

TOWN OF SMITHERS

NAME
BYLAW NO. 952, 1991

SEWER REGULATION BYLAW

WHEREAS Council has the authority to provide for the establishment of a system for the collection, conveyance and disposal of sewage and to operate, maintain improve extend or alter the system

AND WHEREAS it is expedient that all real property within the Municipality which is capable of being served by the municipal sanitary sewer system should be so served and connected within a specified time;

NOW THEREFORE, Council in open meeting assembled, HEREBY ENACTS AS FOLLOWS:

1. **TITLE:**

This Bylaw may be cited for all purposes as the "Sewer Regulation Bylaw No. 952, 1991.

2. **DEFINITIONS:** In this Bylaw:

- 2.1 "B.O.D." (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 Celsius, expressed in milligrams per litre according to "Standard Methods".
- 2.2 "Building Drain" means the horizontal piping that conducts sewage to a building sewer.
- 2.3 "Building Inspector" means the person appointed from time to time by Council as Building Inspector.
- 2.4 "Building Sewer" means a pipe that is connected to a building drain one (1) metre outside a wall of a building and that leads to a public sewer or private sewage disposal system.
- 2.5 "C.O.D." (denoting chemical oxygen demand) means the quantity of oxygen utilized in the chemical oxidation of organic matter under standard laboratory procedure, expressed in milligrams per litre, according to "Standard Methods."
- 2.6 "Collector" means the Collector appointed from time to time by the Council.

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- 2.7 “Council” means the Council of the Town of Smithers.
- 2.8 “Director of Engineering” means the person appointed from time to time by Council as Director of Engineering.
- 2.9 “Garbage” means solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.
- 2.10 “Industrial Wastes” means the liquid wastes from industrial manufacturing processes, trade, or business as distinct from domestic sanitary sewage.
- 2.11 “Municipality” means the Town of Smithers.
- 2.12 “Parcel” means any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway.
- 2.13 “Permission” means permission given by the Director of Engineering or the Building Inspector or their duly authorized representatives.
- 2.14 “pH” means the logarithm to the base 10 of the reciprocal of the weight of hydrogen ions in gram moles per litre of solution as determined by “Standard Methods”.
- 2.15 “Pretreatment” means the treatment of wastewater before introduction into a publicly owned sewage system.
- 2.16 “Plumbing Fixture” means a receptacle, appliance apparatus or other device that discharges sewage or clearwater waste to a building drain and includes a floor drain.
- 2.17 “Properly Comminuted Garbage” means the wastes from the preparation cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in the sewer system with no particle greater than six point zero millimeters (6.0 mm) in any dimension.
- 2.18 “Sanitary Sewer” means any sewer, which carries sewage to which storm; surface and ground waters are not intentionally admitted.

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- 2.19 “Sewage” means a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments.
- 2.20 “Service Connection” means a pipe connecting a sewer to a building sewer or to a parcel.
- 2.21 “Sewer” means a pipe, including manholes and other appurtenances in the sewer system other than a service connection.
- 2.22 “Sewer System” means all sewerage works and all appurtenances thereto, including sewers, service connections, pumping stations, treatment plants, lagoons and sewer outfalls laid within any highways, municipal rights-of-way or easements and owned and operated by the Municipality.
- 2.23 “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 acceptable laboratory procedures set forth in “Standard Methods”.
- 2.24 “Sewage Treatment Plant” means any arrangement of devices and structures used for treatment of sewage.
- 2.25 “Standard Methods” means “Standard Methods for the Examination of Water and Wastewater” prepared and published jointly by the American Public Health Association and the Water Pollution Control Federation, latest edition.
- 2.26 “Storm Sewer” means a pipe, which carries surface and underground drainage but excludes sewage and industrial wastes, other than unpolluted cooling water.
- 2.27 “Superintendent of Works” means the person appointed from time to time by the Council as Superintendent of Works for the Municipality.
- 2.28 “Toxic Substances” means any substance whether gaseous, liquid or solid which when discharged to the sewer system in sufficient concentrations may be hazardous to sewer maintenance and personnel, interfere with the sewage treatment process, inhibit aquatic life or may create a hazard to recreation in the receiving

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water to which the effluent from the sewage treatment plant or other sewerage works is discharged.

