

SANITARY SEWER BYLAW, 2006, AMENDMENT BYLAW, 2022, NO. 9837

CONSOLIDATED FOR CONVENIENCE AND REFERENCE PURPOSES ONLY

This consolidated version is not a legal document. For official purposes please refer to the original bylaw and amending bylaw documents.

Includes Bylaw Amendments:

No. 8851, 8864, 8880, 8897, 8882, 8904, 8891, 8925, 8928, 8946, 8968, 8994, 8981, 9056, 8945, 9083, 9095, 9107, 9161, 9167, 9195, 9205, 9207, 9220, 9221, 9254, 9257, 9262, 9303, 9311, 9317, 9347, 9348, 9366, 9368, 9371, 9391, 9408, 9446, 9472, 9480, 9517, 9518, 9519, 9535, 9572, 9597, 9645, 9667, 9689, 9733, 9743, 9787, 9837, 9867, 9884, 9891, 9914, 9975, 9980, 9986, 9989, 9970, and 10073.

THE CORPORATION OF THE DISTRICT OF SAANICH

BYLAW NO. 8792

TO PROVIDE FOR THE MANAGEMENT AND REGULATION OF THE SANITARY SEWER SYSTEM AND TO IMPOSE SEWER USER CHARGES

WHEREAS under Section 80D of the *Municipalities Enabling and Validating Act* the Municipal Council was authorized to establish a Municipal Sewer Enterprise system;

AND WHEREAS by Bylaw 2900, being the "Sewerage Consolidation and Enterprise Establishment Bylaw, 1968 the Municipal Council established a Municipal Sewerage Enterprise designed to provide and pay for a sewer system within a defined part of the Municipality known as the Sewer Enterprise Area;

AND WHEREAS under Section 8(2) of the *Community Charter* a Municipality may provide any service that the Council considers necessary or desirable;

AND WHEREAS under Section 194 of the *Community Charter* the Council may by bylaw impose a fee payable in respect to a service provided by the Municipality;

AND WHEREAS the Council has decided to continue to operate the Municipal Sewerage Enterprise established by the Sewerage Consolidation and Enterprise Establishment Bylaw, 1968 as a Municipal Service;

NOW THEREFORE the Municipal Council of The Corporation of the District of Saanich in open meeting assembled hereby enacts as follows:

Definitions/Interpretation

1. In this Bylaw:

- (a) **"air"** means the atmosphere but, except in a sewer or as the context may otherwise require, does not include the atmosphere inside a constructed enclosure that is not open to the weather.
- (b) **"building or structures"** means any building or structure used wholly or in part for human habitation, or in which human beings are employed in respect of any trade, business or calling.
- (c) **"Collector"** means the Collector of the Municipality and includes his or her delegate.

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- (d) **"community garden"** means a garden in which allotments or shared plots are available to members of the public for a fee and which supports demonstration gardening, instructional programming and the production of produce for the personal use of the members.
- (e) **"condensed water"** means water which is produced through the process of condensation and includes condensate drainage from refrigeration equipment, air conditioning equipment and steam heating systems.
- (f) **"Council"** means the Municipal Council of The Corporation of the District of Saanich.
- (g) **"Director of Engineering"** means the Director of Engineering for the Municipality or his or her designate.
- (h) **"discharge"** means to directly or indirectly introduce a substance by spilling, disposing of, abandoning, depositing, leaking, seeping, pouring, draining, emptying or by any other means.
- (i) **"enactment"** means any applicable act, regulation, bylaw, order, or authorization, by a federal, provincial, regional, municipal government or their authorized representatives.
- (j) **"high volume discharge"** means any discharge of non-domestic waste into a sewer in excess of 10 cubic metres per day or 300 cubic metres over any consecutive 30 day period but not including water from a pool.
- (k) **"main sewer"** means a sanitary sewer.
- (l) **"monitoring point"** means an access point to a sewer or a lateral for the purpose of:
- (i) measuring the rate of flow or volume of wastewater being discharged from a building or a structure,
 - (ii) collecting representative samples of wastewater being discharged from a building or a structure.
- (m) **"Municipality"** means The Corporation of The District of Saanich.
- (n) **"owner"** means any person who is registered under the *Land Title Act* as the owner of land or any other person who is in lawful possession of land or who is in lawful possession or occupancy of any buildings situated on the land.
- (o) **"permission"** means permission given by the Director of Engineering or his duly authorized representative.

