

The Summer Village of Silver Beach

Municipal Bylaws

Bylaw No. 140

A BYLAW OF THE SUMMER VILLAGE OF SILVER BEACH BEING A BYLAW TO SUPPORT, REGULATE, CONTROL, AND IMPROVE THE SANITARY SEWER SYSTEMS WITHIN THE SUMMER VILLAGE OF SILVER BEACH.

Under and By Virtue of the authority conferred upon it by the *Municipal Government Act*, Section 288, of the Revised Statutes of Alberta and amendments thereto, the council of the Summer Village of Silver Beach being duly assembled enacts as follows:

- Section 100** This Bylaw may be cited as the Sewage Utilities Bylaw.
- Section 200** **DEFINITIONS:**
- In this Bylaw unless the context specifically indicates otherwise:
- Section 201** "BUILDING DRAIN" shall mean that part of the lowest horizontal piping which receives the discharge from waste or other drainage pipes within a building and conducts it to the building sewer beginning three (3) feet outside the building wall.
- Section 202** "BULK SEWAGE" means any large quantity unit of sewage apart from what is normally introduced into the sanitary sewage line.
- Section 203** "CONSUMER" means and includes "subscriber" and denotes a user of the utility.
- Section 204** "ADMINISTRATOR" means the Summer Village of Silver Beach Administrator appointed by Council.
- Section 205** "COMMISSION" means the Northeast Pigeon Lake Regional Services Commission.
- Section 206** "COUNCIL" means the Council of the Summer Village of Silver Beach.
- Section 207** "COUNTY" means the County of Wetaskiwin No. 10.
- Section 208** "CROSS-CONNECTION" means (1) a physical connection through which a supply of potable water could be contaminated or polluted, and (2) a connection between a supervised potable

water supply and an unsupervised supply of unknown potability.

- Section 209** "EASEMENT" means that area so registered on any title issued by an Alberta Land Titles Office providing a right acquired by one person from another, permitting use of the other's land for a purpose such as a right-of-way across it.
- Section 210** "GARBAGE DISPOSAL UNIT" shall mean any device, equipment or machinery designed, used or intended to be used for the purpose of grinding or otherwise treating garbage to enable the same to be introduced into a public sewer.
- Section 211** "GREASE" shall mean material recovered as GREASE set out in the "Standard Methods" of the American Public Health Association.
- Section 212** "HEALTH OFFICER" shall mean the Medical Officer of Health of the Wetoka Health Unit.
- Section 213** "INTERCEPTOR" means a receptacle that is installed to prevent oil, GREASE, sand or other materials from passing into the sewer utility system.
- Section 214** "LAGOON" means a digestion area in which sewage is received and retained after passing through the gathering conduits of the sewer utility system.
- Section 215** "LIFT STATION" means a metal or concrete structure constructed either below or above ground level, including but not limited to pumps, vents, and electrical panels used to pump sewage from where the sewage enters the structure to some other location.
- Section 216** "MANHOLE" means a subsurface concrete or metal structure with removable hatch, used for inspection or cleaning of a sewer or storm sewer.
- Section 217** "OWNER" shall mean the registered owner of a property or the purchaser thereof who is entitled to occupy and enjoy the property.
- Section 218** "PERSON" shall mean any individual, firm, company, association, society, corporation or group.
- Section 219** "pH" shall mean the logarithm of the reciprocal of the weight hydrogen ion in grams per litre of solution and denotes alkalinity or acidity.

