

MUNICIPALITY OF THE DISTRICT OF YARMOUTH

**SEWER BY-LAW
S-084-05**

Effective Date:
June 3, 2005

This By-law is made under the Provisions of the Municipal Government Act. The reader is advised to look at part XIV Sewers, since it also deals with the subject of this By-law.

DEFINITIONS

In this By-law, unless the context otherwise requires, the expression:

1. (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 procedure set forth in “Standard Methods”;
- (b) **“Building Service Connection”** means a piping system that conveys *sewage, liquid waste, stormwater* or surface run off from a property to a *municipal sewer*.
- (c) **“Building Sewer”** means a sewer which is located on private or Municipal property and the Nova Scotia Transportation and Infrastructure Renewal right-of-way which connects the building sanitary conveniences to the *sanitary sewer*, or other place of disposal.
- (d) **“Chemical Oxygen Demand”** or **“COD”** means the quantity of oxygen utilized in the chemical oxidation of organic *matter* under standard laboratory procedures expressed in milligrams per litre, according to “Standard Methods”;
- (e) **“Combined Sewer”** means a sewer that is intended to conduct *wastewater* and *stormwater*
- (f) **“Council”** means the *Council of the Municipality*
- (g) **“Domestic Waste”** means *waste* derived principally from dwelling;
- (h) **“Effluent”** means treated *wastewater* flowing out of a treatment plant;
- (i) **“Engineer”** means the *engineer* of the *Municipality* and includes a *person* acting under the supervision and direction of the *Engineer*;
- (j) **“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;
- (k) **“Industrial Premises”** means an area of land with or without buildings or structures with activities of industry, manufacturing, commerce, trade, business,

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institution, or utility, as distinguished from domestic dwellings;

- (l) **“Inspector”** means any *person* authorized by the *Municipality* to carry out inspections and investigations and to take samples on behalf of the *Municipality* as may be required under this By-Law.
- (m) **“Matter”** includes any solid, liquid, or gas;
- (n) **“Municipal Sewer”** means a sewer controlled by the *Municipality*
- (o) **“Municipality”** means the *Municipality* of the District of Yarmouth.
- (p) **“Owner”** includes:
 - (1) A part *owner*, joint *owner*, tenant in common or joint tenant of the whole or any part of land or a building,
 - (2) In the case of the absence or incapacity of the *person* having title to the land or building, a trustee, an executor, a guardian, agent, a mortgagee in possession or a *person* having the care or control of the land or building,
 - (3) A *person* who occupies shores, beaches, or shoals, and
 - (4) In the absence of proof to the contrary, the *person* assessed for the property
- (q) **“Person”** means any individual, firm, company, association, society, corporation or group;
- (r) **“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”;
- (s) **“Phenolic Compounds”** means hydroxyl derivatives of benzene and its condensed nuclei, concentrations of which shall be determined by “Standard Methods”;
- (t) **“Professional Engineer”** means a registered member in good standing of the Association of *Professional Engineers* of Nova Scotia;
- (u) **“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;
- (v) **“Sanitary Sewer”** means a sewer receiving and carrying liquid and water-

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carried *wastes* and to which storm, surface or groundwaters are not intentionally admitted.

