

THE CORPORATION OF THE TOWNSHIP OF SEVERN

BY-LAW 2006-75

As Amended by By-law Nos. 2006-122, 2007-09, 2007-138, 2008-67 & 2012-48

BEING A BY-LAW TO IDENTIFY WATER & SEWER SERVICE AREAS FOR THE
TOWNSHIP OF SEVERN AND TO REGULATE THE USE OF SUCH WORKS

WHEREAS the Corporation of the Township of Severn (“the municipality”) owns and operates a number of water and sanitary sewer works in the Township of Severn and lateral connections thereto that service distinct areas of the municipality;

AND WHEREAS the *Municipal Act*, S.O. 2001, Chapter 25, Section 11., provides that a municipality may pass By-laws with respect to public utilities and for the health, safety and well-being of persons;

AND WHEREAS the *Municipal Act*, S.O. 2001, Chapter 25, Section 80., provides that a municipality may, at reasonable times, enter onto land to which it supplies a public utility, to inspect, repair, alter or disconnect the service pipe or wire, machinery, equipment and other works used to supply the public utility, or to inspect, install, repair, replace or alter a public utility meter;

AND WHEREAS the municipality has deemed it mandatory for the owners of property in the service areas to connect to the sewer and water services;

AND WHEREAS Section 130 of the *Municipal Act, 2001* authorizes the Municipality to regulate matters relating to the health, safety and well being of the inhabitants of the municipality;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SEVERN HEREBY ENACTS AS FOLLOWS:

1. Township Service Areas

1.1 That the services areas outlined herein as Schedules “A” to “F” and forming part of this By-law are to define the water and sewer systems within the Township of Severn:

Schedule “A”	Bass Lake Woodlands Water System
Schedule “B”	Coldwater Water & Sewer System
Schedule “C”	Sandcastle Estates Water System
Schedule “D”	Severn Estates Water System
Schedule “E”	Washago Water & Sewer System
Schedule “F”	Westshore Water & Sewer System

2. Definitions

“Backwater Valve” shall mean a check valve designed for use in a gravity drainage system.

“Building” shall mean any building as defined in the *Building Code Act*, S.O. 1992 as amended wherein a potable supply of water and/or a water closet is required by law or intended to be used.

“Check Valve”	shall mean a device to prevent the flow of water from a private residence back into a municipal system.
“Connection”	shall mean a connection to a water works system or sanitary sewer works system including service pipes from the interior face of the outer wall of the building.
“Cooling Water”	shall mean water that is used in a process for the purpose of removing heat and that has not, by design, come into contact with process materials and that has been circulated through the cooling device, but does not include blowdown water.
“Forced Sewage System”	shall mean a system that requires the installation of a grinder pump unit to transfer sewage effluent from the private serviced property to the main communal system.
“Hauled Domestic Sewage”	shall mean domestic sewage that is transported in a tank truck for treatment or disposal.
“Industrial Waste”	shall mean or pertain to water that is a product of an enterprise or activity involving industrial or manufacturing processes or operations.
“Notice”	shall mean a notice given pursuant to the provisions of this By-law requiring a connection to be made.
“Sanitary Sewer Works”	shall mean the sewage treatment plant, sewer mains, lateral connections to a private property line and all appurtenances.
“Storm Water”	shall mean rainwater runoff, water runoff from roofs, flow from foundation drains, snow melt, and surface runoff.
“Water Meter”	shall mean a water meter obtained from the Township of Severn for metering the supply of water from the Westshore Water Works and such definition includes a remote reading device, a backflow preventing device (check valve) and an expansion tank.
“Water Works”	shall mean all water treatment facilities, water mains and lateral connections to a private property line and all appurtenances.
“Uncontaminated Water”	shall mean water supplied by the sanitary sewer works or water works or any other water to which no matter has been added as a consequence of its use.

3. Authorization of Works

That the Municipality is authorized by this By-law to install all sanitary sewer works and water works in the Service Areas.

4. Connection Required

4.1 That every owner of a building within the service areas shall connect to the water works and/or sanitary sewage works by making an application on the prescribed form attached hereto as Schedule “G” and forming part of this By-law.

- 4.2 That each property is required to have an individual sewer lateral connection and lateral connection from the sewer main and water main to the property line.
- 4.3 That no person shall divide the sewer lateral connection and/or lateral connection to service more than one lot.
- 4.4 That whereon buildings existing in the Westshore Service Area as of June 1st, 2005 shall connect to the Westshore Works no later than December 1st, 2006.
- 4.5 That an application fee is payable at the time of submission of an application for connection in accordance with the Township of Severn's Fees & Charges By-law.
- 4.6 That in the event that the construction of a lateral service connection is required, the applicant shall be responsible for all costs with respect to this connection. A deposit estimated by the Director of Public Works shall be submitted at the time of application to be sufficient to cover the total costs of construction..
- 4.7 That no connection shall be made to a water works system or sewage works system until a permit has been issued for connection in accordance with this By-law.

5. Installation Inspections

- 5.1 That all excavations required for the installation of connections to water or sewage works shall be by open trench unless otherwise approved, and no backfill shall be placed until the work has been inspected in compliance with the *Building Code Act*.
- 5.2 That an applicant for connection shall give at least seven (7) days written notice to the Building Department when the sewer or water service is ready for inspection and connection, and the connection shall be made under the supervision of the Building Inspector or his designate.
- 5.3 That the Director of Public Works or designate bearing the proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurements, sampling and testing in accordance with the provisions of this By-law.