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- (p) **"plumbing system"** means an assembly of pipe, fittings, fixtures, traps, pumps, valves and appurtenances that is used to convey waste water to a sanitary sewer.
- (q) **"pool"** means any water receptacle designed for decorative purposes or used for swimming or as a bath or hot tub designed to accommodate more than one bather at a time.
- (r) **"premises"** means any land or building, structure or all or any part thereof.
- (s) **"prohibited waste"** means prohibited waste as defined in Schedule "B".
- (t) **"public property"** means a highway, road, roadway, street, public sidewalk, boulevard, lane, alley or land controlled by the Municipality and includes a right of way.
- (u) **"residential property"** means a property which is used primarily for the purpose of residence by persons on a permanent, temporary or seasonal basis.
- (v) **"restricted waste"** means restricted waste as defined in Schedule "C".
- (w) **"right of way"** means an acquired legal right for the specific use of land owned by others.
- (x) **"sanitary sewer"** means all pipes, conduits, drains, and other equipment and facilities, owned or otherwise under the control or jurisdiction of the Capital Regional District, the Municipality or one or more municipalities, for collecting, pumping and transporting wastewater and includes all such pipes, conduits, drains and other equipment and facilities which connect with those of the Capital Regional District, the Municipality or one or more municipalities but which does not include a sanitary sewer connection or a sanitary sewer lateral.
- (y) **"sanitary sewer connection"** means the section of sewer piping on public property from the sanitary sewer to the property line which is intended to receive only sewage.
- (z) **"sanitary sewer lateral"** means the section of sewer piping on private property from the property line to the building or structure it serves which is intended to receive only sewage.
- (aa) **"sanitary waste"** means waste that contains human faeces, urine, blood or body fluids originating from sanitary conveniences or other sources.

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- (bb) **"sewage"** means wastewater from buildings, structures, lands and industrial establishments, together with such storm water that is not intentionally admitted.
- (cc) **"sewage facility"** means works owned or otherwise under the control or jurisdiction of the Municipality that gathers, treats, transports, stores, utilizes or discharges waste.
- (dd) **"sewer main"** means a sanitary sewer.
- (ee) **"Sewer Service Area"** means that area of the Municipality shown as the Sewer Service Area on the maps attached hereto as Schedule "D".
- (ff) **"Standard Methods"** means the current or latest edition of *Standard Methods for the Examination of Water and Wastewater* jointly prepared and published from time to time by the American Public Health Association, American Water Works Association and the Water Environment Federation.
- (gg) **"storm drain"** means all pipes, conduits, drains and other equipment and facilities owned or otherwise under the control or jurisdiction of the Municipality for the collection and transmission of storm water or uncontaminated water but does not include a storm drain connection or a storm drain lateral.
- (hh) **"storm drain connection"** means the section of storm drain piping on public property from the storm drain to the property line which is intended to receive only storm water.
- (ii) **"storm drain lateral"** means the section of storm drain on private property from the property line to the building or structure it serves which is intended to receive only storm water.
- (jj) **"storm water"** means water resulting from natural precipitation from the atmosphere and which is directed into a storm drain or a watercourse.
- (kk) **"Subdivision Bylaw"** means Bylaw 7452, being the "Subdivision Bylaw, 1995" as amended or a successor bylaw as adopted by Council.
- (ll) **"uncontaminated water"** means any water excluding storm water but including cooling water, condensed water and water from municipal waterworks or a private water supply to which no contaminant has been added as a consequence of its use or to modify its use by any person.
- (mm) **"University of Victoria Campus"** means the lands described as Lot 1, Lake District, Plan VIP57957.

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- (nn) **"waste"** means any substance whether gaseous, liquid or solid that is or is intended to be discharged or discarded, directly or indirectly, to a sewer or storm drain.
- (oo) **"wastewater"** means the composite of water and water-carried wastes from residential, commercial, industrial or institutional premises or any other source.
- (pp) **"wastewater quality parameter"** means any parameter used to describe the quality of wastewater.
- (qq) **"water"** includes surface water, ground water and ice.
- (rr) **"water service connection"** means a water service connection from the Municipal Water Utility to a parcel of land but does not include an Agricultural Water Service Connection or a Fire Connection as defined in the Water Utility Bylaw 2000 or any successor bylaw.
- (ss) **"water utility"** means the water distribution system owned and operated by the Corporation of the District of Saanich to supply water to the inhabitants of the Municipality and adjacent localities.
- (tt) **"watercourse"** means:
- (i) a river, stream, creek, waterway, lagoon, lake, spring, swamp, marsh or other natural body of fresh water, or
 - (ii) a canal, ditch, reservoir or other manmade surface feature designed to carry or hold water or storm water, whether it contains or conveys water continuously or intermittently.
- (uu) **"waterworks"** means any works owned or otherwise under the control or jurisdiction of the Capital Regional District or one or more of its member municipalities or the Capital Regional District, Water Department or an Improvement District that collects, treats, transports, distributes or stores drinking water.