- (w) **“Sewage”** means *wastewater*
- (x) **“Sewer”** means a pipe, conduit, drain, open channel, or ditch used for the collection and transmission of *wastewater*, *stormwater* or uncontaminated process or cooling process or cooling water;
- (y) **“Sewerage System”** means all pipes, mains, equipment, buildings, and structures for collecting, pumping, and treatment of *wastewater*, and operated by the *Municipality*, but does not include a *storm sewer*.
- (z) **“Spill”** means a direct or indirect discharge into the *wastewater* works, *storm sewer* or the natural environment which is abnormal in quantity or quality in light of all the circumstances of the discharge.
- (aa) **“Standard Methods for the examination of Water and Wastewater”** (referred to as “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 deemed appropriate by the *Municipality*”;
- (bb) **“Storm Sewer”** means a sewer that carries storm water and surface run off water, excluding *sewage*;
- (cc) **“Stormwater”** means water from precipitation of all kinds, and includes water from the melting snow and ice, ground water discharge and surface water
- (dd) **“Subdivision By-Law”** means the *Subdivision By-Law* of the *Municipality*
- (ee) **“Suspended Solids”** means insoluble *matter* that can be removed by filtration through a standard glass fibre filter as provided by “Standard Methods”;
- (ff) **“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;
- (gg) **“Vacant Land”** means land fronting a street, road or highway where a sewer collection line passes.
- (hh) **“Vehicle Wash Operation”** means a business or industry which washes vehicles specifically for the purpose of carrying on the business or industry
- (ii) **“Waste”** means any material discharged into the sewerage system

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- (jj) **“Wastewater”** means any liquid *waste* containing animal, vegetable, mineral, or chemical *matter* in solution or suspension carried from any premises;
- (kk) **“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 in them, and any channel, ditch, reservoir, drain, land drainage works or other *person-made* surface feature, whether it contains or conveys water or not;

SEWER CONSTRUCTION, REPAIR AND MAINTENANCE

- 2. (a) When the *Council* deems it necessary that a sewer be constructed in any area or any portion of the *Municipality*, the *Council* may order, by resolution and without the authorization of any petition of the *owners*, such sewer to be constructed and all the provisions of the By-Laws relating to and regulating the use of public sewers in force in the *Municipality* be and are hereby made applicable to any sewer constructed by virtue of such resolution.
- (b) By Resolution, *Council* may order:
 - (1) the repair or improvement of public drains or sewers existing in any road, area or portion of the *Municipality*, whenever the same shall be considered necessary or desirable,
 - (2) laying out, excavating and completing a sewer in any area of the *Municipality*,
 - (3) and performing such other work necessary to be done

CONNECTION TO THE *MUNICIPAL SEWER*

- 3. An *owner* of property that may be served by a *municipal sewer* may make a request to the *Municipality* for approval to connect to the *Municipal sewer* by a building service connection.
- 4. The *owner* of any building, the nearest part of which is within 100 feet from any portion of a *municipal sewer*, upon written notice from the *Engineer* and within the time specified in the notice, is required to connect with the *municipal sewer* by a building service connection.
- 5. Every *owner* who requests, and every *owner* given notice by the *Engineer*, to connect to the *municipal sewer*, is required to complete and submit to the *Municipality*:

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- (a) for a Residential or Commercial building service connection, an application which shall be obtained at the Public Works/Development Office in the Municipal Administrative Building
 - (b) for an Industrial building service connection, an application in the form which shall be obtained at the Public Works/Development Office in the Municipal Administrative Building
6. The *owner* of a property connected to a *municipal sewer* is responsible:
- (a) to install and maintain the sewer line from the building on the property to the boundary line of the property and the entrance to the building service connection, and
 - (b) for the installation of *grease*, interceptors, in commercial operations, as required.
 - (c) for back flow preventers required on all connections.
 - (d) for any loss or damage directly or indirectly caused by the installation of the building service connection, and to indemnify the *Municipality* for any such loss or damage

SEWER CAPITAL RECOVERY CHARGE

7. Each *owner* shall pay to the *Municipality* a Sewer Capital Recovery Charge for the installation and connection of the Building Service Connection.

