



### MUNICIPALITY OF EAST HANTS BYLAW # 139-3

## A By-Law Respecting the Regulation of Connections and Discharges to Public Sewer Systems

### 1 SHORT TITLE

- 1.1 This By-Law may be cited as the "Sewer By-Law".

### 2 PURPOSE

- 2.1 This By-Law outlines controls for connections and discharges to public sewer systems. The objectives of the By-Law are to:
- (a) Protect the sewer collection system from corrosion, other damage and obstruction;
  - (b) Protect the wastewater treatment process from upset;
  - (c) Protect the public, municipal workers, and property from hazardous conditions;
  - (d) Assist optimum wastewater system efficiency by preventing uncontaminated water from entering the system;
  - (e) Protect wastewater sludge quality; and
  - (f) Protect the environment

### 3 DEFINITIONS

- 3.1 In this By-Law, unless the context otherwise requires, the expression:
- (a) "Biochemical Oxygen Demand" or "BOD" means the quantity of oxygen utilized, expressed in milligrams per litre, in the biochemical oxidation of matter within a one hundred and twenty hour period at a temperature of twenty degrees centigrade as determined in procedures set forth in "Standard Methods";
  - (b) "Building Service Connection" means any piping system which conveys sewage or liquid waste from the buildings on any property to a public sewer;
  - (c) "Chemical Oxygen Demand" or "COD" means the quantity of oxygen utilized in the chemical oxidation of organic matter under standard laboratory procedure, expressed in milligrams per litre, according to "Standard Methods";
  - (d) "Combined Sewer" means a sewer that is intended to conduct wastewater and stormwater;





- (e) "Combustible Liquid" means a liquid that has a flash point not less than 37.8 degrees Celsius and not greater than 93.3 degrees Celsius;
- (f) "Composite Sample" means a volume of wastewater, stormwater, uncontaminated water or effluent made up of three or more grab samples that have been combined automatically or manually and taken at intervals during the sampling periods;
- (g) "Council" means the Council of the Municipality of the District of East Hants;
- (h) "Customer" means a property owner who has a connection to the public sewer system, and is paying for such connection;
- (i) "Discharger" means the owner, occupant or a person who has charge, management or control of effluent, wastewater, stormwater, uncontaminated water or any combination thereof which is discharged to the municipal sewage system;
- (j) "Domestic Waste" means waste derived principally from residential dwellings;
- (k) "Dwelling Unit" means one or more habitable rooms designed, occupied, or intended for use by one or more individuals as an independent and separate housekeeping establishment in which kitchen, sleeping, and sanitary facilities are provided for the exclusive use of such individual or individuals;
- (l) "Effluent" means treated wastewater flowing out of a treatment plant;
- (m) "Engineer" means the Engineer for the Municipality and includes a person acting under the supervision and direction of the Engineer.
- (n) "Fixture" means a receptacle, appliance, apparatus or other device that discharges sewage or clear water waste and excludes a floor drain;
- (o) "Grab Sample" means a volume of wastewater, stormwater, uncontaminated water or effluent of at least 100 milliliters which is collected over a period not exceeding 15 minutes;
- (p) "Grease" means total oil and grease extracted from aqueous solution or suspension according to the laboratory procedures set forth in "Standard Methods", and includes, but is not limited to, hydrocarbons, esters, oils, fats, waxes and high molecular fatty acids;
- (q) "Groundwater" means water beneath the earth's surface accumulating as a result of seepage;