6. Connections Concurrent

- 6.1 That connections to sanitary sewer works and water works shall occur at the same time.

7. Water Meters and Inspections

- 7.1 That all connections to the water works shall:
 - (a) include a meter package obtained from the Township for the applicable fee; and
 - (b) be inspected by the Township of Severn.
- 7.2 That all meters shall be installed in an upright horizontal position and shall be placed in a position that will permit all water consumption to be registered by the meter in an easily accessible area and shall include a remote reading device on the outside of every building.

- 7.3 That the property owner shall permit entry onto the property and into the premises for the reading or repair of a meter(s) and access to such meter(s) shall be accessible at all times.
- 7.4 That no person shall tamper with or willfully damage a water meter.
8. Grease Trap
- 8.1 That each property owner shall ensure that all connections to buildings containing commercial and industrial uses include a "grease trap".
- 8.2 That each property owner shall ensure that grease traps are maintained and inspected on an annual basis, at a minimum. Each property owner shall submit written documentation concerning such maintenance and inspection, satisfactory to the Township, shall be supplied within 15 days upon demand in writing by the Township.
9. Cost and Liability
- 9.1 That property owners shall assume all cost and liability for:
- (a) making the connection from the property line to buildings thereon; and
 - (b) purchasing the required meter(s) from the Township and the installation thereof.
- 9.2 That with respect to the Westshore Water & Sewer System, prior to December 1st, 2006, the Township will supply and install the meter referenced in Section 9.(1)(b) to all buildings existing prior to June 1, 2005.
10. Rates for Water & Sewer Works
- 10.1 That the owners of each property required to be connected to a municipal sewage works and/or water works system shall pay the rate as determined annually by Township By-law, including capital improvements.
- 10.2 That the rates for maintenance and operation of the sewage works and water works systems are the responsibility of the owner of lands required to be connected to a water or sewage works system and are liable for payment of the rates so fixed commencing with the date of connection.
- 10.3 That the rates for maintenance and operation of the Westshore Water & Sewer System are the responsibility of the owner of lands required to be connected and are liable for payment of the rates so fixed commencing upon the earliest of the following dates:
- 1) the date of connection; or
 - 2) December 1, 2006.
- 10.4 That rates for operation and maintenance of the water works systems and sewage works systems shall be calculated monthly and be payable quarterly.
- 10.5 That the property owners located in the Westshore Service Area that have not connected to the system by December 1, 2006 shall be invoiced for the connections which may be collected pursuant to Section 20.2 herein.
11. Storm Water and Groundwater
- 11.1 That no person shall connect sump pumps, down spouts or any other drainage works, that collects storm water or groundwater, to the sewer work systems.

- 11.2 That no person shall cause or permit discharge of any storm water including surface water, ground water, rain run off, foundation drain or other sub-surface drainage including any unpolluted cooling water or unpolluted industrial/commercial process water into sewage works systems.

12. Disconnection of Existing Septic Systems

- 12.1 That property owners shall disconnect and cease use of existing septic systems upon the connection of buildings thereon to the Sewage Works. **Septic facilities shall be decommissioned** in accordance with the *Building Code Act* and its regulations which may include or require the existing septic tank located on the property to be removed or filled in with gravel, earth or sand.

13. Wells

- 13.1 That existing wells may continue to be used provided that there is no cross connection with the municipal water supply, subject to subsection 13.2 herein.
- 13.2 That whereupon the Township determines that the use or existence of a well may be dangerous to the health and well being of the property owner or other persons, the Township may, in writing, require the owner to decommission the well.
- 13.3 That whereupon a property owner no longer wishes to use such well or the Township has required the decommissioning of a well pursuant to subsection (2), such decommissioning shall be completed in accordance with the *Ontario Water Resources Act*, R.S.O. 1990 and Regulation 903, both as amended from time to time.

14. Sanitary Sewers

- 14.1 That no person shall discharge or cause or permit to be discharged into the sewage works any:
- (a) industrial/commercial waste, without prior approval from Council;
 - (b) hauled domestic sewage; and/or
 - (c) cooling water, storm water or uncontaminated water.
- 14.2 That no person shall deposit in any sewer, opening or receptacle connected with the sewer work systems any matter or thing except feces, urine and the necessary closet paper and domestic liquid waste.
- 14.3 That no person shall discharge or cause or permit to be discharged into sewage works a substance that may result in one of the following conditions:
- (a) a health or safety hazard to a sewage works person authorized to operate, maintain, repair or otherwise works on sewage works;
 - (b) a breach of the Ontario Water Resources Act or the Environmental Protection Act as amended from time to time, or any regulation made there under from time to time;
 - (c) biosolids from a sewage works to which either sewage discharge, directly or indirectly, fail to meet the objective and criteria as set out in the Ministry of the Environment publication entitled "Guidelines for the Utilization of Biosolids and Other Wastes in/on Agricultural Land" dated March 1996, as amended from time to time;
 - (d) an obstruction or restriction to the flow of the sanitary sewer;
 - (e) an offensive odor to emanate from the sanitary sewer or sewage works;
 - (f) damage to the sanitary sewer works infrastructure;
 - (g) interference with the operation or maintenance at a sewage works.

