall discharge into any sanitary sewer
- (a) any Prohibited Waste, as described in Schedule "A";
 - (b) any Restricted Waste, as described in Schedule "B" unless that person has obtained written permission from the Public Works Superintendent;
 - (c) any high volume discharge unless that person has obtained written permission from the Public Works Superintendent;
 - (d) any storm water collected from roof drains, perimeter foundation drains, floor drains, grounds and ditch drainage.

11. RESTRICTED WASTE DISCHARGES

- 11.1 If any Restricted Waste as described in Schedule "B" is discharged or is proposed to be discharged to the public sewers and which, in the judgement of the Public Works Superintendent, may have a deleterious effect upon the sewage facilities, processes, or equipment or which may otherwise create a hazard to life or constitute a public nuisance, the Public Works Superintendent may:
- (a) reject the Restricted Waste;
 - (b) require pre-treatment to an acceptable condition prior to the discharge into the public sewers;
 - (c) require control over the quantities and rates of discharge; and/or
 - (d) require payment to cover the added cost of handling and treating the non-domestic waste not covered by existing taxes or sewer charges.
- 11.2 When considering the above alternatives, the Public Works Superintendent shall give consideration to the economic impact of each alternative on the discharger. If the Public Works Superintendent permits the pre-treatment or equalization of waste flows, the design and installation of the plans and equipment shall be subject to review and approval by the Public Works Superintendent.
- 11.3 Grease, oil and sand interceptors shall be provided when, in the opinion of the Public Works Superintendent, they are necessary for the proper handling of non domestic waste containing floatable grease in excessive amounts, as specified in Schedule "B", or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity

approved by the Public Works Superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured materials and shall maintain records of the dates and means of disposal, which are subject to review by the Public Works Superintendent. Any removal and hauling of the collected materials not performed by the owner's personnel must be performed by currently licenced waste disposal firms.

12. MONITORING OF DISCHARGES

- 12.1 The Public Works Superintendent may require that a person who is discharging any waste other than domestic sewage into a sewer shall, at his or her expense, install one or more monitoring points suitable for inspection, flow monitoring, and sample collection at locations determined by the Public Works Superintendent, to be constructed in accordance with plans approved by the Public Works Superintendent and maintained in good working order by the person.
- 12.2 A monitoring point required under sub-section 12.1 shall be installed in a manner so as not to be affected by any discharge of domestic waste from a premises, unless otherwise authorized by the Public Works Superintendent.
- 12.3 A monitoring point required under sub-section 12.1 shall, for the purposes of enforcing this bylaw, be deemed to be the point or points at which a discharge into a sewer or sewage facility is made.
- 12.4 In the absence of a monitoring point under sub-section 12.1, the point of discharge into a sewer or sewage facility shall, for the purposes of enforcing this bylaw, be the location determined by the Public Works Superintendent where access can be had to the waste for the purpose of sampling.
- 12.5 Where a person is required to install a monitoring point under subsection 12.1, and the person cannot comply with such requirement within 60 days of being notified of the requirement by the Public Works Superintendent the person shall, within 60 days of the notice being issued by the Public Works Superintendent, inform the Public Works Superintendent of his or her inability to install the monitoring point and the District may install or cause to be installed the monitoring point at the person's expense.
- 12.6 The owner of a premises shall ensure that all monitoring points, flow measuring devices including water meters, are accessible for inspection by the Public Works Superintendent at all times.
- 12.7 The Public Works Superintendent may require that a person who is discharging waste into a sewer undertake, at that person's expense, sampling and analysis of the waste discharged.
- 12.8 All sampling and analysis required by a Public Works Superintendent shall be carried out in accordance with methods and procedures specified in Standard Methods or in a manner specified by the Public Works Superintendent.
- 12.9 Samples which have been collected as the result of a requirement of the Public Works Superintendent shall be analyzed by an independent agency or by a laboratory authorized by the Public Works Superintendent.

