

BYLAW 1809-99

Town of Stettler in the Province of Alberta

Being a Bylaw of the Town of Stettler regulating the use of sewers owned and operated within and beyond the Town of Stettler Corporate Limits.

WHEREAS it is deemed expedient and proper pursuant to the Municipal Government Act being Chapter M-26-1 of the Revised Statutes of Alberta, 1994, and amendments thereto, that the Council shall issue a Bylaw to regulate the use of sewers owned and operated by the Town.

NOW THEREFORE the Municipal Council of the Corporation of the Town of Stettler in the Province of Alberta duly assembled enacts as follows:

1. This Bylaw may be cited as "The Sewer Service Bylaw"
2. In this Bylaw, unless the context otherwise requires:
 - (a) "**Biochemical Oxygen Demand**" means the quality of oxygen utilized in the biochemical oxidation of matter within one hundred and twenty hour period at a temperature of twenty degrees centigrade as determined in procedures set forth in Standard Methods;
 - (b) "**Billing Period**" means a period of one (1) calendar month established from time to time or at any time by the Town;
 - (c) "**Town**" means the Corporation of the Town of Stettler or the area contained within the boundaries thereof, as the context requires;
 - (d) "**Chief Administrative Officer (C.A.O.)**" means that person appointed by bylaw to the position and title of Town Manager by the Town Council of the Town of Stettler and includes, except for Clause 26 of this Bylaw, any person appointed by the C.A.O. in writing to act as his appointee;
 - (e) "**Commercial or Industrial Premises**" means premises principally used or proposed to be used for the conduct of some profession, business, trade, industry, occupation, employment or undertaking and includes for the purpose of this Bylaw premises from which goods and services are provided and any building or premises which is not a dwelling unit as defined in the Town of Stettler Land Use Bylaw, or the premises connected therewith;
 - (f) "**Council**" means the Town of Stettler Municipal Council;
 - (g) "**Grease**" means an organic substance that can be extracted from aqueous solution or suspension by hexane solvent and includes, but not limited to, hydrocarbons, esters, oils, fats, waxes and high molecular fatty acids;
 - (h) "**Interceptor**" means a receptacle approved by the Town and designed to prevent oil, grease, sand or other matter from passing from the source thereof into the sewage system;
 - (i) "**pH**" means the measure of the intensity of the acid or alkaline condition of a solution determined by the hydrogen ion concentration of the solution in accordance with Standard Methods;
 - (j) "**Premises**" means land or building or both or a part thereof occupied or used for any purpose;
 - (k) "**Provincial Regulations**" means the requirement and provisions of the Province of Alberta contained in any Provincial Statute or in any regulation or order made pursuant to the authority or any statute of Alberta;
 - (l) "**Septic Tank Sludge**" means any material containing in whole or in part human or animal bodily waste, or both, released or discharged from any premises;
 - (m) "**Sewage**" means a solution or combination of water carried waste, including septic tank sludge, or water contaminant, or both, discharged or released from any premises;
 - (n) "**Sewerage System**" means all pipes, mains, equipment, building and structures for collecting, pumping or treatment of sewage and operated by the Town, but does not include a storm sewer;
 - (o) "**Sewer Service Surcharge**" means the additional charge levied for sewage content exceeding guidelines in accordance with this Bylaw, Section 17;

