

THE DISTRICT OF NEW HAZELTON

BY-LAW NO. 21

A By-Law to regulate connections to and the use of sewers in the District of New Hazelton and to establish and regulate sewer rates within the District of New Hazelton.

WHEREAS it is desirable and expedient to provide for the connection of sewers from houses and other buildings with the common sewers of the District of New Hazelton.

NOW THEREFORE THE Council of the District of New Hazelton in open meeting assembled enacts as follows:

INTERPRETATION

1. a. "District" shall mean the District of New Hazelton.
- b. "Common Sewer" shall mean any sewer under the control of the District which is intended for public use.
- c. "Sewer Connection" shall mean the sewer pipe extending from the common sewer to the property line of the property being served or about to be served.
- d. "Building Sewer" shall mean the sewer pipe extending from the property line of the property concerned to the building situated thereon, and joining the sewer connection to the plumbing system at the building.
- e. "Sewer User" shall mean a person who uses the District sewer system.
- f. "Municipal Clerk" shall mean the Municipal Clerk of the District of New Hazelton.
- g. "Sewer Inspector" shall mean the General Foreman or his alternate.

APPLICATION FOR SEWER CONNECTION

2. Before any such connection is made, the owner or occupier of the premises in question or his agent shall make application at the office of the Municipal Clerk, upon forms prescribed by the District, for a permit to connect his premises to the common sewer, and he shall deposit with the District a sewer connection fee as prescribed in Schedule "A" attached to and forming part of this By-law.

INSPECTION FEE

3. A fee will not be charged for the initial inspection, but where a reinspection is required, a fee as prescribed in Schedule "A" will be levied.

DISAPPROVAL OF CONNECTION

4. If the District disapproves of the connection, the owner shall be so informed and the reasons for its disapproval shall be given.

## INSTALLATION OF "SEWER CONNECTION" AND "BUILDING SEWER"

5. Upon receipt of the application to connect sewer and of the fee required under Section 2 hereof, the District shall cause to be laid (unless already laid) a sewer connection extending from the common sewer to the applicant's property line. Thereupon the owner shall connect his building sewer to the sewer connection provided, in accordance with the regulations hereinafter contained.

## EXTENT OF DISTRICT RESPONSIBILITY

6. a. The sewer connection fee deposited in accordance with Section 2 above, does not embrace works within the property of the applicant, except as to the inspection of the applicant's building sewer.
  - b. No person, other than the District, its employees or its contractors shall install or cause to be installed, any part of the sewer connection on public right-of-way, provided for under Section 2 of this By-law or in any way, to break, interfere or tamper with any common sewer of the District.

## DISCLAIMERS

7. Nothing in this By-Law shall be construed so as to impose on the District any obligation or duty to supply sewer to any person or to any lands for any purpose whatsoever where in the opinion of the Engineer to supply such sewer would impose too great a demand upon the sewer system of the District or any main branch line or part thereof or where the elevation of land is inadequate to supply any such sewer.

## SURFACE WATER PROHIBITED

8. Nothing in this By-Law shall be construed to permit the connection of surface water to the common sewer. The connection, either directly or indirectly, of roof leaders, foundation drains, field drains, sumps or any other collector of surface or ground water is NOT permitted. The owner of any property who connects, permits or causes to be connected any such storm or surface or ground water from his premises or property to the common sewer shall be guilty to an infraction of this By-Law.

## NOXIOUS WASTES

9. No gasoline, naphtha, or other inflammable liquid or explosive substance, and no grease, oil, lye, free acid, mud, grit, plaster of paris, lime, clay, or any other trade or industrial waste which may injure, or impair the efficiency or safety of the sewer, through deposits forming in same or owing to the attaching and weakening of such sewer, shall be discharged into any common sewer within the District.

## INDUSTRIAL AND TRADE WASTES

10. In the case of any commercial or industrial premises where there exists a possibility that such noxious wastes as described in Section 8 of this By-Law may be discharged into the common sewer, a permit to connect to the sewer shall not be issued until the Sewer Inspector of the District has examined fully and approved of the layout and design of the protective devices by means of which the applicant proposes to prevent or neutralize the discharge of the said noxious wastes into the common sewer.

## MINIMUM SIZE

11. The minimum diameter of every building sewer and sewer connection shall be 101.6 millimetres (4 inches).

## MATERIALS FOR BUILDING SEWER

12. All building sewers from houses and other buildings shall be installed by and at the cost of the owner and shall be constructed of one of the materials as approved by the B. C. Plumbing Code.

## EXTENSION OF SEWER MAINS

13. Should it be necessary to extend the main pipe line in order to supply sewer to any premises, all expenses for labour, materials, machinery rental, supervision and otherwise incurred for extension of the main pipe line shall be paid by the applicant.

