

BYLAW 38-2017

(Consolidated December 7, 2021)

A BYLAW OF STRATHCONA COUNTY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH TERMS FOR PROVIDING A SEWER AND WASTEWATER SYSTEM, INCLUDING CONDITIONS FOR TREATMENT AND DISPOSAL OF SEWAGE.

WHEREAS the *Municipal Government Act*, RSA 2000, c. M-26, provides that a municipality may pass bylaws respecting public utilities; and

WHEREAS it is deemed advisable and expedient to set out the terms and conditions to regulate services between private drainage systems and the sewer system, regulate the sewer system, prevent damage to or misuse of the sewer system, and regulate drainage around private structures and buildings;

NOW THEREFORE THE COUNCIL OF STRATHCONA COUNTY, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

PART 1 - INTERPRETATION

- 1 This bylaw may be referred to as the "Sewer and Wastewater System Bylaw".
- 2 In this bylaw,
 - (a) "ACRWC" means the Alberta Capital Region Wastewater Commission;
 - (a.1) "account" means an agreement between a person and the County for services related to the sewer system;
(S.32, Bylaw 59-2021, December 7, 2021)
 - (a.2) "account-holder" means a person who has an account;
(S.32, Bylaw 59-2021, December 7, 2021)
 - (b) "Chief Commissioner" means the Chief Administrative Officer of Strathcona County;
 - (c) "clearwater waste" means non-contact cooling water and other water that has not come into contact with wastewater;
 - (d) "combined sewer" means a sewer system used for the collection and transmission of wastewater, stormwater, and subsurface water;
 - (e) "County" means Strathcona County;

- (f) "curb stop valve" means a shut-off valve constructed in-line at the end of a sewer connection pipe;
- (f.1) "designated sector operations" means industrial, commercial, or institutional sectors required to adopt codes of practice approved by the ACRWC;

(S.33, Bylaw 59-2021, December 7, 2021)
- (g) "*Fees, Rates, and Charges Bylaw*" means Strathcona County Bylaw 33-2017, as amended, repealed, and replaced from time to time;
- (h) "flow monitoring point" means an access point to sewer service or private drainage system for a premises;
- (i) "foundation drain" means a system of pipes, fittings, traps and appurtenances connected to the foundation of a building, and used to convey wastewater, stormwater, or subsurface water away from the building;
- (j) "hailed wastewater" means wastewater transported by vehicle for disposal;
- (k) "hazardous waste" has the same meaning as in the *Waste Control Regulation*, Alta Reg 192/1996 to the *Environmental Protection and Enhancement Act*, RSA 2000, c E-12 and any successor to that legislation;
- (l) an "interceptor" is a device that is intended to prevent particular matter or materials from passing through it; for example, an oil and grease interceptor prevents oil and grease from passing through it;
- (m) "non-contact cooling water" means water used for cooling, and which does not come into direct contact with any raw material, product, by-product, or waste;
- (n) "non-domestic wastewater" means all wastewater except domestic wastewater, uncontaminated water, and septic tank waste.
- (o) "owner" means the person in care and control and includes the person registered under the *Land Titles Act*, RSA 2000, c L-4 or any successor legislation, as owner in fee simple, a lessee, or any person who exercises the power and authority of ownership;
- (p) "overstrength" wastewater released to a sewer that is higher in concentration for one or more constituent concentrations set out in

the Strathcona County Fee Schedule in the Fees, Rates & Charges Bylaw 33-2017;

- (q) "overstrength surcharge" the rate per kilogram per cubic meter of water consumed and charged to a user who releases wastewater to the sewer that exceeds one or more constituent concentrations;
- (r) "premises" means a parcel of land and any buildings situated on that land;
- (s) "private drainage system" means a privately-owned assembly of pipes, fittings, traps and appurtenances used to convey or store wastewater, stormwater, and subsurface water;
- (t) "private wastewater system" means that part of a private drainage system that is not connected to the sewer system, and is used to convey or store wastewater;
- (u) "prohibited waste" means matter defined as prohibited waste by the ACRWC in ACRWC Bylaw No. 8, or any other ACRWC Bylaw;
- (v) "release" means to directly or indirectly disperse matter by discharging, depositing, disposing of, abandoning, leaking, seeping, pouring, draining, emptying, or any other means;
- (w) "restricted waste" means matter defined as restricted waste by the ACRWC in ACRWC Bylaw No. 8, or any other ACRWC Bylaw;
- (x) "sanitary sewer" means a sewer system used for the collection and transmission of wastewater;
- (y) "sewer connection pipe" means the pipe connecting a private drainage system to the sewer system;
- (z) "sewer system" means all County owned infrastructure for the collection, storage, transportation and pumping of wastewater and stormwater and includes sewers, sewer connection pipes, ditches, channels, stormwater management facilities, wastewater treatment facilities, sludge treatment facilities, biosolids storage and disposal facilities;
- (aa) "spill" means a release of a prohibited waste or a restricted waste in a place or at a time where the release is not permitted;

