

VILLAGE OF NEILBURG

BYLAW 5, 2015

A BYLAW TO REGULATE THE USE OF THE SANITARY SEWERS AND PROVISIONS OF SERVICES RELATED THERETO

WHEREAS the Council of the Village of Neilburg has established and operates a system of sewerage works, hereinafter called the Sewerage System;

AND WHEREAS the Council of the Village of Neilburg deems it expedient to regulate the disposal of sewerage:

THEREFORE the Council of the Village of Neilburg, in the Province of Saskatchewan, enacts as follows:-

1. This bylaw may be referred to as the "Sewerage Management Bylaw".

2. DEFINITIONS

- a) "Administrator" shall mean the Administrator appointed by the Village of Neilburg or his/her agent.
- b) "Biochemical Oxygen Demand" shall mean the quantity of oxygen, expressed in parts per million or milligrams per litre, utilized in the biochemical oxidation of organic matter for five days at a temperature of 20 degrees centigrade. The determination of the Biochemical Oxygen Demand shall be in accordance with procedures set forth in Standard Methods.
- c) "Commercial User" shall mean any user other than industrial or residential and includes smaller industries, stores, schools and multiple family apartments.
- d) "Council" shall mean the Council of the Village of Neilburg.
- e) "Director of Public Works" shall mean the Director of Public Works appointed by the Council of the Village of Neilburg or his/her agent and shall include the Village Engineer.
- f) "Grease" shall mean the quantity of fats, waxes, oils and other non-volatile material determined in accordance with procedures contained in Standard Methods.
- g) "Interceptor" shall mean a receptacle that is designed and installed to prevent oil, grease, sand or other materials from passing into the Sewerage System.
- h) "Municipality" shall mean the Village of Neilburg.
- i) "Owner" shall mean the registered owner of a property or the purchaser thereof who is entitled to occupy and enjoy the property.
- j) "Person" shall mean any individual, firm, company, association, society, corporation or group.
- k) "Residential user" shall mean any user whose sewage comes from a residential unit limited to a single family residence, duplexes and multi-unit residences.
- l) "Sewer" shall mean a pipe or conduit for carrying sewage.
- m) "Sewage" shall mean any waste discharged or permitted to flow from residential, commercial and industrial establishments.

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- n) "Standard Sewerage" shall mean sewage that does not exceed the following strengths:
 - i) Biochemical Oxygen Demand 300 milligrams per litre
 - ii) Suspended Solids 300 milligrams per litre
 - iii) Grease 90 milligrams per litre
 - o) "Sewerage System" shall mean the system of sanitary sewers and other facilities for collecting, pumping, treating and disposing of sewage.
 - p) "Suspended Solids" (Abbreviated S.S.) shall mean the quantity of solids that are contained in the sewage as measured by test method for total suspended matter as set out in "Standard Methods for the Examination of Water and Waste Water" published by the American Public Health Association.
 - q) "User" shall mean any connection from which flow occurs into the Sewerage System including residential, commercial and industrial connections.
 - r) "Wastewater" shall mean the liquid and water-carried industrial or domestic wastes from residence, commercial buildings, and industrial facilities, together with any groundwater, surface water, and storm water that may be present, whether treated or untreated, which is discharged into or permitted to enter the Village's wastewater treatment system.