- Section 220** "PUBLIC PROPERTY" shall mean and include in this context a highway or any other public property in which a utility is installed.
- Section 221** "REVOKE" means "rescind", "cancel" and otherwise to annul.
- Section 222** "SANITARY SEWER" means a pipe which carries sewage and into which storm, surface and ground waters are not intentionally admitted.
- Section 223** "SEWAGE" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, industrial and recreational establishments.
- Section 224** "SEWER" shall include "Sewerage" and means one or more pipes designed and used for carrying sewage or liquid waste from one or more plumbing systems.
- Section 225** "SEWER SERVICE LINE" means a pipe connecting the SANITARY SEWER to residences, commercial buildings, industrial and recreational establishments, and institutions; which is designed and used to convey sewage.
- Section 226** "STORM SEWER, STORM DRAIN, and WEEPING TILE" shall mean a SEWER, which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.
- Section 227** "SWIMMING POOL" means a pool constructed for swimming.
- Section 228** "SYSTEM" means and includes all the pipes, drains, machinery, ponds, yards, ships, plants, offices, equipment and whatever relative to the utility.
- Section 229** "UTILITY" means and includes the sewage system to which this Bylaw pertains.
- Section 230** "UTILITY OFFICER" means a person employed or appointed by COUNCIL to supervise and administer the operation and maintenance of the UTILITY systems; in possession of a valid Province of Alberta Operator's Certificate.
- Section 231** "WATER COURSE" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

- Section 300** **SEWER OPERATION AND ADMINISTRATION – GENERAL PROVISIONS**
- Section 301** The Summer Village of Silver Beach shall maintain the UTILITY SYSTEM within all PUBLIC PROPERTY and within any UTILITY EASEMENT at the expense of the Summer Village of Silver Beach. All costs for maintenance, pipe replacement or clean-out on private property will be the responsibility of the OWNER of said private property.
- Section 302** No unauthorised PERSON shall uncover, make any connection with or opening into, use, alter, or disturb any part of the UTILITY SYSTEM.
- Section 303** All works relative to construction, excavation, connection of any UTILITY SYSTEM within a highway, public lands, or EASEMENT shall be performed by the Summer Village or its contractors.
- Section 304** Any PERSON desiring to connect his property with any UTILITY SYSTEM shall sign and file with the Summer Village a written application on the form provided for a permit to make such a connection, notwithstanding Section 410.
- Section 305** Any SANITARY SEWER line extension which has been approved by the COMMISSION and the Summer Village shall be subject to a hook-up charge to defray any common costs of the UTILITY SYSTEM to be paid by these persons connecting to the extension.
- Section 306** Hook-up charges under Section 305 shall be determined by the COMMISSION and the Summer Village at the time of the application for the extension.
- Section 307** Except as otherwise provided and relative to any UTILITY SYSTEM, no construction, excavations or connections will be performed in or on a highway or public lands between the First day of November of any year and the Fifteenth day of April the following year.
- Section 308** (1) Furnished with convincing evidence of urgent necessity, the COMMISSION in hereby authorized to vary Section 307 hereof and permit construction, excavation or connection within a public park or EASEMENT providing the applicant undertakes, in writing to pay all costs of construction, excavation or connection and the costs of reclaiming the site so disturbed.

(2) The COMMISSION may, and is hereby authorized to require the applicant to post a letter of credit, in sufficient amount to satisfy estimated costs of construction, excavations and connections.

Section 309

(1) The COMMISSION is hereby authorized to act for and do anything on behalf of the COUNCIL conducive to the efficient operation, regulation, control and improvement of the UTILITY SYSTEM including

- i. effecting repairs of and to the UTILITY;
- ii. granting exceptional concessions;
- iii. delegating the authority herein stipulated to other persons to the COMMISSION deems suitable for carrying out the intentions of this Bylaw;
- iv. collecting rates and charges from CONSUMERS on behalf of the Summer Village.

(2) The powers herein conferred shall not extend to or include the setting of rates in Schedule "A".

Section 310

The COUNCIL may, by resolution, appoint officials and employees for the purpose of carrying out the provisions of this Bylaw and remunerate the said officials and employees.

Section 311

The COMMISSION or those suitable persons delegated under Section 309(1) bearing proper credentials and identifications, shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling, testing and recording in accordance with the provisions and intentions of this Bylaw.

Section 312

Any OWNER, proprietor or occupier of a premises, structure of property failing or refusing to permit or preventing the entry for purposes stipulated in section 311 is guilty of an offence against this Bylaw.

Section 313

Where any inspection cited in Section 311 discloses any failure, omission or neglect contrary to this Bylaw, the authorized PERSON making such inspection shall, in writing, notify the said OWNER, proprietor or occupier to rectify the failure, omission, or neglect within a period which is, in the opinion of the authorized PERSON, reasonable under the circumstances.

