

COPY

DISTRICT OF ELKFORD

BYLAW NO. 427

A BYLAW RESPECTING THE SANITARY SEWAGE SYSTEM OF THE DISTRICT OF ELKFORD

The Municipal Council of the District of Elkford, in open meeting assembled, enacts as follows:

- 1. This bylaw may be cited for all purposes as the "District of Elkford Sanitary Sewer Bylaw No. 427, 1992".
2. Bylaw No. 311 and all amendments thereto are hereby repealed.
3. Metric units are used for all measures in this bylaw.

INTERPRETATION

- 4. (1) In this bylaw, unless the context otherwise requires:
(a) "Clerk-Administrator" means the person appointed as such by the District of Elkford.
(b) "B.O.D.5 (denoting biochemical oxygen demand)" means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees Centigrade, expressed in milligrams per litre.
(c) "Building sewer service" means that portion of pipe from the District sewer service up to and including all portions of the sanitary sewage collection system within any given building.
(d) "Commercial" means all buildings and uses other than residential.
(e) "Council" means the Council of the District.
(f) "Customer" means the owner or occupier of real property in the District.
(g) "District" means the District of Elkford.
(h) "District sewer service" means that portion of the District sanitary sewage system consisting of the pipe between the District Sanitary sewer main and the connection with the Building sewer service.
(i) "Farm animal" means a domesticated animal normally raised for food, milk, or as a beast of burden, and without limiting the generality of the foregoing, includes cattle, horses, swine, sheep, goats, mules, donkeys, asses and oxen.
(j) "Garbage" means solid wastes from the preparation, cooking and dispensing of food or from the handling, storage and sale of produce.

- (k) "Industrial waste" means liquid wastes from industrial processes or operations.
 - (l) "Natural outlet" means any outlet into a water course, pond, ditch, lake or other body or surface or ground water.
 - (m) "Person" means an individual and includes a corporation, partnership or party and the legal representative to whom the context can apply according to law.
 - (n) "pH" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per litre of solution and denotes alkalinity or acidity.
 - (o) "Properly shredded garbage" means Garbage that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in the District sewer mains. In no case shall these particles be greater than 6 mm in any dimension.
 - (p) "Quarterly" means each successive period of three calendar months commencing January 1st of each year.
 - (q) "Residential" means all single family dwellings, duplexes, semi-detached or row housing and apartments.
 - (r) "Sanitary sewer main" means any sewer which carries sewage and to which storm, surface or ground waters are not intentionally admitted.
 - (s) "Sewer" means a pipe or conduit for carrying sewage.
 - (t) "Sewage or wastewater" means a combination of the water carried wastes from Residential and Commercial buildings, together with such ground water, surface and storm waters as may be present.
 - (u) "Sewage system" means the District Sanitary Sewer System established by this bylaw.
 - (v) "Sewage treatment plant" means any arrangement of devices and structures used for treating sewage.
 - (w) "Standard methods" means the methods and procedures set out in the latest edition of "Standard Methods for the Examination of Waste and Wastewater" published by the American Public Health Association, American Waterworks Association and the Water Pollution Control Federation.
 - (x) "Superintendent of Public Works" means the person appointed as such by the Council.
 - (y) "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.
- (2) If any section, subsection, sentence, clause, or phrase of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this bylaw.
5. The District sanitary sewage system is established and shall be under the control and inspection of the Clerk-Administrator.

SEWER RATES

6. Customers shall pay the rates for use of the District sewage system prescribed in Schedule "A" to this bylaw and in the manner required by this bylaw.
7.
 - (1) Sewer user rates for Residential Customers shall be billed annually and the bills included with the annual tax notice.
 - (2) Residential sewer user rate bills are due and payable on July 2nd in the year in which they are billed.
 - (3) Sewer user rate bills for Commercial Customers shall be billed Quarterly and bills shall be due and payable on the last day of the second month of the Quarterly period in which they are billed.
 - (4)
 - a) All sewer user rates bills payable by Commercial customers and due in any year shall bear simple interest at 2.5% calculated quarterly until paid or until the end of that year, whichever occurs first.
 - b) All sewer user rates bills payable by Residential Customers and due in any year shall bear simple interest at 10% per annum until paid or until the end of that year, whichever occurs first.
 - (5) Customers may prepay their total annual sewer user rates between January 1st and February 15th and shall receive a discount of one-half the prime lending rate of the District's banker in effect on the 15th day of December in the prior year.
 - (6) Non-receipt of a sewer rates bill will not exempt the Customer from liability for payment for the service he receives.
 - (7)
 - (a) Customers shall be liable to pay the rates for use of the District sewage system unless the service is discontinued pursuant to this bylaw.
 - (b) Any sewer service supplied for a portion of a month shall be charged as if it were a full month.
8.
 - (1) All sewer rates and charges which remain unpaid after the 31st day of December in any year shall be deemed to be taxes in arrears on the property concerned and shall promptly be entered as such on the tax roll by the collector.
 - (2) The Customer shall notify the District in writing when any changes or modifications are made to his premises that may affect his sewer user rates.
 - (3) The District shall bill and collect from the owner the appropriate rates, fees and charges from the time the changes or modifications to his premises were found to have first existed.
9. Interpretation of the sanitary sewer rates schedule is the responsibility of the Superintendent of Public Works Services, except that any Customer may appeal his bill to the Clerk-Administrator.

