

# CITY OF PRINCE RUPERT

## SANITARY AND STORM SEWER UTILITY MANAGEMENT BYLAW NO. 3402, 2016

### A BYLAW TO REGULATE THE EXTENSION OF AND CONNECTIONS TO THE PUBLIC SEWERAGE SYSTEMS OF THE MUNICIPALITY AND TO IMPOSE SEWER CONNECTION FEES, USER RATES AND MAINTENANCE FEES FOR USE OF SAID SEWERS.

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**WHEREAS** the City may, by bylaw, require the connection of buildings and structures to the appropriate sewer or drain connections in the manner specified by bylaw; and

**WHEREAS** the City has constructed and is operating and maintaining a system of sanitary sewers, storm sewers, and combined sewers on a self-liquidating basis for the benefit of residents of the Municipality; and

**WHEREAS** it is expedient that all lands or real properties within the Municipality which require the service and are capable of being connected to the sewer system should be so served; and

**WHEREAS** it is necessary from time to time to extend the said sewer system to provide service to other residents of the Municipality; and

**WHEREAS** it is deemed just that the cost of making such extensions to the said sewer system should not be permitted to place any undue burden upon the revenues of this system; and

**WHEREAS** it is expedient to provide for the connection of sewers from houses and other buildings with the sanitary sewers, storm sewers, and combined sewers of the City of Prince Rupert and to regulate same; and

**NOW THEREFORE** the Council of the City of Prince Rupert, in an open meeting assembled enacts as follows:

#### **PART 1 DEFINITIONS**

1.1 In this **Bylaw**:

**“abandonment”** means to permanently remove the service at the main connection.

**“actual cost”** means all charges incurred by the City with respect to the work performed. This includes, but is not limited to, wages, overhead, equipment, materials, contracted services and other miscellaneous charges.

**“applicant”** means an owner or his agent making application for sewer services and from whom the City may expect to receive revenue on a continuing basis for this service.

**“Asset Management Reserve Fee”** means a surcharge collected to repair and replace the service infrastructure assets for present and future needs of the system.

**“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 expressed in milligrams per litre.

**“Building Inspector”** means the Building Inspector of the City of Prince Rupert, and his duly authorized representatives.

**“building sewer”** includes any sanitary sewer, storm sewer or combined sewer located between any building or structure and its property line.

**“business premises”** means any bank, store, office, service outlet or other undertaking whether situated in a commercial zone or not and not otherwise classified in the bylaw.

**“Callout Fees”** means additional fees applicable for a response to attend a situation between the hours of 4:30 p.m. and 8:00 a.m. on weekdays and at all times on weekends and statutory holidays that requires maintenance, repair or attendance to determine if the problem is not on *City* property.

**“Community Charter”** means S.B.C. 2003, chapter 26.

**“capable of connection”** means that the parcel of land abuts a street, lane, public right-of-way or easement upon, under or over which there is a *City* sewer system which abuts any part of the parcel and which plumbing or drainage system of the house or building on the parcel may be connected to the appropriate service connection by either a gravity sewer or a pump and force main. The property owner is responsible for forced main service all the way to the gravity feed system.

**“City”** means the City of Prince Rupert.

**“Collector”** means the Collector of the City of Prince Rupert duly appointed by Council pursuant to the provisions of the *Community Charter*.

**“combined sewer”** means a sewer receiving storm water, surface waters and drainage, and sewage.

**“Council”** means the Municipal Council of City of Prince Rupert.

**“dwelling unit”** means one or more rooms constituting a unit of living accommodation used or intended to be used for living and sleeping purposes and containing a sink and cooking facilities.

**“employee”** includes management personnel and any person who is regularly employed for more than 20 hours per week, on average, in a one-year period.

**“Engineer”** means the Director of Operations of the *City* or any person appointed by the Council to serve in that capacity and will be referred to herein as the Engineer, and his duly authorized representatives.

**“Financial Administrator”** means the Chief Financial Officer of the *City* or any person appointed by the Council to serve in the capacity and will be referred to herein as the Financial Administrator, and his duly authorized representatives.

**“garbage”** means solid wastes from the domestic and commercial preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

**“Latecomer”** is the registered owner of lands that directly benefit from the construction of the extended services.

**“Latecomer charges”** means a charge imposed on benefiting lands which will be collected by the *City* as a condition of the Latecomer connecting to or using extended service.

**“Local Government Act”** means RSBC 2015, chapter 1

**“main”** means a pipe including manholes, cleanouts and other appurtenances other than service connections, pumping stations, treatment plants or lagoons.

**“owner”** shall have the meaning assigned to it by Section 1 of the *Community Charter*.

**“person”** means and includes natural persons of either sex, associations, co-partnerships, firms and corporations, whether acting by themselves or by a servant, agent or employee.

