

VILLAGE OF NAKUSP

BYLAW NO.94

A BYLAW TO REGULATE THE CONSTRUCTION, CONNECTION AND USE OF BUILDING SEWERS

NOW THEREFORE the Council of the Village of Nakusp, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited for all purposes as the "Village of Nakusp Sewer Connection and Regulation Bylaw No. 94, 1972".

DEFINITIONS

2. In this Bylaw the following words shall have the meanings hereby assigned to them, that is to say:
 - a. 'Council' shall mean the Council of the Village of Nakusp.
 - b. 'Sewer Service Connection' shall mean the service pipe laid between the sewer main and the property line.
 - c. 'Building Sewer' shall mean a pipe that is connected to a building or structure to conduct sewage to a sewer service connection.
 - d. 'Inspector' shall mean the Building Inspector of the Village of Nakusp or any other person from time to time authorized by the Council.
 - e. 'Building or Structure' shall mean and include any building used wholly or in part for human habitation, or in which human beings are employed in respect of any trade, business or calling.
 - f. 'Connection' means the actual connection of Building Sewers to Sewer Service Connections.
 - g. 'Village' shall mean the Village of Nakusp.
3. Every owner of real property on which a building or structure is located shall, at his or her own expense, connect each building and structure located on the property to the sewer service connection at the property line by installing a building sewer and connection, in accordance with the specifications contained in this By-Law and any regulations enacted pursuant to the Health Act, R.S.B.C. 1996, c. 179.
[Amended by Bylaw 516, 1997]
4. After December 31, 1972 no building shall be occupied which is not connected with the sewer system in accordance with Section 3 of this Bylaw.

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4.1 In the event that an owner of real property fails to comply with Section 3 within thirty (30) days of receiving written notice from the Village directing him or her to do the work, the Village may, by its employees or contractors, enter upon the property to do the work, at the expense of the owner. If the owner does not pay the expenses incurred by the Village in doing such work within thirty (30) days of receiving an invoice for the same, the Village may recover the expense from the owner, together with the costs and interest at the rate prescribed under Section 11(3) of the Taxation (Rural Area) Act, R.S.B.C. 1996, c. 448 in the same manner as municipal taxes.

[Amended by Bylaw 516, 1997]

5. No person shall install any house sewer pipe or remove the plug from a Municipal Sewer without a connection permit being first obtained from the Municipal Clerk.
6. Sewer service connections will be laid to all real property on which stands a building or structure and if requested in writing by the registered owner to all vacant lots. Council may, however, exempt an owner from the conditions if a building or structure does not warrant a sewer service connection due to its impending destruction.
7. All outside house sewer lines shall be constructed of pipe approved under the National Building Code in force at the time of installation approved by the Building Inspector of the Municipality.

SURFACE WATER

8. Foundation drains, roof or surface water shall not be connected with the sanitary sewer.

NOXIOUS WASTES

9. Except where expressly permitted by Council under section 9.1, no person shall discharge, or permit to be discharged, into a sanitary sewer the following substances:
 - (a) septic tank effluent;
 - (b) flammable or explosive substances in liquid, solid or gaseous form, including, but not limited to, gasoline, benzene, naphtha, alcohol and propane;
 - (c) poisonous, toxic or infectious substances;
 - (d) pesticides, herbicides or fungicides;
 - (e) dead animals or animal parts, carrion or offal;
 - (f) animal body fluids or excrement;

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- (g) biomedical waste;
- (h) radioactive material, except within such limits as are permitted by a licence issued by the Government of Canada;
- (i) any substances that, either by themselves or by interaction with other wastes, are capable of:
 - (i) creating a public nuisance;
 - (ii) causing a hazard to life or damage to property or the environment;
 - (iii) becoming a health or safety hazard to personnel operating or maintaining the sewerage system;
 - (iv) causing damage to the sewerage system; or
 - (v) interfering with any sewage treatment process;
- (j) restaurant waste;
- (k) cooking oils;
- (l) grease, or water or waste containing grease;
- (m) oil;
- (n) lye;
- (o) dyes;
- (p) free acid;
- (q) mud;
- (r) grit;
- (s) plaster of paris;
- (t) lime;
- (u) clay or any other trade or industrial waste which may:

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(i) injure or impair the efficiency or safety of the sanitary sewer by causing deposits to forming; or

(ii) attack and weaken the sanitary sewer system.