Sewer Service Area

2. (a) All those parcels of land or portion of parcels of land located within the Sewer Service Area shall be served by a sanitary sewer.
- (b) No building constructed on land outside the Sewer Service Area shall be connected to a sanitary sewer.

Applications for Inclusion in the Sewer Service Area

3. An owner of land may apply to the Council to have land included in the Sewer Service Area by submitting an application in writing to the Municipal Clerk.

Sewer User Charges

4. (a) A sewer user charge is imposed against the owners of premises served by a plumbing system which is connected directly or indirectly to a sanitary sewer.
- (b) The sewer user charge shall consist of a fixed monthly sewer charge and a sewer usage charge based on the quantity of water delivered to the premises through the water utility.
- (c) The sewer user charge shall be calculated in accordance with Schedule "E" of this bylaw.
- (d) The quantities of water delivered to the premises shall be deemed for the purposes of this bylaw to be the quantities of water delivered to the premises determined in accordance with the Water Utility Bylaw, 2000 or any successor bylaw.
- (e) Quantities of water supplied to premises through an agricultural water service connection or fire connection shall not be included in the calculation of the sewer user charge.
- (f) Quantities of water supplied to municipal parks, the Royal Oak Burial Park, The Horticulture Centre of the Pacific or a community garden for irrigation purposes shall not be included in the calculation of a sewer user charge.
- (g) Water supplied to any premises by the water utility which does not pass through a water meter owned and operated by the Municipality shall not be included in the calculation of a sewer user charge.

Phase-In of Sewer User Charge

5. (a) The Sewer User Charges imposed under s.4 of this Bylaw shall be phased in over a 3 year period commencing January 1, 2007.
- (b) Sewer User Charges imposed during 2007 and 2008 shall be the sum of the sewer user charges calculated in accordance with Schedule "E" and the Transitional Sewer Service Area Charges calculated in accordance with Schedule "F".

- (c) Sewer User Charges imposed during 2009 shall be calculated solely in accordance with Schedule "E".

Sewer User Charge Billing

- 6. (a) The Collector shall render accounts for the sewer user charge in the same manner as accounts are rendered for water bills under the Water Utility Bylaw, 2000, or any successor bylaw, and the accounts are due and payable and subject to the same penalty applied to late payments as described under such bylaw and subject to the discontinuance of water service as described under such bylaw.
- (b) Sewer user charges unpaid at the end of the year in which they are due shall be deemed to be taxes in arrears and shall be so entered on the tax roll by the Collector.

Requirements to Connect to Sanitary Sewers

- 7. (a) At the time of construction of the main sewers within the Sewer Service Area, sanitary sewer connections shall be laid from the main to real property within the Sewer Service Area upon which buildings or structures are situated.
- (b) There is hereby imposed upon the owners of real property to which sanitary sewer connections are laid pursuant to section 2(a) of this Bylaw, the following charge for each connection to the main sewer (hereinafter referred to as "the connection charge"):
 - (i) For a one hundred (100) millimetre connection the sum of \$400.00.
 - (ii) For a connection over one hundred (100) millimetres in diameter, the actual cost of the connection.
- (c) The connection charge in respect of any sanitary sewer connection laid between January 2nd and October 31st of any year shall be paid in the calendar year in which the connection is laid. The connection charge in respect of any sanitary sewer connection laid in the months of November and December in any year shall be paid on or before December 31st in the following year.
- (d) The connection charge shall be specifically charged against the real property in respect of which the sewer is laid. Any balance of the connection charge remaining unpaid on December 31st in respect of any sanitary sewer connection laid on or before October 31st in the same year shall be placed upon the Collector's Roll for the following year as arrears of taxes and shall be subject to all the like incidents as are ordinary taxes upon land.

Any balance of the connection charge in respect of any sanitary sewer connection laid in the months of November or December of any year, which remains unpaid on December 31st in the year following that in which the sanitary sewer connection is laid, shall be placed upon the Collector's Roll for the following year as arrears of taxes and shall be subject to all the like incidents as are ordinary taxes upon land.

