

TOWN OF QUALICUM BEACH

BYLAW NO. 732

A BYLAW REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM

WHEREAS the Council of the Town of Qualicum Beach has constructed and maintains a sewerage collection system; and

WHEREAS it is deemed necessary to provide for connections to the sewers;

NOW THEREFORE the Council of the Town of Qualicum Beach, in open meeting assembled, enacts as follows:

Section 1. SHORT TITLE

This Bylaw may be referred to as "Town of Qualicum Beach Sewer Connection and Regulation Bylaw No. 732, 2019".

Section 2. ADMINISTRATION

This Bylaw shall be administered by the Director of Engineering.

Section 3. CONTROL

The Director of Engineering shall have control of all sewers in the Town and shall take charge of the construction, repairs, use, maintenance, and operation of the same and of all matters whatsoever in connection with the sewerage system of the Town.

Section 4. DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of the terms used in this Bylaw shall be as follows:

- 401 "Approved" shall mean approved by the authority having jurisdiction or the appropriate authority having jurisdiction.
- 402 "Biomedical Waste" means biomedical waste as defined in the *Hazardous Waste Regulation*, as amended or replaced from time to time;
- 403 "BODs" (Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20° centigrade, expressed in parts per million as determined by the appropriate procedure in *Standard Methods for the Examination of Water and Wastewater*.

- 404 "Building drain" shall mean that part of the lowest horizontal piping that conducts sewage, clear-water waste, or storm water to a building sewer.
- 405 "Building sewer" shall mean a pipe that is connected to a building drain 36 inches outside a wall of a building and that leads to a public sewer or private sewage-disposal system.
- 406 "Town" shall mean the Town of Qualicum Beach.
- 407 "Contaminant" means any substance, whether dissolved or suspended, or any water quality parameter that, when present above a certain concentration in water, or waste water:
- (a) Injures, or is capable of injuring, the health or safety of a person;
 - (b) Injures, or is capable of injuring, property or any life form;
 - (c) Interferes with, or is capable of interfering with, the proper operation of a sewage treatment plant;
 - (d) Causes, or is capable of causing, material physical discomfort to a person; or
 - (e) Damages, or is capable of damaging, the environment.
- 408 "Council" shall mean the Council of the Town of Qualicum Beach.
- 409 "Director of Engineering" shall mean the Director of Engineering for the Town or authorized deputy or designate.
- 410 "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.
- 411 "Hazardous waste" means hazardous waste as defined in the *Hazardous Waste Regulation*, as amended or replaced from time to time.
- 412 "Industrial waste" shall mean liquid waste resulting from the processes employed in industrial establishments, and including, among others, wastes from dry-cleaning establishments, food-processing and packaging plants, gas and oil refineries, and storage depots, but does not include domestic sewage.
- 413 "Owner" shall mean the person who is registered under the Land Title Act as the owner of the land.
- 414 "PCB" shall mean any monochlorinated, dichlorinated, or polychlorinated biphenyl or any mixture that contains one or more of these.
- 415 "Person" shall mean any individual, firm, company, association, society, corporation, or group.
- 416 "Pesticides" shall mean pesticides regulated under the *Pesticide Control Act of British Columbia* as amended or replaced from time to time.

- 417 "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per litre of solution.
- 418 "Polluted water" shall mean water that contains substances or contaminants that substantially alter or impair the usefulness of water.
- 419 "Properly-shredded garbage" shall mean the waste from the preparation, cooking, and dispensing of foods that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particles greater than one-half inch in any dimension.
- 420 "Public sewer" shall mean a common sewer directly controlled by a public authority, and shall include main sewer, lateral sewer, and building (house) sewer extensions.
- 421 "Public Sewer System" shall mean all sewerage works owned and operated by the Town for the collection, conveyance and disposal of sewage, and drainage works for the impounding, conveying and discharging of surface and other waters, or both, and includes all appurtenances to such works.
- 422 "Radioactive material" shall mean radioactive material as defined in the *Atomic Energy Control Act of Canada* and any regulations under that Act.
- 423 "Sanitary sewage" shall mean that portion of sewage exclusive of industrial wastes and storm waters.
- 424 "Sanitary sewer" shall mean a sewer that conducts sewage or clear-water waste, but does not intentionally admit storm water.
- 425 "Sewage system" shall mean all Town-owned facilities for collecting, pumping, treating and disposing of sewage.
- 426 "Sewage" shall mean any liquid waste containing animal, mineral or vegetable matter in suspension or solution.
- 427 "Sewer" shall mean a pipe or conduit including manholes and other appurtenances, for carrying sewage.
- 428 "Sewer connection" shall mean that part of the building sewer extending from the public sewer to the property line of the property being served, or where the public sewer is located within an easement or right of way, that part of the building sewer extending from the public sewer to the boundary of the easement or right of way.
- 429 "Sewage treatment plant" shall mean any arrangement of devices and structures used for or intended to be used for treating sewage.
- 430 "Storm sewer or storm drain" shall mean a sewer that is installed to convey storm water.