## METHOD OF CONSTRUCTION

14. a. The building sewer shall be laid to an even slope of not less than 6.35 millimetres (1/4 inch) to 304.8 millimetres (one foot) in the direction of flow, in the case of 101.6 millimetres (4 inch) lines, and not less than 3.17 millimetres (1/8 inch) to 304.8 millimetres (one foot) in the case of 152.4 millimetres (6 inch) lines.
- b. The pipe shall be laid not less than 457.2 millimetres (18 inches) below the finished surface of the ground, as measured to the top of the pipe, or at a greater depth if considered necessary by the Sewer Inspector.
- c. The pipe shall be laid concentric to each adjacent pipe and the joints shall be flush, even and free of any internal obstructions.
- d. Where couplings are provided by the manufacturer as in the case of asbestos cement, the couplings shall be installed in accordance with the manufacturers specifications.
- e. In no case will cement mortar and oakum joints be permitted.
- f. Bell and spigot pipe shall be laid with the spigot and facing in the direction of the flow.

- g. Where the building connection is laid over filled ground or in ground which may be subject to settling, the District may require that cast iron soil pipe or other materials than those stated in Section 12 of this By-Law be used.
- h. At the point where the building sewer is joined to the sewer connection, at the owner's property line, the owner shall install a 101.6 millimetre (4 inch) wye with a stopper inserted in the branch, to serve as a cleanout for the sewer connection pipe. The stopper shall be inserted in such a way as to positively prevent the entrance of ground water into the sewer connection.
- i. The pipe shall not bear on any plank, timber, rock, or other unyielding object, nor shall any such object be placed against the pipe in backfilling.
- j. Where the building sewer is laid near any shrub or tree whose roots may penetrate the pipe joints, the District may require that special jointing materials be used.

#### INSPECTION AND TESTING OF BUILDING SEWER

- 15. When the owner has completed the installation of his building sewer connection, but before the same has been backfilled, he shall inform the District Clerk that the installation is complete and the Sewer Inspector or his delegated officer shall make an inspection of the work. The owner shall test the house connection for watertightness in the presence of the Sewer Inspector. The test shall be performed by sealing the building sewer at the property line, using an approved plug, and then filling the line with water so that a head of not less than 1.8288 metres (6 feet) is placed on all sections of the building sewer. The rate at which water escapes from the building sewer, when calculated under this test, shall not exceed 1136.3625 cubic centimetres (1/2 gallon) per hour for each 3.048 metres (10 feet) of building sewer. The backfilling of the building sewer shall not be commenced until the Sewer Inspector has signified in writing that he is satisfied that the materials and workmanship employed are to his satisfaction and that the pertinent sections of this and other By-Laws of the District have been adhered to. Materials and workmanship which in the opinion of the Sewer Inspector are defective, or otherwise not in accordance with the provisions of this By-Law shall be removed and replaced by the owner, at the direction of the Sewer Inspector and the building sewer shall not be backfilled unless and until the said house sewer has been accepted and approved by the Sewer Inspector as provided in this section.

#### PROPERTY TO BE CONNECTED

- 16. If a parcel of land, upon which there is situated a building occupied by one or more persons, abuts a street or lane or other public right-of-way upon or under which there is laid a common sewer, or if such parcel of land is within 30 metres (98.4 feet) of such common sewer, the owner or occupant of such building shall connect or cause to be connected, the said building with the common sewer in the manner provided by this By-Law or any other pertinent By-Law of the District.

#### NOTICE TO CONNECT

17. a. In case any owner or occupier of premises, which are required to be connected to the sewer pursuant to Section 16 of this By-Law shall fail, or neglect to connect the said building or premises to the common sewer in the manner prescribed in Sections 2 to 6 inclusive of this By-Law, the District may serve on the owner a notice stating that the said owner shall forthwith comply with all provisions of this By-Law and that the connection of his building sewer shall be completed in accordance with this By-Law within Sixty (60) days of receipt of the notice. The failure of the owner to comply with the said notice shall constitute an infraction of this By-Law and the said owner shall be subject to the remedy provided in Section 18 and 19 hereof, and to the penalties provided in Section 21 hereof.
- b. Notwithstanding the above, all properties subject to connection to the common sewer, upon the coming into force of this By-Law, shall be permitted to connect to the common sewer without penalty, at any time prior to December 31, 1982.

#### COMPULSORY CONNECTION

18. After the expiration of the sixty (60) day period referred to in Section 17 above, in the opinion of the District, or in the opinion of the Public Health Officer having jurisdiction within the District, the failure of the owner to connect the building sewer as stated in Section 17 of this By-Law, has resulted in the creation of an unsanitary condition, the District may enter upon the property of the said owner and cause the connection to be made. The total cost and expense of making the connection, including the cost of installing the building sewer and the sewer connection, shall be charged against the owner of the property as follows: A certificate of the cost entailed in making the said connection shall be prepared, and the sum so stated shall be added to the taxes levied against the property in question, and the said sum be treated in all respects as ordinary taxes due upon the said land.