3. SERVICE CONNECTION

- 3.1 Applications for a service connection shall be made on the form prescribed in Schedule "A" attached hereto.
- 3.2 The rates applicable for service connections are as set out in Schedule "B" attached hereto and forming part of this bylaw.
- 3.3 The owner of every parcel to which a service connection can be, or has been made, and upon which a building or structure containing a plumbing fixture is situate, shall connect such building or structure to the service connection installed by the Municipality.
- 3.4 In the event of any owner failing to make the required connection within ninety (90) days of being notified in writing by the Municipality to do so the Director of Engineering, by his workmen or others, may have the work done at the Owner's expense, and the Municipality may recover such expense with interest in the same manner as municipal taxes.
- 3.5 No person shall connect any building sewer to a service connection until he has completed an application and an agreement in the form of Schedule "A" of this Bylaw, which has been approved by the Director of Engineering, and paid the prescribed fees. The applicant shall, in completing such form of application and agreement, provide true and accurate information as to all details called for therein.
- 3.6 At such time as the application and agreement is submitted, the applicant shall pay to the Municipality a connection fee in accordance with Schedule "B" attached to this bylaw.
- 3.7 At such time as the Director of Engineering has approved the proposed connection from any building to the appropriate service connection, the Building Inspector may issue to the owner a permit to connect accordingly. Upon receipt of such permit the owner may then connect to the service connection at the property line, and shall request an inspection of such connection by the Building Inspector.

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- 3.8 Every service connection shall be installed prior to installation of the building sewer and connection of the building sewer to the service connection by the owner. The Municipality shall not be responsible to meet the elevation or connect to an existing building sewer installed by the owner prior to installation of the sewer connection.
- 3.9 No person shall do any work upon, or interfere in any way with the sewer system unless specifically authorized to do so by the Director of Engineering.

4. BUILDING SEWER

- 4.1 Each building sewer shall include a cleanout where the building drain connects to the building sewer. The internal diameter of any building sewer shall be not less than one hundred (100 mm) millimeters or shall be of such greater diameter as required to accommodate the anticipate sewage flow as determined by the Building Inspector.

Each building drain shall be equipped with a backwater valve, installed immediately inside the building foundation walls and accessible for maintenance, except where the elevations of the lid of the nearest upstream manhole is a minimum of two hundred (200) millimeters lower than the lowest floor elevation of the building served by the building drain.

- 4.2 The owner shall notify the Building Inspector as soon as the work for which a connection permit has been issued is ready for inspection, and no building sewer work shall be covered until it has received the approval of the Building Inspector.
- 4.3 The building sewer shall be maintained by the property owner at his sole expense. Where any building sewer or service connection becomes stopped, or otherwise fails to function, the owner or occupier of the real property served shall first attempt to clear the blockage himself or by employing a plumber. Should this not be successful, the Town may then be called in to deal with the problem.
- 4.4 Where any stoppage or failure is found to exist in the service connection or building sewer unless caused by roots from trees located on Town controlled property or by a structural defect (broken or sagged pipe, etc.) on the service connection, all costs incurred by the Municipality in restoring service and unstopping the building sewer or service connection shall be paid by such owner or occupier

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upon demand and if unpaid on the thirty-first day of December of the year in which such work is done, shall be deemed to be taxes in arrears on the property concerned.

- 4.5 When any building sewer is abandoned, the owner or his agent shall notify the Director of Engineering, and the Superintendent of Works shall effectively block up the building sewer at the service connection with an approved watertight seal and the costs of such stopping up shall be paid by the owner and if unpaid on the thirty-first day of December in the year in which such work is done, shall be deemed to be taxes in arrears on the property concerned.

5. PROHIBITED WASTES

- 5.1 No person shall discharge or permit to be discharged into the sewer system:

5.1.1 **Flammable or Explosive Materials:** Flammable liquids, solids or gases capable of causing or contributing to explosion or supporting combustion in any sewerage facilities including, but not limited to, the following: gasoline, benzene, naphtha, fuel oil, waste crankcase oil and acetylene generation sludge.

5.1.2 **Substances Which Can Cause Obstruction or Interference:** Any solid or viscous substances in quantities, either by itself or in combination with other wastes, which are capable of obstruction of flow or of interfering with the operation or performance of sewers or treatment facilities, including but not limited to, the following: ashes, cinders, sand, mud, straw, grass clippings, shavings, metal, glass, tar asphalt, plastics, cloth, wood chemical residues, brewing or distilling slops, spent grain or hops, whole blood, meat trimmings and wastes, animal paunch contents, hide, hair, offal, fish or fowl heads or parts, entrails, lard, tallow, baking dough, cannery waste bulk solids, plastics or paper utensils, plastic or paper containers either whole or ground.