- 431 "Storm water" shall mean water that is discharged from a surface as a result of rainfall or snowfall.
- 432 "Suspended solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.
- 433 "Trucked Liquid Waste" means wastewater from a septic tank, holding tank or portable toilet facility.
- 434 "Watercourse" shall mean a channel in which a flow of water occurs either continuously or intermittently.
- 435 "Actual Cost" shall mean a cost determined by the Town and which includes the amount expended by the Town for gross wages and salaries, employee fringe benefits, materials, equipment rental rates at rates paid by the Town or set by the Town for its own equipment and any other expenditures incurred in doing the work.

Section 5. USE OF PUBLIC SEWERS REQUIRED

- 501 No person shall place, deposit or permit to be deposited any human or animal excrement, garbage or other objectionable waste upon public or private property within the Town in any manner that is unsanitary in the opinion of the Director of Engineering.
- 502 No person shall discharge into any ditch, storm drain, storm sewer, creek, stream or watercourse, lake or ocean, any sanitary sewage, industrial wastes, petroleum products, coal tar or other similar materials, or any refuse or substance arising from the manufacture, handling or processing of gas or petroleum products.
- 503 Except as permitted by the Bylaw and the Public Health Act, as amended and replaced from time to time, no person shall construct or maintain any privy, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
- 504 The owner of every house, building or property used for human occupancy, employment, recreation, or any other purpose, situated within the Town and abutting on any street, alley, or right of way in which there is now or hereafter located, any part of the public sewer system of the Town is hereby required to connect the house, building or property directly with the public sewer system in accordance with the provisions of the Bylaw within six (6) months of notice by registered mail to do so.
- 505 In the event that an owner or occupier who has been required to connect a building to a public sewer system pursuant to Section 503 fails or neglects to connect the said building with the public sewer system within six (6) months of the receipt of the said notice, the Town may, by its workmen or others, have the work done at the expense of the owner. Prior to the Town having the work done at the expense of the owner, the Town shall provide the owner an opportunity to be heard by Council in respect of the matter. If Council makes an order under this section, the Town shall recover the expense of the work as provided in Division 14 of Part 7 of the Community Charter, as amended or replaced from time to time.

- 506 Notwithstanding the foregoing, failure on the part of an owner or occupier to connect a building with the public sewer system within six (6) months of the receipt of the said notice shall constitute a violation of the Bylaw.
- 507 The Director of Engineering may, upon petition by an owner, waive the requirements of this section for an indefinite period of time as it applies to that owner if the Director determines that the connection to the public sewer system is not practical within the intent of this Bylaw.
- 508 No person shall connect a septic tank to the public sewer system without the advance authorization of the Director of Engineering, who may withhold approval until satisfied that the connection shall comply with the provisions of this Bylaw.
- 509 No person shall discharge or permit the discharge of any trucked liquid waste, sludge or any deposit contained in a septic system into a public sewer.

Section 6. PRIVATE SEWAGE DISPOSAL

- 601 Where a public sewer is not available under Section 503, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Bylaw and the Public Health Act, as amended and replaced from time to time.
- 602 At such a time as a public sewer becomes available to a property served by a private sewage disposal system, the provisions of Section 504 shall then apply to the property and the owner shall apply for a direct connection to the public sewer system in compliance with this Bylaw.
- 603 The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the Town.
- 604 The owner shall ensure that after connection to the public sewer, any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and backfilled with suitable material within three (3) months of the date of the sewer connection, to the satisfaction of the Director of Engineering.