- (e) Any person being the owner of property in the Sewer Service Area upon which no building or structure is situated, may make application to the Director of Engineering for one sanitary sewer connection to be laid to the said property at the time of constructing the main sewer and upon payment in advance of the appropriate connection charge as set out in Section 2 (b) of this Bylaw, shall be entitled to receive such sanitary sewer connection.

Any additional connections to be laid to the said property at the time of constructing the main sewer shall be laid upon payment of the actual estimate of cost of each additional connection.

- (f) The owner of real property who receives any of the following services, or for whose benefit any of the following work is performed, must pay the fee for the service or work prescribed by the Sewer, Water and Storm Drainage Connection Fee Bylaw, 2021, No. 9688:
- (i) installation of a 100mm sanitary sewer connection;
 - (ii) installation a sanitary sewer connection greater than 100 mm;
 - (iii) removal of rock for the purpose of laying connecting pipes;
 - (iv) performance of work under this Bylaw that interferes with the movement of traffic on a highway, major road, collector road or truck route as designated by map 15 in the Official Community Plan, as amended or replaced from time to time.
 - (v) laying of connecting pipes at a depth greater than 3.0 metres;
 - (vi) reuse of an existing connection;
 - (vii) performance of a dye test to prove an existing connection;
 - (viii) flushing of a sanitary sewer or sanitary sewer connection;
 - (ix) installation of an inspection chamber on an existing sanitary sewer connection; and

- (x) disconnecting and capping a sanitary sewer connection
- (g) A maximum of one sanitary sewer connection shall be permitted per lot or parcel of land, subject to the authority of the Director of Engineering under section 7(j).
- (h) Where any building is located within the Sewer Service Area in which one or more persons reside or work or carry on any occupation and is situated on a lot or parcel of land where a sanitary sewer is available, the owner of such a building shall connect such building with such sanitary sewer in the manner provided by the current or latest edition of the *British Columbia Plumbing Code* and such connections shall be made within one hundred and eighty (180) days of the completion of the sanitary sewer for use. It is further provided that such connections shall be effected within three (3) days of written or other reasonable notice given by the Medical Health Officer of the Vancouver Island Health Authority, if, in the opinion of said Medical Health Officer, a nuisance or health hazard exists as a result of any building not being connected to the sanitary sewer. In the event of any owner failing to make the necessary connections within the specified time, the Director of Engineering shall have the work done at the expense of such owner and the cost of the work shall be deemed to be a charge for work done and the provisions of S.258 of the *Community Charter* shall apply.
- (i) Every person erecting a building or structure within the Sewer Service Area where the sanitary sewer is available for use shall, unless a sanitary sewer connection has been laid in accordance with Section 2 (e) of this Bylaw, make application for a sanitary sewer connection and shall pay in advance the appropriate connection charge as set out in Section 2 (f) of this Bylaw and shall connect such building or structure to the sanitary sewer connection.
- (j) Where more than one building or structure is erected on any lot or parcel of land, or in the case of any multiple family dwelling, apartment, boarding or lodging house, the Director of Engineering shall prescribe the size and number of sanitary sewer connections required to serve such buildings or structures and the owners thereof shall pay for such connection or connections as prescribed by the Director of Engineering.
- (k) Notwithstanding the provisions of any other Bylaw, the charge for sanitary sewer connections imposed and the regulations for sanitary sewer connections made by this Bylaw shall apply within the Sewer Service Area.

Design and Installation

8. Pursuant to the provisions of this Bylaw and subject to the authority of the Director of Engineering under the Subdivision Bylaw, all sewerage works provided by persons other than the Municipality shall be constructed and installed strictly in

accordance with the Subdivision Bylaw of the Municipality and shall comply with the relevant provisions of the current or latest editions of the *British Columbia Plumbing Code* or *British Columbia Building Code* as the case may require.