**“properly comminuted garbage”** means the waste from the preparation, cooking and dispensing of food, shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sanitary sewer and combined sewers, with no particle greater than one quarter (1/4) inch in any dimension.

**“P.H.”** means the logarithm of the reciprocal of the weight of hydrogen ions in grams per litre of solution.

**“sanitary sewer”** means a sewer which carries sewage and to which storm, surface and drainage waters are not intentionally admitted.

**“service connection”** means a pipe, which may include an inspection chamber, and the necessary connections and other materials necessary to connect any part of a building sewer to the main.

**“sewer”** means a pipe including manholes and other appurtenances for carrying storm water and sewage other than a service connection in the sewer system.

**“sewer extension”** means any installation requiring the construction of a sanitary sewer, storm sewer, or a combined sewer on any highway, Municipal right-of-way or easement, from an existing sewer designated by the Engineer. “Extension” shall not include a service connection.

**“sewer system”** means all sanitary sewerage works, storm sewerage works, combined sewerage works, and natural watercourses serving as part of the drainage system, and all appurtenances thereto, including sewers, service connections, pumping stations, treatment plants, sewage lagoons and sewer outfalls laid within any highway, municipal right-of-way or easement or municipal property.

**“sewage”** means water carried wastes from residences, buildings, business premises, institutions, commercial and industrial establishments, and shall include:

**“industrial waste”** meaning the liquid wastes from commercial, manufacturing and industrial processes, trade, or business as distinct from sanitary sewage.

**“sanitary sewage”** meaning that portion of sewage exclusive of industrial wastes.

**“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 laboratory filtering.

**“storm water”** means the excess rainfall that runs off the surface of the ground or any improvements placed or constructed thereon.

**“storm sewer”** means a sewer that carries storm water and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

**“user”** means any person, corporation, partnership or party and their heirs, successors, and assigns of them, to whom the context can apply, whose premises are connected to the sewer system of the City of Prince Rupert.

- 1.2 Wherever the singular or masculine is used in the Bylaw the name shall be deemed to include the plural or the feminine or the body politic or corporate, and also their respective heirs, executors, administrators, successors and assigns.

## **PART 2 SEWER CONNECTIONS**

### **2.1 Required Connection**

2.1.1 The owner of every parcel of land *capable of connection*, and on which a building or structure is situated, shall connect the plumbing system of such building or structure to the *sewer system*.

2.1.2 In the event of any such owner failing to make the necessary connection within thirty (30) days after being notified in writing by the *Engineer* to do so, the *Engineer*, by his workmen or others, may have the work done at the expense of any such owner. The amount of such

expense is declared a charge for work done or services provided to lands or improvements, under the provisions of the *Community Charter*; and is a charge or lien on the lands of the owner, which may be collected in the same manner, and with the same remedies, as ordinary property taxes. Notwithstanding the foregoing, failure to connect the plumbing system from a building or structure to the *sewer* system within the aforementioned period of thirty (30) days is an offence under this Bylaw.

## 2.2 **Runoff And Drainage Control**

2.2.1 The owner of every parcel of land, *capable of connection* to the *storm sewer* system, who carries out construction of a roof area, or who installs a *storm water* drainage system for an existing roof area, or who installs a perimeter drainage system for a building or structure, or who installs a drainage system for the parcel of land, shall connect the drainage system to the *storm sewer* system, provided the *storm sewer* system has the capacity to accommodate the *storm water*.

2.2.2 In the event of any such owner failing to make the necessary connection within thirty (30) days after being notified in writing by the *Engineer* to do so, the *Engineer*, by his workmen or others, may have the work done at the expense of any such owner. Notwithstanding the foregoing, failure to connect the *storm water* drainage system from a building or structure to the *storm sewer* system within the aforesaid period of thirty (30) days is an offence under this Bylaw.

## 2.3 **Connection Application**

2.3.1 An owner or the owner's authorized agent may apply to establish one or more service connections to the owner's premises by:

- (a) filling out the applicable form prescribed by the *Engineer*; and
- (b) paying the applicable service connection fee prescribed in schedule "A", or obtaining a credit rating acceptable to the *City* as represented by the Financial Administrator, to be provided with the service and will be given thirty days (30) to pay for such services.

2.3.2 If such connection is practicable, the *Engineer* will, within thirty (30) days, weather permitting, provide and install a service connection to the *applicant's* property.

2.3.3 If such connection is not practicable, the *Engineer* shall so notify the *applicant* within ten (10) calendar days.

## 2.4 **Individual Connections**

2.4.1 Each property shall have its own service connection to all available *sewers* of the *sewer* system, which shall be installed by the *City* or its authorized representatives.

2.4.2 Where two or more buildings exist on one parcel of land and where such parcel of land can be subdivided, each building shall have separate service connections.