Section 7. BUILDING SEWERS AND CONNECTIONS

- 701 No sewer connection shall be constructed on any road allowance, easement, or other public land except by the Town or under a contract or agreement with the Town.
- 702 No person shall uncover, make any connections with, or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining written permission from the Director of Engineering.
- 703 No person shall connect any building to a sewer connection except in accordance with the provisions of this Bylaw.

- 704 Every Owner who wants to connect a property or building to the public sewer system shall submit an application to the Director of Engineering in the form attached as Schedule "A", submit the agreement attached as Schedule "B", and pay the applicable fee as stated below:
- (a) For a 100mm (4-inch) Connection, \$750.00
 - (b) For a larger connection, the fee shall be the Town's actual cost of installing the connection.
- 705 The applicant shall, in completing the form of application and agreement, provide true and accurate information as to all details called for therein and any person providing false information in completing such application and agreement shall be guilty of offence against this bylaw.
- 706 Applications for connections to properties or buildings within the Urban Containment Boundary, as defined by the Town of Qualicum Beach Official Community Plan Bylaw No. 700, amended or replaced from time to time, may only be approved if the provision of a sewer service does not incur any additional capital cost to the Town in excess of the connection charge identified in section 704(a).
- 707 Applications for connections to properties or buildings outside of the Urban Containment Boundary, as defined by the Town of Qualicum Beach Official Community Plan Bylaw No. 700, as amended or replaced from time to time, may only be approved if:
- (a) The provision of a sewer service is required to mitigate a threat to human health or the natural environment;
 - (b) The Owner enters into a section 219 covenant restricting connection to the public sewer to the building for which the sewer connection is being applied for, and restricting the use of the building to uses permitted under the Town's zoning bylaw at the time of application; and
 - (c) The Owner pays for the actual cost of connecting the building or property to the public sewer system;
- 708 In the event that a person applying for a permit under this section 7 fails to pay any required charge or cost, such charges and costs may be collected by the Town in accordance with Division 14 of Part 7 of the Community Charter, as amended or replaced from time to time.
- 709 Following receipt of an application for a permit to connect a building to the public sewer, the Director of Engineering may issue a permit subject to the condition that the work is to be carried out in accordance with the provisions of this Bylaw and all other applicable enactments, including but not limited to the British Columbia Plumbing Code, as amended or replaced from time to time.

- 710 Any required charges or costs referred to in this Section 7 do not include works within the property of the applicant, where all costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner.
- 711 Applicants shall provide a separate and independent building sewer for every building or structure; except where one building stands at the rear of another on the interior of a lot. In such case, with the Director of Engineering's permission, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.
- 712 The Director of Engineering may disapprove any proposed connection, direct the same not be made, and refuse to issue a permit therefor, if in the Director's opinion, the public sewer is incapable of handling the additional load which would be caused thereby with the resultant danger of the sewer overflowing and flooding the applicant's, or other, property, or that the sewage proposed to be discharged into the public sewer shall be in any way injurious thereto and impair the efficiency thereof, or that such sewage will not comply with the limitations and provisions contained in this Bylaw.
- 713 In the event a new sewer connection is required to be laid from the public sewer to the applicant's property line, the Town may delay construction of such connection if, because of high water table, frost, or other winter conditions, the cost of the connection could be excessive in the opinion of the Director of Engineering. If the applicant demands the connection to be constructed during such conditions, the difference between the connection charge referred to in Section 704 and the actual cost shall be paid by the applicant.
- 714 Old sewer connections may be used for new buildings only when they are found, on examination and test to the satisfaction of the Director of Engineering, to comply with the requirements of this Bylaw.
- 715 All building sewers shall be constructed in accordance with the requirements of the British Columbia Plumbing Code, as amended or replaced from time to time.
- 716 The applicant for the building sewer permit shall notify the Director of Engineering when the building sewer is ready for inspection before same has been backfilled, and thereupon the Director of Engineering or appointee shall make an inspection of the work. The applicant shall ensure that the work is left uncovered and convenient for examination until inspected and approved by the Director of Engineering in writing, and the applicant shall not proceed with, cover, backfill, finish or put into use the building sewer until such approval in writing is obtained. After backfilling, the owner shall carry out an exfiltration test that must be witnessed by the Director of Engineering or appointee.
- 717 Materials and workmanship which, in the opinion of the Director of Engineering, are defective or otherwise not in accordance with the provisions of this or any other relevant Bylaw shall be removed and replaced by the owner at the direction of the Director of Engineering and the building sewer shall not be covered or backfilled unless and until the said sewer has been accepted and approved by the Director of Engineering as provided in Section 716.