- (p) **"Standard Methods"** means the analytical and examination procedures provided in the current edition published jointly by the American Health Association and the American Water Works Association or any publication by or under the authority of the Canadian Standards Association deemed appropriate by the Town;
- (q) **"Storm Sewer"** means a sewer and all related structures designed exclusively for storm water drainage;
- (r) **"Storm Water"** means water that is accumulated as a result of atmospheric disturbance;
- (s) **"Street"** means a public thoroughfare within the Town and includes, where the context so allows, the sidewalks and borders of the streets and all lands appearing in the Land Titles Office as set aside for a public thoroughfare; when used in distinction to a lane, it means the public thoroughfare on which the premises in question front;
- (t) **"Suspended Solids"** means solid matter that can be removed by filtration through a standard glass fibre filter as provided in Standard Methods;
- (u) **"Waste"** means any material discharged into the sewer system;
- (v) **"Water Contamination"** means any solid, liquid or gas, or a combination of any of them, in water;
- (w) **"Water Course"** means
 - (i) the bed and shore of a river, stream, lake, creek, lagoon, swamp, marsh or other natural or man made body of water, or
 - (ii) a channel, ditch, reservoir or other man made surface feature; whether it contains or conveys water continuously or intermittently.
- (x) **"Paunch Manure"** means partly digested food from the stomach of a ruminant animal.

COMPLIANCE WITH OTHER LAWS

- 3. Nothing in this Bylaw relieves any person from complying with any provision of any Federal, Provincial legislation or any other bylaw of the Town.

DISPOSAL OF WASTE

- 4. Except as otherwise provided in this Bylaw, no person shall discharge into any water course any sewage or waste.
- 4.1 Except as otherwise provided in this Bylaw, no person shall discharge sewage onto any Public or Private lands within the Corporate Limits of Town of Stettler.

STORM DRAINAGE

- 5. (a) Except as otherwise provided herein, no person shall direct, allow or suffer any storm water to be placed in the sewerage system.
- (b) Where storm water on any land is directed into or connected to the sewerage system, the Owner of that land shall forthwith, upon being so directed by the Town, disconnect the storm water drainage connection from the sewerage system and connect it in a manner satisfactory to the C.A.O. to the Town's storm sewer system, if available, or shall dispose of the storm water drainage in a manner satisfactory to the C.A.O..
- (c) No person shall discharge, release or cause to be placed, any substance other than storm water into a storm sewer.

PROHIBITED MATERIALS

- 6. Except as otherwise provided in this Bylaw, no person shall release, discharge, suffer or allow the following sewage or waste to enter into the sewerage system;
 - (a) Any inflammable or explosive material;
 - (b) A solvent or petroleum derivative including but not limited to gasoline, benzine, naphtha or fuel oil;
 - (c) Carbon bisulphide, hydrogen sulphide, ammonia, trichloroethylene, sulphur dioxide, or formaldehyde.
 - (d) Any pesticides or herbicides;

- (e) Any corrosive, noxious or malodorous material or substance which, either by itself or by reaction with other wastes is capable of:
 - (i) causing damage to the sewerage system, or
 - (ii) creating a public nuisance or hazard, or
 - (iii) preventing any person entering the sewers for the purpose of maintenance or repair;
- (f) Waste which, either by itself or upon the reaction with other materials becomes highly colored;
- (g) Water containing waste from oil or petroleum.
- (h) Water containing the following materials in excess of the following concentrations:

Cyanide	3 milligrams per litre
Copper	3 milligrams per litre
Chromium	3 milligrams per litre
Nickel	3 milligrams per litre
Lead	1 milligrams per litre
Cadmium	1 milligrams per litre
Zinc	3 milligrams per litre
Phenol Compounds	0.1 milligrams per litre
Sulphides	3 milligrams per litre
Mercury	0.01 milligrams per litre
- (i) Sewage having a pH rating less than 5.5 or greater than 10.0;
- (j) Any paunch manure, intestinal contents from horses, cows, sheep, swine, or any fish or animal, grease or oil, pigs' hooves or toenails, any stomach casings, fish scales, bones, hog bristles, hides or parts thereof, manure, poultry entrails, heads, feet or feathers, fleshings and hair resulting from hide processing operations;
- (k) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, tar, plastic or wood;
- (l) Sewage containing a radioactive substance;
- (m) Sewage having a temperature in excess of seventy seven degrees Celsius (170.6 degrees Fahrenheit);
- (n) Grit removed from commercial or industrial premises including but not limited to grit removed from car washing establishments, automobile garages and restaurant sump or from interceptors;
- (o) Any corrosive or toxic sewage or other wastes which could adversely affect the sewerage system;
- (p) Sewage which will create tastes or odours in drinking water supplies making such water unpalatable after conventional water purification treatment.
- (q) Any other solids, liquid or gas, or a combination of any of them which could, as determined by the Town, adversely affect the sewerage system.