2.4.3 The *Engineer* may require a separate building *storm sewer* to be installed where it is expected that a *storm sewer* system or *combined sewer* system may be available in the future.

## 2.5 Connection Location

2.5.1 Where possible, the service connections will be located at the location requested by the *applicant*. In the event the *applicant's* preferred location is not practicable due to the existence of installed surface improvements, or is in conflict with installed underground utilities, the *Engineer* shall designate the location of each service connection to each parcel of land or premises.

## 2.6 Size of Service Connection

2.6.1 The minimum size for a residential *sanitary sewer* service will be 100 mm diameter.

2.6.2 The minimum size for a commercial and industrial *sanitary sewer* service will be 150 mm diameter. An exception to the foregoing is a *sanitary sewer* force *main* which may be smaller if approved by the *Engineer*.

2.6.3 The minimum size for a residential *storm sewer* service will be 150 mm diameter.

2.6.4 The minimum size for a commercial and industrial *storm sewer* service will be 200 mm diameter.

## 2.7 Depth of Bury

2.7.1 Where practicable as governed by the depth of the *sewer*, the minimum depth of the service connection at the property line shall be 0.9 meters.

## 2.8 Timing of Service Connection

2.8.1 Unless the *Engineer* approves otherwise, a service connection must be established before any plumbing work on the premises commences.

## 2.9 Compulsory Service Connections

2.9.1 Where street surface improvements are scheduled for installation by the *City* during a current budget year, the *Engineer* shall order compulsory service connections to be installed to any property abutting such street and served by the *sewer* system regardless of whether or not any improvement is constructed on the property and the cost of the service connection shall be the responsibility of the owner, such amount being payable upon demand.

## 2.10 **No Connection if Service Inadequate**

2.10.1 The *Engineer* may refuse to provide a Service Connection to a parcel of land where, in the opinion of the *Engineer*, the *sewer* system is incapable of adequately serving that parcel of land.

## 2.11 **Disconnecting Illegal Connections**

2.11.1 Any *building sewer* or other drainage works connected to a service connection without a permit therefore pursuant to this Bylaw, and any service connection connected to the *sewer* system and discharging therein to any *sewage*, substance or matter prohibited by this Bylaw may be disconnected, stopped up and closed at the direction of the *Engineer* and at the owner's cost. Any permit issued pursuant to Sections 5.6 and 5.7 hereof shall be in effect so long as the treatment specified is satisfactory to the *Engineer*, the Ministry of Environment and the Medical Health Officer. Upon the permit lapsing, the service connection may be disconnected, stopped up and closed at the direction of the *Engineer* and at the owner's costs.

## **PART 3 EXTENSIONS**

3.1 All applications for *sewer* system extensions shall be made in writing to the *Engineer* by the owner of the property to be served by such system extensions.

3.2 The *Council* of the City of Prince Rupert may designate by Bylaw *sewer system* extensions for any budget planning period covering one or more years.

3.3 In the event an *applicant* wishes to proceed with a *sewer system* extension which has not been designated by *Council*, the *Engineer* may, with the approval of *Council*, proceed with the extension provided that the *applicant* shall pay to the *City* in advance, the total cost of construction as estimated by the *Engineer*. The final cost to the *applicant* of the *sewer system* extension shall be the actual cost to the *City* of construction. The service connection costs for each parcel of land owned by the *applicant* to be served by such extension shall be as set out in Schedule "A" to this Bylaw and shall be added to such construction costs. In the event the *sewer* extended above serves property for which no application for extension has been received other than the original *applicant*, the *latecomer charges* and cost recovery for excess or extended services provisions of Section 508 of the *Local Government Act* shall apply.

3.4 Where a *sewer* is extended by other than *Council* resolution, the minimum inside diameter shall be approved by the *Engineer*, with a minimum of 200 mm, and shall extend from the existing *sewer* designated by the *Engineer* having sufficient surplus capacity and grade to carry the additional *sewage* resulting from the said extension, to a point opposite the furthest boundary of the last parcel of land to be served by the said extension.

3.5 Where any *sanitary sewer*, *storm sewer*, or *combined sewer* is extended other than by *Council* Resolution, and where the *City* may desire to install a *sewer* of greater capacity than is required to provide service to the lands for which application for an extension has

been made, and if such excess capacity will be available to permit further extension beyond the boundaries of the land to be immediately served thereby, the *latecomer charges* and cost recovery for excess or extended services” provisions of Section 508 of the *Local Government Act* shall apply.