The amount payable is determined by applying the unit value for the applicable Type of Consumer set out in Schedule "A" to this By-law, Schedule of Sewer Capital Recovery Charges, Sanitary Sewerage System, to the Sewer Building Service Connection Fee in the *Municipality's* current Fees Policy F-044-02

The Sewer Capital Recovery Charge is payable:

- (a) When the *owner* receives a notice to connect to the *municipal sewer* from the *engineer*, or
- (b) When the *owner* applies to connect to the *municipal sewer*

SEWER SERVICE CHARGE

8. (a) Every *owner* of property which is connected to a *municipal sewer* by a building service connection shall pay to the *Municipality* an annual "Sewer Service

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Charge” for the construction, operation and maintenance of the sewage system

The amount of the Sewer Service Charge payable each year is determined by applying the unit value for the applicable Type of Consumer, as set out in Schedule “B” to this By-Law, Schedule of Sewer Service Charges, Sanitary Sewerage System, to the Sewer Maintenance Fee in the *Municipality’s* current Fees Policy F-044-02.

If the property has more than 150 feet of frontage on a street, road, or highway then the *Vacant Land* Type of Consumer Unit value shall also be applied to the Sewer Maintenance Fee to determine the amount payable.

- (b) Every *owner* of property abutting a *municipal sewer*, which property is not connected to the *municipal sewer*, shall pay a Sewer Service Charge determined by applying the *Vacant Land* Type of Consumer in Schedule “B” to the By-law to the Sewer Maintenance Fee in the *Municipality’s* current Fees Policy F-044-02.

When the property is connected to the *municipal sewer*, the Sewer Capital Recovery Charge and the Sewer Service Charge in sections 7 and 8 (a) above apply.

- (c) If a property is subdivided under the *Municipality* of the District of Yarmouth *Subdivision By-law*, each new parcel of land created is subject to the charges in sections 7 and 8 (a)
- (d) The Sewer Service Charge is due and payable in four equal installments in March, June, September and December of each year. The *Municipality* calculates the Sewer Service Charge and notifies the *owner* of the sum due.

- 9. Every Charge imposed under the provisions of this By-Law constitutes a lien upon the real property as is provided Section 81(3) of the Municipal Government Act. Charges are collected in the same manner as taxes on real property are collected.
- 10. The most recent version of the “*National Plumbing Code of Canada*” as published by the Associate Committee of the National Building Code, National Research Council of Canada, is hereby adopted as part of this By-Law.
- 11. All sewers and drains that are constructed on public or municipal highways are to be constructed in accordance with the provisions of the *Public Highways Act* or Municipal Sub-Division By-Laws and amendments and regulations under it, and are to cause as little obstruction as possible for pedestrians and vehicular traffic during installation.
- 12. Whenever any building service connection is abandoned, the *owner* shall obtain a permit and notify the *Municipality’s* Public Works/Development Department at least

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twenty four hours prior to effectively blocking up the connection at the property line so that inspection by the *Municipality* can be arranged. This is to prevent *sewage* from backing up into the soil or dirt being washed into the sewer.

13. When the *owner* does not effectively block up a building service connection as required under the provisions of this previous section, within twenty four hours from receipt of a notice from the *Engineer* requiring that to be done, the *Engineer* may cause the same to be done and the cost of such work caused to be done by the *Engineer*, as well as any interest applicable, shall be applied against the property account as a first lien, and collectable under Section 507 of the Municipal Government Act.
14. If an *owner* applies to the *Municipality* to reconnect a previously blocked up building service connection, and the *Municipality* approves, the *owner* shall pay to the *Municipality* the Sewer Building Service Capital Reconnection Fee as a Charge, as set out in the *Municipality's* current fees policy F-044-02.
15. Except as otherwise provided in this By-Law, no *person* shall discharge, release, suffer 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:
 - (a)
 - (1) hydrogen sulphide, mercaptans, carbon disulfide, other reduced sulphur compounds, amines and ammonia;
 - (2) ashes, cinders, sand, potters clay, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, or wood;
 - (3) 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;
 - (4) fish, parts of fish, fish *wastes*, animal fat or flesh in particles larger than will pass through a quarter (1/4) inch screen;
 - (5) gasoline, benzene, naphtha, or fuel oil or *wastewater* containing any of these in any quantity;
 - (6) *wastewater* or *uncontaminated water* having a temperature in excess of sixty (60) degrees Celsius;
 - (7) *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 *wastewater* facilities or personnel of the *wastewater* facilities;

