

# THE CORPORATION OF THE TOWNSHIP OF TAY

## BY-LAW NO. 2006-69

**Being a by-law to rescind previous sanitary sewer use by-laws and to regulate the use of public and private sanitary sewers and service pipes, the installation and connection of building sanitary service pipes; the discharge of waters and wastes into a municipal sanitary sewer system and to provide penalties for violations thereof;**

**WHEREAS** Section 8 of the Municipal Act, S.O. 2001, c.25 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

**AND WHEREAS** Section 9 of the Municipal Act, 2001 provides that Section 8 & 11 of the Act shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

**AND WHEREAS** the Council of the Corporation of The Township of Tay deems it advisable to provide a by-law which regulates the disposal of sewage and other wastes within the said Municipality.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF TAY ENACTS AND BE IT ENACTED AS FOLLOWS:**

### **1.0 DEFINITIONS:**

In this by-law,

**“B.O.D.”** means Denoting Biochemical Oxygen Demand in the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees Celsius, expressed in milligrams per litre by weight;

**“Building Sanitary Sewer”** means that part of the drainage piping Service Pipe that connects a building drain to the sanitary sewer service lateral;

**“Clerk”** means the Clerk of the Corporation of the Township of Tay;

**“Combined Sewer”** means a sewer receiving both surface runoff and sewage;

**“Director”** means the Township Director of Public or his designate;

**“Garbage”** means solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce;

**“Industrial Wastes”** means the liquid wastes from industrial processes as distinct from sanitary sewage;

**“May”** means permissive;

**“Ministry”** means the Ontario Ministry of the Environment;

**“Municipality”** means the Corporation of the Township of Tay;

**“Natural Outlet”** means any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water;

**“Operator”** means an operator of the Municipal Sewer System employed by the Corporation of the Township of Tay;

**“Owner”** means the owner of land within the Township of Tay;

**“Person”** means and includes any individual firm, company, association, partnership, society, incorporated company, or group, and wherever the singular is used herein it shall also be construed as including the plural;

**“pH”** means the logarithm of the reciprocal of the weight of hydrogen ions in grams per litre of solution;

**“Sanitary Sewer Main”** means a pipe which carries sewage and in to which storm, surface and ground waters are not intentionally admitted. and in which all owners of abutting properties have equal rights and is controlled by the municipality;

**“Sanitary Sewer Service Lateral”** means the service pipe from the sanitary sewer main to the property line and/or test fitting and which is controlled by the Municipality;

**“Sewage”** means a combination of the water-carried wastes from residences, commercial buildings, institutions and industrial establishments;

**“Sewage Treatment Plant”** means an arrangement of extensive devices and structures used for treating sewage;

**“Sewage Collection”** means all facilities for collecting, System pumping, and transporting sewage to the Sewage Treatment Plant;

**“Shall”** means mandatory;

**“Storm Sewer or Drain”** means a sewer which carries storm or surface waters and drainage, but excludes untreated sewage;

**“Watercourse”** means a channel in which a flow of water occurs, whether continuously or intermittently.

## **2.0 GENERAL PROHIBITION:**

- (a) The owner shall be responsible for the satisfactory installation, operation, cleaning, repairing, replacement and maintenance of the building sanitary sewer service pipe.
- (b) The rules and regulations set out in this by-law shall govern and regulate the operation of any system of sewage works owned by the Municipality and shall be considered to form a part of the agreement between the Municipality and the owner or occupant of any building in the Municipality for provision of sewage service to such building and every such owner or occupant by receiving sewage service from the Municipality shall be deemed to have expressed his consent to be bound by the said rules and regulations.
- (c) No person shall maliciously, willfully or negligently break, damage, destroy, deface or tamper with any structure, appurtenance or equipment which is a part of the Municipal sewage system.
- (d) The Director or any other duly authorized employees of the Township bearing the proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this By-law.

**3.0 BUILDING SANITARY SERVICE PIPE CONNECTIONS:**

No connection shall be made to the public sanitary sewer, except as follows;

- (a) No connection shall be made to a Municipal Sanitary Sewer Main or Sanitary Sewer Service Lateral without the approval of the Municipality.
- (b) The Municipality shall not complete a Sanitary Sewer service connection unless the owners plumbing has passed an inspection by the Chief Building Official.
- (c) Vacant lots, which are not serviced by a sanitary sewer service lateral, shall be provided with a sanitary sewer service lateral subject to the following conditions:
  - (i) All labour and material necessary for the construction of a sanitary sewer service lateral from the public sanitary sewer to the street line, shall be paid for by the owner of the dwelling which is to be provided with sewage service, by a lump sum deposit as set out by the Municipality. Upon payment, the property owner shall be entitled to such installation by the Director or a person designated by him.
  - (ii) In the event the actual cost of the installation of such building sanitary service pipe exceeds the amount prepaid to the Municipality, the person applying for such installation shall forthwith, after the completion of such installation, pay to the Municipality the balance of such cost. Where the said costs are not paid to the municipality by the date requested the costs will be added to the tax roll for the property and collected in a like manner as municipal taxes.
  - (iii) Nothing in this section shall relieve the owner from the obligation of maintaining such building sanitary service pipe in accordance with the provisions of this by-law.
- (d) A connection shall be made to the public sanitary sewer system in compliance with this by-law, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be cleaned, filled, removed or destroyed within a period of ten (10) days after the connection has been made to the public sanitary sewer system.
- (e) No person shall cause or permit the discharge of any storm water, including surface water, ground water, rain runoff, foundation drain or other subsurface drainage including any unpolluted cooling water or unpolluted industrial process water into the Sewage Works of the Municipality.