- 14.4 That the installation of a backwater valve shall be a precondition for connection of a new private sanitary sewer to the public sewer main and for the issuance of a Building Permit which involves the expansion of an existing private drainage system located in the defined areas indicated on Schedule "H" attached hereto and forming part of this By-law.
- 14.5 That each property owner shall install a backwater valve for all basement services connecting to the water and sewer systems.
15. Forced Sewage Systems
- 15.1 That all property owners outlined in Schedule "I" attached hereto and forming part of this By-law shall install a grinder pump unit in order to accommodate the transfer of sewage effluent from the private serviced property to the main communal system.
16. Water Supply
- 16.1 That no person shall upon notice from the Township, water or sprinkle water, or cause or permit the watering or sprinkling of any lawn, garden, tree, shrub, or other outdoor plant in the Township of Severn, **from a Municipal water system**, through a hose or other attachment except between the hours of **6:00 a.m. to 8:00 a.m. and 8:00 p.m. to 10:00 p.m.** subject to the following:
- (a) premises with Municipal addresses having even numbers may sprinkle or water with the designated times only on even-numbered days;
 - (b) premises with municipal addresses having odd numbers may sprinkle or water within the designated times only on odd-numbered days;
- 16.2 That notwithstanding Section 16.1, watering is permitted for the following:
- (a) newly planted tress, ornamental shrubs and flow gardens while being installed and during the next following 24 hours after the completion of installation; and
 - (b) lawns being treated with any pesticide, herbicide spray or fertilizer which requires water while being treated and during the next following 24 hours after application.
- 16.3 That notwithstanding the provisions set out in Sections 16.1 and 16.2, in the event of a system breakdown or at the discretion of the Director of Public Water Works & Utilities or his designate any or all use of water from Municipal owned water systems may be regulated.
17. Fire Hydrants
- 17.1 That no person, save and except an employee of the Township of Severn, shall open or cause to be opened a fire hydrant forming part of a municipal water works system.
18. Offences
- 18.1 That no person shall maliciously, willfully or negligently break, damage, destroy, deface or tamper with any structure, appurtenance or equipment which is part of a water works or sewer works system.

19. Offences and Penalties

- 19.1 That any person who contravenes any provisions of this By-law is guilty of an offence and is liable, upon conviction, to a fine of not more than \$ 10,000.00 on every person who is convicted of a first offence and \$ 25,000.00 for any subsequent offence, as authorized by the *Municipal Act*, R.S.O. 1990, Chapter M. 45, Section 332.(1).
- 19.2 That where a Corporation is convicted of an offence with respect to contravention of this By-law, the maximum penalty that may be imposed upon the Corporation is \$50,000.00 for the first offence and \$100,000.00 for any subsequent offence, as authorized by the *Municipal Act*, R.S.O. 1990, Chapter M.45, Section 332.(2).
- 19.3 That any person who contravenes any provision in Part 4 of this By-law is guilty of an offence and, upon conviction thereof, is liable to a fine provided for in the *Provincial Offences Act*.
- 19.4 That each calendar day on which such a contravention occurs is a separate offence.

20. Connection by the Township

- 20.1 That whereupon a property owner has failed to connect to the Water & Sewer Works as required by this By-law, the municipality may give notice by prepaid mail or by posting on the property to enter onto property and into buildings to make such connection, and the cost of making such connections shall be at the owner's expense.
- 20.2 That the cost of making connections by the Municipality shall be recoverable, and the Clerk of the Municipality shall add said costs to the Collector's Roll which shall be collected in the same manner as overdue taxes and shall bear interest from the date when the first demand payment is made at the same rate as overdue taxes.
- 20.3 That any notice hereunder:
- (a) shall be given thirty (30) days prior to the municipality entering onto property and into buildings to make such connections;
 - (b) shall require the owner to make the connection;
 - (c) shall advise the owner of the date on which the notice period expires;
 - (d) shall advise the owner that if they fail to make the connection required by the deadline date, the Municipality has the right to make such connection at the owner's expense and the costs shall be recovered in the same manner as overdue taxes; and
 - (e) shall make reference to this By-law.

21. Decommissioning of a Well by the Township

- 21.1 That whereupon a property owner has failed to decommission a well as required in a notice given under the authority of Section 13.2 herein, the municipality and its agents may enter on to the property to decommission such well and the costs of such decommissioning shall be paid by the property owner or the costs shall be recovered in the same manner as overdue taxes.

22. Enforcement

- 22.1 That this By-law shall be enforced by the Municipal Law Enforcement Officer(s) appointed by the Township of Severn.

23. Severability

23.1 That all sections of this By-law shall be deemed to be separate and independent and the validity of any section or provision hereof shall not effect the remaining sections.

24. Effect

24.1 That this By-law shall come into force and take effect upon the date of its passing thereof.

25. Repeal

25.1 That By-law Nos. 1994-103, as amended, 1997-91, 1997-92, as amended and 2005-98, inclusive, be and they are hereby repealed.

By-law read a first and second time this 6th day of July, 2006.

By-law read a third time and finally passed this 6th day of July, 2006.