3. SEWER MAINS AND CONNECTIONS

- a) The owner of every house, building or property used for human occupancy, employment, recreation or other purpose, situated within the municipality and abutting on any highway or right-of-way in which there is now or hereafter located a sanitary sewer of the municipality, is hereby required at his expense to install suitable sewage waste disposal facilities therein and to connect such facilities directly with the proper sanitary sewerage system of the municipality in accordance with the provisions of the Sewer and Water Service Connections Bylaw, sixty (60) days after the date of notification.
- b) Except as permitted by this Bylaw or the Sewer and Water Service Connections Bylaw, no person shall construct or maintain any privy, septic tank, cesspool or other facility intended or used for the disposal of sewage.
- c) No person, unless authorized by the Director of Public Works, shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenances thereof.
- d) All connections, when approved, shall be constructed from the sewer main to within three feet of the building wall and the cost thereof shall be paid by the owner.
- e) The cost of replacing a connection from the sanitary sewer main into the street to within three feet of the building wall shall be paid for by the owner and the municipality on a prorated basis.
- f) The municipality shall maintain the connection from the main to the property line at its expense. From this point to the building, the connection shall be maintained by the property owner at his expense. Unplugging a blockage shall not be considered maintenance.
- g) In case any blockage, either wholly or in part, of the Sewerage System is caused by reason of failure, omission or neglect to comply strictly with the provisions of this Bylaw, the owner shall in addition to any penalty for infraction of the provisions hereof, be liable to the municipality for all costs of clearing such blockage and for any other account for which the municipality may be held legally liable because of such blockage.

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- h) When any sewer connection is abandoned, the owner or his agent shall effectively block up the connection at a suitable location within his property so as to prevent sewage backing up into the soil or dirt being washed into the sewer.

4. PRIVATE SEWAGE DISPOSAL

- a) Where a Sanitary Sewer is not available under provisions of Section 3 a), the said Sewage Waste Disposal System shall be connected to a private sewage disposal system complying with the provisions of this Bylaw.
- b) At such time as a Sanitary Sewer becomes available to a property serviced by a private sewage disposal system, the provisions of Section 3 a) shall then apply to the property and a direct connection shall be made to the Sanitary Sewer in compliance with this Bylaw and any septic tanks, cesspools and similar private sewage disposal facility shall be removed or abandoned and filled with suitable material.
- c) The owner or person in charge shall operate and maintain the private sewage disposal facility in a sanitary manner at all times at no expense to the municipality.
- d) No statement contained in this Bylaw shall be construed to interfere with any additional requirements that may be imposed by the Department of Public Health or the Department of the Environment.

5. USE OF SEWERS

- a) No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof run-off or sub surface drainage, to any sanitary sewer provided that the Director of Public Works may on application authorize such discharge where exceptional conditions warrant.
- b) Storm water and all other unpolluted water shall be discharged to such sewers as are designated storm sewers or to a natural outlet approved by the Director of Public Works.
- c) Except as hereinafter provided, no person shall discharge or cause to permit to be discharged any of the following described water or wastes to any sewer:
- i) Any liquid or vapor having a temperature higher than 76°C;
 - ii) Any gasoline, benzene, naphtha, fuel oil, crude oil or other flammable or explosive liquids, solids or gas;
 - iii) Any ashes, cinders, sand, potters clay, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood or other solid or viscous substance capable of causing obstructions to the flow in the sewers or interference with the proper operation of the sewage collection system or treatment facilities;
 - iv) Any paunch manure, or intestinal contents from horses, cattle, sheep or swine; hog bristles, pig hooves or toenails; animal intestines or stomach casings; bones, hides or parts thereof; animal fat or flesh in particles larger than will pass through a quarter-inch screen; manure of any kind; poultry entrails, heads, feet or feathers; eggshells, fleshing and hair resulting from tanning operations;
 - v) Any waters or wastes having pH rating lower then 5.5 or higher than 9.5 or having other corrosive properties capable of causing damage or hazard to structures, equipment or personnel of the sewage works;

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- vi) Any waters or wastes containing toxic or poisonous substances in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to human, animal, fish or water fowl, or create any hazard in receiving waters of the sewage treatment facility;
 - vii) Any noxious or malodorous gas or substance capable of creating a public nuisance.