SEWER SERVICE CONNECTIONS

10. Application for District sewer service shall be made in writing to the District on the form provided for that purpose, giving the legal description or municipal address of the property to be served and all other information that may be required in order that the correct rates or charges can be applied.

11. (1) Upon receipt of the application, and provided the District Sanitary sewer mains are laid to within 20 m of the Customer's property, the District shall bring the District sewer service to the nearest boundary of the applicant's property.
- (2) The applicant shall pay in advance for a 100 mm diameter Residential service, the applicable fee prescribed in Schedule "A" attached to and forming part of this bylaw.
12. Where application for District sewer service has been made in accordance with this bylaw and no Sanitary sewer mains are within 20 m of the applicant's property, the applicant has the option to:
 - (a) at the discretion of the District, pay in advance the District's estimated cost of bringing the sewer service to the applicant's property boundary; or
 - (b) accept a refund of monies paid at time of the application.
13. Charges for District sanitary sewer service shall be made according to the District's estimated actual cost, when
 - (a) the size of the Building Sewer Service is larger than 100 mm in diameter, or
 - (b) regardless of size, the Building Sewer Service is to be used for other than a single family residential use.
14. The District shall in every case determine the location and size of Building sewer service pipe to be used, having first given due consideration to any specific requests by the Customer.
15. Where a specific size of Building sewer service is requested and where the District sewer service requires physical alteration to accommodate such service, the applicant has the option to:
 - (a) accept the size of District sewer service provided by the District;
 - (b) pay in advance the District's estimated cost of upgrading the District sewer service to meet the request; or
 - (c) accept a refund of sewer service application fees paid by the applicant.
16. No Person, except the duly authorized agents of the District, shall uncover, make connection to, use, alter or disturb any part of the District sanitary sewage system without the permission of the Superintendent of Public works.
17. (1) All Building sewer services shall be constructed and maintained by the Customer at his expense, to the requirements of this bylaw and those of the British Columbia Plumbing Code.
- (2) Permit applications for such construction must be made to the District Building Inspector on the appropriate form provided, supplemented by any plans, specifications or other information considered pertinent by the District Building Inspector.
18. The Customer shall be responsible for all costs occurring due to blockages in the Building sewer service and for clearing the blockages.
19. (1) An owner of a Residential or Commercial building which abuts on any highway or easement containing a District sanitary sewer main shall connect directly to that Sanitary sewer main at the owner's expense, in accordance with the British Columbia Plumbing Code and this bylaw, within thirty (30) days after notice from the Superintendent of Public Works to do so.

- (2) If the owner fails to connect his building to the District sanitary sewage system within the time specified in the notice, the Superintendent of Public Works shall make the connection or cause the connection to be made in accordance with this bylaw at the expense of the owner.
 - (3) The District may recover the costs incurred by it under Subsection (2) in accordance with Section 311 of the *Municipal Act*.
20. (1) When a Building sewer service is abandoned, the owner of the property on which it is located shall ensure that the connection to the District sewer service is effectively blocked at a location on the Building sewer service line.
- (2) If the owner fails to comply with subsection (1) within 30 days of written notice to do so given by the Superintendent of Public Works, the Superintendent shall cause the work to be done at the expense of the Customer and the cost shall be recovered in accordance with section 311 of the *Municipal Act*.

PRIVATE SEWAGE DISPOSAL

21. No Person shall construct or maintain on private land any septic tank, cesspool or other facility intended or used for the disposal of sewage without obtaining approval in writing from the Provincial Authority having jurisdiction and providing a copy of the approval to the District Building Inspector.
22. All Customers using private sewage disposal systems shall operate and maintain the systems in a sanitary manner at all times at their own expense.
23. When the District sanitary sewage system becomes available to property serviced by a private sewage disposal system, Section 19 of this bylaw shall apply and any septic tank, cesspool or similar facility shall then be abandoned and filled with sand or suitable material.
24. Nothing in this bylaw shall be construed to interfere with any additional requirements that may be required by a Provincial authority having jurisdiction over sewage disposal.