- (r) "Industrial Premises" means an area of land with or without buildings or structures on which activities pertaining to industry, manufacturing, commerce, trade, business, or institutions as distinguished from domestic dwellings;
- (s) "Inspector" means a person authorized by the Municipality to carry out observations and inspections and to take samples as prescribed by this By-Law;
- (t) "Leachate" includes any liquid that has percolated through solid waste and has extracted dissolved or suspended materials from it, including the liquid produced from the decomposition of waste materials and liquid that has entered the waste material from external sources including surface drainage, rainfall and groundwater;
- (u) "Lateral" or "Building Service Connection" means the sewer pipe which extends from a building to the main sewer;
- (v) "Main Sewer (Line)" means the sewer pipe which runs within the road right-of-way or along a Municipally-owned easement, and is owned and operated by the Municipality, and to which customers are connected or are to be connected;
- (w) "Maintenance access point" means an access point, such as a chamber, in a private sewer connection to allow for observation, sampling and flow measurement of the wastewater, uncontaminated water or stormwater therein;
- (x) "Municipality" means the Municipality of the District of East Hants or the area contained within its municipal boundaries as the context requires;
- (y) "Natural Outlet" is any outlet from a natural watercourse into another watercourse, pond, ditch or lake, or other body of surface or groundwater;
- (z) "Pathologic Waste" means waste generated in a hospital or similar institution which contains human or animal tissue altered or affected by disease, and instruments or other materials which may have come in contact with diseased tissue;
- (aa) "Person" shall mean any individual, firm, company, association, society, corporation or group;
- (bb) "Pesticides" includes any substance that is a pest control product within the meaning of the "Pest Control Products Act" (Canada) or a fertilizer within the meaning of the "Fertilizers Act" (Canada) that contains a pest control product;
- (cc) "pH" means the measure of the intensity of the acid or alkaline condition of a solution determined by the hydrogen ion concentration of the solution in accordance with the "Standard Methods";





- (dd) "Phenolic Compounds" means hydroxyl derivatives of benzene and its condensed nuclei, concentrations of which shall be determined by "Standard Methods";
- (ee) "Professional Engineer" means a registered member in good standing of Engineers Nova Scotia;
- (ff) "Provincial Regulations" means the requirements and provisions of the Province of Nova Scotia contained in any Provincial Statute or in any Regulation or Order made pursuant to the authority of any Statute of Nova Scotia;
- (gg) "Public Works" means the Public Works Department of the Municipality;
- (hh) "Public Sewer" means a sewer owned and operated by the Municipality;
- (ii) "Road Right-of-Way" means property owned by the Municipality or the Province on which public roads are constructed, and within which main sewer lines may be buried;
- (jj) "Sanitary Sewer" means a sewer for the collection and transmission of domestic, commercial and industrial wastewater or any of them, and to which uncontaminated water, storm, surface, and groundwater are not intentionally admitted;
- (kk) "Sewage" means wastewater;
- (ll) "Sewer" means a pipe, conduit, drain, open channel, or ditch used for the collection and transmission of wastewater, stormwater, or uncontaminated water;
- (mm) "Sewerage System" means all pipes, mains, equipment, buildings and structures for collecting, pumping or treatment of wastewater and operated by the Municipality, but does not include a storm sewer;
- (nn) "Shredded garbage" means the wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce that has been shredded for the purpose of disposal into the sanitary sewer;
- (oo) "Staff" means employees of the Municipality;
- (pp) "Standard Methods" means the analytical and examination procedures provided in the edition current at the time of testing, published jointly by the American Public Health Association and the American Water Works Association or any publication by or under the authority of the Canadian Standards Association as deemed appropriate by the Municipality;





- (qq) "Storm Sewer" means a sewer and all related structures designed exclusively for the collection and transmission of uncontaminated water, stormwater, drainage from land or from any watercourse or any of them;
- (rr) "Stormwater" means runoff water from rainfall or other natural precipitation, groundwater or water from the melting of snow or ice and shall include roof drainage and footing drainage;
- (ss) "Suspended Solids" means insoluble matter than can be removed by filtration through a standard glass fibre filter as provided by "Standard Methods";
- (tt) "True Colour Units" means the measure of the colour of the water from which turbidity has been removed;
- (uu) "Uncontaminated Water" means any water, including water from a public or private water works, to which no matter has been added as a consequence of its use, or to modify its use, by any person, and may include cooling water;
- (vv) "Waste" means any material discharged into the sewerage system;
- (ww) "Waste Radioactive Substances" includes uranium, thorium, plutonium, neptunium, deuterium, their respective derivatives and compounds and such other substances as the Atomic Energy Board may designate as being capable of releasing ionizing radiation;
- (xx) "Wastewater" means any liquid waste containing animal, vegetable, mineral, or chemical matter in solution or suspension carried from any premises; and,
- (yy) "Watercourse" means the bed and shore of every river, stream, lake, creek, pond, spring, lagoon, swamp, marsh, wetland, ravine, gulch or other natural body of water and the water therein, and any channel, ditch, reservoir, drain, land drainage works or other man-made surface feature, whether it contains or conveys water or not.