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- (8) *sewage* containing dyes or colouring materials which pass through a *sewage* works and discolour the sewerage system *effluent*;
- (9) *wastewater* containing any of the following in excess of the indicated concentrations:
- | | |
|----------------------------|-----------------------|
| Aluminum (A1) | 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 C1 | 1500 Milligrams/Litre |
| Chromium (Cr) | 4 Milligrams/Litre |
| Cobalt (Co) | 5 Milligrams/Litre |
| Copper (Cu) | 1 Milligram/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 Milligram/Litre |
| Molybdenum (M0) | 5 Milligrams/Litre |
| Nickel (Ni) | 2 Milligrams/Litre |
| <i>Phenolic Compounds</i> | 1 Milligram/Litre |
| Phosphorous (P) 30 | Milligrams/Litre |
| Sulphates expressed as SO4 | 1500 Milligrams/Litre |
| Sulphide expressed as H2S | 2 Milligrams/Litre |
| Selenium (Se) | 5 Milligrams/Litre |
| Silver (Ag) | 2 Milligrams/Litre |
| Tin (Sn) | 5 Milligrams/Litre |
| Zinc (Zn) | 3 Milligrams/Litre |
- (10) *Wastewater* of which the *BOD* exceeds three hundred (300) milligrams per litre;
- (11) *Wastewater* containing more than three hundred fifty (350) milligrams per litre of *suspended solids*;
- (12) *Wastewater* of which the *COD* exceeds one thousand (1000) milligrams per litre;
- (13) *Wastewater* containing more than one hundred (100) milligrams per litre of animal fats, wax, *grease*, or vegetable oil, in liquid or solid form and in the

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case of mineral oils, in concentrations exceeding fifteen (15) milligrams per litre;

The presence in *wastewater* of any one of the *matters* in Subsections 15(a) (9) through to (13) in a concentration in excess of its limits constitutes a separate offence.

Compliance with any limit is not attainable simply by dilution.

- (b) When required in writing by the *Inspector*, the *owner* of the property serviced by a building service connection shall forthwith cease to cause any *sewage* or *waste* to be discharged into the *municipal sewer* line which causes harm or damage to the *municipal sewer*.
- (c) Without limiting any of the foregoing, no *person* shall discharge or cause to be discharged any waters or *wastes* containing substances which are not amenable to treatment or reduction of the *sewage* treatment processes employed, or are amenable to treatment only to such degree that the *sewage* treatment plant *effluent* cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- (d) When required by the *Engineer* by notice in writing, every *owner* of a commercial operation which discharges *grease* into a *municipal sewer* shall;
 - (1) Install a *grease* interceptor in which the interceptor installation shall have the written approval of the *Engineer*,
 - (2) Maintain the *grease* interceptor to ensure proper operation,
 - (3) In a form satisfactory to the *Engineer*, keep written records of the maintenance of the *grease* interceptor
 - (4) Submit copies of the written maintenance records, certified by the *owner* to be accurate, to the *Municipality* no later than the first days of March, June, September and December every year.

SAMPLING AND ANALYSIS

- 16. (a) The *owner* or operator of *industrial premises* with one or more connections to a sewerage system shall install and maintain in good repair in each connection a suitable manhole to allow observation and sampling of the *wastewater* and measurement of the flow of *wastewater*. If installation of a manhole is not possible, an alternative device or facility may be substituted with the written approval of the *Engineer*.