- (bb) "*Standard Methods*" means *Standard Methods for the Examination of Water and Wastewater*. 22nd ed. Ed. E.W. Rice et al. American Public Health Association, 2012.
- (cc) "storm sewer" means a sewer system used for the collection and transmission of stormwater and subsurface water;
- (dd) "stormwater" means surface run-off water that is the result of natural precipitation;
- (ee) "subsurface water" means water at a depth of not more than 15 metres beneath the surface of the ground;
- (ff) "*wastewater*" means *water discharged from a premises and has been used for washing, flushing, in a manufacturing process, or in any other process, and so contains waste products;*
- (gg) "watercourse" means:
 - (i) the bed and shore of a river, stream, lake, creek, lagoon, swamp, marsh or other natural body of water; or
 - (ii) a canal, ditch, reservoir, stormwater management facility or other man-made surface drainage feature;whether or not it contains or conveys water continuously or intermittently.

3 The marginal notes and headings in this bylaw are for reference purposes only.

PART 2 - OWNERSHIP

4 The County shall be responsible for the installation, maintenance, and management of all parts of the sewer system that are under the County's care and control, as set out in this Bylaw.

5 The County shall provide and install all facilities and equipment up to the curb stop.

6 The County shall maintain ownership of all:

- (a) sewer mains;
- (b) sewer connection pipe, between a sewer main and the curb stop; and
- (c) curb stop valves.

7 (1) All items on an owner's property, including all pipes, valves, fixtures, and other items attached to the sewer system, except for those listed in section 6, shall be the property of the owner.

(2) An owner shall be responsible for the installation, inspection, repair, and maintenance of all items owned by the owner.

PART 3 – SEWER CONNECTION PIPES

8 Only one sewer connection pipe will be provided per lot.

9 A sewer connection pipe shall not be extended from one lot to another lot.

10 (1) The owner of a property that is connected to the County's sewer system may apply to the Chief Commissioner for a larger sewer connection pipe.

(2) The owner shall pay a deposit in advance of the County upgrading the size of a sewer connection pipe.

(3) The owner shall pay all of the County's reasonable costs associated with upgrading the size of a sewer connection pipe.

PART 4 - SEWER CONNECTIONS AND ALTERATIONS

11 No person shall:

(a) construct or alter any sewer system or sewer connection pipe; or

(b) connect a private drainage system to a

(i) sanitary sewer system;

(ii) storm sewer system; or

(iii) combined sewer system;

without written approval from the Chief Commissioner.

12 The owner of a premises with an access abutting a County-owned right-of-way containing a culvert shall maintain the culvert in order to keep it free from obstruction.

13 The owner of a premises where use of a private drainage system has been, or will be, discontinued shall:

(a) remove the connection to the sewer system; and

(b) abandon the sewer connection pipe in a manner acceptable to the Chief Commissioner.

14 (1) The owner of a commercial, industrial, or institutional premises serviced by the sewer system shall install and maintain an accessible sampling manhole on each pipe leaving the property:

(a) when the pipe is new;

(b) when the premises is redeveloped; and

(c) when required to do so by the Chief Commissioner.

(2) A sampling manhole required by this section shall be:

(a) located and constructed in accordance with plans approved by the Chief Commissioner; and

(b) installed and maintained at the owner's expense.

(3) The owner of a premises shall ensure that the Chief Commissioner has a reasonable means of accessing the sampling manhole.

15 (1) The Chief Commissioner may require the owner or operator of a premises to install, upstream of a sampling manhole, a wastewater pre-treatment facility.

(2) The owner and operator of the premises shall be jointly and severally responsible for the design, construction, operation, and maintenance of the wastewater pre-treatment facility.

(S.34, Bylaw 59-2021, December 7, 2021)

(3) A wastewater pre-treatment facility must be operated in accordance with the manufacturer's recommendations, and in accordance with any other requirements established by the Chief Commissioner.

(4) No person shall deposit the waste products from a wastewater pre-treatment facility into the sewer system.

(5) Wastewater pre-treatment facility records must be kept by the owner or operator for a minimum of two years.

(6) Wastewater pre-treatment facility records must be submitted to the Chief Commissioner upon request.

16 (1) The owner of a residential, commercial, or industrial property that abuts any street, lane, or right-of-way in which there is a sanitary sewer shall, at the owner's expense:

- (a) for a new construction or development, connect the property's building drain or building sewer to the sanitary sewer during construction;
- (b) for an existing construction or development where a sanitary sewer has been subsequently constructed,
 - (i) connect the property's building drain or building sewer to the sanitary sewer;
 - (ii) discontinue use of any private wastewater system; and
 - (iii) remove or fill all tanks, pits, or cesspools that were part of the private wastewater system;

unless otherwise directed by the Chief Commissioner.