SEPTIC TANK SLUDGE

- 7.(a) No person shall discharge septic tank sludge into the sewerage system without first obtaining a Permit to do so from the C.A.O. and paying the fee provided in accordance with Schedule "A" hereof.
- (b) No person shall discharge septic tank sludge into the sewerage system in contravention to the Permit obtained for such discharge or in contravention of a written notice from the C.A.O.
- (c) All equipment being used, in the discharge of septic tank sludge; must not be used for hauling crude oil, oily waste, chemical waste or any other material that is contrary to this by-law.
- (d) Equipment being used must be available for inspection by an authorized representative of the Town.

PRIVATE SEWAGE DISPOSAL

8. (a) No person shall construct or maintain on private land any tank cesspool, septic tank, cesspool or other facility intended or used for the disposal of sewage without approval in writing from the Provincial Authority having jurisdiction and providing a copy of same to the designated Safety Codes Officer for this area.
- (b) All owners of premises using private sewage disposal systems shall operate and maintain such facilities in a sanitary manner at all times and at their own expense.
- (c) At such times as the Town's sewerage system is installed in any street, lane or other lands abutting property upon which a building is located and such property is not connected to the Town's sewerage system or is serviced by a private sewerage disposal system, the Owner shall connect the building to the Town's sewerage system at the Owner's sole cost and expense, in accordance with the standards of connection determined by the C.A.O. from time to time and within thirty (30) calendar days of notice from the C.A.O.
- (d) If the Owner of property abutting a street, lane or other property within which the Town's sewerage system is installed fails to connect any building on the land to the Town's sewerage system in the manner described in Section 8(c) of this Bylaw, then the C.A.O. may authorize employees or agents of the Town to enter upon such land and construct and install such connections as may be required at the Owner's sole cost and expense, upon failure of the Owner to pay the cost upon demand, such cost shall be placed on the tax roll as an additional tax against the parcel of land concerned and that amount shall be collected in the same manner as taxes on the parcel of land.
- (e) Upon the Owner of any property connecting any building to the Town's sewerage system, such Owner shall abandon any private sewage disposal system in accordance with this bylaw.
- (f) A written plan of abandonment of the private sewerage system shall be submitted to the C.A.O. for approval and upon approval of such plan, with or without modifications as may be required by the C.A.O., the private sewage system shall be abandoned within thirty (30) days in accordance with the written plan.
- (g) If the Owner of a property fails to abandon the private sewage system in accordance with a plan approved by the C.A.O. within sixty (60) days of the connection of the land to the Town's sewerage system, the C.A.O. may authorize employees or agents of the Town to enter upon said land and cause the work required to abandon the private sewage system to be completed and the total cost of such work billed to the Owner. Upon failure of the Owner to pay the cost upon demand, such cost shall be placed on the tax roll as an additional tax against the parcel of land concerned and that amount shall be collected in the same manner as taxes on the parcel of land.