#### PROPERTY NOT CONNECTED

19. After the expiration of the sixty (60) day period referred to in Section 17 above, and where, in the opinion of the District, or in the opinion of the Public Health Officer having jurisdiction within the District, the failure of the owner to connect the building sewer as stated in Section 17 of this By-Law, has not resulted in the creation of an unsanitary condition, notwithstanding the owner's failure to connect, the owner shall be obligated to pay all user rates or other charges levied against connected properties, as though the property in question was actually connected to the common sewer.

#### SEPARATE CONNECTION

20. Each lot or premises must be separately and independently connected with the common sewer.

## INFRACTIONS

21. Every person who violates any of the provisions of this By-Law or who does any act which constitutes a violation of any of the provisions of this By-Law, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this By-Law or who neglects to do or refrain from doing anything required to be done by any of the provisions of this By-Law shall be deemed to be guilty of an infraction hereof and shall be liable to the penalties imposed by this By-Law.

## CONVICTION PENALTIES

22. Every person who shall commit a breach of any of the provisions of this By-Law shall be guilty of an offence hereunder and shall be liable to a penalty for each and every offence not exceeding One Hundred Dollars (\$100.00), which penalty shall be recoverable under the provisions relating to penalties contained in the Municipal Act and amendments thereto.

## RATES

23. a. The rates and charges hereinafter referred to are hereby charged and levied by the District.
- b. Every domestic sewer user shall pay to the District the applicable monthly rates set out in Schedule "A" hereof.
- c. Every commercial sewer user shall pay to the District the rates set out in Schedule "A" hereof.
- d. All rates and charges applicable to other classifications shall be charged as set out in Schedule "A" hereof.
- e. All sewer users shall become liable to pay the monthly rates levied under this By-Law and the same shall be calculated from the date of turn-on and shall continue to pay such rates until the date of turn-off and the rates payable in respect of the month of turn-off and turn-on shall be prorated by the District as the circumstance of any case require.
- f. The aforesaid rates shall be due and payable thirty (30) days after the billing date and any tolls remaining unpaid after the said date shall have added thereto a percentage of 10% thereof.

## DISCOUNT

24. The aforesaid tolls, when paid annually in advance, prior to January 30th each year, shall be subject to a discount of 10%.

REPEALED:

25. By-law No. 53 cited as "New Hazelton Improvement District Sewer Connection Charge By-law" and By-law No. 74 cited as "New Hazelton Improvement District Sewer Tolls By-law" and all amending By-laws thereto are hereby repealed.

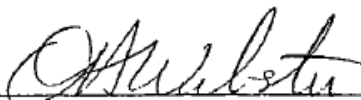
SCHEDULES:


26. Schedule "A" attached hereto, is hereby made an integral part of this by-law.

READ A FIRST TIME THIS 5th day of January, 1982  
READ A SECOND TIME THIS 5th day of January, 1982.  
READ A THIRD TIME THIS 5th day of January, 1982.


RECEIVED THE APPROVAL OF THE MINISTER OF MUNICIPAL AFFAIRS THIS 17th DAY OF  
February ,1982.

RECONSIDERED AND ADOPTED THIS 2nd DAY OF March ,1982.

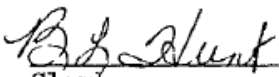
  
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Mayor

  
\_\_\_\_\_  
Clerk/Treasurer

I HEREBY CERTIFY THIS TO BE A TRUE COPY  
OF BY-LAW NO. 21

  
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Clerk/Treasurer

I HEREBY CERTIFY THIS TO BE A TRUE COPY  
OF BY-LAW NO. 21, AS ADOPTED.

  
\_\_\_\_\_  
Clerk

APPROVED pursuant to the provisions of section  
612 of the "Municipal Act" this 17th

DISTRICT OF NEW HAZELTON

BY-LAW NO. 21

SCHEDULE "A"

1. SEWER RATES

a. Single Family Dwelling, Store, Office Hall, Mobile Home, Bank	\$10.00 per month
b. Each Motel with Living Quarters attached plus for each Motel Unit	\$10.00 per month \$ 5.00 per month
c. Old Age Pensioner's Dwelling, owned & occupied	\$ 5.00 per month
d. Hotel with Beer Parlour and Living Quarters	\$50.00 per month
e. Restaurant, Coffee Shop or Drive- In, whether operated separately or in conjunction with a hotel or motel	\$22.00 per month
f. Laundromat, for each washer	\$ 5.00 per month
g. Garage	\$15.00 per month
h. School, each classroom	\$22.00 per month
i. Trailer Court, for each trailer	\$10.00 per month
j. Dwelling on Crown Land	\$22.00 per month
k. Curling Rink	\$22.00 per month

2. CONNECTION CHARGES

- a. Minimum charge for any sewer service shall be \$400.00
- b. 4 inch diameter connection to a maximum distance of 30 feet - \$400.00
- c. 4 inch diameter connection to a maximum distance of 60 feet - \$525.00

3. INSPECTION FEES

- a. Initial Inspection - no charge
- b. Each additional Inspection - \$10.00 per inspection

4. SERVICES IN ADDITION TO THOSE ENUMERATED, SUBJECT TO NEGOTIATION WITH COUNCIL.