13. DISCHARGES TO STORM SEWERS AND WATERCOURSES

- 13.1 No person shall discharge or allow or cause to be discharged into a storm sewer or watercourse any domestic waste, non-domestic waste, trucked liquid waste or prohibited waste as set out in Schedule "C".
- 13.2 Notwithstanding the prohibition contained in subsection 13.1, a person may discharge into a storm sewer or watercourse water resulting from domestic activities customarily incidental to a residential use of land including:
- (a) water resulting from natural precipitation, and drainage of such water;
 - (b) water resulting from garden and lawn maintenance, non-commercial car washing, building washing and driveway washing; and
 - (c) uncontaminated water.
- 13.3 Notwithstanding the prohibition contained in subsection 13.1, a person may discharge into a storm sewer or watercourse water resulting from non-domestic activities as follows:
- (a) street and hydrant flushing;
 - (b) water main flushing; and
 - (c) fire fighting activities.

14. CHARGES FOR SEWER SERVICE

- 14.1 The owner or occupier of real property shall pay in addition to all other fees, charges and rates for the use of the sewer the amounts specified in Schedule "G" attached to and forming part of this Bylaw. The several rates enumerated in Schedule "G" hereto are hereby imposed and levied by the District, and all such rates shall be payable at the office of the District on or before the date specified on the utility bill and shall form a charge on the lands and improvements to or upon which the service connection is made and if the rates imposed during any one calendar year remain unpaid after the thirty first day of December, they shall be entered upon the tax roll as taxes in arrears.
- 14.2 The user rates as specified shall be prorated to the nearest full month of service.

15. PROHIBITIONS

- 15.1 It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the Municipality, or in any area under the jurisdiction of the said Municipality, any human or animal excrement, garbage or objectionable waste.
- 15.2 No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the sewer system.
- 15.3 No person shall make any connection whatsoever to the sewer or in any way tamper with the sewer or sewer connection without first obtaining permission from the Public Works Superintendent.

- 15.4 (a) No person shall connect or allow to remain connected any sanitary sewer lateral to any public storm sewer or to any storm sewer connection.
- (b) No person shall connect any storm sewer lateral to any public sanitary sewer or to any sanitary sewer connection.
- (c) No person shall allow to remain connected any storm sewer lateral to any public sanitary sewer or sanitary sewer connection unless it can be demonstrated to the satisfaction of the Public Works Superintendent that a functional connection to an available public storm sewer from the storm sewer lateral cannot be achieved in such a manner as to permit the gravity flow of storm water from the premises being served to the storm sewer connection.
- (d) In the event of any owner failing to make the necessary disconnection from the public sewer within thirty (30) days after being notified in writing by the Public Works Superintendent to do so, the Public Works Superintendent may direct that the Municipality, by its workers or others, may have the required disconnection or disconnections completed at the expense of such owner, and the Municipality shall recover the expense thereof with costs in like manner as municipal taxes.
- (e) Notwithstanding the foregoing, an owner failing to disconnect his building or structure sewer lateral from the public sewer pursuant to this Section within the aforesaid period of thirty (30) days shall still be liable for any penalties provided by this Bylaw.
- (f) Notice in writing required to be given by the Public Works Superintendent pursuant to this Section shall be sufficiently given if sent by registered mail to the owner at the address as shown on the last revised assessment roll of the Municipality.
- 15.5 Where any public sewer is laid in private property in respect of which the Municipality holds a right of way for sewer purposes, no person shall connect to, or disturb, such sewer except by direction of, and with permission of, the Public Works Superintendent.
- 15.6 No person shall connect or attempt to connect or allow to be connected or allow to remain connected any real property to the sanitary sewer or storm sewer system otherwise than in accordance with the provisions of this Bylaw.

16. ENFORCEMENT

- 16.1 Should any person who is required by the provisions of this Bylaw to do any matter or thing be in default of it being done by that person, such matter or thing may be done at the expense of the person in default and the Council may recover the expense thereof, with costs in like manner as municipal taxes.

17. INSPECTION

- 17.1 The Public Works Superintendent or a bylaw enforcement officer may enter at all reasonable times, on any property that is subject to this Bylaw to ascertain whether the regulations of this Bylaw are being observed or the requirements of this Bylaw are being met.
- 17.2 No person shall hinder or prevent the Public Works Superintendent, a person authorized by the Public Works Superintendent, or a bylaw enforcement officer from entering any premises or from carrying out his or her duties with respect to the administration of this Bylaw.