## **PART 4 MAINTENANCE**

### **4.1 Maintenance of Service Connections**

- 4.1.1 Service connections shall be maintained by the property owner at their sole expense. Where any service connection becomes stopped or otherwise fails to function as determined in Section 4.2.1, the owner or occupier of the premises served shall notify the *Engineer* forthwith and the *Engineer* shall, as soon as practicable, arrange to have said service connection unstopped or otherwise restored to serviceable condition and make a determination as to the responsibility for the costs of the repair.
- 4.1.2 The *City* shall be responsible for the cost of repairs necessary to the service connection only if such repairs are caused by the pipe or service connection collapse and/or deterioration subject to subsection 4.1.3.
- 4.1.3 Where any stoppage, collapse or failure in the service connection is found to have been caused by an act, or neglect, of the owner or occupier of the premises, all costs incurred by the *City* in restoring service shall be paid by such owner or occupier.
- 4.1.4 In cases where the problem has developed due to a build-up of grease or other owner deposited material creating an obstruction, the *City* will require the installation of a *sewer* inspection chamber and the charge for installing the inspection chamber, as per Schedule “A” of this Bylaw, shall be paid by the owner.
- 4.1.5 The *City* may hold the property owner responsible for tree roots from trees on their property causing damage or blockage at *mains* or service connections on *City* property.

### **4.2 Maintenance of Building Sewers**

- 4.2.1 *Building sewers* shall be maintained by the property owner at his sole expense. Where any *sewer* becomes stopped or otherwise fails to function, the owner or occupier of the premises served shall first determine that the blockage is not located in his *building sewer* and then notify the *Engineer* forthwith and the *Engineer* shall, as soon as practicable, arrange to have said *sewer* or service connection unstopped or otherwise restored to serviceable condition and make a determination as to the responsibility for the costs of the repair. If the defect is determined to be located in the *building sewer*, the property owner shall effect repairs within ten (10) days.
- 4.2.2 In the event the property owner refuses or neglects to carry out repairs within the specified time, the *Engineer* may, by his workmen or others, terminate the water supply to the property or, have the work done at the expense of the owner.



4.2.3 Should the owner insist that the defect is in the service connection and not in the *building sewer*, the *City* shall carry out inspection/repairs. If there is no fault or defect due to collapsed and/or deterioration as per Subsection 4.1.1 found in the service connection, the owner shall pay for the cost of the inspection/repairs undertaken by the *City*.

#### 4.3 **Improvements**

4.3.1 The *City* will not be liable for any damage or destruction to any improvements that impede access to the utilities. Any improvements that are damaged by *City employees* undertaking service, maintenance, or repair to service connections or *mains* will not be replaced or compensated for by the *City*.

#### 4.4 **Call Out Fees**

4.4.1 The *City* may add *Business premises* as listed in Schedule “A” to compensate *employees* for any afterhours or overtime work required to respond to a callout for a situation that is on actual private property or is of a consequence of private property affecting public property.

#### 4.5 **Abandonment**

4.5.1 When any building sanitary or *storm sewer* is abandoned to the *main*, the owner or his agent shall notify the *Engineer* and shall be required to pay the *abandonment* fee prescribed in Schedule “A” of this Bylaw.

### **PART 5 USE OF SEWER SYSTEM**

#### 5.1 **Liability**

5.1.1 It is a condition of the supply of the *sewer system* that;

- (a) The *City* shall not be liable for the failure of the sanitary sewerage system in consequence of any accident or damage to the sanitary sewerage system, breakdown or malfunction of the *sanitary sewer system* or the connection, or any temporary stoppage from blockages, alterations or repairs, whether the failure arises from the negligence of any *person* in the employ of the *City* or any other *person* or through natural deterioration or obsolescence of the sanitary sewerage system, or otherwise.
- (b) The *City* is not liable to pay the cost of clearing or unstopping a service connection, whether the work was performed by the owner or occupier, or by that *person's* agent or contractor, unless the *Engineer* directed the work to be performed.
- (c) The *City* shall not be liable for any injury or damage to any *person* or property arising or occurring from the use of the *sewer system*.

## 5.2 Open Discharge

5.2.1 No *person* shall discharge into any ditch, drain, creek, stream or water course, any *sanitary sewage*, other waters, *industrial wastes*, petroleum products, coal tar, or any refuse or substance arising from the manufacture or processing of gas or petroleum or other material and products without first obtaining written permission to do so from the *Engineer*, Ministry of Environment and the Medical Health Officer. Where no appropriate *sewer* is available, an industry shall discharge its wastes into such outlet or water course as may be prescribed by the *Engineer*, subject to such standards of quality, quantity and rate of discharge as may be prescribed and subject to the approval of the Medical Health Officer and provincial Ministry of Environment, if applicable.