[Bylaw 94-2, 2011 Amendment]

- 9.1 In the case of any commercial or industrial premises where there exists a possibility that any of the substances referred to in section 9 may be discharged into the sanitary sewer, approval of Council must first be secured for the layout and design of protective devices which are proposed to prevent or neutralize the discharge of noxious wastes. [Bylaw No, 94-2, 2011 Amendment]

SEPARATE CONNECTIONS

10. Each building must be separately and independently connected with the sanitary sewer, providing, however, that where two or more buildings are situated on the same building lot, one connection may be permitted, with the approval of the Council.

MINIMUM SIZES

11. 1. The minimum diameter of every sanitary building sewer and sewer connection is four (4) inches.
2. Sanitary sewer service connections cannot be of a lesser diameter than the owner's sanitary building sewer pipe extending from the building.

METHOD OF CONSTRUCTION

12. 1. The sewer trench must be 12" wider than the sewer pipe.
2. Each length of pipe shall be given a uniform solid rock-free bearing using concrete, if necessary, and the soil on each side of the pipe shall be well rammed.
3. Backfill, free of stones (and not frozen) shall be placed under and around the pipe and firmly tamped up to the horizontal diameter. The remainder of the trench shall be back-filled, avoiding the placing of stones, rocks, etc. In the 12" layer immediately above the pipe.
4. A minimum of 18" of earth must cover the sewer line. Where there is less than 18" of cover or where there is less than four feet of cover when a sewer is located under a driveway a cast iron or other pipe approved for this purpose must be used.
5. Unless a septic tank is filled with solid material for support, cast iron pipe must be lain through the tank.

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6. Where the building sewer is laid over filled ground or in ground which may be subject to settling the Village may require that cast iron soil pipe or other approved materials be used.
7. Changes of direction shall NOT be made by the use of quarter-bends or by laying straight lengths out of line; rather, wyes or one-eighth (1/8) bends shall be used in all such cases.
8. Foundation drains, roof or surface water, or bathing or swimming pools in excess of 500 imperial gallons shall not be connected with the sanitary sewer.
Amended by Bylaw No.192, 1978
9. A cleanout is to be installed on the plumbing house drain or on the upper end of the house sewer adjacent to the outside building wall if a cleanout is not accessible inside the building.
10. Minimum slope of house sewer pipes shall be ¼ inch to 12 inches.

INSPECTION

13. Every owner shall keep the building sewer on his land in good order and repair. Materials and workmanship which, in the opinion of the Inspector are defective, or otherwise not in accordance with the provisions of this Bylaw, shall be removed and replaced by the owner at the direction of the Inspector and the building sewer shall not be backfilled unless and until the said building sewer has been accepted and approved by the inspector.
14. Notwithstanding anything in this enactment contained, no application for a sewer connection shall be deemed to place any obligation upon the Village to establish a sewer service connection if, in the opinion of the Council it is not practical or feasible to establish such a sewer service connection.
15. There is hereby imposed upon the owner of real property sewer connection charges, pursuant to Sections 532 (1)(a) and 714 (f) of the *Municipal Act*, and those charges shall be determined as follows: *Sec. 15 (a)(b)(c) AMENDED BY BYLAW NO.192, 1978*
 - a. the issuance of a sewer connection permit, the sum of \$10.
 - b. the inspection pursuant to Section (13) of Bylaw No.94 the sum of \$40
 - c. for each and every inspection with the exception of the first inspection the sum of \$10
 - d. To defray the cost of laying connecting pipe from the main sewer to the property line of the building to be connected:
 - i. all service connections requiring a four inch (4") diameter pipe, the sum of \$920
 - ii. all service connections requiring a six inch (6") diameter pipe, the sum of \$1,020. (*Sec.d.i.,ii. AMENDED BYLAW NO.478, 1997*)