#### 4 CONNECTIONS

- 4.1 No person shall make any opening or openings to uncover any public sewer or make any building service connection therewith without having a building permit. Where lots are infill, saddle connection at the main sewer shall be supplied and installed by the Municipality. For new subdivisions, saddle connections shall be supplied and installed by the developer.





- 4.2 No person shall injure, break or remove any portion of the public sewer system or its appurtenances.
- 4.3 Every person connecting to a sewerage system shall construct the lateral and building plumbing systems according to the requirements of the Canadian Building and Plumbing Codes and Municipal standards.
- 4.4 No person shall connect any storm sewer to any sanitary sewer.
- 4.5 Where a building has been connected to the Municipal sewerage system or Council has ordered a building to be so connected, Council may by resolution, order the owners of outhouses and septic tanks to remove such outhouses and to destroy or fill such septic tanks.
- 4.6 Each property or owner thereof is liable for the entire cost of construction and maintenance of building service connection from his property to the main sewer.
- 4.7 All items, including charges for sewer connections, as outlined in Schedule A attached hereto are incorporated into and form part of this By-Law.
- 4.8 For infill development, the Municipality may, at its own discretion, permit up to two dwelling units to be serviced by one lateral from the main sewer to the property line provided that the lateral is new or in good condition and otherwise meets all the requirements of the Municipality. It is the responsibility of the owner to establish the condition of an existing lateral through video inspection to the satisfaction of the Engineer. Each dwelling unit shall have a separate inspection port and lateral from the property line to the building.
- 4.9 Drains for cellar or subsoil, or rain leaders, shall not be laid in the same trench as the building service connection for sewer and water laterals.
- 4.10 Any fixtures or floor drains within a building below the crown of the road or street require backwater valves to be installed by the owner of building.

### 5 DISCHARGES TO SANITARY SEWERS

- 5.1 No person shall release or permit the release of any matter into the sanitary sewer system except:
  - (a) Domestic wastewater that complies with the requirements of this By-Law; and,
  - (b) Industrial/commercial/institutional wastewater that complies with the requirements of this By-Law.
- 5.2 No person shall discharge matter of any type or at any temperature or in any quantity which may be or may become a health or safety hazard to a Municipal employee, or





contracted employee, or which may be or may become harmful to the sewerage system, or which may cause the sewerage system effluent to contravene any requirements of any applicable Federal or Provincial legislation, or which may interfere with the proper operation of a sewerage system, or which may impair or interfere with any wastewater treatment process, or which is or may result in a hazard to any person, animal, property, or vegetation.

5.3 Except as otherwise provided in this By-Law, no person shall discharge or cause to be discharged into any sanitary sewer, combined sewer, public or private connections to any sanitary sewer or combined sewer any of the following, unless by special written agreement with the Municipality:

(a) Matter of a type or quantity that has or may emit a toxic or poisonous vapour or a chemical odour that may interfere with the proper operation of the Municipality's sewerage system, constitute a hazard to humans, animals or property, or create any hazards or become harmful in the receiving waters of the sewerage system;

(b) Noxious or malodorous gases or substances capable of creating a public nuisance except human wastes, including, but not limited to, hydrogen sulphide, mercaptans, carbon disulphide, other reduced sulphur compounds, amines and ammonia;

(c) Ashes, cinders, sand, potters clay, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood or other solid or viscous substances capable of causing obstruction to the flow of sewers or other interference with the proper operation of the sewerage system;

(d) Wastewater which consists of two or more separate liquid layers;

(e) Paunch manure or intestinal contents from horses, cattle, sheep or swine, hog bristles, pig hooves or toenails, animal intestines or stomach casings, bones, hides or parts thereof, manure of any kind, poultry entrails, heads, feet or feathers, eggshells, fleshing and hair resulting from tanning operations;

(f) Animal fat or flesh in particles larger than will pass through a quarter (1/4) inch (6 mm) screen;

(g) Gasoline, benzene, naphtha, fuel oil or other combustible, flammable or explosive matter or wastewater containing any of these in any quantity;

(h) Waste which, either by itself or upon the reaction with other material, becomes highly coloured;

(i) Wastes containing herbicides, pesticides or xenobiotics including, but not limited to, polychlorinated biphenols (PCB's);