**4.0 TIME FOR CONNECTIONS:**

- (a) The owner of any house, building or property used for human occupancy, employment, recreation or other purpose whose property fronts on a Municipal roadway and/or an adequate Municipal Sanitary Sewer Main is hereby required to connect all wastewater facilities directly with a building sanitary service pipe in accordance with the terms of this by-law.
- (b) If the owner of a building fails to make a connection as required by this by-law within nine (9) months after the municipality has sent notice to the owner by registered mail to the owner's last known address requiring the connection to be made, the municipality may make the connection at the expense of the owner, and for this purpose may enter in and upon the property of the owner.

- (c) The municipality shall have the right to make the connection as noted in Subsection (b) of this by-law and to recover the expense by action or in like manner as municipal taxes.
- (d) Upon application by the owner, the municipality may grant an extension of not more than two (2) years from the end of the nine (9) month period provided for in Subsection (b) within which the connection is to be made, but not more than two extensions may be granted in respect of any building.

#### **5.0 USE OF PUBLIC SANITARY SEWERS:**

- (a) No person shall discharge or cause to be discharged, or permit illegal entry of storm water, surface water, ground water, roof runoff, sub-surface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer, without written permission from the Director.

Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Director. Industrial cooling water or unpolluted process waters may be discharged, upon approval of the Director, to a storm sewer or natural outlet.

Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described water or wastes to any public sanitary sewers:

- (i) Any liquid or vapour having a temperature higher than 150 degrees F;
- (ii) Any water or waste which may contain more than 100 milligrams per litre by weight of fat, oil or grease;
- (iii) Any gasoline, benzine, naphtha, fuel oil or other inflammable or explosive liquid, solid or gas.
- (iv) Any unground garbage;
- (v) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interferences with the proper operation of the sewage works;
- (vi) Any waters or waste having a pH lower than 5.5 or higher than 9.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works;
- (vii) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant;
- (viii) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant;
- (ix) Any noxious or malodorous gas or substance capable of creating a public nuisance.

- (b) Where required and installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.
- (c) The admission into the public sanitary sewers of any waters of wastes having
- (i) a 5-day Biochemical Oxygen Demand greater than 300 milligrams per litre by weight, or
  - (ii) containing more than 350 milligrams per litre by weight of suspended solids, or
  - (iii) containing any quantity of substances having the characteristics described in Paragraph (a) hereof, or (d) having an average daily flow greater than 2% of the average daily sewage of the Township shall be subject to the review and approval of the Director.

Where necessary in the opinion of the Director, the owner shall provide, at his expense, such preliminary treatment as may be necessary to

- (i) reduce the Biochemical Oxygen Demand to 300 milligrams per litre and the suspended solids to 350 milligrams per litre by weight, or
- (ii) reduce objectionable characteristics of constituents to within the maximum limits provided for in paragraph (a) hereof, or
- (iii) control the quantities and rates of discharge of such waters or wastes.
- (iv) Plans, specifications and other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Director and no construction of such facilities shall be commenced until said approvals are obtained in writing.

Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation, by the owner, at his expense.

- (d) When required by the Director, the owner of any property served by a building sanitary sewer pipe carrying industrial wastes shall install a suitable control manhole on the building sanitary service pipe to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessible and safety located and shall be constructed in accordance with plans approved by the Director. The manhole shall be installed by the owner, at his expense, and shall be maintained by him so as to be safe and accessible at all times. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. In locations where a control manhole is not required by the Director an inspection "TEE" shall be installed to facilitate observation, sampling and measurement of the waste.
- (e) No person shall discharge to any natural outlet within the Township of Tay, or any area within the jurisdiction of the said Township, where sanitary sewer facilities are available, any sanitary sewage, industrial waste or polluted water.

## **6.0 GENERAL:**

- (a) That By-law 96-35 is hereby repealed immediately upon the final passage of this By-law.
- (b) This By-law shall come into force and take effect on the day of passing.

**BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS  
13<sup>TH</sup> DAY OF SEPTEMBER, 2006.**

**THE CORPORATION OF THE TOWNSHIP OF TAY**

\_\_\_\_\_  
**MAYOR**

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**CLERK**