(2) Where a residential, commercial, or industrial property does not abut a street, lane, or right-of-way in which there is a sanitary sewer, the owner of that property shall, at the owner's expense, connect that property's building drain or building sewer to a private wastewater system.

(3) If the owner of a building fails to connect to a sewer system as required under this section within sixty days of being notified to do so, the Chief Commissioner may make or repair the required connection and require the owner to pay the full cost of making or repairing the connection, plus reasonable expenses.

17 Any private wastewater system shall be:

- (a) located and constructed in accordance with plans approved by the Chief Commissioner;
- (b) constructed in accordance with the provisions of this Bylaw, the *Safety Codes Act*, RSA 2000, c. S-1, as amended, repealed, or replaced from time to time, and any relevant provincial or federal legislation; and
- (c) installed and maintained at the owner's expense.

18 The owner of a building that abuts or any street, lane, or right-of-way in which there is a storm sewer shall, at the owner's expense:

- (a) for a new construction or development, connect the property's foundation drain to the:
 - (i) storm sewer at the time of construction; or
 - (ii) sump pump collector sewer service, where present, at the time of construction.
 - (b) for an existing construction or development where a storm sewer has been subsequently constructed, connect the property's foundation drain to the storm sewer within 60 days of being directed to do so by the Chief Commissioner.
- 19 (1) The owner of each building with a downspout or sump pump discharge shall attach a drainage extension to direct drainage from the roof run-off collection system or foundation drain toward a street, lane, or right-of-way.
- (2) A downspout or sump pump discharge drainage extension shall be designed to minimize ponding or ice build-up on private or public property.
- 20 The owner of a building shall be responsible for the design, install, and maintenance of each:
 - (a) roof run-off collection system, downspout, and downspout drainage extension;
 - (b) foundation drain;
 - (c) catchbasin;
 - (d) sump pump discharge and sump pump discharge drainage extension on the owner's property; and
 - (e) drainage system extension of any kind on the owner's property.
- 21 Deleted
- (S.35, Bylaw 59-2021, December 7, 2021)

PART 5 – USE OF THE SEWER SYSTEM

- 22 (1) No person shall release, or permit the release of, any matter into the sewer system except as permitted under this Bylaw.
- (2) No person shall release, or permit the release of:
 - (a) hazardous waste; or

(b) any prohibited waste;

into the sewer system.

(3) The following may be released into the sanitary sewer system without first obtaining a permit:

(a) domestic wastewater that does not contain:

(i) hazardous waste; or

(ii) a prohibited waste;

(4) The following may only be released into the sanitary sewer system after obtaining authorization from the Chief Commissioner:

(a) non-domestic wastewater;

(b) hauled wastewater, including septic waste;

(c) stormwater;

(d) clearwater waste;

(e) subsurface water; or

(f) other matter where a wastewater discharge permit has been issued through the ACRWC.

(5) The ACRWC may issue, and subsequently amend, a wastewater discharge permit to allow the release of materials under subsection 4 and may:

(a) place limits and restrictions on the quantity, composition, frequency, and nature of the waste permitted to be released;

(b) require the permit-holder to repair, alter, remove, or add to sanitary sewer system works, or to add new sanitary sewer system works; and

(c) provide that the waste discharge permit will expire on a specified date, or on the occurrence of a specified event.

(6) The Chief Commissioner may issue, and subsequently amend, a discharge abatement order:

(a) to require a person to alter the quantity, composition, duration, or timing of the discharge of non-domestic waste or hauled wastewater to a sewer or wastewater facility;

(b) to require a person to cease the discharge of non-domestic wastewater or hauled wastewater into a sewer or wastewater facility;
or

(c) to require a person to cease the discharge of all non-compliant wastewater into a sewer or wastewater facility;

and may include any terms that may also be included under a wastewater discharge permit issued under subsection 5.

23 Any person who releases any matter to the sewer system shall, at that person's expense, complete any monitoring or sampling of the released matter as required by the Chief Commissioner.

24 No person shall release hauled wastewater to the sewer system unless:

(a) that release is at a location approved by the Chief Commissioner;

(b) that person has completed a manifest in a form approved by the Chief Commissioner, and has deposited that manifest in a location approved by the Chief Commissioner prior to the release; and

(c) any hose or device used to release the hauled wastewater is placed securely in the discharge port at the approved location.

(2) All persons depositing hauled wastewater at the Clover Bar Wastewater Transfer Station will be subject to the terms of use established in the City of Edmonton and/or EPCOR Water Services Inc., as amended.