Section 314 Any PERSON who fails to comply with a notice within the time limit specified therein, under the provisions of Section 313 is guilty of an offence against this Bylaw.

Section 315 The COMMISSION may REVOKE any permit or concession prescribed in this Bylaw should it be determined, at any time, that an OWNER, CONSUMER, subscriber, or applicant is not complying with the spirit and intent of the Bylaw or is doing an act which, in the opinion of the COMMISSION, is likely to damage or impair the UTILITY SYSTEM or its functions.

Section 316 No unauthorized PERSON shall trespass upon or in any facility of any UTILITY SYTEM.

Section 400 SEWER SERVICE

Section 401 Where any SEWER connection is abandoned, the property OWNER or his agent shall effectively block up the connection at a suitable location within his property so as to prevent sewage backing up into the soil, or soil being washed into the SYSTEM.

Section 402 STORN DRAINS and WEEPING TILE shall not be connected to the UTILITY SYSTEM.

Section 403 (1) No industry, factory, institution or business, or the ONWER, employees or officers thereof shall connect to, or introduce into the UTILITY SYSTEM any garbage disposal unit, or the grindings hereof.

(2) The COMMISSION is hereby authorized and may vary the provisions of subsection (1) hereof upon receiving an application in the form provided.

(3) In any such case, the COMMISSION may, in addition to the foregoing, require that the applicant enter into an agreement with the Summer Village of Silver Beach, stipulating any particular which, in the opinion of the COMMISSION, is good, sufficient and expedient for the efficient operation of the UTILITY SYSTEM.

(4) Where a permit is issued in the form provided the OWNER of a GARBAGE DISPSOSAL UNIT or swimming pool connected to the UTILITY SYSTEM shall be assessed an amount increased by 25 percent of the charges otherwise payable under the provisions of Schedule "A".

Section 404 (1) No PERSON shall discharge or cause to be discharged any storm water, surface water, ground water, roof run-off, subsurface drainage, cooling water or unpolluted industrial water into the sewage UTILITY SYSTEM.

(2) The COMMISSION is authorized and may vary the provision of subsection (1) hereof provided, on application, it is shown that such discharge is necessary due to exceptional conditions preventing compliance with this section.

Section 405 No PERSON shall dispose of any BULK SEWAGE, treated or otherwise; directly into any SEWER MANHOLDE, LIFT STATION, or LAGOON.

Section 406 Furnished with evidence of urgent necessity the COMMISSION upon application may authorize a PERSON under Section 405 to use the SEWAGE SYSTEM and to undertake in writing to pay any charges or fees as assigned under Schedule "A".

Section 407 Any use of the SEWAGE SYSTEM under Section 406 will be as directed by an authorized employee of the COMMISSION and in keeping with general intent and provisions of this Bylaw.

Section 408 The use of the SEWAGE SYSTEM under Section 406 and the application therefore may be revoked at any time after 48 hours notice to the applicant.

Section 409 No PERSON shall discharge the contents of any privy vault, manure pit or cesspool, directly or indirectly, into any SEWER or house drain connected therewith.

Section 410 No PERSON shall cut, break, pierce, or tap into SEWER or appurtenances thereof, or introduce any pipe, tube, trough, or conduit into any SEWER, except duly authorized employees of the COMMISSION.

Section 411 No PERSON shall interfere with the free discharge of any SEWER, or part thereof, or do any act or thing which may impede or obstruct the flow or clog up any SEWER or appurtenances thereof.

Section 412 Should any PERSON claim that the SEWER LINE is plugged and it is found to be blocked between the PROPERTY LINE and the RESIDENCE, the said PERSON will be responsible for all costs relating to the inspection and repair. The COMMISSION will then be authorized to open the SEWER SERVICE LINE by any

method necessary.