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- (b) The manhole or alternative 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.
- (c) Every manhole, device or facility installed as required by subsection 1(a) shall be designed and constructed in accordance with good *engineering* practice and the requirements of the *Engineer*, and shall be constructed and maintained by the *owner* or operator of the premises, at the expense of the *owner* or operator.
- (d) The *owner* or operator of *industrial premises* shall, at all times, ensure that every manhole, device or facility installed as required by subsection (a) is at all times accessible for purposes of observing and sampling the *wastewater* and measuring the flow of *wastewater*.
- (e) Where a sample is required for the purpose of determining the characteristics or contents of the *wastewater*, *uncontaminated water* or storm-water to which reference is made in this By-Law:
 - (1) one sample alone is sufficient and, without limiting the generality of the foregoing, the sample shall be a grab sample or a composite sample, may contain additives for its preservation and may be collected manually or by using an automatic sampling device;
 - (2) except as otherwise specifically provided in this By-Law, all tests, measurements, analyzes and examinations of *wastewater*, *uncontaminated water* and *stormwater*, shall be carried out in accordance with Standard Methods; and
 - (3) 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.
- (f) Where testing of a sample is required for the purpose of determining the characteristics of contents of the *wastewater*, *uncontaminated water* or storm water to which reference is made in this By-Law, said testing shall be conducted in accordance with the following described methods described or by mechanical sampling devices:

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METHOD OF SAMPLING AND ANALYSIS

17. A minimum of four (4) - twenty four (24) hour composite samples shall be taken, three (3) during the work week and one (1) during the weekend;
- (a) Analyzes shall be conducted separately on each day's grab sample;
 - (b) The final results of these tests shall be averaged for this period to determine the characteristics and concentration of the *effluent* being discharged into the *wastewater* facilities or *storm sewer* system;
 - (c) 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.
18. (a) 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 *Engineer*.
- (b) For any of the discharges in subsection 15 (a) for which the *person* is required to forthwith notify the *Municipality*, the notification shall include the following information:
- (1) name of company and the address of location of *spill*;
 - (2) name of *person* reporting the *spill* and telephone number where that *person* can be reached;
 - (3) time of the *spill*;
 - (4) type and volume of material discharged and any associated hazard; and
 - (5) corrective actions being taken to control the *spill*.
- (c) 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.

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REPORTS

19. (a) Any *person* who deposits, intends to deposit or permits or intends to permit the deposit of any *wastes* except *domestic wastes* into a sanitary or *combined sewer* shall file a *Waste Survey Report* with the *Engineer*.
- (b) The *Waste Survey Report* shall contain the following information and shall be signed by an authorized representative of the *owner* or operator:
- (1) name and address of the premises, and names of its *owner* and operator;
 - (2) description of process operations, including *waste* discharge rates and contaminant concentrations, hours of operation and plans and reports certified by a *professional engineer* indicating proposed industrial expansion, addition, new construction, or proposed pretreatment works;
 - (3) a schematic process diagram indicating *waste* discharge points and *waste* descriptions.
- (c) When a change occurs in the information contained in a *Waste Survey Report*, the *owner* operator of the premises shall submit the new information within 30 days of the change.
- (d) When a change occurs in any information described in a *Waste Survey Report*, the *owner* or operator of the premises shall submit a new *Waste Survey Report* setting out the changes.
- (e) No *person* shall deposit any *wastes* other than *domestic waste* in any sanitary or *combined sewer* until:
- (1) a *Waste Survey Report* has been filed with the *Engineer*, and
 - (2) the *Engineer* has confirmed that the *wastes* will comply with the requirements of this By-Law.

DISCHARGES TO STORM SEWERS

20. 1. Except as otherwise provided in this By-Law, no *person* shall discharge, release, place or cause to be placed, any substance other than storm water or *uncontaminated water* into a *storm sewer*.
2. Any or all other substances other than storm water or *uncontaminated water* shall be disposed of at an approved disposal site, such sites listed at the Nova Scotia

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Department of Environment, as an approved disposal site in accordance with Municipal, Provincial or Federal Statutes or Regulations.