- (j) Atomic wastes and radioactive materials except as may be permitted under the atomic energy control act (Canada) currently in force and regulations there under;
- (k) Wastewater or uncontaminated water having a temperature in excess of sixty (60) degrees Celsius;
- (l) Wastewater having a pH less than 5.5 or greater than 9.5 or having any other corrosive or scale forming properties capable of causing damage or hazards to the sewerage system or Municipal personnel;
- (m) Wastewater that will create tastes or odours in drinking water supplies, making such waters unpalatable after conventional water purification treatment;
- (n) Matter of any type or at any temperature or in any quantity which may cause the sludge from the sewerage system to fail to meet the criteria relating to contaminants for spreading the sludge on agricultural lands, under Provincial guidelines for sewage sludge utilization on agricultural lands;
- (o) Stormwater, water from drainage of roofs or footing drains or land, or water from a watercourse or uncontaminated water, except in the case of discharge to any combined sewer;
- (p) Sewage containing dyes or colouring materials which pass through a sewage works and discolour the sewage works effluent;
- (q) Wastewater containing any of the following in excess of the indicated concentrations:

Aluminum (Al) .....	50 Milligrams/Litre
Antimony (Sb) .....	5 Milligrams/Litre
Arsenic (As) .....	1 Milligram/Litre
Barium (Ba) .....	5 Milligrams/Litre
Beryllium (Be) .....	5 Milligrams/Litre
Bismuth (Bi) .....	5 Milligrams/Litre
Cadmium (Cd) .....	0.1 Milligram/Litre
Chlorides expressed as Cl .....	1500 Milligrams/Litre
Chromium (Cr) .....	4 Milligrams/Litre
Cobalt (Co) .....	5 Milligrams/Litre
Copper (Cu) .....	1 Milligrams/Litre
Cyanide expressed as HCN .....	2 Milligrams/Litre
Fluorides expressed as F .....	10 Milligrams/Litre
Iron (Fe) .....	50 Milligrams/Litre
Lead (Pb) .....	2 Milligrams/Litre
Manganese (Mn) .....	5 Milligrams/Litre
Mercury (Hg) .....	0.1 Milligrams/Litre
Molybdenum (Mo) .....	5 Milligrams/Litre
Nickel (Ni) .....	2 Milligrams/Litre







Phenolic Compounds .....	1 Milligrams/Litre
Phosphorus (P) .....	30 Milligrams/Litre
Sulphates expressed as SO <sub>4</sub> .....	1500 Milligrams/Litre
Sulphide expressed as H <sub>2</sub> S .....	2 Milligrams/Litre
Selenium (Se) .....	5 Milligrams/Litre
Silver (Ag) .....	2 Milligrams/Litre
Tin (Sn) .....	5 Milligrams/Litre
Zinc (Zn) .....	3 Milligrams/Litre

- (r) Wastewater of which the BOD exceeds three hundred (300) milligrams per litre;
  - (s) Wastewater containing more than three hundred fifty (350) milligrams per litre of suspended solids;
  - (t) Wastewater of which the COD exceeds one thousand (1000) milligrams per litre;
  - (u) Wastewater containing more than one hundred (100) milligrams per litre of fat, grease, or oil, and, in the case of mineral oils, in concentrations exceeding fifteen (15) milligrams per litre;
  - (v) Any matter in such quantities which exert excessive chlorine requirements so as to constitute a significant load on the wastewater treatment works;
  - (w) Wastewater containing fish offal or pathologic wastes;
  - (x) Wastes from marine vessels or vehicles;
  - (y) Sludge from sewage treatment plants;
  - (z) Any waters or wastes containing substances for which special treatment or disposal practices are required by applicable provincial or federal legislation;
  - (aa) Hauled wastewater, leachate, septic tank sludge including but not limited to RV holding tanks; and,
  - (bb) Shredded garbage.
- 5.4 No person shall connect a sump pump, foundation drain, rain leader or heat exchanger to a sanitary sewer.
- 5.5 Except as otherwise provided in this By-Law, no person shall be permitted to attain, or attempt to attain, compliance with any of the limits as set out in Paragraph 3 of this Part by dilution.

