

VILLAGE OF MCADAM

BY – LAW NO. 29

A BY – LAW RESPECTING THE
SANITARY SEWARGE SYSTEM AND SEPTIC TANKS

PASSED: APRIL 18, 1974

Whereas the Village is empowered to provide sewage services to the residents of the Village of McAdam is empowered by Section 188 (14) (a) of the Municipalities Act, 1966, as amended, to compel the owners of buildings to connect up with a sanitary sewage system so provided;

And whereas a sanitary sewage system is provided in certain areas of the Village.

(Mayor)

THEREFORE be it enacted by the Mayor and Councillors
Of the Village of McAdam as follows:

1. In this By – Law

- (a) “branch sewer” means a sewer pipe leading to a sewer main;
- (b) “committee” means the public works and sanitation committee of council;
- (c) “owner” means the person in whose name a property is assessed under the Assessment Act;
- (d) “sanitary sewage system” means a system of two or more interconnected sewer mains having one or more common discharge outlets and includes necessary pumping plants, force mains, siphons, other like works, treatment works and sewerage disposal plants;

SANITARY SEWER SYSTEM

- 2. (1) Where a sanitary sewer system is made available by the Village in any area of the Village, the owner of premises situate upon land abutting a street or public place where there is a sewer main shall install in the premises connections with the sewer main and any apparatus and appliances required to ensure the proper sanitary conditions of the premises to the satisfaction of the Council.
- (2) Without limiting the generality of Subsection (1) an owner shall, at his expense, install a “back-up valve” or similar apparatus in the connection of the premises to the sewage line necessary to insure the proper functioning of the sewage connection and to prevent flooding, and such back-up valve or similar apparatus shall be of a type and quality and installed in a manner satisfactory to the Council.

- (3) No person shall connect any premises with the sewer system unless the premises are supplied with running water sufficient at all times to ensure the proper functioning of the sewage connection.
3. (1) A branch sewer shall
 - (a) be constructed only of the material,
 - (b) be of the dimensions and the specifications, and
 - (c) be laid at the grade and in the manner, directed by the Council.
- (2) A branch sewer shall be constructed and premises connected to a sewer main in the period between the first day of May and the 15th day of October each year and not at any other time.
4. (1) No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof run off, or cellar drainage into any sanitary sewer system.
- (2) Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet.
5. No person shall connect a branch sewer servicing a manufacturing or industrial plant with a sewer main unless the owner thereof has met any special requirements of the Council.
6. (1) Before the construction or replacement of a branch sewer and connecting it with a sewer main, the owner of any premises shall;
 - (a) file an application for a branch sewer in Form A with Clerk, and
 - (b) deposit with the Clerk the sum of \$20.00 to be applied to the cost of installing or replacing a branch sewer and connecting it with a sewer main.
- (2) The amount deposited under subsection (1) shall be credited to the cost of the work and where the cost exceeds the deposit the owner shall pay the difference to the Clerk before the branch sewer is used.
- (3) When filing an application under subsection (1), the owner shall pay to the Clerk the sewer rental for the current year.
7. No person shall be entitled to damages or to a refund of any payment for stoppage or interruption of the sanitary sewer system or any branch sewer caused by accident, frost or for the purpose of making additions or repairs thereto or for any purpose which in the opinion of the Council is necessary or desirable, nor for failure of an owner to install a back-up valve or similar apparatus as required by subsection (2) of section 2.
8. The Council or any person authorized by it may at any reasonable hour enter any premises for the purpose of executing duties respecting maintenance or repair of the sanitary sewer system.
9. No person shall make or cause to be made and extension or addition to the sanitary sewage system without the consent of Council.
10. Branch sewers and sewer mains shall be placed at a sufficient depth within the ground or otherwise sufficiently secured to assure that they are protected from frost under ordinary conditions to the satisfaction of the Council.
11. (1) Where the owner of property fails to install a connection with the sanitary sewage system or fails to install a back-up valve or similar apparatus when required to do so or both or otherwise fails to connect a building with the sanitary sewage system, the Council where it is deemed necessary or desirable to the maintenance of healthful and sanitary conditions in the Village or to the proper functioning of the sewage connection or to prevent flooding, may by resolution instruct the Clerk to serve a notice upon such owner requiring him to comply with the provisions of section 2 hereof.
12. The notice provided for in Section 11 may be served:
 - (i) By personal service upon the person named therein; or
 - (ii) By registered mail addressed to the person named therein; or

- (iii) By being posted in a conspicuous place on the premises if service cannot be reasonably effected under Clause (i) or (ii).