6. POWER AND AUTHORITY OF THE ADMINISTRATOR

- a) The Administrator may enter on a property, at any reasonable time, after providing reasonable notice to the Owner or occupier, for the purpose of carrying out any inspection required to ensure compliance with this Bylaw, including but not limited to:
 - i.) Inspecting, observing, sampling and measuring the flow in any private:
 - 1.) Drainage system of Storm Water management facility,
 - 2.) Wastewater disposal system, and
 - 3.) Monitoring Access Point;
 - ii.) Inspecting or observing any plant machinery, equipment, work, activity or documents;
 - iii.) Determining water consumption by reading water meters;
 - iv.) Testing flow measuring devices;
 - v.) Taking samples, and if necessary perform on-site testing, of Wastewater, Storm Water, and Subsurface Water being released from the premises or flowing within a private drainage system, Storm Water management facilities and Pre-treatment facilities;
 - vi.) Inspecting the types and quantities of chemicals being handled or used on the premises in relation to possible release to the Wastewater System, drainage system or Watercourse;
 - vii.) Inspecting chemical storage areas and Spill containment facilities and request Material Safety Data sheets (MSDS) for materials stored or used on site;
 - viii.) Obtaining information from any Person concerning a matter;
 - ix.) Inspecting and copying documents or removing documents from premises to make copies;
 - x.) Inspecting the premises where a release of Prohibited or Restricted Waste or of water containing Prohibited or Restricted Wastes has been made or is suspected of having been made, and to sample any or all Matter that in his/her opinion could have been part of the release.
 - b) In accordance with the terms of this Bylaw, the Administrator may enter on a property which is connected to the Municipal Wastewater system at any reasonable time, after providing reasonable notice to the Owner or occupier, including for the following reasons:
 - i.) To install, maintain, repair, alter, replace or disconnect a Sewer, Municipal Sewer Connection, Subsurface Drainage Pipe or other part of the Wastewater System;
 - ii.) To shut off the supply of potable and/or non-potable Water provided by the Village.
 - c) No Person shall prevent, hinder, obstruct or interfere, or attempt to prevent, hinder, obstruct or interfere, in any manner, the Administrator in the exercise of an activity, power or performance of a duty under this Bylaw or in the administration or enforcement of this Bylaw.
 - d) The Administrator may, in addition to any other remedy available, disconnect, plug or seal off the Sewer line discharging the unacceptable Wastewater into the Wastewater System or take such other action as is necessary to prevent such Wastewater from entering the Wastewater System, if the Wastewater being discharged is such which:
 - i.) Is hazardous or creates an immediate danger to any Person or environment;
 - ii.) Endangers or interferes with the operation of the Wastewater System; or
 - iii.) Causes or is capable of causing an adverse effect.
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The Administrator may, by notice in writing, advise the Owner or occupier of the premises from which the Wastewater was being discharged, of the cost of taking such action and the Owner or occupier, as the case may be, shall forthwith reimburse the Village for all such costs, which were incurred.

- e) The Administrator may prevent the Wastewater from being discharged into the Wastewater System until evidence satisfactory to the Administrator has been produced to assure that no further discharge of unacceptable Wastewater will be made to the Wastewater System.
- f) If the Administrator finds that a Person is contravening this Bylaw the Administrator may, by written order, require the Person responsible for the contravention to remedy it if the circumstances so require.
- g) An order referred to in subsection (f) may:
 - i.) Direct a Person to stop doing something, or to change the way in which the person is doing it;
 - ii.) Direct a Person to take any actions or measures necessary to remedy the contravention of the enactment or bylaw, including the removal or demolition of a structure that has been erected or placed in contravention of a bylaw, and, if necessary, to prevent a re-occurrence of the contravention;
 - iii.) State a time within which the Person must comply with the directions; and
 - iv.) State that if the Person does not comply with the directions within a specified time, the Village will take action or measure at the expense of the Person.
- h) The Administrator may authorize the discontinuance of any Person's access to the Village's Water system or Wastewater system:
 - i.) For any lawful reason after giving the Person reasonable notice of the disconnection;
 - ii.) Without further notice if a Person has failed to comply with an order issued by the Administrator pursuant to section 6(f); or
 - iii.) Without notice in the case of emergency if discontinuance is necessary to eliminate the emergency.
- i) The Administrator may authorize the restoration of any Person's access to the Village's water or Wastewater System upon such terms and conditions as the Administrator deems advisable in the circumstances.
- j) In an emergency or in extraordinary circumstances, the Administrator need not give reasonable notice prior to entering onto a property or need not enter at a reasonable hour and may do the things including those things listed in subsection (a) and (b) without the consent of the owner or occupant.

