

RURAL MUNICIPALITY OF CARTIER
BY-LAW NO. 1724-25
SUMP PUMP AND STORM WATER DISCHARGE

BEING A BY-LAW of the Rural Municipality of Cartier to restrict the discharge of certain surface and storm water into municipal low pressure sewer systems and to establish guidelines for sewer maintenance and protection.

WHEREAS the provisions of The Municipal Act, C.C.S.M. c. M225 provides as follows:

Spheres of jurisdiction

232(1) A Council may pass by-laws for municipal purposes respecting the following matters,

- (a) the safety, health, protection and well-being of people, and the safety and protection of property;
- (h) drains and drainage on private or public property;
- (l) public utilities;

General Powers

250 (2) Without limiting the generality of subsection (1), a municipality may for municipal purposes do the following:

- (a) acquire, hold, mortgage and dispose of land, improvements and personal property, or an interest in land, improvements and personal property;
- (b) construct, operate, repair, improve and maintain works and improvements;
- (c) acquire, establish, maintain and operate services, facilities and utilities;
- (d) enter into agreements with a person, with an agency of the Government of Manitoba or the Government of Canada, or with another municipality, including a municipality in another province, to do with or on behalf of the municipality anything the municipality has the power to do within the municipality;
- (e) use municipal equipment, materials and labour to carry out private works on private property.

Powers respecting works, services utilities

252 (1) A municipality exercising powers in the nature of those referred to in clauses 250(2)(b), (c) and (e) may set terms and conditions in respect of users, including

- (a) setting the rates or amounts of deposits, fees and other charges, and charging and collecting them;
- (b) providing for a right of entry onto private property to determine compliance with other terms and conditions, to determine the amount of deposits, fees or other charges, or to disconnect a service; and
- (c) discontinuing or disconnecting a service and refusing to provide the service to users who fail to comply with the terms and conditions.

AND WHEREAS the Council of the Rural Municipality of Cartier is required to do its utmost to protect its asset infrastructure including the sewer systems from damage resulting from the discharge of water into the public sewer system;

AND WHEREAS it is deemed advisable to restrict the discharge of water accumulated on property due to precipitation, flooding or otherwise into the sewer systems;

NOW THEREFORE the Council of The Rural Municipality of Cartier in session duly assembled enacts as follows:

Section One - Definitions:

1.1 In this By-Law,

- a) "Affected Property" means all lands, including all buildings, structures and improvements, which are connected to the RM of Cartier sewer system;
- b) "Drainage System" means any device or system used or intended for the purpose of collecting, storing, conveying, controlling or diverting the flow of storm water and ground water;
- c) "Storm Water" means surface water or subsurface water resulting from precipitation or flooding; and
- d) "Work" means any construction, installation, alteration or repair of or to a drainage system servicing or affecting an Affected Property.
- e) "Ground Water" means water held underground in the soil or in pores and crevices in rock

Section Two – Scope

2.1 - This By-Law applies to the sewer systems servicing or affecting all buildings and structures which are situated within the municipality.

Section Three – Prohibitions

3.1 - No owner shall permit the discharge of storm water from the drainage system servicing or affecting an Affected Property into a public sewer or other waste water disposal system.

3.2 - No owner shall maintain in place a Drainage System servicing or affecting an Affected Property, other than in compliance with such standards and specifications as are approved from time to time by the Municipality.

3.3 - No owner within the municipality shall permit sump pump discharge hoses to drain directly onto neighbouring properties, lanes or streets, sidewalks or boulevards. The property owner shall ensure that the sump pump hose end remains 1.6 m (5 feet) inside their property line.

3.4 - No person shall work, authorize or allow any Work to proceed in connection with a drainage system servicing or affecting an Affected Property unless prior approval has been granted by the designated municipal employee for the work to be performed.

3.5 - No person shall deviate from the terms and conditions forming a part of any approval issued under this By-Law, or fail to complete the work contemplated by such permit, without first obtaining the written consent of the municipality to do so.