(3) All persons depositing hauled wastewater at the Clover Bar Wastewater Transfer Station shall be subject to the rates established by agreement between the County, the City of Edmonton and/or EPCOR Water Services Inc.

(4) Any person depositing hauled wastewater at the Clover Bar Wastewater Transfer Station generated from within the boundaries of the County, is subject to the fines, penalties, and costs of this bylaw.

25 No person shall release matter or wastewater into a storm sewer, sanitary sewer or combined sewer where that matter or wastewater has been diluted in order to achieve compliance with the concentrations differentiating between a prohibited waste and a restricted waste.

25.1 (1) Any person engaged in designated sector operations must comply with the ACRWC's best management practices, compliance programs, and codes of practice that apply to that industry, business, or sector.

(2) A code of practice does not apply to a discharging operation that is subject to a wastewater discharge permit, unless otherwise specified in the wastewater discharge permit.

(3) A code of practice does not apply to the discharge of domestic wastewater.

(4) Nothing in a code of practice relieves a person discharging wastewater from complying with this bylaw, a wastewater discharge permit or any other applicable enactment.

(5) Any person who wishes to engage in designated sector operations must submit to ACRWC a completed Code of Practice registration form:

(a) Within 90 days of the date of adoption of the applicable code of practice in the case of a designated sector operation in existence on the adoption date; or

(b) In all other cases, within 30 days of the discharging operation commencing the discharge of wastewater into a sewer connected to the sewer system.

(6) Any person engaged in designated sector operations must report to the ACRWC, in a form acceptable to the ACRWC, any change in the ownership, name, location, contact person, telephone number, or email address of a discharging operation registered under a code of practice within 30 days of the change.

(7) Any person engaged in designated sector operations must, within 30 days of any change in the discharging operation registered under a code of practice resulting in the operation no longer meeting the definition applicable to that type of discharging operation, report the change to the ACRWC in a form acceptable to the ACRWC.

(8) If a code of practice establishes a requirement in relation to a specific discharging operation which differs from a provision in this bylaw, the requirement in the code of practice prevails.

(S.36, Bylaw 59-2021, December 7, 2021)

26 Any time a sample of wastewater or stormwater is required the sample must be:

- (a) taken and prepared in accordance with the methods set out in *Standard Methods*; and
- (b) analyzed by a Provincially Accredited Laboratory operating within their scope of practice.

PART 6 - INTERCEPTORS

- 27 (1) The owner of any premises in which there is industrial, commercial or institutional food preparation shall install and maintain an oil and grease interceptor:
- (a) on all fixtures that may release oil or grease; or
 - (b) downstream of all fixtures that may release oil or grease.
- (2) The owner of a premises in which vehicles or equipment are serviced, repaired, disassembled or washed shall install and maintain an oil, grease and sand interceptor:
- (a) on all fixtures that may release oil, grease or sand; or
 - (b) downstream of all fixtures that may release oil, grease or sand.
- (3) The owner of a premises on which a catchbasin is installed for the purpose of collecting stormwater and carrying it into the storm sewer shall equip the catchbasin with a sediment interceptor and sediment removal sump.
- (4) The owner of any other premises shall install and maintain an interceptor when required to do so by the Chief Commissioner.
- (5) All interceptors required by this section shall be installed, inspected, and maintained in accordance with the manufacturer's recommendations, the Alberta Building Code, the National Plumbing Code, and any applicable Canadian Standards Association standards.
- (6) The owner or operator of any premises under this section shall keep records of any inspection and maintenance performed on an interceptor, and of oil, grease, and sediment disposal, for two years, and shall produce those records at the request of the Chief Commissioner.
- (7) No person shall use any enzymes, emulsifiers, bacteria, solvents, hot water, or other agents to facilitate the passage of oil, grease, or other matter through an interceptor.

- 28 (1) The owner of a premises in which a dental facility is located shall install a dental amalgam separator on all fixtures which may release dental amalgam waste to a sewer system.
- (2) This section does not apply to premises practicing solely;
- (a) orthodontics or dentofacial orthopedics;
 - (b) oral or maxillofacial surgery;
 - (c) oral medicine and pathology;
 - (d) periodontics; or
 - (e) a dental practice consisting solely of visits by a mobile dental practitioner who prevents any amalgam from being released directly or indirectly to the sewer system.
- (3) All dental amalgam separators shall;
- (a) be maintained by the owner according to the manufacturer's recommendations;
 - (b) operate at least 95% efficiency in amalgam weight removal; and
 - (c) be certified under ISO 11143 – "Dentistry – Amalgam Separators".
- (4) A record shall be maintained and kept by the owner for five years detailing the maintenance of each dental amalgam separator and the disposal of dental amalgam waste, and shall produce those records at the request of the Chief Commissioner.