7. SPILLS

- a) In the event of a Spill or a release into or affecting the Wastewater System, the Person responsible or the Person having the charge, management and control of the spill shall immediately notify and provide any requested information with regard to the Spill to:
 - i.) 9-1-1 emergency services if there is any immediate danger to human health and/or safety;
 - ii.) The Administrator;
 - iii.) The Owner of the premises where the Spill or release occurred; and
 - iv.) Any other Person whom the Person reporting knows or ought to know may be directly affected by the Spill or release.
- b) The Administrator may require a spill contingency plan to be submitted to the Village at any time.

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- c) The Person Responsible for the Spill, shall provide a detailed report on the Spill to the Administrator within five (5) working days after the Spill, containing the following information to the best of his or her knowledge:
 - i.) location where the Spill occurred;
 - ii.) name and telephone number of the Person who reported the Spill and the location and time where they can be contacted;
 - iii.) date and time of the spill;
 - iv.) Matter spilled;
 - v.) characteristics and composition of Matter Spilled;
 - vi.) volume of material Spilled;
 - vii.) duration of spill event;
 - viii.) work completed and any work still in progress in the mitigation of the Spill;
 - ix.) preventive action being taken to ensure a similar Spill does not occur again; and
 - x.) copies of applicable Spill prevention and Spill response plans.
 - d) The Person Responsible for the Spill, including, the Person having the charge, management and control of the Spill shall do everything possible to contain the Spill, protect the health and safety of citizens, minimize damage to property, protect the environment, clean up the Spill and contaminated residue and restore the affected area to its condition prior to the Spill.
 - e) Nothing in this Bylaw relieves any Person from complying with any notification or reporting provisions of other government agencies, including federal and provincial agencies, as required and appropriate for the material and circumstances of the Spill.
 - f) The Village may invoice the Person responsible for the Spill to recover costs of time, materials and services arising as a result of the Spill. The Person Responsible for the Spill shall pay the costs invoiced.
 - g) The Village may require the Person Responsible for the Spill to prepare and submit a spill contingency plan to the Village to indicate how risk of future incidents will be reduced and how future incidents will be addressed.