18. PENALTIES

- 18.1 Any person who violates any of the provisions of this Bylaw shall, upon conviction by a Court of competent jurisdiction, be guilty of an offense and shall be liable to a fine not less than two hundred dollars (\$200.00) and not exceeding five thousand dollars (\$5,000.00) together with costs for each offense, and each day or part thereof during which any violation, contravention or breach shall continue, shall be deemed as a separate offense.
- 18.2 Fines and penalties for tickets issued for offences against this bylaw shall be in accordance with Schedule "I", attached hereto and forming part of this Bylaw.

READ A FIRST, SECOND AND THIRD TIME THIS 11th DAY OF OCTOBER, 2006.

ADOPTED THIS 8th DAY OF NOVEMBER, 2006.

Rob MacDougall, Mayor

Nigel Black, CAO

Certified a true copy of Bylaw No. 835, "District of Fort St. James Sewer Connection and Regulation Bylaw No. 835, 2006."

Nigel Black, CAO

SCHEDULE "A": SANITARY SEWERS PROHIBITED WASTE

This is Schedule "A" entitled "Sanitary Sewers Prohibited Waste" which forms part of the District of Fort St. James Sewer Connection and Regulation Bylaw No. 835, 2006.

Prohibited Waste means:

1. Hazardous Waste

Hazardous Waste as defined by the Hazardous Waste Regulation of British Columbia or any legislation that replaces the Hazardous Waste Regulation.

2. Air Contaminant Waste

Any waste which, by itself or in combination with another substance, is capable of creating, causing or introducing an air contaminant, causing air pollution outside any sanitary sewer or sewage facility or is capable of creating, causing or introducing an air contaminant within any sanitary sewer or sewage facility which would prevent safe entry by authorized personnel.

3. Flammable or Explosive Waste

Any waste, which by itself or in combination with another substance, is capable of causing or contributing to an explosion or supporting combustion in any sanitary sewer or sewage facility including but not limited to, gasoline, naphtha, propane, diesel, fuel oil, kerosene or alcohol.

4. Obstructive Waste

Any waste which by itself or in combination with another substance, is capable of obstructing the flow of, or interfering with, the operation or performance of any sanitary sewer or sewage facility including, but not limited to earth, sand, sweepings, gardening or agricultural waste, ash, chemicals, paint, metal, glass, sharps, rags, cloth, tar, asphalt, cement based products, plastic, wood, waste portions of animals, fish or fowl and solidified fat.

5. Corrosive Waste

Any waste with corrosive properties which, by itself or in combination with any other substance, may cause damage to any sanitary sewer or sewage facility or which may prevent safe entry by authorized personnel.

6. High Temperature Waste

- (a) Any waste which, by itself or in combination with another substance, will create heat in amounts which will interfere with the operation and maintenance of a sanitary sewer or sewage facility or with the treatment of waste in a sewage facility;
- (b) Any waste which will raise the temperature of waste entering any sewage facility to 40 degrees Celsius or more;
- (c) Any non-domestic waste with a temperature of 65 degrees Celsius or more.

7. Biomedical Waste

Any of the following categories of Biomedical Waste: human anatomical waste, animal waste, untreated microbiological waste, waste sharps and untreated human blood and body fluids listed in “Risk Group 4” as defined in “Laboratory Biosafety Guidelines”, published by Health and Welfare Canada and dated 1990.

8. PCBs, Pesticides

Any waste containing PCBs or pesticides.

9. Miscellaneous Wastes

Any waste, other than sanitary waste, which by itself or in combination with another substance:

- (a) constitutes or may constitute a health or safety hazard to any person;
- (b) may interfere with any sewage treatment process;
- (c) may cause a discharge from a sewage facility to contravene any requirements by or under any B.C. Waste Management Discharge Permit or any other act, law or regulation governing the quality of the discharge, or may cause the discharge to result in a hazard to people, animals, property, or vegetation.

SCHEDULE “B”: SANITARY SEWERS SEWERS RESTRICTED WASTE

This is Schedule “B” entitled “Sanitary Sewers Sewers Restricted Waste” which forms part of the District of Fort St. James Sewer Connection and Regulation Bylaw No. 835, 2006.

In this Schedule, Restricted Waste means:

1. Specified Waste

Any waste which, at the point of discharge into a sewer, contains any contaminant at a concentration in excess of the limits set out below. All concentrations are expressed as total concentrations which includes all forms of the contaminant, whether dissolved or undissolved. The concentration limits apply to both grab and composite samples. Contaminant definitions and methods of analysis are outlined in Standard Methods or methods specified by the Public Works Superintendent.