SPILLS

21. 1. In the event of a *spill* to a *wastewater* works and/or *storm sewer* works, the *person* responsible or *person* having the charge, management and control of the *spill* shall immediately notify and provide any requested information with regard to the *spill* to :
- a. If there is any immediate danger to human health and/or safety
9-1-1 emergency
- Or
- b. If there is no immediate danger:
The *Municipality* of the District of Yarmouth by contacting the Administration Department and

The *owner* of the premises where the release occurred, and
Any other *person* whom the *person* reporting knows or ought to know may be directly affected by the release
2. The *person* shall provide a detailed report on the *spill* to the *Municipality* within five working days after the *spill*, containing the following information to the best of his or her knowledge:
- (a) location where the *spill* occurred
 - (b) and telephone number of the *person* who reported the *spill* and the location and time where they can be contacted
 - (c) date and time of *spill*
 - (d) material *spilled*
 - (e) characteristics and composition of material *spilled*
 - (f) volume of material *spilled*
 - (g) duration of *spill* event
 - (h) work completed and any work still in progress in the mitigation of the *spill*
 - (i) preventative actions being taken to ensure a similar *spill* does not occur again;
and
 - (j) Copies of applicable *spill* prevention and *spill* response plans
3. The *person* responsible for the *spill* and the *person* having the charge, management and control of the *spill* shall do everything reasonably possible to contain the *spill*, protect the health and safety of citizens, minimize damage to property, protect the health and safety of citizens, minimize damage to property, protect the environment, clean up the *spill* and contaminated residue and restore the affected area to its condition prior to the *spill*.
4. Nothing in this By-Law relieves any *persons* from complying with any notification or

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reporting provisions of:

- (a) Other government agencies, including federal and provincial agencies as required and appropriate for the material and circumstances of the *spill*; or,
- (b) Any other By-Law of the *Municipality*.

- 5. The *Municipality* may invoice the *person* responsible for the *spill* to recover costs of time, materials and services arising as a result of the *spill*. The *person* responsible for the *spill* shall pay the costs invoiced.
- 6. The *Municipality* may require the *person* responsible for the *spill* to prepare and submit a *spill* contingency plan to the *Municipality* to indicate how risk of future incidents will be reduced and how future incidents will be addressed.
- 7. Industries at whose premises a *spill* has occurred which are required to have a Pollution Prevention Plan requirement of this by law shall prepare an updated plan and plan summary incorporating the information set out in the Section and shall submit the plan summary so updated to the *Municipality* within 30 days of the *spill*.

AUTHORITY OF DESIGNATED OFFICER TO INVESTIGATE

- 22. The designated Officer has the authority to carry out any inspection reasonably required to ensure compliance with this bylaw, including but not limited to:
 - (a) Inspection, observing, sampling and measuring the flow in any private
 - (i) drainage system
 - (ii) *wastewater* disposal system
 - (iii) Storm water management facility, and
 - (iv) flow monitoring point:
 - (b) determine water consumption by reading water meters;
 - (c) test flow measuring devices
 - (d) take samples of *wastewater*, storm water, clear-*waste* and subsurface water being release from the premises or lowing within a private drainage system;
 - (e) perform on-site testing of the *wastewater*, storm water, clear water *waste* and subsurface water within or being released from private drainage systems, pretreatment facilities and storm water management facilities;
 - (f) collect and analyze samples of hauled *wastewater* coming to a discharge

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location;

- (g) make inspection of the types and quantities of chemicals being handled or used on the premises in relation to possible release to a drainage system or *watercourse*;
- (h) require information from any *person* concerning a *matter*;
- (i) inspect and copy documents or remove documents from premises to make copies;
- (j) inspect chemical storage areas and *spill* containment facilities and request Material Safety Data Sheets (MSDS) for material stored or used on site;
- (k) Inspect 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/her opinion could have been part of the release.