CORPORATION OF THE TOWNSHIP OF SEVERN

Phil Sled

MAYOR

W. Henry Sander

CLERK-TREASURER

SCHEDULE "A" TO BY-LAW NO. 2008-67

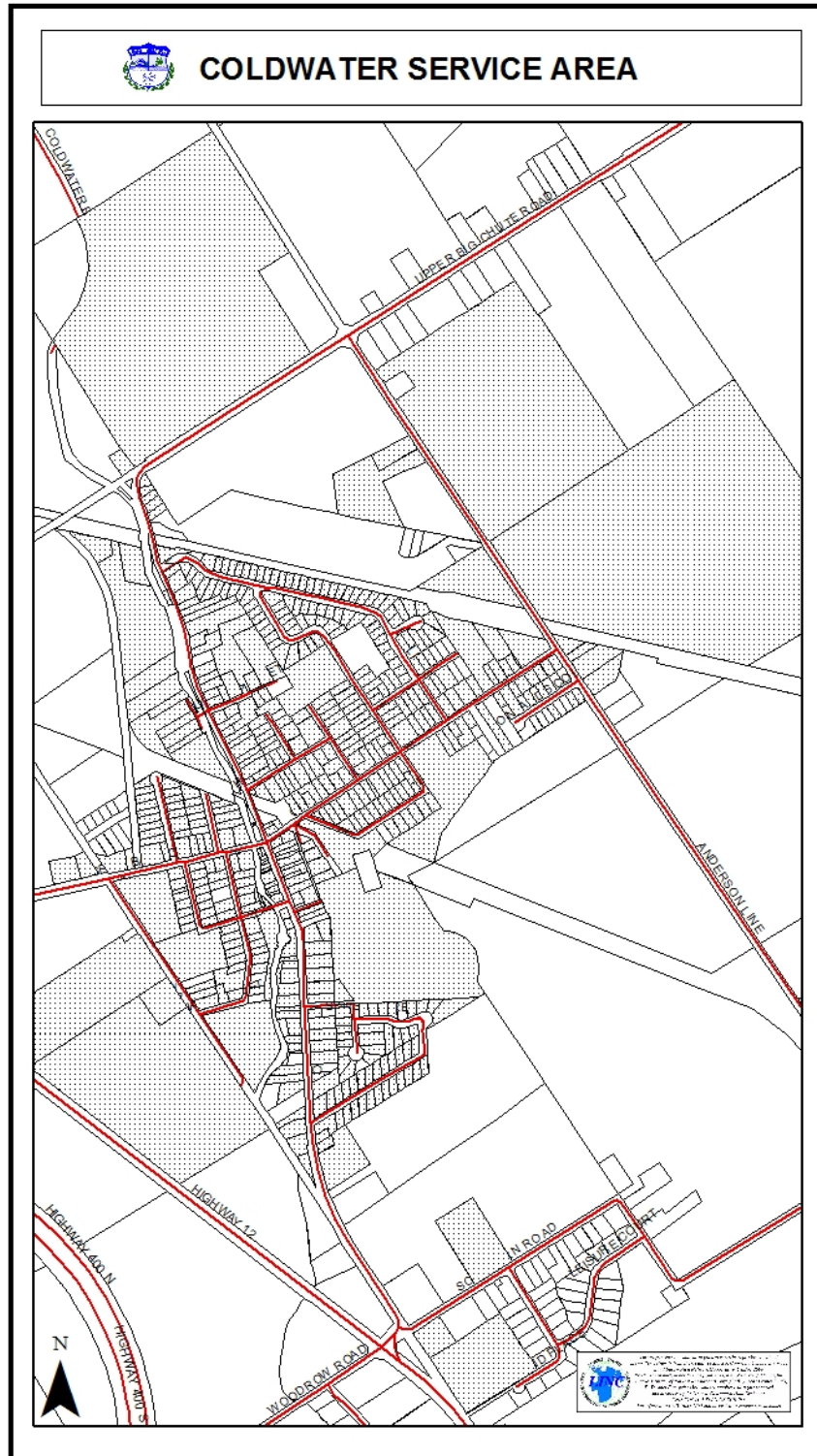
Schedule "A" to By-law No. 2006-75, as amended

