

CITY OF NORTH BATTLEFORD
SASKATCHEWAN

BYLAW NO. 1707

A BYLAW OF THE CITY OF NORTH BATTLEFORD IN THE PROVINCE OF SASKATCHEWAN TO PROVIDE FOR THE LEVYING AND COLLECTION OF A SEWER SERVICE CHARGE AND REGULATING THE DISPOSAL OF SEWAGE AND THE DISCHARGE OF LIQUIDS AND WASTES INTO THE NORTH BATTLEFORD SEWERAGE SYSTEM.

WHEREAS the Council of the City of North Battleford had established and operates a system of sewerage works, hereinafter called the Sewerage System;

AND WHEREAS under the authority of Section 17 of *The Cities Act, 2002*, the Council of the City of North Battleford deems it expedient to regulate the disposal of Sewerage and to levy and collect a Sewerage Service Charge:

NOW, THEREFORE, THE COUNCIL OF THE CITY OF NORTH BATTLEFORD IN OPEN MEETING ASSEMBLED, ENACTS AS FOLLOWS:

1. This may be cited as a Sewerage System Bylaw.

2. DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of the terms used in this Bylaw shall be as follows:

- a) "Biochemical Oxygen Demand" (Abbreviated B.O.D.) shall mean the quantity of oxygen expressed in milligrams per liter utilized in the biochemical oxidation of organic matter contained in sewage as set forth in the section entitled "Examination of Polluted Waters" in "Standard Methods for the Examination of Water and Waste Water" published by the American Public Health Association.
- b) "City" means the City of North Battleford.
- c) "City Commissioner" means the City Commissioner of the City of North Battleford.
- d) "City Treasurer" means the City Treasurer appointed by the Council of the City of North Battleford or his/her deputy or agent.
- e) "Director of Public Works & Engineering" shall mean the Director of Public Works & Engineering appointed by the Council of the City of North Battleford or his/her deputy or agent and shall include the City Engineer.

- f) "Commercial User" shall mean any user other than industrial or residential and includes smaller industries, shopping centres, stores, schools and multiple family apartments.
- g) "Grease" shall mean the quantity of fats, oils and grease in the sewage as measured by the "Soxhlet Extraction Method" in the Section entitled "Examination of Polluted Waters" in "Standard Methods for the Examination of Water and Waste Water" published by the American Public Health Association.
- h) "Industrial User" shall mean a user whose sewage flow into the Sewerage System is in such quantities or strengths as to warrant measuring as designated by the Director of Public Works & Engineering.
- i) "Institutional User" shall mean any user whose sewage comes from an organization or foundation that is especially dedicated to education, public service or culture.
- j) "Owner" shall mean the registered owner of a property or the purchaser thereof who is entitled to occupy and enjoy the property.
- k) "Person" shall mean any individual, firm, company, association, society, corporation or group.
- l) "PH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per litre of solution and denotes alkalinity or acidity.
- m) "Residential user" shall mean any user whose sewage comes from a residential unit limited to a single family residence, duplexes and residences with a single separate suite.
- n) "Septic Drain Field" shall mean the area used to remove contaminants and impurities from the liquid that emerges from a septic tank and is typically done by burying perforated pipes in trenches, allowing the liquid to leach out and the surrounding soil to absorb the waste.
- o) "Sewer" shall mean a pipe or conduit for carrying sewage.
- p) "Sewage" shall mean any waste discharged or permitted to flow from residential, commercial and industrial establishments.
- q) "Standard Sewerage" shall mean sewage that does not exceed the following strengths:
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|------|---------------------------|--------------------------|
| i) | Biochemical Oxygen Demand | 300 milligrams per litre |
| ii) | Suspended Solids | 300 milligrams per litre |
| iii) | Grease | 90 milligrams per litre |

- r) "Sewerage System" shall mean the system of sanitary sewers and other facilities for collecting, pumping, treating and disposing of sewage.
- s) "Suspended Solids" (Abbreviated S.S.) shall mean the quantity of solids that are contained in the sewage as measured by test method for total suspended matter as set out in "Standard Methods for the Examination of Water and Waste Water" published by the American Public Health Association.
- t) "User" shall mean any connection from which flow occurs into the Sewerage System including residential, commercial, institutional and industrial connections.
- u) "Volume" shall mean the quantity of Sewage discharged by a user into the Sewerage System in a given period as measured by the quantity of water consumed by the user during the same period.
- v) "Wastewater" shall mean the liquid and water-carried industrial or domestic wastes from residences, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water, and storm water that may be present, whether treated or untreated, which is discharged into or permitted to enter the City's wastewater treatment system.