23. No *person* shall hinder or prevent the Designated Officer from carrying out any of his/her powers or duties.

GENERAL

- 24. (a) For the purpose of the administration of this By-Law, pursuant to Section 503 of the Municipal Government Act, the *Inspector* may, upon production of identification, enter any premises and have free unimpaired access, to carry out any requirements necessary to fulfill the terms of the By-Law at reasonable times upon reasonable notice.
- (b) The *Council* has the power to stop and close up and prevent from discharging into the *municipal sewer* any private sewer or drain 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 *municipal sewer* or obstruct the flow of *sewage*.
- (c) The *Council* shall not cause any sewer to be closed up pursuant to this subsection unless the *owner* of the sewer is first notified in writing and given an opportunity to be heard by *Council*.

INTEREST ON OVERDUE PAYMENTS

25. Interest on overdue charges and sums due to the *Municipality* under this By-law, and Part XIV Sewers of the Municipal Government Act, is payable at the same rate charged

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on overdue taxes. This includes, but is not limited to, the Sewer Connection Charge, the Sewer Service Charge, and work caused to be done by the *Engineer*.

OFFENSES

26. Any *person* other than a corporation who contravenes any section of this By-Law is liable, for every day or part thereof upon which such offence occurs or continues upon conviction to a penalty of not less than \$1000.00 and not more than \$10,000.00 in default of payment to imprisonment for a term of not more than six (6) months.

27. Any corporation who contravenes any section of this By-Law is liable, for every day or part thereof upon which such offence occurs or continues upon conviction to a penalty of not less than \$1000.00 and not more than \$10,000.00.

Penalties

28. Any *person* who has contravened this by-law and where notice so provides may pay a penalty in the amount of \$50.00 dollars first offence, \$100.00 dollars for a second offence, and \$150.00 dollars for subsequent offences to the office of the *Municipality* of Yarmouth provided that said payment is made within a period of fourteen (14) days from the date of the notice and where the said notice so provides for a voluntary payment, said payment shall be in full satisfaction, releasing and discharging all penalties incurred by the *person* for said violation in accordance with the Payment In Lieu of Prosecution Policy, P-082-02.

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Clerk's Annotation For Official By-Law Book

Date of first reading: April 23, 2014

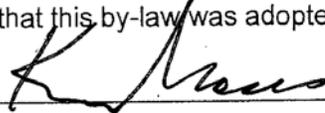
Date of advertisement of Notice of Intent to Consider: May 13, 2014

Date of second reading: May 27, 2014

*Date of advertisement of Passage of By-Law: June 10, 2014

Date of mailing to Minister a certified copy of By-Law: June 11, 2014

I certify that this by-law was adopted by Council and published as indicated above.



Clerk

May 27, 2014

Date

Date last reviewed: May 27, 2014

Date of last amendment: May 27, 2014

MUNICIPALITY OF THE DISTRICT OF YARMOUTH

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SCHEDULE "A"
SCHEDULE OF SEWER CAPITAL RECOVERY CHARGES, SANITARY SEWERAGE SYSTEM

TYPE OF CONSUMER	UNIT VALUE
Single Family Dwelling	1.0
Mobile Home	1.0
for each Doctor or Dentist office in private home, add	1.0
for each beauty shop or barber shop in private home, add	0.75
Apartment Units	
1 Bedroom	0.6
2 Bedrooms	0.8
3 or more Bedrooms	1.0
Senior Citizens Home, per unit	0.6
Rooming House, Boarding House, Convent, Institutional Dormitory up to five beds	1.0
each additional bed	0.2
Hospitals and homes with medical care facilities without laundry facilities per bed	0.2
with laundry facilities per bed.....	0.3
Schools	
per classroom	0.5
with cafeteria or gym per classroom	0.75
with both cafeteria and gym per classroom	1.0
Doctor, Dentist office, Beauty Shop	1.0
Tourist home with one bathroom	1.2
for additional bathroom	0.3
Hotels, Motels and Tourist Cottages with housekeeping facilities; each room or unit	0.3
without housekeeping facilities; each room or unit	0.2
Commercial/ Office space / Call Centres, where water is not used specifically	
for the purpose of carrying on the business or industry for each 1,000 square feet of usable/rentable area	1.0
Tourist Trailer Park with hook-up facilities; per unit space	0.2
without hook-up facilities, per unit space	0.1
Stores, banks, clubs, recreational facilities, barber shops and places of business including <i>Industrial premises</i>	
First washroom facility	1.0
each additional washroom facility	0.5