Section Four - Duties and Responsibilities of the Owner

4.1 - Every owner who receives notice of an order made against them under this By-Law shall comply with such order within the time specified therein.

4.2 – With reasonable notification, every owner and/or occupant shall allow the designated employee of the municipality to enter upon and into any lands and premises for the purposes of carrying out inspections or administering or enforcing this By-Law.

4.3 - Every owner shall obtain a permit in connection with any proposed work pertaining to a drainage system servicing or affecting an Affected Property, prior to commencing the work to which such permit relates.

4.4 - Upon applying for a permit under this By-Law, every owner shall provide such information including, without limitation, such plans and specifications as the Municipality may request for the purpose of evaluating the proposed work.

4.5 - Every owner shall give notice in writing to the Municipality when work for which a permit has been issued under this By-Law has completed.

4.6 - When required by the Municipality, every owner shall replace at their own expense any work that has been completed contrary to the conditions contained in the permit to which such work relates.

4.7 - No permit issued pursuant to the By-Law shall relieve the owner of their responsibility to carry out the work and maintain the drainage system in accordance with the provisions of this By-Law.

Section Five - Duties of the Municipality

5.1 - The Municipality shall, from time to time, approve specifications and standards applicable to work relating to drainage systems servicing or affecting Affected Property, and shall make such standards and specifications available to each applicant for a permit under this By-Law.

5.2 - The Municipality shall issue in writing notices or orders as are necessary to inform the owner where a contravention of this By-Law has been observed.

5.3 - The Municipality shall issue a permit to the owner, or the owner's agent, in each case where the applicable conditions set forth or contemplated by this By-Law have been complied with.

Section Six - Enforcement

6.1 - The designated municipal employee(s) are hereby authorized to enter upon any lands and into any Affected Properties for the purpose of:

- a) Closing off any connection between a drainage system and the public sewer or wastewater system if the designated employee believes it will reduce damage or loss caused by stormwater;
- b) Inspection of blockages in sewer systems or equipment used with the sewer connection;
- c) carrying out inspections; or
- d) administering or enforcing this By-Law.

6.2 - If the designated employee(s), having inspected any drainage system, are of the opinion that the requirements of this By-Law have not been complied with, the Municipality may, by written notice, order an owner to comply with this By-Law within 30 days.

6.3 - Where an owner fails to comply with an order made under this By-Law within the specified time limit, the Municipality may authorize and arrange for the correction of the non-compliance at the expense of the owner. Where the owner fails to pay the cost of the work, the cost may be added to the tax roll and collected in the same manner as taxes.

PREVIOUS BY-LAW REPEALED

7.0 By-Law 1539-01 is hereby repealed.

DONE AND PASSED on June 3, 2025.


Christa Vann Mitchell
Reeve


Michael Lackmanec
CAO

Read a first time on May 20, 2025
Read a second time on June 3, 2025
Read a third time on June 3, 2025



Resolution No. 25-218

**RURAL MUNICIPALITY OF CARTIER
RESOLUTION OF COUNCIL
June 3, 2025**

Moved By: Councillor Jason Laramée

Seconded By: Councillor Christian Lachance

BE IT RESOLVED THAT By-Law No. 1724-25 being a By-Law of the Rural Municipality of Cartier for Sump Pump and Storm Water Discharge is hereby read a third time, signed, sealed and adopted as a By-Law of the Rural Municipality of Cartier.

In accordance with Section 137 of The Municipal Act, members present voted as follows:

NAME	FOR	AGAINST	ABSTAIN	ABSENT
Dan Bouchard	✓			
James Krahn	✓			
Christian Lachance	✓			
Jason Laramée	✓			
Kevin Nixon	✓			
Christa Vann Mitchell	✓			

CARRIED

I, Michael Lackmanec, hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Council of the Rural Municipality of Cartier at a meeting held on Tuesday, June 3, 2025.

Michael Lackmanec, MBA, CPA
Chief Administrative Officer