PART 7 – OTHER PROVISIONS

- 29 No person shall release any wastewater into any watercourse.
- 30 No person shall release hauled wastewater to a sewer system unless:
- (a) that person is operating and certified according to all applicable federal and provincial legislation; and
 - (b) that person meets all conditions for hauling and discharge of hauled wastewater as set out by the ACRWC, Alberta Environment and Parks, and the City of Edmonton.
- 31 (1) No person shall release non-contact cooling water to a sewer system from a residential property.

(2) The release of non-contact cooling water to the sanitary sewer system from an industrial, commercial, or institutional property is only permitted where:

- (a) in the case of a proposed building, no storm sewer or yard drainage system exists adjacent to the building; or
- (b) in the case of an existing building, no connection exists between the building and the storm sewer system.

32 No person shall release water originating from a source other than the County's water supply, including stormwater or groundwater, to the sanitary sewer system unless the release has been permitted by the Chief Commissioner and:

- (a) the released matter is not a prohibited waste or a restricted waste; or
- (b) the released matter is a prohibited waste or a restricted waste, but the release has been approved by the receiving wastewater treatment facility.

PART 8 – SPILLS

33 (1) In the event of a spill to a sewer system, the person responsible for the spill, or the person having the charge, management, or control of the spill, shall:

- (a) in the case of a spill that may cause immediate or imminent danger to human health or safety, contact Strathcona County Emergency Services by calling 9-1-1; or
- (b) in the case of a spill that is unlikely to cause immediate or imminent danger to human health or safety, contact:
 - (i) the Strathcona County Utilities Department;
 - (ii) the owner of the premises where the spill occurred; and
 - (iii) any other person that the responsible person reasonably believes may be directly affected by the spill.

(2) A person reporting a spill under this section shall provide a detailed report on the spill in accordance with the requirements set out by Alberta Environment and Parks, any successor Alberta Government Ministry, or any other legislation, Act, or Bylaw.

(3) A person responsible for the charge, management, or control of a spill under this section shall take all reasonable measures, at that person's own expense, to contain the spill, protect the health and safety of any person who may be affected by the spill, minimize damage to property, clean up the spill and contaminated residue, and restore the affected area to its condition prior to the spill.

(4) The County may invoice the person responsible for a spill to recover the costs associated with the cleanup of the spill. The person responsible for the spill must pay the costs invoiced.

(5) The County may require the person responsible for a spill to prepare and submit a spill contingency plan indicating how the risk of a future spill will be mitigated, and how future spills will be addressed.

PART 9 – ADMINISTRATIVE AUTHORITY

34 The Chief Commissioner is authorized to administer and enforce the provisions of this Bylaw. The Chief Commissioner may make binding contracts with customers for sewer service and may levy fines and charges in accordance with this Bylaw.

35 The Chief Commissioner has the authority to carry out any inspection reasonably required to ensure compliance with this Bylaw, including but not limited to:

(a) inspecting, observing, sampling, and measuring the flow in any:

(i) private drainage system;

(ii) private wastewater system;

(iii) private stormwater management system; or

(iv) flow monitoring point;

(b) determining water consumption by reading water meters;

(c) testing flow measuring devices;

(d) taking samples of wastewater, stormwater, clearwater waste, or subsurface water being released from a premises or flowing within a private drainage system;

(e) performing on-site testing of the wastewater, stormwater, clearwater waste, or subsurface water within or being released from a private

drainage system, wastewater pre-treatment facility, or stormwater management facility;

- (f) collecting and analyzing samples of hauled wastewater being delivered to a discharge location;
- (g) inspecting the types and quantities of chemicals being handled or used on a premises in relation to a potential release to a drainage system or watercourse;
- (h) inspecting and copying documents related to a matter under this Bylaw, including removing documents from a premises in order to make copies;
- (i) inspecting chemical storage areas and spill containment facilities, and requesting Material Safety Data Sheets (MSDS) or Safety Data Sheets (SDS) for materials stored on used on site;
- (j) inspecting the premises where a release of prohibited waste or restricted waste has been made or is suspected of having been made, and to sample any or all matter that, in the Chief Commissioner's opinion, may have been affected by the release; and
- (k) requesting information from a person concerning a matter under this section.

36 No person shall interfere with the Chief Commissioner or the Chief Commissioner's agents or employees while the Chief Commissioner or the Chief Commissioner's agents or employees are engaged in carrying out duties under this Bylaw.

37 (1) Where wastewater that

- (a) is hazardous or creates a danger to any person;
- (b) endangers or interferes with the operation of the sewer system; or
- (c) causes or is capable of causing an adverse effect;

is released to the sewer system, the Chief Commissioner may, in addition to any other remedy available, disconnect, plug, or seal the sewer connection pipe releasing the wastewater into the sewer system, or take any other action that is necessary to prevent the wastewater from entering the sewer system.