Bass Lake Woodlands Water System – Service Area



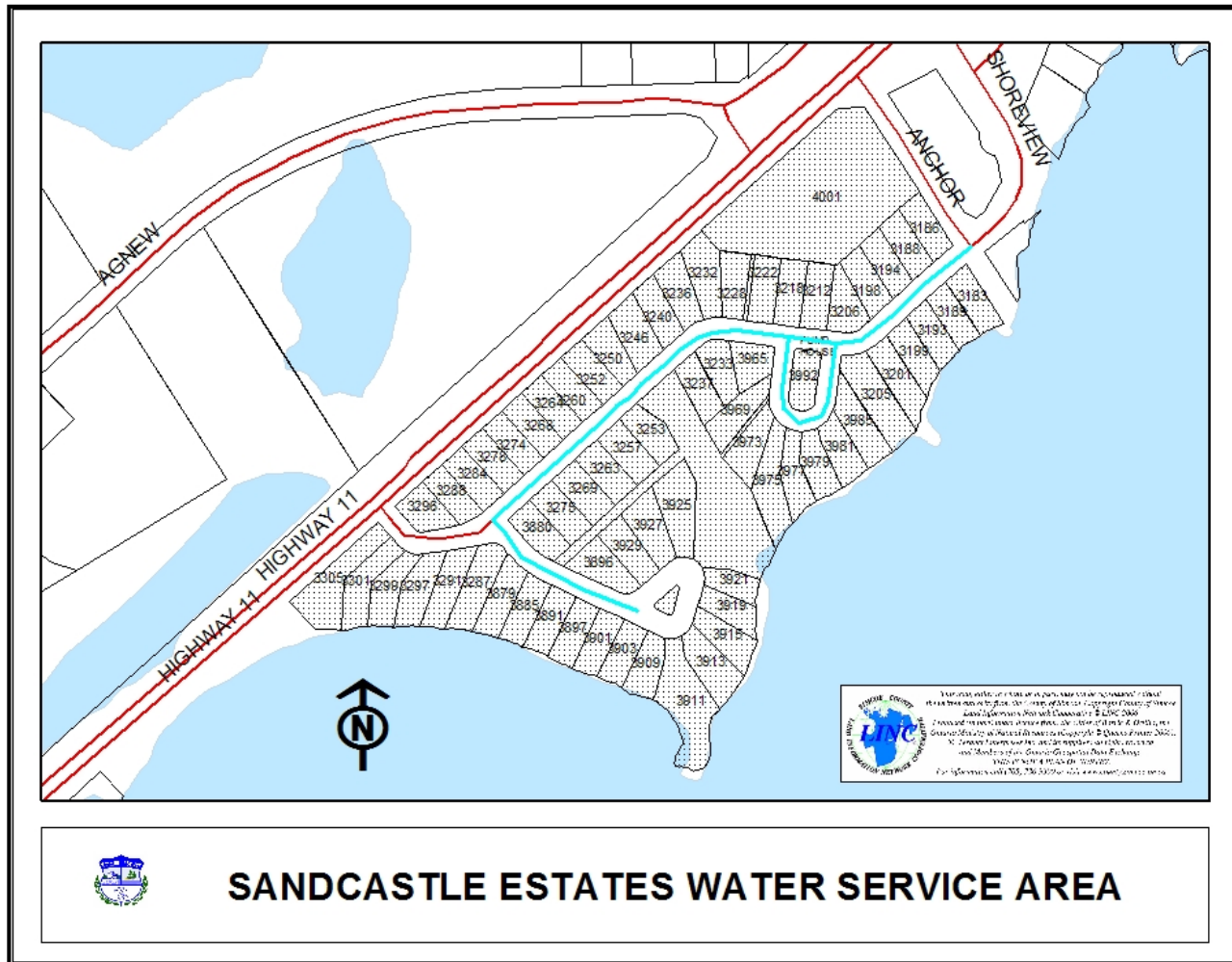
SCHEDULE "B" TO BY-LAW NO. 2006-75

Coldwater Water & Sewer System – Service Area



SCHEDULE "C" TO BY-LAW NO. 2006-75

Sandcastle Estates Water System – Service Area



SCHEDULE "D" TO BY-LAW NO. 2006-75

Severn Estates Water System – Service Area

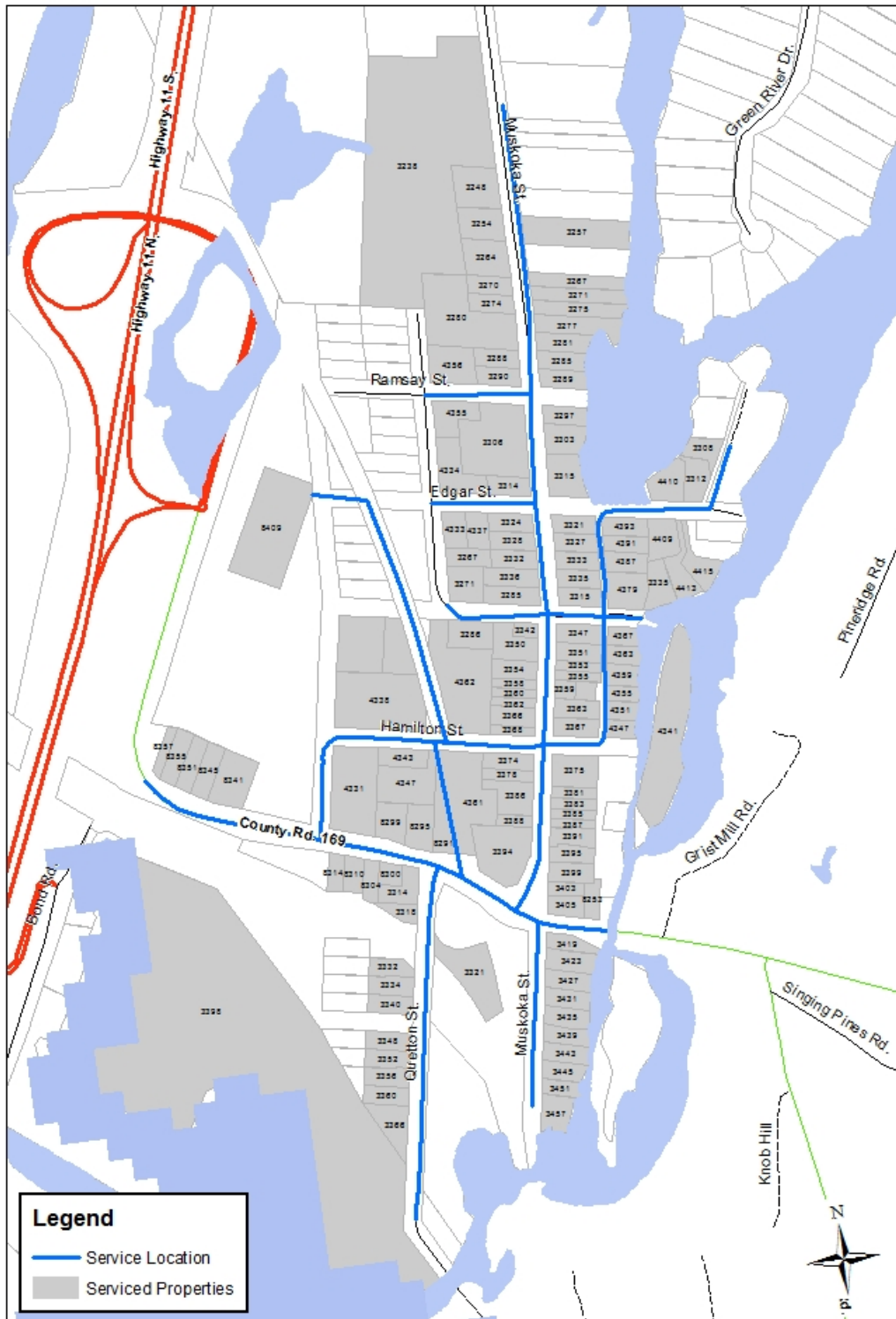


SCHEDULE "E" TO BY-LAW NO. 2006-75

Washago Water & Sewer System – Service Area

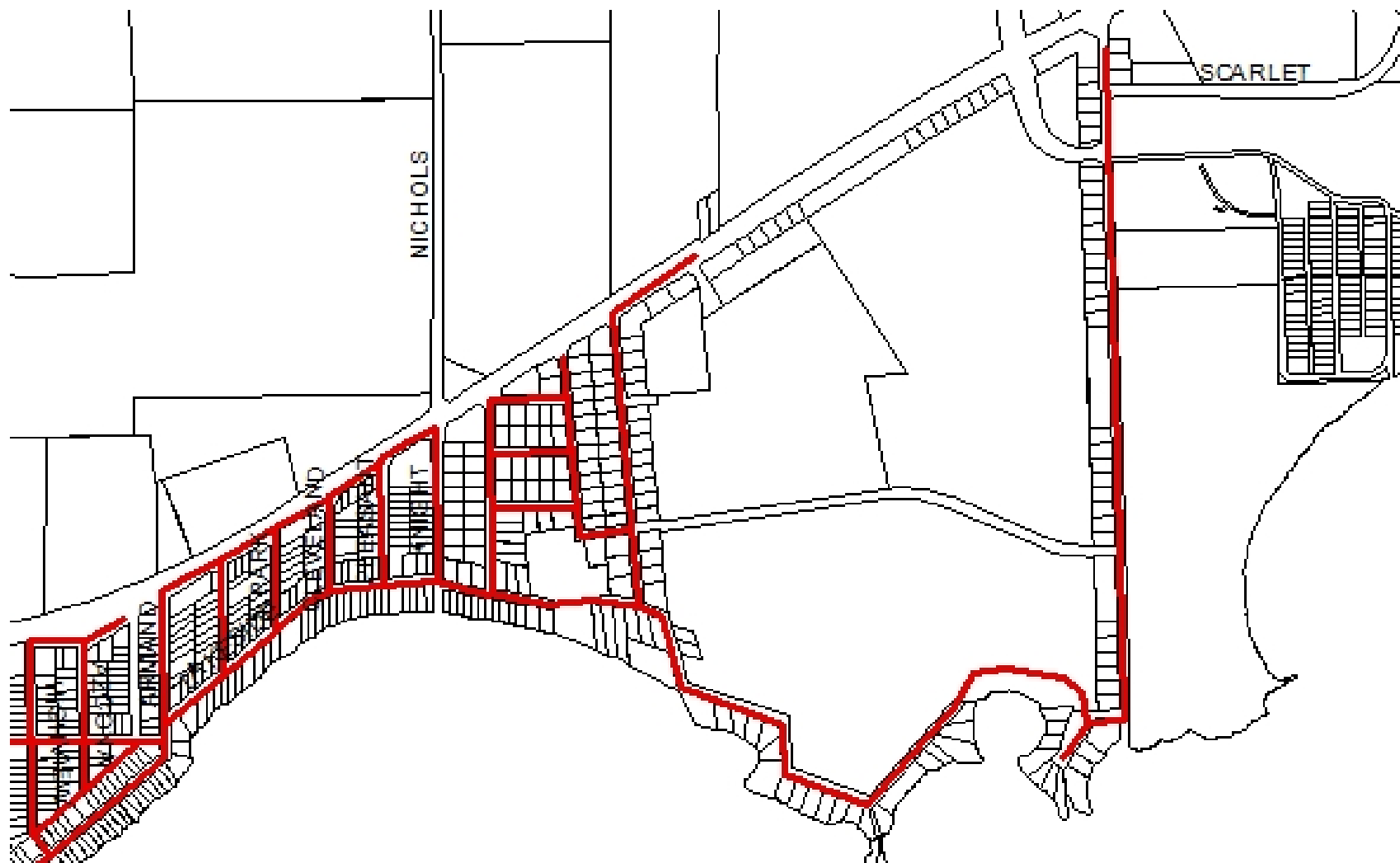


WASHAGO SERVICE AREA

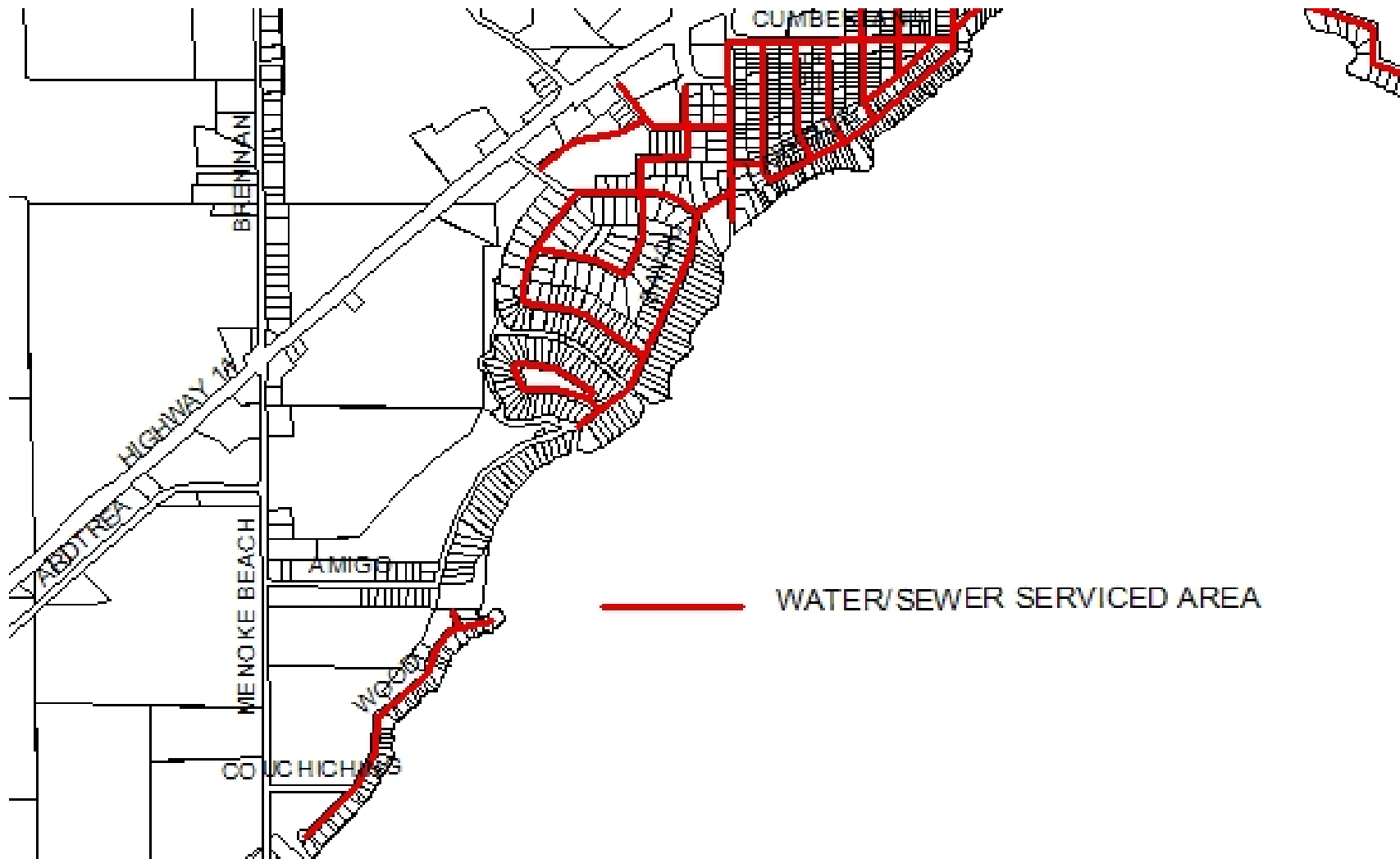


SCHEDULE "F" TO BY-LAW NO. 2006-75

Westshore Water & Sewer System – Service Area



SCHEDULE "F" TO BY-LAW NO. 2006-75 (cont'd)
Westshore Water & Sewer System – Service Area



SCHEDULE "G" TO BY-LAW NO. 2006-75

TOWNSHIP OF SEVERN

Application for Connection to Water & Sewer System