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16. Any person who, without Council approval, knowingly or negligently discharges or causes to be discharged those substances listed in section 9 into a sanitary sewer commits an offence. [Bylaw 94-2, 2011 Amendment]
- 16.1 Where a person knowingly or negligently discharges or causes to be discharged into a sanitary sewer any material or substance that may block, or interfere with, the operation of the sewerage system, then all charges incurred by the Village in remedying any resulting blockage or interference shall constitute a debt due and owing to the Village and is recoverable in any court of competent jurisdiction. [Bylaw 94-2, 2011 Amendment]
17. All rates, charges and fees which remain unpaid after the thirty-first (31st) day of December in any year shall be deemed to be taxes in arrears on the property concerned.

Every person who offends against any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention or violation of any of the provisions of this Bylaw or neglects or refrains from doing anything to be done by this Bylaw shall be deemed to have committed an offense under this Bylaw and shall be liable on conviction to a fine or penalty of not less than \$100 and not more than \$500.

READ A FIRST TIME THIS 9TH DAY OF MARCH, 1972

READ A SECOND TIME THIS 9TH DAY OF MARCH, 1972

READ A THIRD TIME THIS 9TH DAY OF MARCH, 1972

RECONSIDERED AND FINALLY ADOPTED THIS 16TH DAY OF MARCH, 1972.

ORIGINAL SIGNED BY E.HARDING, MAYOR AND F.SADD, CLERK.

REGISTERED IN THE OFFICE OF THE INSPECTOR OF MUNICIPALITIES THE 30TH DAY OF MARCH, 1972.

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VILLAGE OF NAKUSP

SCHEDULE A

BYLAW NO.94-1

SEWAGE HOLDING TANKS

1. A sewage holding tank system shall be for storage only and will receive all the sewage generated by the premises. The owner shall be responsible for installing the holding tank and bearing all costs and expenses incidental to the installation and maintenance. The owner shall indemnify the Municipality from any loss or damage that may directly or indirectly be occasioned by the installation, operation and maintenance of the holding tank.

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2. Every owner and occupier of land who intends to install a holding tank system shall submit a plan or plans of his proposed system to the Municipality for approval before installation. The plan(s) shall be in such detail as to be acceptable to the Municipality. A letter shall be obtained from the local Health Unit stating that a holding tank is the only option available for this particular site. This letter shall accompany the plan submission to the Municipality.

All plans submitted showing site locations, tank details, electrical details, material specifications, trenching and back filling techniques, etc. shall be sealed, signed and dated by a Professional Engineer registered in the Province of British Columbia

3. The owner or occupier shall obtain a haulage contract with a contractor. The haulage contract shall provide for pumping and hauling the contents of the holding tank system and such contract must be maintained at all times. Its wording must be approved by the Municipality.
4. No owner or occupier shall put into use, modify, expand or otherwise alter his holding tank system without the prior joint approval of the Municipality and Health Unit as set out in Clause 2 above.
5. No owner or occupier shall enter into a new haulage contract nor modify and old one without the prior approval as set out in Clause 3 above.
6. The contractor will discharge the sewage pumped out of the holding tanks at the location and in the manner specified by the Public Works Superintendent. The contractor shall not mix any septic tank contents or other wastes with holding tank sewage, nor shall the contractor discharge anything but holding tank sewage at the approved discharge point.
7. Upon each visit to the approved discharge point, the contractor must deposit with the Municipality a memo for each location he has serviced including the date, the address and the volume collected from that location.
8. Sewage Holding Tanks – Technical Requirements
 - a. Any bypass of the holding tank system is prohibited, and periodic inspections may be made by the Public Works Superintendent or a person designated by Council.
 - b. The holding tank shall be constructed of reinforced fibre glass, concrete or polyethylene and the design shall be submitted for the approval of the Public Works Superintendent.
 - c. Tank capacity shall be based on the proposed pumping frequency plus a factor of safety. Minimum liquid capacity is 2,000 gallons (9,092 litres).