(2) The Chief Commissioner may keep a sewer connection pipe disconnected, plugged, or sealed under this section until the Chief Commissioner is satisfied that no further release of the wastewater will be made into the sewer system.

- 38 The Chief Commissioner may charge, to an owner or operator, in accordance with Schedule "B", any Overstrength Surcharge or fine assessed against the County by any governing or regulatory body, where the owner or operator's discharge to, use of, or misuse of the sewer system has caused the Overstrength Surcharge or fine to be assessed against the County.

(S.37, Bylaw 59-2021, December 7, 2021)

PART 10 - ACCOUNTS AND CHARGES

- 39 The rates and charges to be charged for sewer services shall be set out from time to time in the *Fees, Rates, and Charges Bylaw*.

- 40 All sewer service charges and all associated fees will be set out in the monthly utility bill.

- 41 Property owners subscribing or re-subscribing to the County's sewer service will be subject to a connection fee as set out in the *Fees, Rates, and Charges Bylaw*.

- 42 (1) A property's owner or occupant must open an account with the County before the County provides sewer system services

(2) An occupant that is not the owner of a property may only open an account with the property owner's written authorization.

(3) If an account is opened with the occupant that is not the owner of the property, the occupant must agree to a pre-authorized payment method.

(S.38, Bylaw 59-2021, December 7, 2021)

- 43 (1) An account-holder may request that the invoice for the account be sent to either the account-holder's address, or to the service address.

(2) The account-holder remains responsible for the account and shall ensure that all charges, fees, and bills are paid.

(3) The property owner and the account-holder are jointly and severally liable for ensuring that all requirements of this Bylaw are adhered to.

(S.39, Bylaw 59-2021, December 7, 2021)

44 (1) A request for a temporary or permanent sewer disconnect must be made by the property owner.

(2) A sewer disconnect will be made subject to any terms and conditions set by the Chief Commissioner, which may include, but are not limited to:

- (a) confirmation through an engineering report, at the owner's expense, that there is no longer flow in the sewer system;
- (b) installation of a device or devices to monitor wastewater flow data; and
- (c) the requirement to enter into an access agreement to allow the Chief Commissioner to regularly inspect the sewer system on the property.

(3) If a sewer disconnect is approved by the Chief Commissioner, it is an offence to fail to comply with the terms and conditions of that sewer disconnect.

(S.40, Bylaw 59-2021, December 7, 2021)

45 (1) As a condition of providing sewer service the County may require a guarantee deposit from the account-holder in the amount of three consecutive billing periods, as determined by the Chief Commissioner.

(S.41, Bylaw 59-2021, December 7, 2021)

(2) A guarantee deposit is non-transferable and may be in the form of a security bond, letter of credit, cash, or a certified cheque.

(3) If a guarantee deposit has been provided under this section, upon discontinuance of service the deposit shall be returned to the account-holder within 30 days of the last date of service.

(S.41, Bylaw 59-2021, December 7, 2021)

(4) If a guarantee deposit provided under this section is returned, the County shall return the deposit amount plus interest, calculated at a rate of one-half

percent (0.5%) below the County's weighted average rate of return from the previous year.

- 46 (1) All utility bills will be due and payable as specified on the bill and payments may be made as specified on the utility bill or as otherwise specified or permitted by the Chief Commissioner.
- (2) No reduction in sewer service rates will be made due to interruption of sewer service from any cause.
- (3) In the event a utility bill remains unpaid after the date fixed for payment, a penalty of 1.5% on all outstanding charges may be added to the amount outstanding and shall form part of the rates levied.
- (4) In the event a utility bill remains unpaid more than 60 days after the date fixed for payment the Chief Commissioner may serve written notice, by registered mail, on the account-holder advising that unless the account is paid in full within 10 days of receiving the notice the County may proceed with collection measures.
- (S.42, Bylaw 59-2021, December 7, 2021)
- (5) Any utility bill remaining unpaid under this section will constitute a debt owing to the County and is recoverable by:
- (a) action in a court of competent jurisdiction;
 - (b) shutting off or discontinuing the County's sewer service;
 - (c) collecting in a like manner such as through municipal rates and taxes;
- (6) In the event of a foreclosure the billing account shall be managed by the Chief Commissioner by taking all reasonable actions to reduce the County's exposure to financial loss.

- 47 When the ownership of a residential property changes through sale or any other method, the outgoing account-holder's account will be automatically closed, and the incoming owner's account will automatically be opened, on the day of transfer of ownership.

(S.43, Bylaw 59-2021, December 7, 2021)

- 48 Where sewer service is added or deleted during a billing period, utility bills may be prorated in accordance with the actual number of days of service that are provided by the County in the billing period.