NAME:		
MAILING ADDRESS:		
CIVIC ADDRESS:		
TELEPHONE NO.:		
LOT NO.	PLAN/CONC. NO.	ROLL NO.
APPLICATION FEE: \$		RECEIPT NO.:

Municipal Water/Sewer System:

- ☐ Bass Lake Woodlands Water System
- ☐ Coldwater Water & Sewer System
- ☐ Sandcastle Estates Water System
- ☐ Severn Estates Water System
- ☐ Washago Water & Sewer System
- ☐ Westshore Water & Sewer System

Municipal Services:

- | | |
|--------------------------------------|-------------------------------------|
| ☐ WATER | ☐ SEWER |
| ☐ RESIDENTIAL | ☐ COMMERCIAL |

I, the undersigned, hereby make application to the Township of Severn for the provision of the above-noted municipal services to be supplied at the address and the premises described above and agree to pay for such municipal services as bills are rendered.

I hereby also covenant and agree that neither I nor my executors, administrators, successors or assigns will make any claim or demand whatsoever against the Corporation of the Township of Severn by reason of damage from any flooding occasioned by any overcharging of the said water and sewer or private drain connection. It is also expressly agreed that I will not permit roof water, weeping tile drain water or any stormwater of any nature to be carried into the sanitary sewer in accordance with Township of Severn By-laws.

OWNER'S SIGNATURE

DATE

APPROVAL OF APPLICATION
Director of Public Works

SCHEDULE “H” TO BY-LAW NO. 2006-75

Defined Area for Installation of Backwater Valves

Coldwater Water & Sewer System

1. River Street between Lynch Street and the northern most pumping station.
2. Brick Pond Road between John Street and River Street.
3. West Street from Sturgeon Bay Road to the north limit of West Street.