## 5.3 Prohibited Wastes

5.3.1 The following shall not be discharged or caused to be discharged into any pipe, *main*, conduit, manhole, street inlet, gutter or aperture of the *sewer system*, except by permission for extraordinary circumstances:

- (a) Any gasoline, benzene, naphtha, alcohols, or other flammable or explosive liquid, solid or gas;
- (b) any solid or viscous substance capable of obstructing *sewage* flow or interfering with the operation of the sewerage works or treatment facilities. These substances include, but are not limited to, ashes, cinders, sand, mud, straw, grass clippings, insoluble shavings, metal, glass, rags, feathers, tar, asphalt, creosote, plastics, wood, animal paunch contents, offal, blood, bones, meat trimmings and wastes, fish or fowl head, shrimp, crab or clam shells, entrails, lard, tallow, baking dough, chemical residues, cannery waste bulk solids, hair and fleshings, spent grain and hops, whole or round paper dishes and cups, whole or ground plastic dishes and cups, whole or ground food and beverage containers, uncomminuted *garbage*, paint residues;
- (c) any noxious or malodorous gas or substance which either singly or by interaction with other wastes, is capable of creating a public nuisance or hazard to life or preventing entry into a *sewer* or pump station;
- (d) radioactive material, except within such limits as are permitted by the licence issued by the Atomic Energy Control Board of Canada; or
- (e) any material from a cesspool or septic tank except at authorized receiving stations.

## 5.4 Restricted Wastes

5.4.1 *Storm water* and unpolluted drainage and cooling water shall not be discharged to *sanitary sewers* unless authorized by the *Director of Operations* or his designate.

5.4.2 No material other than *storm water*, unpolluted drainage water and cooling water shall be discharged to *storm sewers*.

## 5.5 Limitation on Waste Characteristics

- 5.5.1 Except by permission for extraordinary circumstances, waste shall not be discharged or permitted to be discharged into a *sanitary sewer* or *combined sewer* when the waste has any of the following characteristics:
- (a) any *garbage* that has not been properly comminuted to 1/4 inch or less in any dimension;
  - (b) any liquid or vapour having a temperature higher than 60° Celsius;
  - (c) any water or waste which contains grease (includes fats, waxes, oils, or any other non-volatile material extracted by hexane from an acidified sample of the wastes), whether or not emulsified, whose all inclusive concentration is in excess of 150 milligrams per litre or which contains more than 15 milligrams per litre of substances derived from petroleum sources, or which contain any substance which may solidify or become discernible viscous at temperatures above 0° Celsius;
  - (d) any water or waste having a *suspended solids* content of more than 600 milligrams per litre;
  - (e) any soluble waste or waste water having a PH lower than 5.3 or higher than 9.5 or having any other corrosive property which reasonably could be hazardous to structures, equipment, personnel engaged in the operation or maintenance of the sewerage works or biological *sewage* treatment processes, such as, but not limited to, batter or plating acid and wastes, copper sulphate, chromium salts and compounds, or salt brine;
  - (f) any water or waste containing a toxic or poisonous substance, in sufficient quantity to injure or interfere with any *sewage* treatment process, to constitute a hazard to humans, animals, or fish or to create any hazard to the receiving waters or *storm water* overflows, or to the effluent of the *sewage* treatment plant;
  - (g) any material which exerts or causes:
    - (i) unusual concentrations of inert *suspended solids*, such as but not limited to, fuller's earth, lime slurries or lime residue;
    - (ii) unusual concentrations of dissolved solids such as, but not limited to, sodium chloride, calcium chloride or sodium sulphate;
    - (iii) excessive discoloration such as, but not limited to, dye wastes or vegetable tanning solutions; or
    - (iv) unusual biochemical oxidation demand.
  - (h) Any *storm waters*, surface waters, ground waters, roof run off or surface drainage, and no *person* shall connect to any *sanitary sewer* any roof leaders, fountain drains, sump or other collectors of surface or ground water;
  - (i) any water or waste that will, by itself or with other water or wastes in the *sewer system*, release obnoxious gases, or develop colour of undesirable intensity; or form *suspended solids* in objectionable concentration;

- (j) water or wastes containing substances in such concentrations that they are not amenable to treatment or reduction by the *sewage* treatment processes employed, or are amenable to treatment only to such a degree that the *sewage* treatment plant effluent cannot meet the requirements of any other agency having jurisdiction over discharges to the receiving waters.

## 5.6 Exceptions

- 5.6.1 Where there exists the possibility that there may be discharged into a *sewer* from any premises any of the wastes, *sewage* or substances described in Sections 5.3, 5.4 and 5.5 hereof, the *Engineer* may issue a permit for the connection of such premises to the *sewer system* with a special provision governing treatment prior to discharge, rate and quality of effluent discharged. When required by the *Engineer*, primary treatment or protective devices, satisfactory to the *Engineer*, and Medical Health Officer shall be installed and maintained by the *applicant* to prevent discharge of such wastes, *sewage* or substances described in Section 5.3 and 5.5 hereof into the *sewer system* or to neutralize the same.