## 6 DISCHARGES TO STORM SEWERS





- 6.1 Except as otherwise provided in this By-Law, no person shall discharge, release, place or cause to be placed, any substance other than stormwater or uncontaminated water into a storm sewer.
- 6.2 No person shall discharge or deposit or cause or permit the discharge or deposit of matter of any type into a storm sewer, watercourse, Municipal or private sewer connection to any storm sewer which may or could:
- (a) Interfere with proper operation of a storm sewer;
  - (b) Obstruct or restrict a storm sewer of the flow therein;
  - (c) Damage a storm sewer;
  - (d) Result in any hazard or other adverse impact to any person, animal, property or vegetation;
  - (e) Contravene or result in the contravention of approved discharge quality or quantity with respect to the storm sewer, its discharge, or both the sewer and its discharge;
  - (f) Have one or more of the following characteristics:
    - (i) Visible film, sheen or discolouration;
    - (ii) Two or more separate layers;
    - (ii) A pH less than 5.5 or greater than 9.5;
    - (iii) A temperature greater than 60 degrees Celsius;
    - (v) Contain one or more of the following:
      - (1) Combustible liquids;
      - (2) Floating debris;
      - (3) Fuel;
      - (4) Hauled wastewater;
      - (5) Hauled waste;
      - (6) Ignitable waste;
      - (7) Pathological waste;
      - (8) PCBs;





- (9) Pesticides;
- (10) Reactive Waste;
- (11) Toxic Substances;
- (12) Wastewater;
  
- (13) Waste Radioactive Substances;
- (14) A substance from raw materials, intermediate or final product, used or produced in, through or from an industrial process;
- (15) A substance used in the operation or maintenance of an industrial site.

(g) Property owners must ensure that appropriate and necessary practices are undertaken to prevent prohibited discharges and to prevent discharge of suspended solids on their property including:

- (i) Construction activities that may result in erosion or sediment runoff from the property; and,
- (ii) Outside storage activities that may result in mobilization of stored materials as a result of rain or runoff from the property, including sand and granular material storage.  
Sedimentation and erosion control must be carried out in accordance with Provincial regulations.

### 7 AUTHORITY OF INSPECTOR

- 7.1 The Director of Infrastructure & Operations, Operations Manager for Public Works, Overall Direct Responsible Charge and Operators acting under their supervision and direction shall be designated as "Inspector".
- 7.2 The Inspector has the authority to carry out any investigation reasonably required to ensure compliance with this By-Law, including but not limited to:
  - (a) Inspecting observing, sampling and measuring the flow in any building service connection;
  - (b) Determining water consumption by reading water meters;
  - (c) Testing flow measuring devices;





- (d) Taking samples of wastewater, stormwater, uncontaminated water being released from a premises or flowing within a building service connection;
  - (e) Collecting and analyzing samples of hauled wastewater coming to a discharge location;
  - (f) Making inspections of the types and quantities of chemicals being handled or used on a premises in relation to possible release to a Municipal sewer; and,
  - (g) Investigating the premises where a release of prohibited or restricted wastes or of water containing prohibited or restricted wastes has been made or is suspected of having been made, and to sample any or all matter that in his or her opinion could have been part of the release.
- 7.3 No person shall hinder or prevent the Inspector from carrying out any of his or her powers or duties.

### 8 SAMPLING AND ANALYSIS

- 8.1 The owner or operator of industrial premises with one or more connections to a sewerage system shall install and maintain in good repair for each connection a suitable manhole to allow observation and sampling of the wastewater and measurement of the flow of wastewater therein, provided that where installation of a manhole is not possible, an alternative device or facility may be substituted with the written approval of the Engineer.
- 8.2 The manhole or alternate device shall be located on the property of the owner or operator of the premises, unless the Engineer has given written approval for a different location.
- 8.3 Every manhole, device or facility installed shall be designed and constructed in accordance with good engineering practice and the requirements of Municipal Standards, and shall be constructed and maintained by the owner or operator of the premises at his expense.
- 8.4 The owner or operator of industrial premises shall at all times ensure that every manhole, device or facility installed is at all times accessible for purposes of observing and sampling the wastewater and measuring the flow of wastewater therein.
- 8.5 Where a sample is required for the purpose of determining the characteristics or contents of the wastewater, uncontaminated water or stormwater to which reference is made in this By-Law:
  - (a) Sampling shall be based on a twenty four (24) hour composite sample taken using an automatic or non-automatic sampling device except that characteristics for which there is no acceptable concentration may be determined on the basis of a grab sample;