USE OF THE SEWAGE SYSTEM

25. No Person shall discharge sanitary sewage, Industrial waste, or other polluted waters into any Natural outlet.
26. No Person shall discharge or cause to be discharged any storm water, surface water, ground water or cooling water into the District sanitary sewage system except under exceptional conditions and with the written permission of the Superintendent of Public Works.
27. (1) No Person shall do anything to block nor cause or permit to be blocked, either wholly or in part, any portion of the District sanitary sewage system.
- (2) Where a breach of subsection (1) occurs, the person responsible shall, in addition to the penalties under Section 38, be liable to the District for all costs of clearing the blockage and for any other costs for which the District may be found liable as a result of the blockage.

INTERCEPTORS/TRAPS

28. (1) Grease, oil and sand interceptors shall be provided on private property by the Customer for all garages, gasoline service stations, and vehicles or equipment washing establishments.
- (2) Interceptors shall also be required for any Commercial development when, in the opinion of the Superintendent of Public Works, excessive amounts of grease, oil, flammable liquids, sand or other undesirable substances are being discharged into the District sanitary sewage system.
- (3) All interceptors shall be of a type and capacity approved by the Superintendent of Public Works and shall be readily accessible for cleaning or inspection.
- (4) The Customer shall be responsible at his expense for continuous and efficient operation of all interceptors.

EFFLUENT QUALITY

29. No Person shall discharge or cause or permit to be discharged any of the following into any portion of the District sanitary sewage system without obtaining a permit from the Superintendent of Public Works to do so:
- (a) sewage or Industrial waste in a volume greater than 3000 m³ per month;
- (b) liquid or vapour having a temperature higher than 50°C;
- (c) flammable or explosive material;
- (d) Garbage which is not properly shredded;
- (e) metal, plastic, wood or other solid or viscous substance capable of causing obstruction or interference with the proper operation of the District sanitary sewage collection system or treatment process;
- (f) excrement from Farm animals;
- (g) waste material from the processing of any animal or portions thereof;
- (h) noxious or malodorous gas or substance capable of creating a public nuisance;
- (i) sewage or Industrial waste having a pH limit less than 6.0 or greater than 9.5;

- (j) sewage or Industrial waste containing any of the following materials in excess of the indicated concentrations:

B.O.D. ₅	300 mg/1
Suspended solids	400 mg/1
Total sulphide expressed as H ₂	5 mg/1
Phenolic compounds	2 mg/1
Oil and grease	50 mg/1
Total cyanide expressed as HCN	0.2 mg/1
Total copper, expressed as Cu	1.0 mg/1
Total chromium, expressed as Cr	1.0 mg/1
Total nickel, expressed as Ni	1.0 mg/1
Total lead, expressed as Pb	1.0 mg/1
Total zinc, expressed as Zn	1.0 mg/1
Total cadmium, expressed as Cd	1.0 mg/1
Total phosphorus, expressed as P	8.0 mg/1

PERMIT APPLICATION

30. A Person who is required by this bylaw to obtain a permit, shall make a request in writing and shall not discharge any effluent into the District sanitary sewage system until written approval is granted by the District.
31. Each permit application shall contain the chemical and physical analysis information related to the quantity and rate of discharge and proposed pretreatment of effluent or any other detailed information the Superintendent of Public Works may require.
32. No Person shall fail to obtain a permit, where required to do so by this bylaw.

CONDITIONS OF PERMIT

33. When required by the Superintendent of Public Works, any Person required to obtain a permit shall at his expense, install and maintain a control structure connected to allow observation, sampling and measurement of the sewage or wastewater which is suitable to the Superintendent of Public Works and is at all times safe and accessible to authorized District personnel.
34. (1) Any measurements, tests or analyses of sewage or Industrial waste which are required under this bylaw shall be determined in accordance with standard methods.
- (2) All samples for testing shall be taken from the control structure provided for that purpose or, where no structure exists, the nearest downstream manhole in the District sanitary sewage system shall be deemed to be the control structure.
35. (1) A Person making application for a permit shall, at his expense, provide pretreatment facilities that may be necessary to make the sewage or Industrial waste acceptable to the standards prescribed by this bylaw.
- (2) Where pretreatment facilities are provided, they shall be maintained continuously in a satisfactory and effective manner by the applicant at no expense to the District.
36. Where no pretreatment can be provided and the Superintendent of Public Works approves, the District and the Customer may agree in writing that Industrial waste of an unusual strength or nature may be accepted by the District for treatment subject to payment by the Customer for this service.