- 718 If the owner has not completed work on the building sewer within six (6) months from the date of application for a building sewer permit, the permit shall automatically expire.
- 719 The owner shall not make or attempt a connection below the water table until the trench is dewatered to the satisfaction of the Director of Engineering.
- 720 After a building has been connected to the public sewer all sewage from that building shall be discharged through the building sewer, and no person shall cause or permit such sewage to be drained, discharged, or disposed of in any other manner.

Section 8. USE OF PUBLIC SEWERS

- 801 No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, foundation drains, sumps, or other collectors of surface or ground water, cooling water, or industrial process waters to any sanitary sewer.
- 802 No person shall construct or permit the construction of any conveyance system that is capable of discharging to the sanitary sewer any industrial cooling water, basement groundwater, or roof runoff.
- 803 No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:
- (1) Any substance of a kind or quality the discharge of which contravenes the Regional District of Nanaimo Sewer Source Control Bylaw No. 1730, 2015, whether or not that substance would otherwise be permitted under the provisions of this Bylaw.
 - (2) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid, or gas.
 - (3) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.
 - (4) Cyanides in excess of one (1) milligram per litre.
 - (5) Any waters or wastes having a pH lower than 5.5 or higher than 10, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
 - (6) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair, entrails, shells, and paper dishes, cups, or milk containers, either whole or ground by garbage grinders.

- (7) Any sludge from, or deposit in, a septic tank.
 - (8) Any biomedical waste, hazardous waste, PCBs, or Pesticides.
 - (9) Any polluted water.
 - (10) Any contaminants that are not otherwise permitted to be discharged to a public sewer under the provisions of this Bylaw.
- 804 No person shall discharge or cause to be discharged any of the substances, materials, waters, or wastes described in section 806 without first obtaining a permit from the Director of Engineering.
- 805 The Director of Engineering shall only approve a permit for the discharge of any of the substances, materials, waters or wastes described in section 806 if taking into account the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factor, if the Director is of the opinion that the discharge is unlikely to:
- (a) harm either the sewers, sewage treatment process or equipment,
 - (b) have an adverse effect on the receiving stream, or otherwise endanger life, limb, public property or constitute a nuisance.
- 806 The substances, materials, waters or wastes that cannot be discharged without a permit from the Director of Engineering are:
- (a) Any liquid or vapour having a temperature higher than one hundred fifty (150) degrees Fahrenheit (sixty-five (65) degrees Centigrade).
 - (b) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) milligrams per litre; or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees Fahrenheit (Zero (0) and sixty-five (65) degrees Centigrade.
 - (c) Any garbage other than properly-shredded garbage.
 - (d) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
 - (e) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such a degree that any such material received in the composite sewage, to meet the requirements of the provincial authorities having jurisdiction for such discharge to the receiving waters.

- (f) Any waters or wastes containing phenols or other taste- or odour-producing substances, in such concentrations exceeding limits which may be established by the Director of Engineering as necessary, after treatment of the composite sewage, to meet the requirements of the provincial authorities having jurisdiction for such discharge to the receiving waters.
- (g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Director of Engineering in compliance with applicable provincial or federal authorities having jurisdiction.
- (h) Any waters or wastes having a pH in excess of 9.5.
- (i) Materials with:
 - (1) Unusual concentrations of inert suspended solids (such as, but not limited to, fuller's earth, lime slurries, and lime residues), or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulphate).
 - (2) Excessive discolouration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - (3) BOD₅ in excess of 300 parts per million when tested according to Section 809, or chemical oxygen demand in excess of 400 parts per million, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - (4) Unusual concentration of wastes.
- (j) Waters or wastes containing substances which, by themselves or in combination with others, are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property.
- (k) Any waters, sewage or wastes containing more than 350 parts per million by weight of suspended solids except properly-shredded garbage.