- (b) except as otherwise specifically provided in this By-Law, all tests, measurements, analyses and examinations of wastewater, uncontaminated water and stormwater, shall be carried out in accordance with Standard Methods; and
  - (c) for each of the metals whose concentration is limited in this By-Law the analysis shall be for the quantity of total metal, which includes all metal both dissolved and particulate.
- 8.6 The Inspector may from time to time conduct such tests as are deemed necessary at the manhole, or may enter the industrial premises and conduct the tests as deemed necessary.

### 9 SPILLS

- 9.1 Every person who discharges or deposits or causes or permits the discharge or deposit of any matter in any sewer that in nature or quantity is not in the ordinary course of events, shall forthwith notify the Municipality.
- 9.2 For any of the discharges for which the person is required to forthwith notify the Municipality, the notification shall include the following information:
- (a) name of the company and the address of location of spill;
  - (b) name of person reporting the spill and telephone number where that person can be reached;
  - (c) time of the spill;
  - (d) type and volume of material discharged and any associated hazards; and
  - (e) corrective actions being taken to control the spill.
- 9.3 Within five days following a spill, the person shall submit to the Municipality, a detailed written report describing the cause of the spill and the actions taken or to be taken to prevent a recurrence. The person shall also report any spill as required by Federal and/or Provincial regulations.

### 10 GREASE, OIL, SEDIMENT, SAND TRAPS OR INTERCEPTORS

- 10.1 Grease, oil, sediment and sand traps or interceptors shall be installed in all food service establishments or operations, vehicle service facilities, and car or truck washes when, in the opinion of the Municipality, such a device is necessary for the proper handling and control of wastewater being discharged to the Municipal sewerage system.
- 10.2 Traps or interceptors shall be installed such that they are easily accessible for all aspects of cleaning and inspection.





- 10.3 Traps or interceptors shall be maintained by the owner or operator in a condition of continuous efficient operation at the owner's expense.
- 10.4 No retained or trapped oil, grease, sediment, sand, silt or other matter in any form shall be allowed to pass from the installed trap or interceptor into the sewerage system; instead removal of retained or trapped materials shall be achieved by pumping or other physical means and shall be hauled away and disposed of as required by regulations.
- 10.5 The owner or operator of an establishment shall provide the Municipality, upon request, with the frequency of inspection and maintenance of any installed grease, oil, sediment and sand traps or interceptor as well as information as to the disposal method employed and location of hauled waste material; and
- 10.6 Any request for inspection by the Municipality shall be granted by the owner or operator of the establishment.

### 11 GENERAL

- 11.1 For the purpose of the administration of this By-Law, the Inspector may, upon production of his identification, enter any industrial premises and have free unimpaired access, to observe, to measure the flow of wastewater to any sewer and to collect any samples required at reasonable times upon reasonable notice.
- 11.2 No person shall break, damage, destroy, deface or tamper or cause or permit the breaking, damaging, destroying, defacing or tampering with:
  - (a) any part of the sewerage system or storm sewer system; or
  - (b) any permanent or temporary device installed in the sewerage system or storm sewer system for the purpose of measuring, sampling and testing of wastewater.
- 11.3 No work shall be carried out on any sewer other than by the authority of the Engineer.
- 11.4 The Engineer shall have the power to stop and close up and prevent from discharging into the sewerage system, any building service connection through which substances are discharged or into which substances are thrown, deposited, or supposed to be put, prohibited by this By-Law or which are liable to injure the sewers or obstruct the flow of sewage.
- 11.5 The Engineer shall not cause any sewer to be closed up pursuant to this Section unless the owner of the sewer is first notified and given an opportunity to be heard by the Engineer.
- 11.6 Whenever any building service connection is abandoned, the owner shall effectively block up the connection at the property line so as to prevent sewage from backing up into the soil, or dirt being washed into the sewer.
- 11.7 Where the owner does not effectively block up a building service connection within seven days from receipt of a notice from the Engineer requiring him to do so, the





Engineer may cause the work to be done, and the cost of such work may be recovered as a debt by the Municipality from the owner.