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- d. Two types of alarm systems are required. One visual warning light when capacity reaches 75% and warning buzzer when capacity reaches 90% full. Both warning devices shall be located in a conspicuous location inside or outside the dwelling and each shall be on its own separate circuit.
 - e. The tank must be located in an area of the property that is easily accessible for the pump out vehicle. Setback distances from property lines, buildings, water lines, etc. must conform to septic tank requirements.
 - f. All tanks to be partially or completely installed below grade must have a support slab designed to prevent the tank from floating or any other involvement.
 - g. The tank's shape shall allow complete and easy removal of all liquid and sludge contents therein. It is recommended that a V-shaped or rounded bottom be used with a minimum 1.5% slope from end to end down to the discharge point.
 - h. The opening shall be one metre above the highest ground elevation found within one metre of the tank. The access manholes to the tank shall be sealed.
 - i. Two or more prefabricated tanks installed in a series may be used to accommodate the capacity required. It is recommended these be connected invert to invert with a continuous slope from the end accepting sewage to the end equipped with the discharge or pump-out point.
 - j. For any tank located outside the walls of the dwelling, a roof must be constructed to keep snow buildup from the pump out pipe or the access manhole.
 - k. For tank installations within the dwelling a pump out pipe or gravity discharge pipe may extend beyond the out walls of the dwelling. In this case the plans submitted must show construction details for protection against frost and cracking at this pipe/wall penetration point.
 - l. No provision for an overflow pipe is permitted. Should an overflow of the holding tank occur, it should be designed so that an obvious and immediate problem is created in the building and/or on the surface of the ground at the tank area.
 - m. Odor control – venting from holding tank is required in accordance with the Plumbing Code.
9. For all holding tank system installations a Restrictive Covenant shall be registered against the title to the land in question in accordance with Section 215 of the *Land Title Act* (Form C). The Restrictive Covenant shall require that the owner of the lot maintains a contract at all times with a pump out company and that a copy of the current contract is always deposited with the Village of Nakusp. The Covenant will allow inspectors of the Village of Nakusp the right of access at any reasonable time to inspect any part of the

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holding tank system. The Covenant will describe that, if the Municipality is made aware that the system is overloaded or has leaked or overflowed, and the contractor is contacted and will not perform the work or the contractor cannot be contacted, then the Municipality will attempt to contact the owner or occupier of the land. If the owner or occupier of the land cannot be contacted or if no alternative arrangement can be agreed upon with the owner or occupier of the land, the Municipality will arrange for pump out and clean up and the cost will be charged to the owner. If the charges remain unpaid on December 31st in any year, they shall be added to and form part of the taxes payable on that land as taxes in arrears.

10. The fee for a Holding Tank Permit shall be \$300.

VILLAGE OF NAKUSP

SCHEDULE B - BYLAW NO.94-1

HOLDING TANK SEWAGE DISPOSAL PERMIT

1. Name of Property Owner _____
2. Mailing Address of Property Owner _____
3. Legal Description of Property for which application is made

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4. Civic Address of property referred to in No.3

Village of Nakusp
Sewer Connection and Use No.94

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March 1972

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This document is consolidated for convenience only. The official Bylaw and all amendments thereto are available from the Village Office and should be consulted in interpreting and applying this Bylaw.

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5. **Please attach a copy of Ministry of Health letter stating a holding tank is the only option available for this particular site.**

The process that will be followed in the event that this application can proceed is as follows:

1. This form will be completed and all plans will be submitted.
2. An application fee of \$300 will be collected from the owner.

Approved _____

CAO
Public Works Superintendent

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