- 49 Where a utility bill has been prepaid and sewer service is subsequently discontinued the County will provide a pro-rated refund based on the number of days of service that have been provided and the number of days of service that are remaining.

PART 11 - DISCONNECTING SEWER SERVICE

- 50 (1) The Chief Commissioner may disconnect or shut off the sewer connection to a property if:
- (a) the owner fails to open an account;
 - (b) the Chief Commissioner believes an emergency exists;
 - (c) the property's facilities are unsafe, defective, leak excessively, or cause contamination or deterioration of the sewer system;
 - (d) the sewer system requires repair or maintenance;
 - (e) the property owner fails to provide the Chief Commissioner adequate access to the sewer system on the property for the purpose of performing readings or inspections; or
 - (f) in the opinion of the Chief Commissioner, it is reasonable to do so.
- (2) If the Chief Commissioner intends to disconnect or shut off the sewer connection under paragraphs a, d, e, or f, in subsection (1), the Chief Commissioner must first provide reasonable notice to the owner of the property.
- 51 (1) The Chief Commissioner may, at any time, with 48 hours' notice to the account-holder and the owner, disconnect the County's sewer service, or refuse to open an account, if the account-holder or the owner:
- (a) refuses to pay any charges levied pursuant to this Bylaw or the *Fees, Rates, and Charges Bylaw*; or
 - (b) contravenes any section of this Bylaw.
- (2) If the County's sewer service to an account-holder is disconnected at one location for non-payment of assessed fees, the Chief Commissioner may disconnect service to that account-holder at any or all other properties where that account-holder has an account.

(3) The reconnect fee, as specified in the *Fees, Rates, and Charges Bylaw*, must be paid by the account-holder before the County's sewer service will be reconnected.

(S.44, Bylaw 59-2021, December 7, 2021)

PART 12 - OFFENCES AND PENALTIES

- 52 If any person fails to comply with or contravenes a provision in this Bylaw the Chief Commissioner or a Bylaw Enforcement Officer may issue any order under section 545 of the *MGA* requiring the person to remedy the contravention.
- 53 Any person who contravenes a provision of this Bylaw is guilty of an offence and is liable to a fine in an amount not less than that established in Schedule "A" of this Bylaw.
- 54 Any person who commits a second or subsequent offence within one year of committing an offence under this Bylaw is liable to a fine in an amount not less than double the amount set out in Schedule "A" of this Bylaw.
- 55 A person who is guilty of an offence under this Bylaw for which a penalty is not otherwise provided is liable to a fine of not less than one hundred dollars (\$100.00) and not more than ten thousand dollars (\$10,000.00).
- 56 A person contravening any provision of this Bylaw shall not be subject to imprisonment as a penalty for that offence.
- 57 Nothing in this Bylaw will be construed as curtailing or abridging the right of the County to obtain compensation for, or to maintain an action for, loss of or damage to property from or against the person or persons responsible.

Violation Tag

- 58 A Bylaw Enforcement Officer is hereby authorized to issue a violation tag to any person who the Bylaw Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 59 A violation tag may be issued either personally or by mailing a copy to the last known address of the person who has contravened the provision of this Bylaw.
- 60 A violation tag shall be in a form approved by the Chief Commissioner and shall state:

- (a) the name of the person;
- (b) the offence;
- (c) the date of the offence;
- (d) the penalty, as set out in Schedule "A" and in accordance with sections 54-57;
- (e) that the penalty must be paid within 30 days of the issuance of the violation tag; and
- (f) any other information as may be required by the Chief Commissioner.

61 No more than one violation tag may be issued to a person each day for the same offence.

62 Where a violation tag is issued pursuant to this Bylaw, the Person to whom the violation tag is issued may, in lieu of being prosecuted for the offence, pay to the County the penalty specified on the violation tag.

Violation Ticket

63 In those cases where a violation tag has been issued, and the penalty specified on the violation tag has not been paid within the prescribed time, a Peace Officer is authorized to issue a violation ticket pursuant to Part II of the *Provincial Offences Procedure Act*, RSA 2000, c. P-34, as amended or repealed and replaced from time to time.

(S.45, Bylaw 59-2021, December 7, 2021)

64 A Peace Officer is hereby authorized to issue a violation ticket pursuant to Part II of the *Provincial Offences Procedure Act*, RSA 2000, c. P-34, as amended or repealed and replaced from time to time, to any person who the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.

(S.45, Bylaw 59-2021, December 7, 2021)

65 Where a violation ticket has been issued to a person pursuant to this Bylaw that person may plead guilty to the offence by submitting to the Clerk of the Provincial Court, prior to the appearance date specified on the violation ticket, the specified penalty set out on the violation ticket.

66 A Peace Officer has the discretion to require a mandatory court appearance by a person who has committed an offence under this Bylaw.