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Churches, church halls, each washroom facility	0.3
Buildings owned by fraternal organizations	0.3
Fire Halls and fire stations with facilities	0.5
Laundromat	1.0
for each machine	2.0
Service Station for each washroom connected to <i>sanitary sewer</i> add.....	0.5
Restaurants, Snack Bars and Cafeterias	1.0
for each ten seats add	0.25
Premises licensed by N. S. Liquor Commission Club or Tavern	1.0
for each five seats add	0.25
Drive-In Restaurant or Theater with canteen	1.0
for first washroom facility add	1.0
for each additional washroom facility	0.5

Metering of Sewer Connection

<i>Vehicle Wash Operation</i>	Meter
Businesses in the C1 and C2 zones as defined by the Land Use By-Law	Meter

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SCHEDULE "B"
SCHEDULE OF SEWER SERVICE CHARGES, SANITARY SEWERAGE SYSTEM

TYPE OF CONSUMER	UNIT VALUE
Single Family Dwelling	1.0
Mobile Home	1.0
for private swimming pool, add	1.0
for each Doctor or Dentist office in private home, add	1.0
for each beauty shop or barber shop in private home, add	0.75
Apartment Units	
1 Bedroom	0.6
2 Bedrooms	0.8
3 or more Bedrooms	1.0
Senior Citizens home, per unit	0.6
Rooming House, Boarding House, Convent, Institutional Dormitory	
up to five beds	1.0
each additional bed	0.2
Hospitals and homes with medical care facilities without laundry	
facilities per bed	0.5
with laundry facilities per bed	0.75
Schools	
per classroom	0.75
with cafeteria or gym per classroom	1.5
with both cafeteria and gym per classroom	2.0
Doctor, Dentist office, Beauty Shop	1.0
Tourist home with one bathroom	1.2
for additional bathroom	0.3
Hotels, Motels and Tourist Cottages with housekeeping facilities;	
each room or unit	0.5
without housekeeping facilities; each room or unit	0.3
Commercial/ Office space / Call Centres, where water is not used	
specifically	
for the purpose of carrying on the business or industry	
for each 1,000 square feet of usable/rentable area	1.0
Tourist Trailer Park with <i>building service connection</i> per unit	
space.....	0.75
without <i>building service connection</i> on basis of <i>vacant land</i>	0.3
Stores, banks, clubs, recreational facilities, barber shops and places	
of business including <i>Industrial premises</i>	
First washroom facility	1.0
each additional washroom facility	0.5
Churches, church halls, each washroom facility	0.3
Buildings owned by fraternal organizations	0.3

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Fire Halls and fire stations with facilities.....	0.5
Laundromat	1.0
for each machine	2.0
Service Station for each washroom connected to <i>sanitary sewer</i> add	0.5
Restaurants, Snack Bars and Cafeterias	2.0
for each ten seats add	0.25
Premises licensed by N. S. Liquor Commission, Club or Tavern	1.0
for each five seats add	0.25
Drive-In restaurant or Theater with canteen	1.0
for first washroom facility add	1.0
for each additional washroom facility	0.5
<i>Vacant Land</i> , for each lot with up to 150 feet of street, road or highway	
frontage, excluding farm and forestry classifications only.....	0.1
for each additional 75 feet or portion (in excess of 150 feet) of street, road or highway frontage	0.1

<i>Vehicle Wash Operation</i>	Meter
Businesses in the C1 and C2 zones as defined by the Land Use By-Law	Meter