Section 413 Should any PERSON claim that the SEWER LINE is plugged, and it is found to be blocked between the SANITARY SEWER LINE and the PROPERTY LINE, the COMMISSION will be responsible for all costs unless the blockage is due to negligence of the customer. The COMMISSION will then be authorized to open the SEWER SERVICE LINE by any method necessary.

Section 414 No PERSON shall release the discharge, any substance which, in the opinion of the COMMISSION, is or may become harmful to any recipient water course or SEWER SYSTEM or part thereof, or may interfere with the proper operation of the SEWER SYSTEM, may impair or interfere with any treatment process, or may become a hazard to persons, property or animals.

Section 415 (1) Where deemed necessary and expedient by the COMMISSION, interceptors for GREASE, oil and sand shall be installed by an OWNER on his property, at his expense before introduction to the SEWAGE UTILITY SYSTEM.

(2) Any INTERCEPTOR shall be maintained by the OWNER thereof.

Section 416 Where deemed necessary and expedient by the COMMISSION, the OWNER of any property served by a SEWER carrying industrial wastes shall install a suitable MANHOLE for observation, sampling and measuring operations of the municipality.

Section 500 RATES

Section 501 The COUNCIL shall, from time to time, establish, amend, or set schedules of rates respecting fees, charges, tolls, fares, or rents payable by CONSUMERS for the purpose of general maintenance, management, conduct and operation of the UTILITY.

Section 502 The particulars set out in Schedule "A" – Sewer Rates and Charges shall be deemed sufficient and obligatory for the purpose of establishing rates and charges in respect of the use of the SEWER UTILITY.

Section 503 Schedule "A" shall be construed as part of this Bylaw and is hereby enforceable and remedial in all of these respects.

Section 600 **PROCEDURES AND PENALTIES**

Section 601 Any PERSON who contravenes any provisions of this Bylaw is guilty of an offence and is liable to a fine of Five Hundred Dollars (\$500.00).

Section 602 The payment of the rates, charges, tolls, fares or rents stipulated in Schedule "A" hereto, or any requirements for the efficient operation of the UTILITY may be enforced by all or any of the following methods, namely

- (a) by action in any court of competent jurisdiction;
- (b) by discontinuing the UTILITY service to the CONSUMER thereof;
- (c) by distress or sale of goods or chattels of the person owing the utility rates, charges, tolls, fares or rents wherever those goods and chattels may be found in the Summer Village.

Section 603 In the event that UTILITY rates, charges, tolls, fares or rents remain uncollected and unpaid, the COMMISSION shall:

- (a) make a return showing the amount of utility rates, charges, tolls, fares or rents so in arrears, together with all costs and charges in connection therewith; and
- (b) notify the owner and, if any, the purchaser of any building, lot or part of lot that is included in the return, and
- (c) upon having made the notification required herein shall, on the 30th day of December of that year, present that return to the Municipal Secretary of the Summer Village.

Section 604 Subject to section 603, the Summer Village may collect the unpaid UTILITY rates, charges, tolls, fares or rents together with all costs and charges in connection therewith, that remain unpaid by charging the amount owing against the lands owned by the CONSUMER owing the UTILITY rates, charges, tolls, fares or rents within the municipal boundaries of the Summer Village in the same manner and subject to the same provisions as taxes due and owing in respect of that land.

Section 700 DATE OF EFFECT

Section 701 This Bylaw comes into force and effect on the day which it is passed.

Read a first and second time and by unanimous consent of COUNCIL read a third time and passed on the 6th day of December 1989.

Schedule A

Part II

SEWER RATES AND CHARGES

The Council of the Summer Village of Silver Beach has, by virtue of this Bylaw of Council dated the 6th day of December 1989, established sewer rates, fees, charges, tolls, fares, or rents in the Summer Village of Silver Beach, in respect of the general maintenance, management, conduct and/or financial support of the SEWER UTILITY SYSTEM as follows:

Residential Permanent	\$7.50 per month
Seasonal Residential	7.50
Camps	15.00

Interest shall be charged to the outstanding balance of all accounts at the rate of decimal eight three percent (.83%) per month or ten percent (10%) per annum. The interest charge will be calculated at the date of the Utility Billing Notice on the "arrears" as at that date.