Application for Service

9. (a) Each connection to the sanitary sewer shall be made only where and in the manner authorized or ordered by the Municipality.
- (b) Each application to connect to the sanitary sewer shall be made to the Municipality by the owner or his authorized agent in the form prescribed by the Director of Engineering.
- (c) Such owner shall, on making application, pay to the Municipality the applicable fees required under the Sewer, Water and Storm Drainage Connection Fee Bylaw, 2021, No. 9688, as amended or replaced from time to time. Such connection is practicable the Director of Engineering shall within ninety (90) days, weather permitting, provide and install a sanitary sewer connection for service to the applicant's property. If such connection is not practicable, the Director of Engineering shall so notify the applicant within sixty (60) days and the Municipality shall refund the charges or fees paid by the applicant.
- (d) It shall be the responsibility of the applicant for a sanitary sewer connection to provide the Municipality with accurate information as required by the application and to construct any building or structure or to locate therein any fixtures requiring discharge to a sanitary sewer connection at such elevation or provide such equipment or device as will permit their discharge into the municipal sewer.
- (e) Where possible, a sanitary sewer connection will be installed at the location requested by the applicant. In the event the applicant's preferred location is not practicable due to topographical features, the existence of installed surface improvements or is in conflict with installed underground utilities, the Director of Engineering shall designate the location of each sanitary sewer connection to each parcel of land or premises.

Installation of Sewers

10. (a) The Director of Engineering shall determine the location, size and depth of each sanitary sewer connection on public property.
- (b) Whenever possible, the sanitary sewer connection to the sanitary sewer shall be installed at a gradient and elevation that will allow gravity flow of sewage from the building to the main sewer.

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- (c) When, in the opinion of the Director of Engineering, problems may occur because of the surcharging of the sanitary sewer, the Director of Engineering may refuse an application and the provisions of the Subdivision Bylaw shall apply.
- (d) The connecting of a sanitary sewer lateral into a sanitary sewer connection shall conform to the regulations contained in Bylaw No. 8627, being the "Building and Plumbing Bylaw, 2005", amendments thereto and any successor bylaws and the current or latest editions of the *British Columbia Building Code* and the *British Columbia Plumbing Code*. All such connections shall be made gas-tight and water-tight and be verified by proper testing in accordance with Standard Methods. Any deviation from the prescribed procedures and materials must be approved by the Director of Engineering before installation.
- (e) The Director of Engineering may require a user of sewer services to provide information needed to determine compliance with this Bylaw. These requirements may include:
- (i) sewage discharge peak rate and volume over a specified time period;
 - (ii) chemical analysis of sewage;
 - (iii) information on raw materials, processes and products affecting sewage volume and quality;
 - (iv) quantity and disposition of specific liquid, sludge, oil, solvent or other materials important to sewer use control;
 - (vi) a plot plan of sewer laterals on the user's property showing details of sewage pre-treatment facilities; or
 - (vii) details of systems to prevent and control the losses of materials through spills to the sanitary sewer.
- (f) When the Director of Engineering has reasonable grounds to believe that Restricted Waste or Prohibited Waste may be discharged to a sanitary sewer, he may require the owner of a property to install monitoring points to facilitate monitoring of discharges as specified in this bylaw.
- (g) The Director of Engineering may modify or relocate any existing sanitary sewer connection to any property to accommodate improvements or changes to the municipal sanitary sewer system and may require the owner of the property to make any changes to the sanitary sewer lateral or plumbing system at the owner's expense necessary to accommodate that change, or

may require an owner of a property to make changes on their property at the owner's expense to provide for the proper operation of the sewer system.

Maintenance of Sanitary Sewer Laterals and Sanitary Sewer Connections

11. (a) The owner of a property serviced by a sanitary sewer shall be responsible for the costs of servicing, clearing, rodding, removing blockages or tree roots or maintaining in any way the sanitary sewer lateral that serves that property.
- (b) The Municipality shall be responsible for the costs of servicing, clearing, rodding, removing blockages or tree roots or maintaining in any way the sanitary sewer connection that serves real property.
- (c) The owner of real property is responsible for all costs of repairing or replacing a sanitary sewer connection where the required repair or replacement of the sanitary sewer connection is required as a result of a blockage or damage which has arisen as the result of a condition existing on private property, an improper connection between the sanitary sewer connection and the sanitary sewer lateral or a prohibited waste being discharged by the owner into the sanitary sewer connection, lateral or main.

Discharges to Sanitary Sewers

12. (a) No person shall discharge into any sanitary sewer
- (i) any prohibited waste;
 - (ii) any restricted waste, unless that person has obtained written permission from the Director of Engineering;
 - (iii) any high volume discharge unless that person has obtained written permission from the Director of Engineering;
 - (iv) any storm water, ground water, surface water, ice, snow or uncontaminated water.
- (b) Where the Director of Engineering determines that storm water, ground water or other uncontaminated water is entering the sanitary sewer lateral, the owner may be directed to carry out all such repairs or improvements necessary to prevent such inflow or infiltration, failing which the municipality may carry out such work at the expense of the owner.