## 5.7 Unpolluted Discharges

- 5.7.1 Unpolluted industrial waters shall not be discharged into the *sewer system* without the express consent of the *Engineer* in writing.
- 5.7.2 Industrial cooling water which may be polluted with insoluble oils or greases or insoluble *suspended solids* shall be pre-treated for removal of the pollutants and the resultant unpolluted water shall be discharged into a *combined sewer* or a *storm sewer*, ditch or approved natural outlet or water course.
- 5.7.3 Water from air conditioning, cooling or condensing systems shall be discharged into a *combined sewer* or a *storm sewer*, ditch or approved natural outlet or water course.

## 5.8 Rate of Discharge

- 5.8.1 The rate or rates of discharge for various times of a twenty four (24) hour period for any commerce or industry applying for a connection to the *City's sewer system* shall not exceed the extra capacity of the *sewer system* after all the other regular *users* have been accommodated. Such industries, or corporations, shall install and maintain on their own properties, such holding facilities, pumps, valves, flow regulating and measuring devices as may be required by the *Engineer* to ensure that the specified flow rates shall not be exceeded.

## 5.9 Interceptors

- 5.9.1 Grease, oil and sand interceptors shall be provided at the owner's expense on private property for all garages, gasoline service stations and vehicle and equipment washing establishments. Interceptors will be required for other types of industries or commercial establishments when they are necessary for the proper handling of liquid waste containing grease in excessive amounts or any flammable wastes, sand, grit or other harmful

ingredients except that such interceptors shall not be required for private living quarters or dwelling units. Such interceptors shall be so located as to be readily and easily accessible for cleaning and inspection. All interceptors shall be maintained by the owner at his expense in continuously efficient operation at all times.

#### **5.10 Commercial and Industrial Service Connection Sampling Chamber**

5.10.1 All properties discharging commercial and *industrial wastes* shall have installed on the service connection a suitable chamber for the inspection, sampling, and measurement of the discharged wastes. The chamber shall be accessible and safely located and be constructed in accordance with plans approved by the *Engineer*, and shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible.

#### **5.11 Sampling Procedure Tests and Analysis**

5.11.1 All measurements, tests and analyses to the characteristics of water and wastes to which reference is made in the Bylaw shall be determined in accordance with the current Federal Wastewater Regulations. Sampling shall be determined at the sampling chamber provided for in Section 5.10.1 and shall be carried out by customarily accepted methods to reflect the effects of constituents upon the *sewage* works and to determine the existence of hazards to life, limb and property. In the event that no special sampling chamber has been required, the control manhole shall be the nearest manhole in the *sewer system* downstream from the service connection point. (Normally, but not always, *B.O.D.* and *suspended solids* results are determined from periodic grab samples.)

### **PART 6 CHARGES**

#### **6.1 Connection and Abandonment Fee**

6.1.1 The Owner or his agent shall, on making application with the *City* for a service connection, or the *abandonment* of a service connection, pay to the *City* the applicable fee prescribed in Schedule "A" of this Bylaw. Such services will be provided after payment is received or in the case of a service connection, arrangements have been made in accordance with Section 2.3.1.

#### **6.2 Additional Service Connection Charges**

6.2.1 Where service connections were prepaid to any parcel of land existing at the date of this Bylaw, the connection fee payable by any subsequent owner *applicant* of such parcel pursuant to this Bylaw shall be waived. The provisions of this subsection shall not apply to any parcel of land created by subdivision where each connection fee was not prepaid, nor to the additional costs payable by any owner *applicant* for additional or replacement location of service connections.

### 6.3 User Rate

- 6.3.1 The owner or occupier of real property shall pay, in addition to all other rates, charges, and fees, for the use of the *sewer system* in an amount equal to the rate specified in Schedule “A” of this Bylaw.

### 6.4 Extra Treatment Charges

- 6.4.1 Where the discharge of any waters, *sewage* or wastes exceeding the limits for *suspended solids* or *B.O.D.* as set out in Section 5.3 and 5.5 of this Bylaw, or where in the opinion of the *Engineer* the discharge of grease is excessive and where these discharges are permitted by permit as provided under Section 5.7, the permittee shall pay an extra treatment charge as set out in Schedule “A” of this Bylaw.

### 6.5 Discontinuation of User Rate

- 6.5.1 During any period of time a *person* arranges to have the billing of the *user* rate to a dwelling discontinued under this Bylaw, the *person* is not subject to any charge provided he notifies the municipality in writing that:
- (a) the dwelling will not be occupied for any period of time not less than three consecutive months equal to one complete billing quarter. Quarters starting January, April, July, and October;
  - (b) he will arrange for the *Building Inspector* to verify that the dwelling is empty. The charge for this is in accordance with the general “Inspection Fees” prescribed under the current *City Building Bylaw Fee Schedule* and amendments thereto;
  - (c) he will sign an agreement with the Finance Department regarding the discontinuation of services to the dwelling and his responsibility to notify the *City* if the dwelling is to be occupied at any time in the future; and
  - (d) should the *City* become aware that the dwelling has been occupied without notification, the *City* shall back charge the owner to the date of discontinuation of the *User Rate* and charge the ten (10%) percent late payment penalty.