Section 9. PROTECTION FROM DAMAGE

901 No authorized person shall break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the sewage works, or drainage system.

902 Owners and occupiers must maintain the building sewer on their property in a good state of repair. Where any stoppage occurs in a building sewer, the owner or occupier must clear the stoppage or cause the stoppage to be cleared by a plumber or licensed contractor. The cost of clearing a stoppage in a building sewer must be borne by the owner of the property.

Section 10. POWER AND AUTHORITY OF INSPECTORS

1001 No person shall hinder or prevent the Director of Engineering, a person authorized by the Director of Engineering or a bylaw enforcement officer from entering any premises or from carrying out his or her duties with respect to the administration of this Bylaw.

1002 In accordance with section 16 of the *Community Charter*, the Director of Engineering and other municipal employees, may enter at all reasonable times on any property that is subject to this Bylaw to ascertain whether the regulations, prohibitions and the requirements of this Bylaw are being met.

1003 If an inspection under section 1002 discloses any failure, omission, or neglect to clean out sumps, or discloses any defect in the location, construction, design, or maintenance of any of the sewage system or any connection of roof drains, surface water drains, or drains of unpolluted waste waters to the public sewer, the person making such inspection shall in writing notify the said owner, proprietor or occupier to rectify the cause of complaint.

Section 11. ENFORCEMENT AND PENALTIES

1101 A person who contravenes this Bylaw commits an offence and is liable upon conviction to a fine not exceeding \$10,000. Each day that a violation occurs or continues shall constitute a separate offence.

1102 Any person violating any of the provisions of this Bylaw shall become liable to the Town for any expense, loss or damage occasioned to the Town by reason of such violation.

Section 12. VALIDITY

1201 The invalidity of any section, clause, sentence, or provision of this Bylaw shall not affect the validity of any other part of this Bylaw which can be given effect without such invalid part or parts.

Section 13. INTERPRETATION

1301 This Bylaw is enacted for the purpose of regulating the installation, maintenance, and use of the Town's sewer system, and to regulate works, activities and the discharge of waste into the sewer system. The purpose of this Bylaw does not extend to the protection of any person from economic loss.

1302 Nothing in this Bylaw shall be interpreted as relieving a person discharging water from complying with federal, provincial and local government enactments governing the discharge of water or contaminants.

Section 14. REPEAL

1401 "Town of Qualicum Beach Sewer Connection and Regulation Bylaw No. 280, 1976", and all amendments thereto, is hereby repealed.

READ A FIRST TIME this 17th day of June, 2019

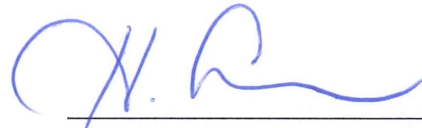
READ A SECOND TIME this 15th day of July, 2019

READ A THIRD TIME this 7th day of October, 2019

ADOPTED this 28th day of October, 2019



Brian Wiese
Mayor



Heather Svensen
Corporate Administrator

TOWN OF QUALICUM BEACH

APPLICATION FOR SEWER CONNECTION

Schedule "A" to Bylaw #732

I/we, _____

(name and postal address)

being the owner, or agent of the owner, of:

Lot _____

Block _____

District Lot _____

Plan _____

Land District, Folio No. _____

situated on _____

(street address)

hereby make application for sewer connection to the above-described property and agree to pay the amount assessed against the aforesaid property from time to time in respect to the said sewer according to the applicable Bylaws of the municipality.

The size of the connection requested is _____ inch.

The applicable fee tendered herewith.

Dated at Qualicum Beach, B.C., this _____ day of _____, _____

(Applicant)

(over)

For Office Use Only:

Date of Installation: _____

Distance from _____ property line: _____ metres
(e.g. north/west)

Depth of service at property line: _____ metres

Make of pipe: _____ Type: _____

(Director of Engineering)

Remarks: _____