Prohibitions

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13. (a) No person shall maliciously, wilfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the sewer system.
- (b) No person shall make any connection whatsoever to the sanitary sewer or in any way tamper with the sanitary sewer or sanitary sewer connection without first obtaining permission from the Director of Engineering.
- (c) (i) No person shall connect or allow to remain connected any sanitary sewer lateral to any storm drain, storm drain connection or storm drain lateral.
- (ii) No person shall connect or allow to remain connected any storm drain lateral to any sanitary sewer, sanitary sewer connection or sanitary sewer lateral.
- (iii) In the event of any owner failing to make the necessary disconnection from the sanitary sewer within thirty (30) days after being notified in writing by the Director of Engineering to do so, the Director of Engineering may direct that the Municipality, by its workers or others, may have the required disconnection or disconnections completed at the expense of such owner, and the Municipality shall recover the expense thereof with costs in like manner as municipal taxes.
- (iv) Notwithstanding the foregoing, an owner failing to disconnect his building or structure sewer lateral from the sanitary sewer pursuant to this Section within the aforesaid period of thirty (30) days shall still be liable for any penalties provided by this Bylaw.
- (v) Notice in writing required to be given by the Director of Engineering pursuant to this Section shall be sufficiently given if sent by registered mail to the owner at the address as shown on the last revised assessment roll of the Municipality.
- (d) Where any sanitary sewer is laid in private property in respect of which the Municipality holds a right of way for sewer purposes, no person shall connect to or disturb such sanitary sewer except by direction of and with permission of the Director of Engineering.
- (e) No person shall connect or attempt to connect or allow to be connected or allow to remain connected any real property to the sanitary sewer otherwise than in accordance with the provisions of this Bylaw.

Enforcement

14. Should any person who is required by the provisions of this Bylaw to do any matter or thing be in default of it being done by that person, such matter or thing may be done at the expense of the person in default and the Council may recover the expense thereof, with costs in like manner as municipal taxes.

Inspection

15. The Director of Engineering or a bylaw enforcement officer may enter at all reasonable times, on any property that is subject to this Bylaw, to ascertain whether the regulations of this Bylaw are being observed or the requirements of this Bylaw are being met.

Penalties

16. Any person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention of this Bylaw or who neglects to do or refrains from doing any act or thing required to be done by the provisions of this Bylaw, shall be guilty of an offence and shall be liable, upon conviction, to a fine of not less than \$200.00, not more than \$2,000.00 or to a term of imprisonment not exceeding six (6) months or to both, for each offence; and each day during which any violation, contravention or breach shall continue shall be deemed a separate offence.

General

17. (a) No person shall hinder or prevent the Director of Engineering, a person authorized by the Director of Engineering or a bylaw enforcement officer from entering any premises or from carrying out his or her duties with respect to the administration of this Bylaw.
- (b) Nothing in this Bylaw shall be interpreted as relieving a person discharging waste from complying with Federal, Provincial and local government enactments governing the discharge of storm water into storm drains and watercourses and in the event of a conflict between the provisions of this Bylaw and a Federal or Provincial enactment, the provisions of the Federal or Provincial enactment shall prevail.
- (c) In this Bylaw words importing the male gender include the female gender and either includes the neuter and vice versa and words importing the singular number include the plural number and vice versa.
- (d) Schedules "A", "B", "C", "D" and "E" annexed to this Bylaw shall be deemed to be integral parts of this Bylaw.

- (e) If any provision of this Bylaw is found to be invalid by a court of competent jurisdiction it may be severed from the Bylaw.
- (f) The headings in this Bylaw are for the convenience of reference only and are not intended to interpret, define, or limit the scope, extent or intent of the provisions of this Bylaw.

Effective Date

18. This Bylaw shall come into effect on January 1st, 2007.

Repeal

- 19. (a) Bylaw 2900 being the "Sewerage Consolidation & Enterprise Establishment Bylaw, 1968" is hereby repealed.
- (b) Bylaw 8767 being the "Sewer User Charge Bylaw, 2006" is hereby repealed except insofar as it may repeal any other bylaw.
- (c) Bylaw 8133 being the "Sanitary Sewer Bylaw, 2000" is hereby repealed except insofar as it may repeal any other bylaw.