SEWAGE FROM INDUSTRIAL & COMMERCIAL PREMISES

9. (a) Where the owner or occupier of a commercial or industrial premises is connecting those premises to the sewerage system a written application shall be made to the C.A.O. indicating the type of sewerage to be discharged from the premises. Depending on the type of sewerage the C.A.O. may require a report from a professional engineer which shall be furnished at the owner's or occupier's expense.
- (b) Where the owner or occupier of a commercial or industrial premises wishes to expand the commercial or industrial activities so that the quantity, biochemical oxygen demand, suspended solids concentration or grease concentration of the sewage exceeds the limitations as stated in Section 13, such owner or occupier shall supply the C.A.O. with the plans and reports certified by a professional engineer indicating:
 - i) The proposed expansion or utility,
 - ii) The daily volumes and peak discharges,
 - iii) The anticipated biochemical oxygen demand,
 - iv) The amount of suspended solids or grease,
 - v) The type of waste to be processed or discharged,
 - vi) The pH factor and temperature of the sewerage
 - vii) The proposed pretreatment interceptors, flow equalizing or mixing facilities,
 - viii) The location of sampling manholes and/or monitoring equipment,
 - ix) Any other information deemed necessary by the C.A.O.
- (c) The C.A.O., upon receiving a written application for connection or expansion of a commercial or industrial premises to the sewerage system will issue written approval with or without conditions for the connection or expansion to proceed.
- (d) No connection to the sewerage system shall be made and no sewerage described in this section shall be discharged without the written approval of the C.A.O.

TEST MANHOLES

10. (a) An owner or occupier of any premises upon which industrial or commercial activity is carried on and which discharges into the sewerage system sewerage which has or may have high concentrations of biochemical oxygen demand or suspended solids or grease shall be required to construct, at their expense, a test manhole upon the street or other location satisfactory to the C.A.O.
- (b) Where there is no test manhole provided for testing the sewage from industrial or commercial premises which are presently connected to the sewage system, the C.A.O. may, by notice in writing, require the occupier of such premises to deposit with the C.A.O., a sufficient amount of monies to cover the cost of constructing such a test manhole and on receipt of said notice, the owner shall pay the said amount to the Town.
- (c) Where the owner neglects or refuses to pay the above noted costs within thirty (30) days of billing, such cost shall be placed on the tax roll as an additional tax against the parcel of land concerned and that amount shall be collected in the same manner as taxes on the parcel of land.

INTERCEPTORS

11. (a) An Owner or Occupier of any premises upon which industrial or commercial activity is carried on and which discharges into the sewerage system sewage containing oil, grit, grease, sand or inflammable material shall provide an interceptor on the property in the location directed by the C.A.O.
- (b) The Owner or Occupier of the premises described in Subsection (a) shall:
 - (i) keep the interceptor in good working condition at all times;
 - (ii) empty the sump portion of the interceptor often enough so that it does not become overloaded.
 - (iii) permit a person authorized by the C.A.O. to enter upon the premises and to have free and unimpaired access to those parts of the premises necessary for the purpose of the inspection, observation, measurement, sampling or testing of the interceptor.
- (c) Interceptors must comply with the National Plumbing Code of Canada, Reference Article 2.3.2 and 4.4.3.

VOLUME CONTROL

12. (a) Where sewage is discharged into the sewerage system in volumes which in the opinion of the C.A.O. are highly variable or unusual, the Owner or Occupier of the premises from which the sewage is being discharged shall take such steps as are required by the C.A.O. to equalize the discharge into the sewerage system.
- (b) Such pretreatment or flow equalization equipment shall be maintained continuously by the Owner or Occupier of such premises in a manner satisfactory to the C.A.O. in accordance with Provincial Regulations governing pretreatment and flow equalization equipment.

SEWAGE STRENGTH LIMITATION

13. (a) Except as otherwise provided in Subsection (b) hereof, no person shall cause or allow to be discharged into the sewerage system sewage which:
 - (i) Has a biochemical oxygen demand greater than 1200 milligrams per litre, or
 - (ii) contains suspended solids in excess of 1200 milligrams per litre, or
 - (iii) has a grease content greater than 450 milligrams per litre.
- (b) Where the sewage is not such that it can damage the sewerage system, it may upon written approval by the C.A.O. be allowed to enter the sewerage system, notwithstanding Subsection (a) hereof if the sewage is subject to being tested as hereinafter provided and a sewer service surcharge is imposed and paid in respect thereof.