Any of the contaminants listed below in tables (a), (b) or (c) that are present in a waste at dissolved concentrations in excess of the Hazardous Waste Regulation Leachate Quality Criteria will qualify that waste, regardless of the sampling method used, as a Hazardous Waste.

(a) CONVENTIONAL CONTAMINANTS [mg/L]

Biochemical Oxygen Demand (BOD) `300
 Chemical Oxygen Demand (COD) `600
 Oil and Grease* `100
 Suspended Solids `350

Note: *Total oil and grease includes Petroleum Hydrocarbons (see table (b))

(b) ORGANIC CONTAMINANTS [mg/L]

Benzene, Ethyl Benzene, Toluene, `1
 Xylenes (BETX) `
 Chlorinated Phenols `0.05
 Polycyclic Aromatic Hydrocarbons `0.05
 (PAH) `
 Phenols `1
 Petroleum Hydrocarbons `15

(c) INORGANIC CONTAMINANTS [mg/L]

Arsenic (As) `0.2
 Cadmium (Cd) `0.1
 Chromium (Cr) `5
 Cobalt (Co) `5
 Copper (Cu) `1
 Cyanide (CN) `1
 Iron (Fe) `50
 Lead (Pb) `0.5
 Manganese (Mn) `5
 Mercury (Hg) `0.05
 Molybdenum (Mo) `5

Nickel (Ni) `1
Silver (Ag) `2
Sulphate (SO₄) `1500
Sulphide (S) `1
Zinc (Zn) `3

2. Food Waste

Any non-domestic waste from cooking and handling of food that, at the point of discharge into a sewer, contains particles larger than 0.5 centimetres in any dimension.

3. Radioactive Waste

Any waste containing radioactive materials that, at the point of discharge into a sewer, exceeds radioactivity limitations as established by the Atomic Energy Control Board of Canada.

4. pH Waste

Any non-domestic waste which, at the point of discharge into a sewer, has a pH lower than 5.5 or higher than 11.0, as determined by either a grab or a composite sample.

5. Dyes and Colouring Material

Dyes or colouring materials which may pass through a sewage facility and discolour the effluent from a sewage facility except where the dye is used by the District, or one or more of its municipalities, as a tracer.

SCHEDULE “C”: STORM SEWERS PROHIBITED WASTE

This is Schedule “C” entitled “Storm Sewers Prohibited Waste” which forms part of the District of Fort St. James Sewer Connection and Regulation Bylaw No. 835, 2006.

Prohibited Waste means:

1. Hazardous Waste

Hazardous Waste as defined by the Hazardous Waste Regulation of British Columbia or any legislation that replaces the Hazardous Waste Regulation.

2. Biomedical Waste

Any of the following categories of Biomedical Waste: human anatomical waste, animal waste, untreated microbiological waste, waste sharps and untreated human blood and body fluids listed in “Risk Group 4” as defined in “Laboratory Biosafety Guidelines”, published by Health and Welfare Canada and dated 1990.

3. Air Contaminant Waste

Any waste which, by itself or in combination with another substance, is capable of creating, causing or introducing an air contaminant, causing air pollution outside any storm sewer or stormwater management facility or is capable of creating, causing or introducing an air contaminant within any storm sewer or stormwater management facility which would prevent safe entry by authorized personnel.

4. Flammable or Explosive Waste

Any waste, which by itself or in combination with another substance, is capable of causing or contributing to an explosion or supporting combustion in any storm sewer, watercourse or stormwater management facility, including but not limited to, gasoline, naphtha, propane, diesel, fuel oil, kerosene or alcohol.

5. Obstructive Waste

Any waste which by itself or in combination with another substance is capable of obstructing the flow of, or interfering with, the operation, performance or flow of any storm sewer, watercourse or stormwater management facility, including but not limited to, earth, sand, sweepings, gardening or agricultural waste, ash, chemicals, paint, metal, glass, sharps, rags, cloth, tar, asphalt, cement-based products, plastic, wood, waste portions of animals, fish or fowl and solidified fat.

6. Corrosive Waste

Any waste with corrosive properties which, by itself or in combination with any other substance, may cause damage to any storm sewer or stormwater management facility or which may prevent safe entry by authorized personnel.