### 12 OFFENCES

1. Any person who contravenes any section of this By-Law is liable on conviction to a penalty of not less than \$500.00 and not more than \$5,000.00 and in default of payment to imprisonment for a term of not more than six (6) months.

### 13 EXEMPTIONS

13.1 The following properties shall be exempt from usage charges under this By-Law:

- (a) Lands owned and used by a registered fire service for the purpose of providing public fire protection.
- (b) Lands owned by the Royal Canadian Legion.
- (c) Lands exempted 100% from taxation as listed in Schedule A of Bylaw 148E, a Bylaw Respecting Exemption from Taxation.

Enacted: May 12, 2010





**Schedule A**  
**Municipality of the District of East Hants**  
**By-Law No. 139-3**

**A By-Law Respecting the Regulation of Connections and Discharges to Public Sewer Systems**

**CONNECTION FEES**

- 1 Any person desiring to connect a building to a public sewer shall obtain a building permit from the Municipality. The following connection fees shall apply:
- (a) \$500 per residential dwelling unit serviced with single sewer lateral extending to the Main Sewer, plus \$250 for each additional dwelling unit located on the same property and discharging into the same sewer lateral;
  - (b) \$50 for each plumbing fixture for non-residential properties;
  - (c) Where a property is mixed use, the charges shall be \$250 for each dwelling unit, plus \$50 per plumbing fixture for the non-residential unit(s).

**LATERAL INSTALLATION COSTS -4" (100 mm) diameter (Residential Dwelling Unit)**

- 2 It shall be the policy of the Municipality that, in the case of concurrent installation of a gravity sanitary lateral and a potable water supply lateral from the main lines, the Municipality will cost share 50% of the excavation and installation costs for the combined work provided that:
- a. It is a singular infill site, not part of a multi-phase development build out.
  - b. A site review of the proposed connection scope of work is completed between the contractor and either an Overall Direct Responsible Charge or the Operations Manager for Public Works. Public Works must be given a 2 week range from the contractor for options of when the site review can happen in conjunction with other municipal work..
  - c. Installation is done in a combined trench and the sanitary sewer is not more than 3 feet vertical nor 5 feet horizontal in distance from the trench which would have been required for installation of the water line only.
  - d. The cost sharing by the Municipality will only apply to work conducted within the road right-of-way or Municipally-owned easement.
  - e. The cost share amount will be based on three contractor quotes, as provided by the customer and as approved by the Operations Manager for Public Works or Director of Infrastructure & Operations for the Municipality. This must be completed 1 week prior to the start of construction.
  - f. Works eligible for cost sharing will include gravels, asphalt, sidewalk, curb, gutter, grass, traffic control and full reinstatement.
  - g. Bonds, deposits, permit fees and sewer pipe costs are the responsibility of the customer and are not subject to cost sharing.
  - h. Pressure sewer laterals are not eligible for cost sharing.
- 3 It shall be the policy of the Municipality that the owner of a property serviced by a public sewer shall be responsible for the original supply and installation of the sewer lateral servicing their







property from the main sewer to their building. For infill development, the Municipality will supply the saddle for connection to the main line.

### LATERAL INSTALLATION COSTS - Over 4" (100 mm) diameter

- 4 The Customer shall be responsible for the cost of supplying, installing and maintaining their sewer lateral from the building to the main sewer line, including connection to the main sewer line. Public Works Staff shall be present for inspection of the saddle installation.