MONITORING EQUIPMENT

14. (a) Where, in the opinion of the C.A.O., any source of sewage connected to the sewerage system, which is likely to produce sewage not in compliance with this Bylaw, the C.A.O. may order the testing of the characteristics and concentrations of the sewage being discharged and maintain a record of each such analysis.
- (b) Should any testing of sewage as described in Subsection (a) hereof, disclose that the sewage is not in compliance with this Bylaw, the C.A.O. may, in addition to any other provision of this Bylaw, direct the Owner to comply with the Bylaw and may direct the Owner at his expense to install such monitoring equipment as the C.A.O. deems necessary and supply the results of such monitoring to the C.A.O. monthly.

TESTING OF SEWAGE

15. Should testing of the sewage being discharged into the sewerage system be required for the purpose of determining the sewer service surcharge, testing shall be conducted in accordance with one of the methods hereinafter described or by mechanical sampling devices.

Sampling & Analysis Method No. 1

- (a) samples from effluent produced at a location will be collected each day for a minimum of two days in the week during which the test is conducted;
- (b) Four grab samples of equal volume shall be taken each day, such samples to be taken at least one hour apart;
- (c) tests and analysis shall be conducted by an independent registered laboratory on the composite sample made of each day's grab sample;
- (d) the final results of these tests shall be averaged for this period to determine the characteristics and concentration of the effluent being discharged into the Town's sewerage system.

Sampling & Analysis Method No. 2

- (a) a minimum of seven (7) day grab samples shall be taken, one each day at different days in any thirty (30) day period;
- (b) tests and analysis shall be conducted separately on each day's grab sample;
- (c) the final results of these tests shall be averaged for this period to determine the characteristics and concentration of the sewage being discharged into the Town's sewerage system.
- (d) the method of testing shall be determined by the C.A.O. at their discretion.

TESTING

16. (a) The C.A.O. may from time to time, order the conducting of tests as described above and/or collect samples for testing at the test manhole or, where there is no test manhole located on the premises, at a place satisfactory to test the sewage being discharged. The C.A.O. may direct that employees or agents of the Town enter upon the premises from which the sewage originates and conduct the tests as deemed necessary.
- (b) Any test ordered by the C.A.O. may be used to determine whether or not a surcharge is to be imposed.
- (c) Where a common sewer service pipe connects different industrial or commercial premises, or both, only one test manhole is maintained pursuant to this Bylaw for observation, sampling and measurement of all the contents discharged from the common service pipe to the sewerage system, the results of tests made at such manhole shall be used to determine a sewer service surcharge, and to ensure compliance of sewage strengths and materials in accordance with this Bylaw.

SEWER SERVICE SURCHARGE

17. (a) When tests carried out pursuant to this Bylaw show that the sewage from any commercial or industrial premises has:
- (i) a biochemical oxygen demand greater than three hundred (300) but less than 1,200 milligrams per litre, or

- (ii) suspended solids in excess of three hundred (300) but less than 1,200 milligrams per litre,
or
- (iii) has a grease content greater than one hundred (100) but less than 450 milligrams per litre,

then the Owner or Occupier of the premises shall be subject to a surcharge.

- (b) The sewer service surcharge shall be determined in cents per one thousand imperial gallons or cents per cubic meter of sewage discharged into the sewerage system and shall be levied in accordance with the formula set out in Subsection 16 (c).
- (c) The formula for determining the surcharge to be levied is: $R=0.33B$ plus $0.368S$ plus $0.378G$ where "R" means rate in cents per thousand imperial gallons; or

$R=0.0726B$ plus $0.0808S$ plus $0.0832G$ where "R" means rate in cents per cubic meter.

"B" means the amount of milligrams per litre by which the biochemical oxygen demand of the sewage tested exceeds three hundred milligrams per litre; and

"S" means the amount of milligrams per litre by which the suspended solids of the sewage exceeds three hundred milligrams per litre; and

"G" means the amount expressed in milligrams per litre by which the grease content of the sewage tested exceeds one hundred milligrams per litre.