(S.45, Bylaw 59-2021, December 7, 2021)

PART 13 - GENERAL

67 Should any provision of this Bylaw be invalid then such provision shall be severed and the remaining Bylaw shall be maintained.

68 Nothing in this Bylaw shall operate to relieve any person from complying with any Federal, Provincial, or other County law, order, regulation, or Bylaw.

69 The provisions of this Bylaw shall apply to all persons, both inside and outside the County, using the County's sewer systems.

70 Bylaw 31-2011 is hereby repealed.

71 This Bylaw will come into force and effect after third reading and upon being signed.

NOTE: Consolidation made under Section 69 of the Municipal Government Act, R.S.A. 2000, c.M-26 and Bylaw 21-2015 Section 8, and printed under the Chief Commissioner's authority.

Bylaw 38-2017, passed by Council January 23, 2018

Amendments

Bylaw 59-2021, December 7, 2021

SCHEDULE "A"**BYLAW 38-2017
SEWER AND WASTEWATER SYSTEM BYLAW
SPECIFIED PENALTIES**

Section	Offence	Specified Penalty
9	Extend sewer connection pipe from one lot to another	\$1000
11(a)	Construct or alter any sewer system or sewer connection pipe without authorization	\$1000
11(b)	Connect private drainage system to a sewer system	\$4000
12	Failure to maintain culvert	\$500
13	Failure to properly disconnect a private drainage system	\$4000
14(1)	Failure to install or maintain sampling manhole	\$1000
15(3)	Improper operation of wastewater pre-treatment facility	\$500
15(4)	Depositing waste from wastewater pre-treatment facility in a sewer	\$500
15(5)	Failure to keep wastewater pre-treatment facility records	\$500
15(6)	Failure to submit wastewater pre-treatment records on request	\$150
17(a), (b), (c)	Failure to properly locate, instruct, install, or maintain a private wastewater system	\$4000
19(1)	Failure to connect downspout or sump pump drainage extension	\$250
22(1)	Releasing unauthorized matter into the sewer system	\$250
22(2)(a)	Releasing hazardous waste into the sewer system	\$2000
22(2)(b)	Releasing prohibited waste into the sewer system	\$1000
24	Unauthorized or improper release of hauled wastewater	\$2000
25	Releasing diluted matter or wastewater into a sewer	\$2000
27(1)	Failure to install an oil and grease interceptor	\$500
27(2)	Failure to install and maintain a sand, oil, and grease interceptor	\$500
27(3)	Failure to install a sediment interceptor	\$500
27(4)	Failure to install or maintain an interceptor	\$500
27(5)	Failure to install, inspect, or maintain an interceptor according to the manufacturer's recommendations	\$500
27(6)	Failure to keep records on interceptor inspections and maintenance	\$500

27(7)	Facilitating passage of oil, grease, or other matter through an interceptor	\$2000
28(1)	Failure to install a dental amalgam separator	\$500
28(3)	Failure to maintain a dental amalgam separator according to the manufacturer's recommendations	\$500
28(4)	Failure to keep records on dental amalgam separator inspections and maintenance	\$500
29	Releasing water into a watercourse	\$4000
30	Unauthorized release of hauled wastewater to a sewer system	\$2000
31(1)	Improper or unauthorized release of non-contact cooling water to a sewer system	\$500
32	Improper or unauthorized release of non-County water to a sewer system	\$500
33(1)	Failure to report a spill	\$1000
33(3)	Failure to contain or clean up a spill	\$5000
36	Interfere with or obstruct the Chief Commissioner in performing duties	\$500
44(3)	Failure to comply with terms and conditions of a sewer disconnect	\$500

(S.46, Bylaw 59-2021, December 7, 2021)

Schedule "B"

Application of Wastewater Overstrength Surcharges

a) *Single Business, Multiple Sewers:*

Where the wastewater from premises is released through two or more sewer connection pipes and where there is no accurate measurement of the individual flows being released, the release that would produce the highest surcharge will be used to determine the overstrength surcharge on all releases.

b) *Multiple Businesses, Single Water & Sewer Service:*

Wastewater released through a single sewer connection pipe from a premises with two or more separate businesses serviced by a single sewer connection pipe will be considered as being released by the person responsible for the payment of the utility bill for that water meter.

c) *Multiple Businesses, Multiple Water Services & Single Sewer Service*

Wastewater released through a single sewer connection pipe from a premises with two or more separate businesses, each serviced by separately metered water services, will be considered as being released from each of the separate businesses, in proportion to the separate business' water consumption, unless it is shown to the satisfaction of the Chief Commissioner, by the owner of the premises, that:

- i. the portion of the wastewater that is overstrength is being released from only one of the businesses serviced by a separate metered water service on the premises; and
- ii. the release from that business can be monitored separately from the other businesses