AUTHORITIES

37. (1) The Superintendent of Public Works or Persons authorized by him may enter upon any property in the District to ascertain whether the regulations or directions in this bylaw are being observed.

OFFENCE AND PENALTY

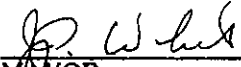
38. (1) A Person who contravenes this bylaw commits an offence and is punishable in accordance with the *Offence Act*.
- (2) Each day that an offence continues constitutes a separate offence.

READ A FIRST TIME the 17th day of January, 1992.

READ A SECOND TIME the 17th day of January, 1992.

READ A THIRD TIME the 23rd day of March, 1992.

RECONSIDERED AND ADOPTED the 13th day of April, 1992.



MAYOR



CLERK-ADMINISTRATOR

CERTIFICATION:

I HEREBY CERTIFY the foregoing to be a true and correct copy of Bylaw No. 427 cited as "District of Elkford Sanitary Sewer Bylaw No. 427, 1992" as read a fourth time and finally adopted by Council on the 13th day of April, 1992.

DATED at Elkford, British Columbia this 4th day of MAY, 1992.



CLERK-ADMINISTRATOR

DISTRICT OF ELKFORD

BYLAW No. 690

A Bylaw to Amend District of Elkford Sanitary Sewer Bylaw No. 427, 1992

The Council of the District of Elkford, in open meeting assembled, enacts as follows:

Citation

1. This Bylaw may be cited for all purposes as the "District of Elkford Sanitary Sewer Amendment Bylaw No. 690, 2007".

Sewer User Rates Amendment

2. Schedule "A" of Bylaw No. 427 is hereby deleted and Schedule "A" attached hereto is substituted.

Balance of Bylaw No. 427

3. The balance of Bylaw No. 427, cited as the "District of Elkford Sanitary Sewer Bylaw No. 427, 1992" not amended by this bylaw, shall remain in full force and effect.

Effective Date

4. This bylaw to take effect January 1, 2008.

Read a first time this 26th day of November 2007.

Read a second time this 26th day of November 2007.

Read a third time this 26th day of November 2007.

Adopted this 10th day of December 2007.

Original signed

Mayor D. McKerracher

Original signed

Norma Everett

Director of Corporate Services

**DISTRICT OF ELKFORD
 BYLAW NO. 690
 SCHEDULE 'A'
 SEWER USER RATES
 Effective January 1, 2008**

Class of User of Customer

Residential: Annual Rate

Single family dwelling, duplexes (per unit), mobile homes, town houses (per unit), apartments (per unit), strata condominiums (per unit), mobile home parks (per lot) \$125.00

Rooming houses and camp facilities (per unit) \$ 96.00

Commercial Light Use: Quarterly Rate

Auto dealers, banks, building supply outlets, government offices, hardware stores, liquor stores, general offices, churches, community halls, union halls, florists, greenhouses, machine shops, general offices, retail outlets not included in above \$ 31.50

Commercial Medium Use:

Bakeries, barber shops, beauty parlours, bowling alleys, butcher shops, commissaries, dentist offices, industrial garages, licensed lounges, medical clinic, pool halls, service stations, theatres, tire shops, other retail outlets not included in the above \$48.00

Commercial Heavy Use:

Beer parlours, car washes (per bay), discotheques, supermarkets \$131.75

Commercial Other:

Clubs (private/licenced), dry cleaners, laundries, laundromats \$ 62.50

Motels and Hotels (per room) \$ 24.00

Cafes, restaurants, camp kitchens:
 • under 75 seats/per seat \$ 3.00
 • over 75 seats/per seat \$ 1.80

Swimming pools (private) \$ 10.50

Schools (per room) \$ 31.25

Where two or more uses are made of a single property or building, multiples or combinations of the user rates shall apply.

Home occupation users will be charged a commercial user rate should the sewer service be specifically required in their operation.

Connection and Other Charges

For each 100 mm Residential/Commercial sewer connection installed to the sewer main and payable at the time of the Building Permit Application	\$133.00 each
For each sewer service larger than 100 mm installed to the sewer main and payable at the time of the Building Permit Application	\$200.00 each
To seal off an abandoned service connection	\$100.00 each
To discontinue sewer service	\$100.00 each