5.1.3 **Odorous Substances:** A noxious or malodorous gas or substance which either by itself or by interaction with other wastes, is capable of creating a public nuisance or hazard to life or of preventing entry by authorized personnel to pump stations and other sewerage facilities.

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- 5.1.4 **Toxic Vapour:** Any gas or toxic substance, which either by itself or by interaction with other wastes can produce a toxic vapour. These substances include, but are not limited to, chlorinated hydrocarbons, hydrogen sulphide, sulphur dioxide and cyanide compounds.
- 5.1.5 **Corrosive Substances:** Any gas or substance, which either by itself or by interaction with other waste may cause corrosive structural damage to sewers or treatment facilities, but in no case wastes with a pH lower than five point five (5.5).
- 5.1.6 **High Temperature:** Heat in amounts which will inhibit biological activity in treatment plant facilities resulting in an interference in the treatment process and specifically including heat in such quantities that the treatment works influent exceeds forty degrees (40 C) Celsius or the temperature exceeds sixty-five degrees (65 C) Celsius at the point of discharge from the source to public sewers.
- 5.1.7 **Radioactive Waste:** Any radioactive material, except within such limits as are permitted by the licence issued by the Atomic Energy Control Board of Canada.
- 5.1.8 **Septic Waste:** Any solids from a cesspool, septic tank or holding tank.
- 5.1.9 **Storm Drainage:** Any storm water, unpolluted water or liquids, swimming pool water, foundation drainage floor or cellar drainage, roof drainage, cooling water.

6. RESTRICTED WASTES

- 6.1 No person shall discharge or permit to be discharged into the sewer system:
- 6.1.1 any water or waste having a C.O.D. (chemical oxygen demand) of more than six hundred (600) milligrams per litre.

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- 6.1.2 any water or waste having a B.O.D. [five (5) day biochemical oxygen demand] of more than three hundred (300) milligrams per litre.
- 6.1.3 any water or waste having a (suspended solids) content of more than four hundred (400) milligrams per litre.
- 6.1.4 any garbage that has not been properly comminuted to six point zero (6.0 mm) millimeters or less in any dimension.
- 6.1.5 any water or waste which contains grease (including fats, waxes and oils as determined by the Hexame extraction process according to Standard Methods), with concentration in excess of one hundred (100) milligrams per litre of substances derived from petroleum sources, or which contains any substance which may solidify or become discernibly viscous at temperatures above zero degrees (0 C) Celsius.
- 6.1.6 any soluble waste or water having a pH lower than five point five (5.5) or higher than nine point five (9.5), or having any other corrosive property which reasonably could be hazardous to structures, equipment or personnel, such as, but not limited to battery or plating acid and wastes, lime slurries or solutions.
- 6.1.7 any water or waste containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process or to constitute a hazard to humans or animals, or to create any hazard to the receiving waters, or to effluent of the sewage treatment plant. Without limiting the generality of this section, the concentration of the following toxic substances at the point of discharge to the sewer system shall not exceed:

TOXIC SUBSTANCE	MILLIGRAMS PER LITRE
Arsenic	.5
Cadium	.05
Chromium (Total)	1.0
Copper	1.0
Cynide	1.0
Iron	3.0
Lead	.5

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Manganese	.5
Mercury	.01
Nickel	1.0
Phenols & Cresols	1.0
Zinc	4.0
Silver	.5

6.1.8 any material which in the opinion of the Director of Engineering exerts or causes:

6.1.8.1 unusual concentrations of inert suspended solids, such as but not limited to fuller's earth, lime slurries, or lime residues;

6.1.8.2 unusual concentration of dissolved solids such as but not limited to sodium chloride, calcium chloride or sodium sulphate;

6.1.8.3 excessive discoloration such as but not limited to sodium chloride, calcium chloride or sodium sulphate.

6.1.9 any water or waste that will, by itself or with other water or wastes in the sewer system, release obnoxious gases; or develop color of undesirable intensity; or form suspended solids in objectionable concentration; or create any other conditions deleterious to structures or treatment processes; or

6.1.10 any water or waste containing substances in such concentrations that are not amenable to treatment or reduction by the sewage treatment process employed, or are amenable to treatment only to such a degree that the sewage treatment plant effluent cannot meet the requirement of any other agency having jurisdiction over discharges to the receiving waters.