7. High Temperature Waste

(a) Any waste which, by itself or in combination with another substance, will create heat in amounts which will interfere with the operation and maintenance of a storm sewer or stormwater management facility;

- (b) Any waste which will raise the temperature of waste discharged by a storm sewer, watercourse or stormwater management facility by 2 degrees Celsius or more;
- (c) Any waste with a temperature of 40 degrees Celsius or more at the point of discharge.

8. PCBs, Pesticides

Any waste containing PCBs or pesticides.

9. Pool Water

Any water from a pool containing residual chlorine or chloramine.

10. Radioactive Waste

Any waste containing radioactive materials that, prior to the point of discharge into a storm sewer or watercourse, exceeds radioactivity limitations as established by the Atomic Energy Control Board of Canada.

11. pH Waste

Any waste which, prior to the point of discharge into a storm sewer or watercourse, has a pH lower than 6.0 or higher than 9.0 as determined by either a grab sample or composite sample.

12. Dyes and Colouring Material

Dyes or colouring materials which produce in a grab sample or composite sample a colour value greater than or equal to 50 true colour units, or that causes discolouration of water to such an extent that the colour cannot be determined by the visual comparison method as set out in Standard Methods, except where the dye is used by the municipality as a tracer.

13. Miscellaneous Wastes

Any waste which by itself or in combination with another substance:

- (a) constitutes or may constitute a health or safety hazard to any person;
- (b) causes pollution in any storm sewer, watercourse or stormwater management facility.

14. Disinfectant Process Water

Any water from a waterworks containing residual chlorine or chloramine remaining from the disinfection of the waterworks or any part of the waterworks, but does not include water containing chlorine or chloramine ordinarily added to a supply of potable water by the municipality.

SCHEDULE "D": APPLICATION FOR A SANITARY SEWER CONNECTION

This is Schedule "D" entitled "Application for a Sanitary Sewer Connection" which forms part of the District of Fort St. James Sewer Connection and Regulation Bylaw No. 835, 2006.

CIVIC ADDRESS _____

PHONE NO. _____

LEGAL DESCRIPTION LOT _____ BLOCK _____

DISTRICT LOT _____ PLAN _____

ROLL NO. _____

I/We _____, the registered owner/owners of the above

mentioned property, do hereby apply for a _____ mm diameter sewer connection from the main sewer on the adjacent road/avenue to my/our property line.

I/We have applied to the District for a sewer service connection, and do hereby agree to comply with all of the applicable B.C. Plumbing, Health and Safety Codes, and such bylaws as may be in effect, or may be adopted, by the District in the future.

If no sewer connection presently exists, I/We hereby authorize the District to arrange to install the necessary sewer connection and we further agree to deposit with this application payment in full for the installation of the sewer connection. The amount of payment shall be determined in accordance with Schedule "A" which forms part of the District of Fort St. James Sewer Connection and Regulation Bylaw No. 835, 2006.

Date of Application

Applicant's Signature

DISTRICT USE ONLY

Is the installation of a new sewer connection required? _____ Yes/No

Type and size of sewer connection required _____

Date sewer connection installed _____

Installed by _____

SCHEDULE "E": APPLICATION FOR A STORM SEWER CONNECTION

This is Schedule "E" entitled "Application for a storm sewer connection" which forms part of the District of Fort St. James Sewer Connection and regulation Bylaw No. 835, 2006.

CIVIC ADDRESS _____

PHONE NO. _____

LEGAL DESCRIPTION LOT _____ BLOCK _____

DISTRICT LOT _____ PLAN _____

ROLL NO. _____

I/We _____, the registered owner/owners of the above

mentioned property, do hereby apply for a _____ mm diameter storm water connection to the storm line on the adjacent road/avenue to my/our property line.

The amount of payment shall be determined in accordance with Schedule "A" which forms part of the District of Fort St. James Sewer Connection and Regulation Bylaw No. 835, 2006.

Date of Application

Applicant's Signature

DISTRICT USE ONLY

Is the installation of a new storm water connection required? _____ Yes/No

Type and size of storm water connection required _____

Date storm water connection installed _____

Installed by: _____

SCHEDULE "F": WORK ORDER

This is Schedule "F" entitled "Work Order" which forms part of the District of Fort St. James Sewer Connection and Regulation Bylaw No. 835, 2006.

Note: This work order MUST be signed by the property owner or occupier BEFORE ANY WORK is carried out by Municipal employees.