### 6.6 Outstanding Fees and Charges Added to Taxes

- 6.6.1 Any fees or charges for works, repairs, services and *user* rates, including charges for works or repairs undertaken by the *City* due to failure by the property owner or occupier to carry out the necessary works or repairs, not paid on or before the thirty-first (31) day of December in any year shall be deemed to be taxes in arrears in respect of the parcels of land concerned and such sums shall be recovered with interest, in the same manner as ordinary municipal taxes upon land in accordance with the applicable provisions of the Local Government Act. Furthermore, these accounts will also be subject to a late fee as outlined in Schedule “A” of this Bylaw, and any amendments thereto.

## PART 7 OFFENCES AND PENALTIES

## 7.1 **Fraudulent Statements**

7.1.1 No *person* shall supply false information or make inaccurate or untrue statements in a document or information required to be supplied to the *City* pursuant to this Bylaw

## 7.2 **Tampering**

7.2.1 No *person* shall make any connection whatsoever to the *sewer system* or in any way tamper with the *sewer system* without first obtaining written permission from the *Engineer*.

7.2.2 No *person* shall discharge, deposit or throw or cause, allow or permit to be discharged deposited or thrown into any *sewer*, plumbing fixtures connected thereto, drain, manhole, inspection chamber or any other part of the *sewer system*, any substance of any kind whatsoever tending to obstruct or injure the *sewer works* or to cause any nuisance, or which will in any manner interfere with the proper functioning, maintenance or repair of the said *sewer system*.

7.2.3 No *person* shall maliciously, willfully or negligently break, damage, destroy, uncover, deface, mar or tamper with any *sewer* or any of the appurtenances thereto or belonging thereunto.

## 7.3 **Penalties**

7.3.1 Any *person* who contravenes any provision of this Bylaw is liable to the *City* for and must indemnify the *City* from all costs, expenses, damages and injuries resulting from the contravention. This does not in any way limit any other provision or any other remedy the *City* may have under this Bylaw or otherwise at law.

7.3.2 Every *person* who violates any of the provisions of this Bylaw, or who suffers or permits any act or thing to be done in contravention of this Bylaw, or who refuses, omits, or neglects to fulfill, observe, carry out, or perform any duty or obligation imposed by this Bylaw is liable, on summary conviction, to a fine of not less than the sum of one hundred dollars (\$100.00), but not exceeding the sum of ten thousand dollars (\$10,000.00).

7.3.3 Where there is an offence that continues for more than one day, separate fines may be issued for each day or part thereof in respect of which the offence occurs or continues.

7.3.4 The *City* may enforce compliance with the stipulations within this Bylaw or nonpayment of fines by shutting off the provision of *sewer* services being supplied to the *user* or discontinuing the service thereof.

7.3.5 Nothing in this Bylaw limits the *City* from utilizing any other remedy that is otherwise available to the *City* at law.

7.3.6 Any charges pursuant to this Bylaw placed on the assessment roll of a parcel and remaining unpaid after the 31st day of December in any year shall be deemed to be taxes in arrears in respect of the parcel and will be recoverable by the *City* as such.

## **PART 8 ADMINISTRATION**

### **8.1 Reference to Other Bylaws Or Enactments**

8.1.1 Reference to any Bylaw or enactment is a reference to that Bylaw or enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided.

### **8.2 Severability**

8.2.1 If any section, subsection, clause, sub clause, phrase or any other part, of this Bylaw is for any reason held to be invalid, void or ineffective by the decision of any court of competent jurisdiction, the part in question is to be severed from the rest of this Bylaw and that does not affect the validity of the remainder of this Bylaw, which is to be interpreted and applied as if this Bylaw had been enacted without the severed part.

### **8.3 Notice Given**

8.3.1 Any notice in writing required, in this Bylaw, to be given by the *Engineer* shall be sufficiently given if sent to the owner by mail, left with the owner, or deposited in the owner's mailbox at his residence or place of business.

### **8.4 Adoption**

8.4.1 This Bylaw shall come into full force and effect upon its final Reading and Adoption, except Schedule "A" which shall come into force on January 1<sup>st</sup>, 2017.

### **8.5 Repeal**

8.5.1 Sewer Regulations and Rates Bylaw No. 3067, 1998 and its amendments are hereby repealed except Schedule "A" which is repealed on the effective date of the substitute Schedules in this Bylaw.

### **8.6 Title**

This Bylaw may be cited for all purposes as "**Sanitary and Storm Sewer Utility Management Bylaw No. 3402, 2016**".