The formula used (being either metric or imperial measurement) shall be determined by the C.A.O.

- (d) For the purpose of establishing the surcharge on a bi-monthly basis, the rate established by Subsection 16(c) shall be multiplied by the number of gallons or cubic metres of the water consumed for the two month billing period on the commercial or industrial premises determined on the same basis as that used for setting the sewer service charge.

BILLING FOR AND PAYMENT OF SEWER SERVICE SURCHARGE

- 18. (a) Where a surcharge rate has been established pursuant to Section 17, it shall remain in effect for a minimum period of six (6) months.
- (b) Where, as provided in Subsection (c) of Section 16, the concentration of the sewage discharge into the Town sewer is determined from a common manhole where the sewage is a combination of that discharged from several premises served by separate water service lines, then the sewer service surcharge rate so determined shall be applied to the utility bills of each separate premises on the same basis as that used for setting the individual sewer service charge.
- (c) Where the sewer service surcharge is levied, the Town shall show the sewer service surcharge as a separate item on the utility bill and the sewer service surcharge shall form part of, and be payable to the Town at the same time as the utility bill.

PROVISION OF SEWAGE TREATMENT

- 19. Where sewage discharged into the sewerage system may be deleterious to the sewerage system, the C.A.O. may, by notice in writing, require the Owner or Occupier of the premises to construct and maintain such sewage treatment facilities as required to reduce the biochemical oxygen demand and suspended solids and grease concentration to levels within the limits of this Bylaw, and the Owner and Occupier shall forthwith comply with these requirements at their expense.

ACCEPTANCE OF EXCESSIVE STRENGTH SEWAGE

- 20. Notwithstanding the provisions of this Bylaw, the C.A.O. may allow an Owner or Occupier of premises to discharge into the sewerage system, sewage that does not comply with this Bylaw provided that the Owner or Occupier undertakes to pay the Town such surcharge as the C.A.O. deems necessary to cover the additional cost of treatment or such additional cost as may result from said discharge.

INSPECTION

21. (a) The Owner or Occupier of premises connected to the sewerage system shall permit a person authorized by the C.A.O. to enter upon the premises and to have free and unimpaired access to those parts of the premises necessary for the purpose of the inspection, observation, measurement, sampling or testing of sewage or storm drainage.
- (b) If such inspection discloses any act or omission contrary to the provisions of this Bylaw, or the inspection discloses any defect or insufficiency in the location, construction, design or maintenance of any equipment in connection with the sewage discharge, the C.A.O. may direct the Owner or Occupier of the premises to correct the act or omission or any defect or insufficiency, and the Owner or Occupier shall forthwith comply with such direction.
- (c) Notwithstanding any direction in accordance with Subsection (b) of this Section, a person to whom the direction is given may also be prosecuted for a contravention or failure to comply with the provisions of this Bylaw.
- (d) The C.A.O. or his/her designate, is hereby authorized to make the inspections provided for in this Section 20.