Title

20. This Bylaw may be cited as the "**SANITARY SEWER BYLAW, 2006, No. 8792**".

Includes Bylaw Amendment No. 8851, 8864, 8880, 8897, 8882, 8904, 8891, 8925, 8928, 8946, 8968, 8994, 8981, 9056, 8945, 9083, 9095, 9107, 9161, 9167, 9195, 9205, 9207, 9220, 9221, 9254, 9257, 9262, 9303, 9311, 9317, 9347, 9348, 9366, 9368, 9371, 9391, 9408, 9446, 9472, 9480, 9517, 9518, 9519, 9535, 9572, 9597, 9645, 9667, 9689, 9733, 9743, 9787, 9837, 9867, 9884, 9891, 9914, 9975, 9980, 9986, 9989, 9970, and 10073.

Note: Schedule "D" (Sewer Service Area Maps) referred to in this bylaw may be obtained or purchased, if desired, by contacting the Legislative Division at (506) 495-0775.

SCHEDULE "B"
SANITARY SEWERS
PROHIBITED WASTE

Prohibited Waste means:

1. Special Waste

Special Waste as defined by the Waste Management Act of British Columbia and its Regulations or any legislation that replaces the Waste Management Act.

2. Air Contaminant

Any substance or odour whether gaseous, liquid, solid or a combination that is emitted into the air and that:

- (a) injures or is capable of injuring the health or safety of a person,
- (b) injures or is capable of injuring property or any life form,
- (c) interferes or is capable of interfering with visibility,
- (d) interferes or is capable of interfering with the normal conduct of business,
- (e) causes or is capable of causing material physical discomfort to a person, or
- (f) damages or is capable of damaging the environment;

3. Flammable or Explosive Waste

Any waste, which by itself or in combination with another substance, is capable of causing or contributing to an explosion or supporting combustion in any sanitary sewer or sewage facility including but not limited to, gasoline, naphtha, propane, diesel, fuel oil, kerosene or alcohol.

4. Obstructive Waste

Any waste which by itself or in combination with another substance, is capable of obstructing the flow of, or interfering with, the operation or performance of any sanitary sewer or sewage facility including but not limited to earth, sand, sweepings, gardening or agricultural waste, ash, chemicals, paint, metal, glass, sharps, rags, cloth, tar, asphalt, cement based products, plastic, wood, waste portions of animals, fish or fowl and solidified fat.

5. Corrosive Waste

Any waste with corrosive properties which, by itself or in combination with any other substance, may cause damage to any sanitary sewer or sewage facility or which may prevent safe entry by authorized personnel.

6. High Temperature Waste

- (a) Any waste which, by itself or in combination with another substance, will create heat in amounts which will interfere with the operation and maintenance of a sanitary sewer or sewage facility or with the treatment of waste in a sewage facility;
- (b) Any waste which will raise the temperature of waste entering any sewage facility to 40 degrees Celsius or more;
- (c) Any non-domestic waste with a temperature of 65 degrees Celsius or more.

7. Biomedical Waste

Any of the following categories of Biomedical Waste: human anatomical waste, animal waste, untreated microbiological waste, waste sharps and untreated human blood and body fluids listed in "Risk Group 4" as defined in "*Laboratory Biosafety Guidelines*", published by Health and Welfare Canada and dated 1990.

8. PCBs, Pesticides

Any waste containing PCBs or pesticides.

9. Miscellaneous Wastes

Any waste, other than sanitary waste, which by itself or in combination with another substance:

- (a) constitutes or may constitute a health or safety hazard to any person;
- (b) may interfere with any sewage treatment process;
- (c) may cause a discharge from a sewage facility to contravene any requirements by or under any BC Waste Management Discharge Permit or any other act, law or regulation governing the quality of the discharge, or may cause the discharge to result in a hazard to people, animals, property, or vegetation.

SCHEDULE "C"**SANITARY SEWERS
RESTRICTED WASTES**

In this Schedule, Restricted Waste means:

1. Specified Waste

Any waste which, at the point of discharge into a sewer, contains any contaminant at a concentration in excess of the limits set out below. All concentrations are expressed as total concentrations which includes all forms of the contaminant, whether dissolved or undissolved. The concentration limits apply to both grab and composite samples. Contaminant definitions and methods of analysis are outlined in Standard Methods or methods specified by the Director of Engineering.

Any of the contaminants listed below in tables (a), (b) or (c) that are present in a waste at dissolved concentrations in excess of the Special Waste Regulation Leachate Quality Criteria will qualify that waste, regardless of the sampling method used, as a Special Waste.