### SEWER BACK-UPS

- 5 The Municipality will be responsible for the maintenance of the main sewer line.
- 6 Any repairs requiring excavation along the portion of the sewer lateral located within the road right-of-way or Municipally-owned easement shall be carried out by the Municipality. If the Municipality finds that the repair was required as a result of objects or debris originating from the customer's fixtures, the cost of the work shall be billed to the owner. If the Municipality finds that the problem was due to a faulty or collapsed lateral or a blockage in the main sewer line, the cost of the work shall be borne by the Municipality.
- 7 When a sewer backup occurs, the customer may arrange and pay for a plumber to attend to the problem. If the plumber finds that the backup is caused by a problem with the main sewer line, he/she may notify the Public Works Department through the Municipal office during regular business hours or the 24 hour emergency number after hours. Public Works will investigate and take appropriate action to ensure the main sewer is cleared. If the plumber finds a blockage or problem in the lateral, they should clear the lateral to the best of their ability from the building to the main sewer line. If the blockage or problem is on the customer's property and the plumber cannot dislodge it, then it shall be the customer's responsibility to excavate and repair as necessary. If the blockage or problem is within the road right-of-way or Municipally-owned easement and the plumber cannot dislodge it, then the customer shall contact the Municipality. If Public Works cannot dislodge the blockage, then the provisions of Clause 6 above shall apply. The Municipality shall not provide reimbursement to the customer for fees paid to a plumber, regardless of location of blockage.
- 8 Alternatively, when a sewer back up occurs, the customer may call the Public Works Department through the Municipal Office during regular business hours or the 24 hour emergency number after hours. The customer will be advised that a callout fee may apply. Public Works will respond to the situation and assess the problem. If based on Public Works' assessment, the problem is with the main sewer line, Public Works Staff will take the appropriate action to rectify the problem at the expense of the Municipality. If, based on Public Works' assessment, the problem is with the lateral or was caused by activities of the customer, the customer will be billed a minimum call-out fee of \$100. In such cases, Public Works Staff





will attempt to assist the customer, if reasonably possible, with the tools and equipment readily available, but at no time shall Public Works Staff enter the customer's building or dwelling unit. If the blockage cannot be cleared by Public Works Staff, the customer will be advised as follows: if the blockage appears to be on the customer's property, then he/she will be fully responsible for repairs; if the blockage is within the road right-of-way portion of the lateral, then the provisions of Clause 6 above shall apply.

- 9 When the cause of the problem is not apparent and the blockage is between the property line and the main sewer line, then the Public Works Department will rectify the problem in the most timely and cost-effective manner available, subject to the provisions of Clause 6 above.

### CLAIMS FOR DAMAGES

- 10 Where, in the opinion of Public Works Staff, it is expected that a customer, or other party, may make claim for damages associated with sanitary sewer infrastructure, the Operations Manager for Public Works or Director of Infrastructure & Operations shall be advised and take action as outlined below.
- 11 Claims for damages and/or repair costs attributable to a problem with the sewer system are to be submitted in writing to the Municipal Office to the attention of the Operations Manager for Public Works, with explanation and/or evidence of cause.
- 12 The Operations Manager for Public Works or Director of Infrastructure & Operations shall review the circumstances and may reject the claim outright with cause or if damages are expected to exceed \$2,500, submit the claim to the Municipality's insurance company for further investigation and/or payment. If damages are expected to be less than \$2,500, the Manager may call an independent adjuster to investigate the situation and report his or her findings in writing to the Director.
- 13 The Operations Manager for Public Works shall prepare a written report and present it to the Director of Infrastructure & Operations. Such report may include recommendations on payment of any particular claim. Where no recommendation can be made, the Manager shall so indicate in his/her report.
- 14 The Municipality will not pay claims for damages or repair costs attributable to a problem caused by actions or negligence or failure to perform maintenance on the part of the customer receiving service, his agent, tenants or other parties. This shall include, but be not limited to, foreign materials placed in the lateral.
- 15 Notwithstanding the above, Council may pay claims, without prejudice, where presentation is made in writing to the Operational Services Committee indicating sufficient cause for special consideration.





### FEES FOR SEWER USE

- 16** Sewer usage shall be charged through the Urban Service Rate (on assessed value, as set out in the Operating Budget) and through the Wastewater Management Fee (charged per 1,000 gallons of water billed).

The Wastewater Management Fee will be collected through the water utility billing process on behalf of the Municipality for the purpose of paying for wastewater system expenses.

Where the Wastewater Management Fee is being phased in over a number of years, properties with exempt assessed values shall be charged for wastewater usage based solely on water usage as follows:

- i. Through the Wastewater Management Fee on the water utility bill;
- ii. Through a sewer usage charge billed quarterly. The Sewer Usage Rate is calculated by subtracting the current Wastewater Management Fee from the Full Cost Recovery Wastewater Management Rate (as determined in the Operating Budget).

The Sewer Usage Rate will be billed quarterly per 1,000 gallons of water billed through the Water Utility bill.

- 17** Where water service is not available, schools shall be charged for sewer services at the rate of \$25 per quarter per school classroom.