SEWER SERVICE CONNECTION

22. (a) Application for connection to Town sewerage system shall be made in writing on a form approved by the C.A.O. upon providing all other information that may be required by the C.A.O. in order that the correct rates, rents or tolls can be determined and applied.
- (b) Upon approval of the application the Town will install a sanitary service line from the sewer main to the applicant's property line, the Town will permit the applicant to connect to the service line in such fashion as is approved by the C.A.O. for such connection, and the Town shall be entitled to demand and receive from the applicant, in advance, such fees as will be required to cover all costs of connection.
- (c) Where application for Town sewerage system service has been made in accordance with this Bylaw and it is found that no sanitary sewer mains are constructed to the outer line of the street adjacent to the applicant's property, the applicant may have the option to:
- (i) at the discretion of the C.A.O., pay in advance the sum required to construct a sewer main from the nearest available main to the outer line of the street adjacent to the applicant's property plus the cost of connecting the applicant's property to the sewer main;
- (ii) accept a full return of monies paid at the time of service application.
- (d) The C.A.O. shall, in every case, determine the location and size of the service pipe to be used.
- (e) Where a specific size of sanitary sewer service is requested, and where the Town's sewerage system cannot, in the view of the C.A.O., handle such service, the applicant shall have the option of:
- (i) accepting the size of sanitary sewer service as determined by the Town;
- (ii) paying in advance the cost as determined by the C.A.O. of upgrading the Town's sanitary sewer mains to meet the specific request;
- (iii) accepting full return of monies paid at time of service application.
- (f) No person except the duly authorized agents of the Town shall uncover, make connections to, use, alter or disturb any portion or part of the Town's sanitary sewer mains without the permission of the Town.
- (g) (i) The Owner or Occupier shall be responsible for all costs occurring due to blockages in the Owner's or Occupier's portion of the sewerage service and for clearing the same.
- (ii) The Owner or Occupier shall be responsible for all costs occurring due to blockages beyond the Owner's or Occupier's portion of the sewerage service and for clearing of same, where the blockage can be shown to be as a result of negligence on the part of the Owner or Occupier.

- (h) When any sanitary sewer connection is abandoned, the Owner or Occupier or his authorized agent shall block the connection at a location on the line in a manner approved by the C.A.O. Failure to do so within ten (10) days after such abandonment shall permit the C.A.O. or his/her appointee to enter upon the property and block such connection at the expense of the Owner. If the costs are not paid upon demand, they shall be placed on the tax roll as an additional tax against the parcel of land concerned and that amount shall be collected in the same manner as taxes on the parcel of land.

DISCONNECTION OF SEWER

- 23. (a) Where sewage, in the opinion of the C.A.O. or any person appointed by him/her:
 - (i) is hazardous or creates an immediate danger to person; or
 - (ii) endangers or interferes with the proper operation of the sewerage system;is discharged to the sewerage system, the Town may, in addition to any action described above, plug or seal off the sewer line discharging the unacceptable sewage into the sewerage system or take such other action as is necessary to prevent the said sewage from entering the sewerage system.
- (b) The sewage may be prevented from being discharged into the sewerage system until evidence satisfactory to the C.A.O. has been provided to prove that no further discharge of unacceptable sewage will be made to the sewerage system.
- (c) The Town shall charge the Owner or Occupier of the land from which the sewage described in Subsection (b) of this Section is discharged with all the costs incurred in taking the action described in this Section, and any such charges shall be in addition to and not in substitution of any fine or other penalty to which the Owner or Occupier of the premises in question may be subject pursuant to the provisions of this Bylaw.
- (d) If any person contravenes any provision of this Bylaw and so damages the sewerage system, the Town shall be entitled to repair such damage and charge the cost of such repair to that person and on default of payment of such costs upon demand, the Town may enter those costs upon the assessment roll of the Town against such lots as taxes or may recover those costs by action in any Court of Competent Jurisdiction.

ENFORCEMENT

- 24. (a) Everyone who contravenes any provision of this bylaw either by doing something which he is prohibited from or failing to do something which he is required to do, is guilty of an offense punishable on summary conviction and is liable,
 - (i) for a first offense, to a fine of not more than \$500.00 or in default of payment of the fine and costs, to imprisonment for six months;
 - (ii) for a second or subsequent offense, to a fine not less than \$300.00 and not more than \$1,000.00 or in default of payment of the fine and costs, to imprisonment for six months.
- (b) Where the Owner of the land with a sewer connection to the sewerage system allows more than one person either by lease or by other arrangement, to use the land or a portion thereof and there is discharged into the sewerage system substances prohibited by this Bylaw, the Owner, whether or not one or more persons occupying the land is prosecuted in respect thereof, is guilty of an offense and is liable to be prosecuted therefor.
- (c) No person shall knowingly withhold information about the use of his premises that could affect utility rates or charges. It is the responsibility of the Owner to notify the Town in writing when any changes or modifications are made to premises owned by him that may affect utility rates. Failure to provide notification will constitute a violation of this Bylaw. In addition, the Town shall be entitled to bill and collect from the Owner the appropriate rates, tolls and charges from the time the changes or modification to the Owner's premises were found to have first existed, which would have been applied under this Bylaw if the Town has been provided with the correct information.