SEPTIC TANKS

- 13. (1) Where a building is situate on land not served by the sanitary sewer system as provided in subsection (1) of section 2 the owner of the property shall install and connect the building with a septic tank and such apparatus and appliances as may be required to insure the proper sanitary conditions of the building and premises and shall maintain the same in compliance with the applicable provisions of the **Health Act** and Regulations thereunder.
- (2) Where an owner fails to comply with subsection (1) the Council, if it is deemed necessary or desirable to the maintenance of healthful and sanitary conditions in the Village, may by resolution instruct the Clerk to serve a notice upon such owner requiring him to comply with subsection (1).
- (3) Such notice shall specify what is to be done by the owner and the time in which it is to be done, provided that the owner shall not be given more than fifteen (15) days to comply with subsection (1).
- (4) Any notice given pursuant to subsection (2) may be served in the manner provided in section 12.
- 14. (1) Before a septic tank is installed or connected to a building the owner shall file with the Clerk and application for and obtain a Septic Tank permit in Form B.
- (2) A Septic Tank Permit shall not be granted unless the Council is satisfied that the septic tank and related facilities and apparatus will comply with all applicable provisions of the **Health Act** and Regulations thereunder.
- 15. Where an owner fails to comply with a notice given pursuant to subsection (3) of section 13 the Council may install, replace or repair a septic tank and connect the building therewith at the owner's expense.
- 16. (1) Where a Septic Tank Permit has been granted to an owner the Council may, at the owner's request and expense, supply, install, connect, or replace a septic tank or provide any service or assistance in connection therewith.
- (2) Before the Council provides any septic tank, material or service pursuant to subsection (1) the owner shall deposit with the Clerk an amount equal to the estimated cost thereof.
- (3) The amount deposited under subsection (2) shall be credited to the cost of the work and where the cost exceeds the deposit the owner shall pay the difference to the Clerk before the septic tank is used and where the deposit exceeds the cost of the work, the surplus shall be refunded to the owner by the Clerk.
- (4) Nothing in this section shall obligate the council to do or cause anything to be done or to supply any septic tank, material, service or assistance and in no event shall the Council be required to do or cause anything to be done pursuant to this section on less than fifteen (15) days notice nor at anytime other than between the first day of May and the 15th day of October in any year.
- 17. Section 13 hereof notwithstanding, where a sewage disposal system other than a septic tank is permitted pursuant to the provisions of the **Health Act** and Regulations thereunder, and owner may install or construct such sewage disposal system provided he has obtained all necessary consents, approvals, or permits required by the said Act and Regulations and files and obtains the permission of the Council.

GENERAL

18. The Public Works and Sanitation Committee of the Village, or person duly authorized by the Council, may act in the place and stead of the Council and has the powers of the Council to do all things herein provided for where the Committee or such other person has been duly authorized by a resolution of the Council to so act.
19. No person shall discharge or cause to be discharged any of the following described waters or wastes into any sanitary sewer system or other public sewer:
 - (a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
 - (b) Any water wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any other sewage treatment, process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.
 - (c) Any waters or wastes having a corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
 - (d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works.
20. A person who has been served with a notice given pursuant to this by – law and who fails to comply with the terms thereof or violates any provision of the by – law is guilty of an offence and liable, upon summary conviction, to a fine of not less than Twenty-five Dollars (\$25.00) and not more than Two Hundred Dollars (\$200.00).
21. By-law No. 19 entitled “A By-Law To Amend By – Law No. 17 Respecting Sanitary Sewage Connection” is hereby repealed.

Read first time: April 4, 1974

Read second time: April 4, 1974

Read third time &
Enacted: April 18, 1974

Original signed by the Village Clerk

Marjorie O’Keefe