6.2 Every person responsible for the accidental discharge of prohibited substances into the sewer system or a drainage system shall report the same immediately to the Director of Engineering.

7. PRETREATMENT REQUIREMENTS

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- 7.1 Any industrial waste waters likely to damage or increase maintenance costs on the sewer system or which may detrimentally affect the sewage treatment plant or contaminate surface or subsurface water, shall be pretreated to render them innocuous prior to discharge into the sewer system.
- 7.2 Discharges of liquid wastes exceeding the strength, nature, quantity or quality permitted by this Bylaw, shall be pretreated in a facility designed constructed and operated so as to fulfill all of the requirements of this Bylaw.
- 7.3 All details pertaining to the pretreatment process or processes, capacity, location, materials, equipment, methods of construction and all operational procedures and methods of process control of pretreatment facilities shall be approved by the Director of Engineering before any portion of such facilities is installed.
- 7.4 All wastewater pretreatment facilities must be kept clear of obstructions so as to provide immediate access for inspection and servicing.
- 7.5 Where wastewater is discharged into the sewer system in volumes, which are highly variable, or unusual, the owner or occupier shall ensure that discharges do not exceed the limits on instantaneous flows established for the particular property by the Director of Engineering.
- 7.6 Equipment necessary to comply with Section 7.5 shall be provided, maintained and operated by the owner or occupier of such premises in a manner satisfactory to the Director of Engineering.
- 7.7 The limit established under Section 7.5 for any single discharge shall not exceed ten (10%) percent of the average daily flow through the sewage treatment plant for the preceding calendar year.
- 7.8 Where grease, oil or sand interceptors are installed they shall be maintained by the owner at his expense in continuously efficient operation at all times.

8. SPECIAL CONTROL MANHOLES

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- 8.1 Any property discharging industrial wastewater or pretreated sanitary sewage to the sewer system shall have installed a control manhole suitable for the inspection and sampling of the discharged wastes.
- 8.2 The design and location of the control manhole shall be approved by the Director of Engineering.
- 8.3 The control manhole shall be installed and maintained and all sampling and testing done at the sole expense of the owner of the premises and the manhole shall be accessible at all times to the Director of Engineering.

9. **SAMPLING AND INSPECTION**

- 9.1 Sampling shall be carried out by the Town using customarily accepted methods. Normally the analyses will be performed on samples composited by volume. Values for pH will be determined from samples composited over and eight (8) hour period.
- 9.2 All tests, measurements, analyses and examinations of wastewater, its characteristics or contents shall be carried out in accordance with "Standard Methods".

10. **PRIVATE SEWAGE DISPOSAL**

- 10.1 No persons shall construct or maintain any septic tank, cesspool or other facility intended or used for the disposal of sewage without first obtaining a permit from the Director of Engineering.
- 10.2 All customers using private sewage disposal systems shall operate and maintain such facilities in a sanitary manner at all times at their own expense.
- 10.3 At such time that municipal sewage works become available to property serviced by a private sewage disposal system the conditions of Section 3 of this Bylaw shall apply. Upon connection to a service connection to a parcel of real property, any existing septic tank, cesspool or similar facility shall then be abandoned and the building sewer shall be connected to the service connection in accordance with the provisions of the B.C. Plumbing Code.

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The abandoned septic tank, cesspool or similar facility shall be completely pumped out by a licenced septic tank pumping truck and the contents disposed of in such manner as permitted by the Ministry of Health, and the septic tank, cesspool or similar facility shall be removed or filled with sand.

- 10.4 No provision contained in this Bylaw shall construed to interfere with any additional requirements that may be required by the Provincial authorities.
- 10.5 No septic tank shall be connected to the sewer system.
- 10.6 None of the provisions of Section 10 of this Bylaw shall be construed to prevent the continued use of an existing septic tank (provided such tank is in good condition) as part of the "on-site" facilities required for alternate technology sewage collection systems such as, but not limited to, a Septic Tank Effluent Pumping (STEP) System.