NON-PAYMENT OF RATES

- 25. (a) In case of default of payment of any sewerage rates or charges thirty (30) days after the expiration of the day upon which the same shall have become due or payable, the C.A.O. may, after giving notice, shut off the water supply to any premises in respect of which payment is in arrears or default.

- (b) Any Owner or Occupier paying rent, rates or tolls for use of the Town's sewerage system shall be and remain liable for and pay all rents, rates and tolls charged until they have given notice in writing to the Town of their desire to discontinue the use thereof. They shall not be liable for rents, rates and tolls charged thereafter. Any service supplied for a portion of a billing period shall be charged as if it were a full billing period.
- (c) Non receipt of utility bill will not exempt the Owner or Occupier from payment for the service he receives.

THE TOWN'S RIGHTS & RESPONSIBILITIES

26. The Town shall:

- (i) establish regulations and policy for the general maintenance or management or conduct, or any of them, of the sewerage system and of the officers and other employees employed in connection with the sewerage system;
- (ii) in fixing, in connection with the sewerage system, the times and places where rates, charges, tolls, fares and rents under this Bylaw are payable;
- (iii) provide for the rent of fittings, machines, apparatus, meters or other things leased to consumers;
- (iv) enforce payment of these rates, charges, tolls, fares, and rents by all or any of the following methods, namely:
 - a. by action in any Court of Competent Jurisdiction.
 - b. by shutting off the water supply being supplied to the consumer or discontinuing the service thereof.
 - c. by distress and sale of goods and chattels of the person owing the rates, charges, tolls, fares or rents wherever they may be found in the municipality.
- (v) enforce the terms and conditions under which the sewerage utility is supplied either:
 - a. by enforcing this bylaw; or
 - b. by enforcing any agreement made between the Town as supplier and the consumer.

Including shutting off the public utility being supplied to the consumer or discontinuing the service thereof until the consumer complies with the terms and conditions of this Bylaw.

27. If any term, clause or condition of this Bylaw or application thereof, to any thing or circumstance shall to any extent be invalid or unenforceable, the remainder of this Bylaw or application of such terms, clause or condition to any thing or circumstance, other than those to which it is held as invalid or unenforceable, shall not be affected thereby and each other term, clause or condition of this Bylaw shall be enforced to the fullest extent permitted.

Bylaws 978, 977 and 1451 are hereby repealed.

This Bylaw shall come into effect on the date of final passing.

READ a first time this 18th day of May, A.D. 1999.

READ a second time this 18th day of May, A.D. 1999.

READ a third time and finally passed this 18th day of May, A.D. 1999.

MAYOR

SECRETARY TREASURER

SCHEDULE "A"

**THE SEWER SERVICE BYLAW
Section 7(a)**

CHARGES FOR ACCEPTANCE OF SEPTIC TANK SLUDGE IN THE TOWN

1. The fee for a permit to discharge septic tank sludge into the sewer system shall be \$300.00 per month.
2. The said permit shall be paid for in full in advance or in a manner satisfactory to the Town and should the permit be surrendered, the Town shall refund a pro-rated share of the unused fee as determined by the Town.
3. A person discharging septic tank sludge into the sewerage system shall, at all times, maintain a permit in the vehicle for inspection by officials or servants of the Town.

SEWER SERVICE SURCHARGES

1. Surcharge fee to discharge industrial/commercial sewage shall be charged in accordance with the formula set out in Subsection 17 and included in the monthly utility billing as per Section 18.