Washago Water & Sewer System

1. Muskoka Street – 6 lots north of Pumping Station No. 1.
2. Mill Island
3. St. George Island

Westshore Water & Sewer System

1. Lakeside Drive from Municipal No. 2779 to 2835 (adjacent to Lake Couchiching)

BACKWATER VALVES ARE ALSO REQUIRED ON ALL NEW STRUCTURES WITH AN INGROUND SANITARY SERVICE.
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SCHEDULE "H" TO BY-LAW NO. 2006-75 (cont'd)
Defined Area for Installation of Backwater Valves

River Street from Lynch Street to North Pumping Station



SCHEDULE "H" TO BY-LAW NO. 2006-75 (cont'd)
Defined Area for Installation of Backwater Valves

Brick Pond Road from John Street to River Street

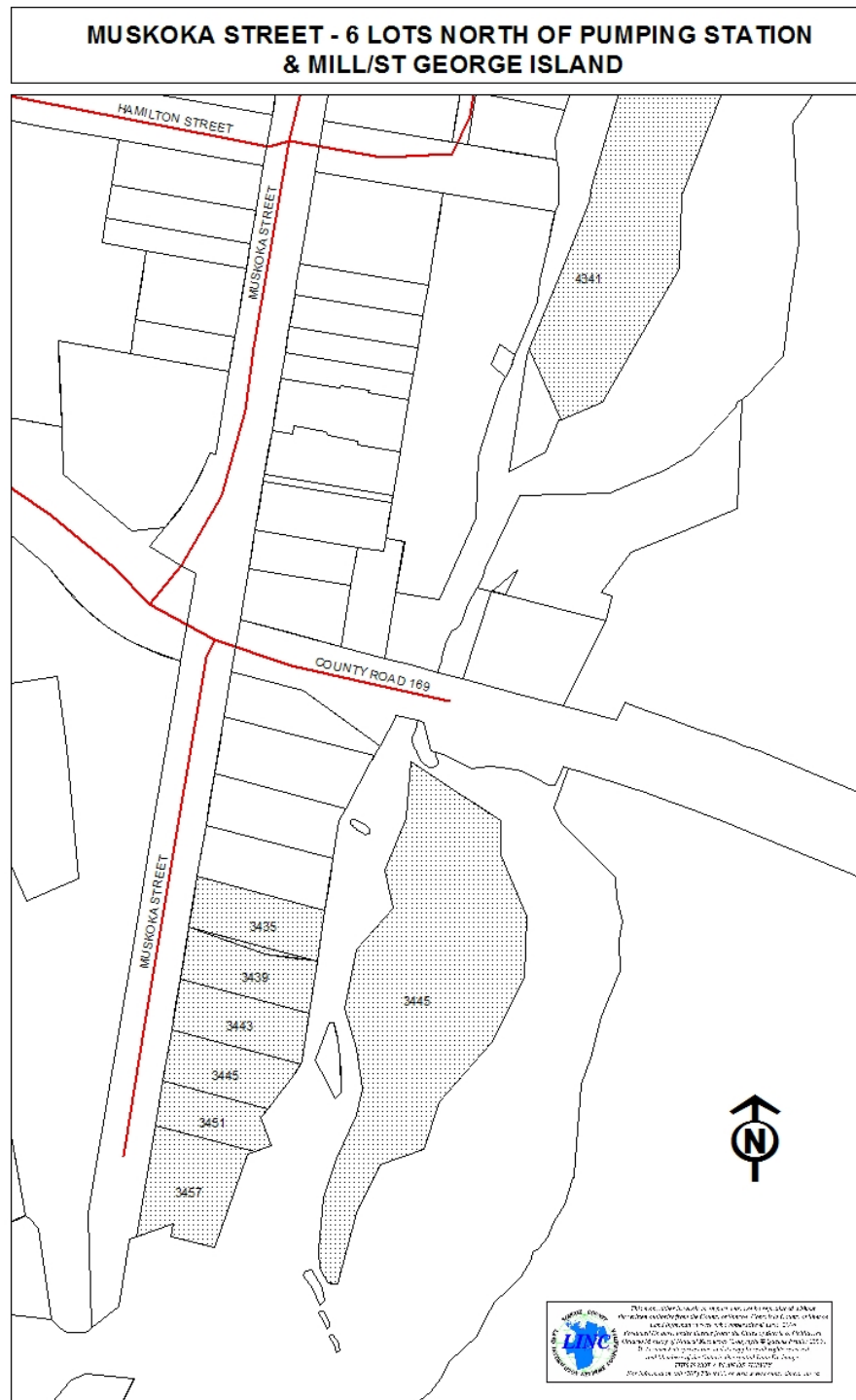


SCHEDULE "H" TO BY-LAW NO. 2006-75 (cont'd)
Defined Area for Installation of Backwater Valves

West Street from Sturgeon Bay Road to North Limit of West Street



Muskoka Street – 6 Lots North of Pumping Station,
Mill Island & St. George Island



SCHEDULE "H" TO BY-LAW NO. 2006-75 (cont'd)
Defined Area for Installation of Backwater Valves

Lakeside Drive from Municipal No. 2779 to 2835
(adjacent to Lake Couchiching)



Westshore Water & Sewer - Forced Sewage Systems