11. **PENALTY**

- 11.1 Where any water, liquid, vapour, garbage or other material is discharged or permitted to be discharged into the sewer system contrary to Section 5 or 6 of this bylaw, the Director of Engineering or his authorized appointee may, in addition to any action provided for in this Bylaw, disconnect, plug or seal off the building sewer through which the unlawful discharge is occurring or take such other action as is necessary to prevent such unlawful discharge from entering the sewer system.
- 11.2 The stoppage may be continued until evidence satisfactory to the Director of Engineering has been produced to ensure that no further unlawful discharge will be made to the sewer system.
- 11.3 The owner or occupier of the land from which the unlawful discharge was made shall pay the costs incurred by the Municipality in taking all necessary action relative to the sewer disconnection and reconnection.
- 11.4 The costs incurred shall be in addition to and not in substitution for any fine or other penalty to which the owner or occupier of the premises in question may be subject pursuant to the provisions of

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this Bylaw. The building sewer shall not be reconnected until all costs are paid.

11.5 In default by the owner or occupier of real property of doing any matter or thing required by them under the terms of this Bylaw, the Council may, by its servants, agents or contractor, do such matter or thing at the expense of the person in default and recover the expenses with costs in the same manner as municipal taxes.

11.6 Every person who:

11.6.1 violates any of the provisions of this bylaw;

11.6.2 causes or permits any act or thing to be done in contravention or violation of any of the provisions of this bylaw;

11.6.3 neglects or omits to do anything required under this bylaw;

11.6.4 carries out, causes or permits to be carried out any development in a manner prohibited by or contrary to any of the provisions of this bylaw;

11.6.5 fails to comply with an order, direction or notice given under this bylaw; or

11.6.6 prevents or obstructs or attempts to prevent or obstruct the authorized entry of the Director of Engineering on property under section 12.2,

shall be deemed to be guilty upon summary conviction of an offence under this bylaw.

11.7 Each day's continuation of an offence under Section 11,6 constitutes a new and distinct offence.

11.8 Every person who commits an offence under this bylaw is liable on summary conviction to a fine not exceeding Two Thousand (\$2,000.00) dollars and the costs of prosecution.

12. ADMINISTRATION AND ENFORCEMENT

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12.1 This bylaw shall be administered by the Director of Engineering or any other person authorized by Council.

12.2 The Director of Engineering or other authorized person is hereby authorized to enter on any property that is subject to regulations under this bylaw to ascertain whether the regulation or directions under this bylaw to ascertain whether the regulation or directions under this bylaw are being observed.

13. SEVERABILITY

13.1 If any section, subsection, sentence, clause or phrase in this bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remaining portions of the Bylaw.

14. TRANSITION

14.1 "Town of Smithers Sewer Regulation Bylaw No. 743, 1986" is hereby repealed.

14.2 This bylaw comes into full force and effect as of the date of adoption.

READ A FIRST TIME THIS 19th DAY OF FEBRUARY, 1991.

READ A SECOND TIME THIS 19th DAY OF FEBRUARY, 1991.

READ A THIRD TIME THIS 19th DAY OF FEBRUARY, 1991.

RECONSIDERED AND ADOPTED AND SEALED THIS 5th DAY OF MARCH, 1991.

The Corporate Seal of the Town of Smithers was hereto affixed in the presence of

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James A. Davidson
Mayor

Wallace Mah
Corporate Administrator (CAO)

**CERTIFIED A TRUE AND CORRECT
COPY** of Bylaw No. cited as
“ Bylaw No. ”.

Wallace Mah
Corporate Administrator (CAO)

/ LP

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SCHEDULE “A”

TOWN OF SMITHERS

APPLICATION FOR BUILDING PERMIT

NOTE: ACTUAL “APPLICATION FOR BUILDING PERMIT” SHOULD BE
ATTACHED TO AND FORM PART OF THIS BYLAW AS SCHEDULE “A”.

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SCHEDULE "B"

SEWER REGULATION BYLAW NO. 952

SERVICE CONNECTION FEES

The fees for the installation of a service connection shall be:

- | | |
|--|-------------------------------------|
| 1. (a) for each one hundred millimeter (100 mm) connection | \$650.00 |
| (b) for all connections over one hundred millimeter (100 mm) | At Cost
(minimum of
\$700.00) |

Further provided, however, that when a connection is required to be made between the first day of November in any calendar year and the fifteenth day of April in the next calendar year, the foregoing connection fees shall be doubled;

any further provided that when a service connection requires any one or more of the following:

- service connection over one hundred millimeters (100 mm)
- highway asphaltic pavement cut
- cut curb and gutter

the additional costs shall be estimated by the Municipality and paid to the Municipality by the applicant before the work is begun, provided however, should such estimated cost be insufficient to cover the cost, the deficiency shall be charged against the person for whom such installation was made, and provided further that any excess payment shall be returned to the person who applied for the installation.