8. OIL, GREASE AND SEDIMENT INTERCEPTORS

- a) Every owner or occupier of a restaurant or other Commercial premises where food is cooked, processed or prepared, for which the premises are connected directly or indirectly to the Sewerage System, shall take all necessary measures to ensure that oil and grease are prevented from entering the Sewerage System in excess of the provisions of this Bylaw. Interceptors shall not discharge to the Storm Sewers.
 - b) Every owner or occupier of all vehicle or equipment service stations, repair shop or garage or of a Commercial premises or any other establishment where motor vehicles are repaired, lubricated or maintained and where the sanitary discharge is directly or indirectly connected to the Sewerage System shall install an oil and grease Interceptor designed to prevent motor oil and lubricating grease from passing into the Sewerage System in excess of the limits in this Bylaw.
 - c) Every owner or occupier of all vehicle and equipment washing establishments and where the sanitary discharge is directly or indirectly connected to the Sewerage System shall install an oil, grease and sediment interceptors to prevent oil, grease and sediment from passing into the Sewerage System in excess of the limits in this Bylaw.
 - d) The Owner or operator of premises as set out in Subsection 8(a), 8(b) and 8(c) shall install, operate and properly maintain oil, grease and sediment interceptor in any piping system at its premises that connects directly or indirectly to a Sewer.
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- e) All interceptors shall be maintained in good working order and according to the manufacturer's recommendations. All interceptors shall be inspected regularly to ensure performance is maintained to the manufacturer's specifications.
 - f) A maintenance schedule and record of maintenance shall be available to the Administrator upon request for each interceptor installed.
 - g) The Owner or operator of premises identified in Subsection 6(a), 6(b) and 6(c) shall, for a minimum of two years, keep the document of proof for Interceptor clean-out and oil and grease or sediment disposal.
 - h) Emulsifiers shall not be discharged to the Sewerage System into interceptors. No person shall use enzymes, bacteria, solvents, hot water or other agents to facilitate the passage of oil and grease through a grease interceptor, without written permission of the Administrator.
 - i) In the case of failure to adequately maintain any interceptor to the satisfaction of the Administrator, the Administrator may require an alarmed monitoring device to be installed at the expense of the Owner.
 - j) The Council may authorize, without prosecution or conviction, the discontinuance of access to the Village's water system and/or Sewerage System where it has been demonstrated to the satisfaction of the Council, that releases from a premises or location have been in contravention of this Bylaw, and that future contraventions may occur.
 - k) Interceptors may be required for other types of businesses when, in the opinion of the Director of Public Works, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All intercepts shall be of a type and capacity approved by the Director of Public Works and shall be so located as to be readily and easily accessible for cleaning and inspection. Where installed, all grease, oil and sand interceptors shall be maintained by the owner at his expense in a continuously efficient operation at all times.

9. BLOCKAGE OF SEWER SYSTEM BECAUSE OF NON-OBSERVANCE OF BYLAW

- a) Where partial or total blockage of part of the Sewerage System is caused because a Person failed to strictly comply with the provisions of this Bylaw, the person shall, in addition to any other penalty imposed by this Bylaw, or any other Bylaw, be liable to the municipality for all costs of clearing such blockages. Such cost shall constitute a debt due to the municipality.
- b) Any cost imposed pursuant to (a) may be added to that Person's water and sewer charges imposed pursuant to Bylaw 8, 2011, as amended, or its successor, and the conditions imposed pursuant to Bylaw 8, 2011, as amended, or its successor, shall apply.

10. ACCESS TO INFORMATION

- a) All information submitted to and collected by the Village that is contained in plan summaries, reports, surveys, monitoring and inspection and sampling activities will, except as otherwise provided in this section, be available for disclosure to the public in accordance with The Local Authority Freedom of Information and Protection of Privacy Act, RSS (LAFOIPP).

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- d) In the event that any Person in submitting information to the Village, as required under this-section, where such information is confidential or proprietary or otherwise, and may be exempt from disclosure under LAFOIPP, the person submitting the information shall so identify that information upon its submission to the Village and where such information is confidential or proprietary or otherwise, it may be exempt from disclosure.

11. PENALTY

- a) Any person who contravenes this Bylaw is guilty of an offence and on conviction is liable for:
- i) In the case of an offense committed by an individual, a fine not more than \$10,000.00 or imprisonment for a period of not more than one year, or both;
 - ii) In the case of an offense committed by a corporation, a fine not more than \$25,000.00 or imprisonment of the directors of the corporation for a period of not more than one year, or both;
 - iii) In the case of a continuing offense, to a maximum daily fine of not more than \$2,500.00 for each day or part of a day during which the offence continues.



Mayor



Administrator



I certify this to be a true copy
of the original document

Bylaw 5, 2015

Date November 9, 2015

Janet Black Administrator

Name Position

Janet Black
Signature

Schedule "A" to Bylaw 5, 2015
RESTRICTED WASTE

Table A – Conventional Contaminants and Physical Parameters

Substance	SANITARY DISCHARGE LIMIT (mg/L, except as noted)
Biochemical Oxygen Demand(BOD)	1200
Chemical Oxygen Demand (COD)	2000
Total Suspended Solids (TSS)	1200
Fat, Oil & Grease (FOG)	450
Phosphorous	25
Ammonia	25
Temperature	65 degrees Celsius or more (non-domestic)

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