(a) CONVENTIONAL CONTAMINANTS [mg/L]	
Biochemical Oxygen Demand (BOD)	300
Chemical Oxygen Demand (COD)	600
Oil and Grease*	100
Suspended Solids	350

Note: *Total oil and grease includes Petroleum Hydrocarbons (see table (b))

(b) ORGANIC CONTAMINANTS [mg/L]	
Benzene, Ethyl Benzene, Toluene, Xylenes (BETX)	1
Chlorinated Phenols	0.05
Polycyclic Aromatic Hydrocarbons (PAH)	0.05
Phenols	1
Petroleum Hydrocarbons	15

(c) INORGANIC CONTAMINANTS [mg/L]	
Arsenic (As)	0.2
Cadmium (Cd)	0.1
Chromium (Cr)	5
Cobalt (Co)	5
Copper (Cu)	1
Cyanide (CN)	1
Iron (Fe)	50
Lead (Pb)	0.5
Manganese (Mn)	5
Mercury (Hg)	0.05
Molybdenum (Mo)	5
Nickel (Ni)	1
Silver (Ag)	2
Sulphate (SO ₄)	1500
Sulphide (S)	1
Zinc (Zn)	3

2. **Food Waste**

Any non-domestic waste from cooking and handling of food that, at the point of discharge into a sewer, contains particles larger than 0.5 centimetres in any dimension.

3. **Radioactive Waste**

Any waste containing radioactive materials that, at the point of discharge into a sewer, exceeds radioactivity limitations as established by the Atomic Energy Control Board of Canada.

4. pH Waste

Any non-domestic waste which, at the point of discharge into a sewer, has a pH lower than 5.5 or higher than 11.0, as determined by either a grab or a composite sample.

5. Dyes and Colouring Material

Dyes or colouring materials which may pass through a sewage facility and discolour the effluent from a sewage facility except where the dye is used by the District, or one or more of its municipalities, as a tracer.

SCHEDULE "E"

SEWER USER CHARGES

1. Monthly Sewer Charge

The Monthly Sewer Charge is \$2.58 for each water service connection.

2. Sewer Usage Charge

- a. The rate for the Saanich Sewer Usage Charge shall be \$1.485 for each cubic meter of water consumed by the premises.
- b. The rate for the Capital Regional District Sewer Usage Charge shall be \$2.057 for each cubic meter of water consumed by the premises.
- c. The Sewer Usage Charge shall be based on the lowest of the average daily water consumption rates of the current and previous two billing period's consumption.

3. Transitional Provision

The water consumption used to calculate the sewer consumption charge for the first billing period in 2007 shall be adjusted on a pro rata basis to remove 2006 water consumption.

SCHEDULE "F"

TRANSITIONAL SEWER SERVICE AREA CHARGES

This is imposed upon the owners of parcels within the Sewer Service Area served by a plumbing system in buildings or structures connected directly or indirectly to a sanitary sewer the following charges and rates:

- (a) A charge of \$42.00 per annum where such building or structure does not contain more than seven fixtures connected to the said works. Where any such building or structure contains any more than seven fixtures connected to the said works, there is hereby imposed in addition to the charge of \$42.00 per annum, the sum of \$6.00 per annum for each such fixture in excess of seven. Where any lot or parcel of land has situate thereon more than one self-contained dwelling unit, a separate annual charge of \$42.00 shall be levied in respect of each such unit. For the purpose of this bylaw in the case of two-family or multiple family dwellings, each self-contained unit of each such two-family or multiple family dwelling shall be deemed to be a separate dwelling. Each hotel, room house, boarding house or auto court shall be considered to be one structure and shall be subject to an annual charge of \$42.00 plus \$6.00 per fixture for each fixture in excess of seven.
- (b) For purposes of the Municipality's appropriate share of those expenses of the Capital Regional District relating to sewer debt charges, a rate on the assessed value of land and improvements taxable for general municipal purposes within the Sewer Service Area as follows:

Rates (dollars of tax per \$1,000 taxable value)

<u>Property Class</u>	<u>Rate</u>
(1) Residential	0.0160
(2) Utilities	0.1239
(4) Major Industry	0.0611
(5) Light Industry	0.0611
(6) Business/Other	0.0611
(7) Managed Forest	0.0857
(8) Recreational/Non Profit	0.0298
(9) Farm	0.0388

- (c) A parcel charge of \$14.00.