Read a First time this 12<sup>th</sup> day of December, 2016.

Read a Second time this 12<sup>th</sup> day of December, 2016.

Read a Third time this 12<sup>th</sup> day of December, 2016.

Final Consideration and Adopted this 14<sup>th</sup> day of December, 2016

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Mayor

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Corporate Administrator

**BYLAW 3402, 2016**  
**SCHEDULE “A”**

**SANITARY SEWERS AND STORM SEWERS FEES AND CHARGES**

	2017	2018	2019	2020
<b>1. Residential Sewer Rates - Billed Annually</b>				
Residential House Per Dwelling	\$448.00	\$461.00	\$475.00	\$489.00
Asset Management Reserve Fee - 2%	\$8.96	\$9.22	\$9.50	\$9.78
Total Residential House Per Dwelling	\$456.96	\$470.22	\$484.50	\$498.78
<b>2. Metered Sewer Rates – Billed Monthly</b>				
Sewer User Fee based on Water Consumption Ratio	98%	98%	98%	98%
Minimum charge to any metered customer	\$42.00	\$43.00	\$44.00	\$45.00
Restaurants & Liquor Establishment will be a minimum charge of	\$59.00	\$61.00	\$63.00	\$65.00
Except for hotels/motels, which will pay a minimum charge of	\$69.00	\$71.00	\$73.00	\$75.00
<b>The above Metered Sewer Rates will be subject to a 2 % Asset Management Reserve Fee.</b>				
<b>3. Fixed Rate Approved Sewer Users – Billed Quarterly</b>				
Municipal Recreation Centre	\$1,588.00	\$1,636.00	\$1,685.00	\$1,736.00
Industrial	\$797.00	\$821.00	\$846.00	\$871.00
Business under 10 employees	\$93.00	\$96.00	\$99.00	\$102.00
Business over 10 employees	\$321.00	\$331.00	\$341.00	\$351.00
Light Industry	\$161.00	\$166.00	\$171.00	\$176.00
Where sewer waste is filtered by means of a septic tank approved by the City, the user charges set out above will be reduced by fifty percent.				
<b>The above Metered Sewer Users Rate will be subject to a 2% Asset Management Reserve Fund.</b>				
<b>4. Service Connection Fees</b>				
Residential Storm Connection	\$2,400.00	\$2,472.00	\$2,546.00	\$2,622.00
Residential Sewer Connection	\$2,400.00	\$2,472.00	\$2,546.00	\$2,622.00
Non-Residential Storm Connection	actual cost	actual cost	actual cost	actual cost
Non-Residential Sewer Connection	actual cost	actual cost	actual cost	actual cost

	2017	2018	2019	2020
<b>5. Inspection Fees</b>				
In addition to the connection fees, a separate inspection fee will be levied for each connection.	\$231.00	\$238.00	\$245.00	\$252.00
If both storm and sanitary connections are inspected at the same time and in the same trench, then only one connection fee will be charged.				
<b>6. Abandonment Fees</b>				
Abandon service to the Sanitary main	actual cost	actual cost	actual cost	actual cost
Abandon service to the Storm main	actual cost	actual cost	actual cost	actual cost
If both Storm and Sanitary are combined then only one abandonment fee will apply.				
<b>7. Inspection Chamber</b>				
Residential Inspection Chamber – Sanitary Sewer	\$567.00	\$584.00	\$602.00	\$620.00
Non-Residential Inspection Chamber – Sanitary Sewer	actual cost	actual cost	actual cost	actual cost
Residential Inspection Chamber – Storm Sewer	\$567.00	\$584.00	\$602.00	\$620.00
Non-Residential Inspection Chamber – Storm Sewer	actual cost	actual cost	actual cost	actual cost
<b>8. Sanitary Sewer or Storm Sewer Call Out Fees</b>				
After hours and weekends – per occurrence	\$248.00	\$255.00	\$263.00	\$271.00
<b>9. Billing and Early Payment Reward</b>				
Accounts paid in full by the due date on the Billing Statement may be entitled to receive a ten percent (10%) reduction. Any payments received after the close of business day at Prince Rupert City Hall on the due date are not eligible for the discount. Payments made at a Financial Institution must be received by the City on or before the applicable due dates in order for the customer to qualify for the discount. Non receipt of the utility bill will not be recognized as a valid excuse for failure to pay the rates when due.				
<b>10. Unpaid Fees and Charges</b>				
Any amounts imposed under this Schedule remaining unpaid on the thirty-first (31 <sup>st</sup> ) day of December in any year shall be deemed to be taxes in arrears in respect of the parcels of land concerned and such sums shall be recovered with interest, in the same manner as ordinary municipal taxes upon land in accordance with the applicable provisions of the <i>Community Charter</i> and Local Government Act. Furthermore, these accounts will also be subject to a late fee of ten percent (10%).				