I HEREBY AUTHORIZE The Corporation of the District of Fort St. James, through its employees or agents, to supply the necessary materials and perform the following work for the benefit of my premises at:

(Civic Address)

Work Requested: _____

I agree to pay upon demand the cost of all work authorized by this work order including but not limited to materials, labour and equipment charges, contract costs, engineering costs, and costs of excavation and reinstatement as determined necessary by the Public Works Superintendent.

It is agreed and acknowledged that the performance of work by the Municipality or its agents pursuant to this Work Order is not an admission of liability on the part of the Municipality, its servants, agents, employees, and assigns.

DATED THIS _____ day of _____, 2____.

Name of Property Owner or Occupier
(Please print)

Signature

SCHEDULE "G" FEES AND PERMITS

This is Schedule "G" entitled "Fees and Permits" which forms part of the District of Fort St. James Sewer Connection and Regulation Bylaw No. 835, 2006.

- (1) To defray the costs of providing a sewer connection or a clean out fixture to land on which buildings or structures are situate, or which is required to be drained, whichever is applicable the Fee Schedule is as follows:
 - (a) For a connection to the sewer including a single one hundred millimetre (100 mm) diameter lateral on public property of length not exceeding ten metres (10 m): \$2,400.00;
 - (b) For a connection to the sewer including two (2) one hundred millimetre (100 mm) diameter laterals on public property of length not exceeding ten metres (10 m) each, installed in the same trench at the same time; \$3,120.00;
 - (c) For a clean out fixture on public property: The estimate of the cost of the work including but not limited to materials, labour and equipment charges, contract costs, engineering costs, and costs of excavation and reinstatement as determined necessary by the Public Works Superintendent.
 - (d) The sewer connection fee in circumstances or for pipe sizes other than those described in subparagraphs (a) and (b) shall be the amount of the estimate of the cost of the work prepared on the basis of municipal labour, material, equipment, engineering costs and contract costs and approved by the Public Works Superintendent.
 - (e) Storm Water Connection
- (2) All costs are payable in advance.
- (3) A request by an owner for maintenance or examination of a sewer connection or sewer lateral on public property shall be carried out following the owner signing a Work Order that requires the owner to pay all costs for the examination or maintenance including but not limited to materials, labour and equipment charges, contract costs, engineering costs, and costs of excavation and reinstatement as determined necessary by the Public Works Superintendent except as provided by Section 7 or when it can be ascertained that the maintenance required resulted from a failure in the public sewer.

SCHEDULE "H": SEWER RATES

This is Schedule "H" entitled "Sewer Rates" which forms part of the District of Fort St. James Sewer Connection and Regulation Bylaw No. 835, 2006.

<u>USER TYPE</u>	<u>RATE PER MONTH</u>
Residential (per unit dwelling)	12.92
Private Swimming Pool (extra charge)	2.96
Bachelor Suites	5.98
Rental Units (other than Bachelor)	11.01
Churches	14.23
Service & Retail	14.23
- without washroom facilities	7.11
Supermarkets	32.79
Licensed Premises & Clubs	39.86
Restaurants	39.86
Take-Out Restaurants	14.23
Hotel/Motel/Inn/Lodge (per room)	7.50
Schools (per classroom)	13.05
Hospitals (per bed)	17.31
Laundromats (per washer)	3.24
Historic Site & RCMP	39.86
Recreation & Entertainment Facilities	20.69
Industrial Shops	32.47
Car Washes	50.00
Sewer Only - Necoslie Salmon	12.37
Sewer Only - Residential	11.24
Sewer Only - Rental Units	9.57

SCHEDULE "I": PENALTIES

This is Schedule "I" entitled "Penalties" which forms part of the District of Fort St. James Sewer Connection and Regulation Bylaw No. 835, 2006.

<u>SECTION</u>	<u>OFFENCE</u>	<u>PENALTY</u>
10.1(a)	Discharge prohibited waste into sanitary sewer	\$500.00
10.1(b)	Discharge restricted waste into sanitary sewer	\$500.00
10.1(c)	High volume discharge	\$100.00
13.1	Discharge waste into storm sewer	\$500.00
15.1	Objectionable waste	\$100.00
15.2	Tamper with sewer system	\$100.00
15.3	Connection without permission	\$500.00
15.4	Cross connection	\$500.00
15.5	Connection contrary to bylaw	\$500.00