3. SEWER MAINS AND CONNECTIONS

- a) The owner of every house, building or property used for human occupancy, employment, recreation or other purpose, situated within the City and abutting on any highway or right-of-way in which there is now or hereafter located, a sanitary sewer of the City, is hereby required at his expense to install suitable sewage waste disposal facilities therein and to connect such facilities directly with the proper sanitary sewerage system of the City in accordance with the provisions of the Sewer and Water Service Connections Bylaw, sixty (60) days after the date of notification.
- b) Except as permitted by this Bylaw or the Sewer and Water Service Connections Bylaw, no person shall construct or maintain any privy, septic tank, cesspool or other facility intended or used for the disposal of sewage.
- c) No person, unless authorized by the Director of Public Works & Engineering shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenances thereof.
- d) All connections, when approved, shall be constructed from the sewer main to within three feet of the building wall and the cost thereof shall be paid by the owner.
- e) The cost of replacing a connection from the sanitary sewer main into the street to within three feet of the building wall shall be paid for by the owner and the City on a prorated basis.

- f) The City shall maintain the connection from the main to the property line at its expense. From this point to the building, the connection shall be maintained by the property owner at his expense. Unplugging a blockage shall not be considered maintenance.
- g) In case any blockage, either wholly or in part, of the Sewerage System is caused by reason of failure, omission or neglect to comply strictly with the provisions of this Bylaw, the owner, proprietor or occupier concerned therein shall, in addition to any penalty for infraction of the provisions hereof, be liable to the City for all costs of clearing such blockage and for any other account for which the City may be held legally liable because of such blockage.
- h) When any sewer connection is abandoned, the owner or his agent shall effectively block up the connection at a suitable location within his property so as to prevent sewage backing up into the soil or dirt being washed into the sewer.

4. PRIVATE SEWAGE DISPOSAL

- a) Where a Sanitary Sewer is not available under the provisions of Section 3 a), the said Sewage Waste Disposal System shall be connected to a private sewage disposal system complying with the provisions of this Bylaw.
- b) At such time as a Sanitary Sewer becomes available to a property serviced by a private sewage disposal system, the provisions of Section 3. a) shall then apply to the property and a direct connection shall be made to the Sanitary Sewer in compliance with this Bylaw and any septic tanks, cesspools and similar private sewage disposal facility shall be removed or abandoned and filled with suitable material.
- c) The owner or person in charge shall operate and maintain the private sewage disposal facility in a sanitary manner at all times at no expense to the City.
- d) No statement contained in this Bylaw shall be construed to interfere with any additional requirements that may be imposed by the Department of Public Health or the Department of the Environment.

5. USE OF SEWERS

- a) No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof run-off or sub surface drainage, to any sanitary sewer provided that the Director of Public Works & Engineering may on application authorize such discharge where exceptional conditions warrant.
- b) Storm water and all other unpolluted water shall be discharged to such sewers as are designated storm sewers or to a natural outlet approved by the Director of Public Works & Engineering.

- c) Except as hereinafter provided, no person shall discharge or cause to permit to be discharged any of the following described water or wastes to any sewer:
- 1) Any liquid or vapor having a temperature higher than 76° C;
 - 2) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquids, solids or gas;
 - 3) Any ashes, cinders, sand, potter's clay, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood or other solid or viscous substance capable of causing obstructions to the flow in the sewers or interference with the proper operation of the sewage collection system or treatment facilities;
 - 4) Any 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; animal fat or flesh in particles larger than will pass through a quarter-inch screen; manure of any kind; poultry entrails, heads, feet or feathers; eggshells, fleshing and hair resulting from tanning operations;
 - 5) Any waters or wastes having pH rating lower than 5.5 or higher than 9.5 or having other corrosive properties capable of causing damage or hazard to structures, equipment or personnel of the sewage works;
 - 6) Any waters or wastes containing toxic or poisonous substances in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to human, animal, fish or water fowl, or create any hazard in receiving waters of the sewage treatment facility;
 - 7) Any noxious or malodorous gas or substance capable of creating a public nuisance.
- d) The owner or occupier of all garages, gasoline service stations and vehicles and equipment washing establishments shall provide grease, oil and sand interceptors on the property. Interceptors may be required for other types of businesses when, in the opinion of the Director of Public Works & Engineering, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Director of Public Works & Engineering and shall be so located as to be readily and easily accessible for cleaning and inspection. Where installed, all grease, oil and sand interceptors shall be maintained by the owner at his expense in a continuously efficient operation at all times.

- e) No person shall discharge or cause to be discharged into any sewer within or entering the City Sewerage System, waste water, domestic sewage, commercial sewage, industrial or factory wastes in a greater volume than 3,000 cubic feet per day, or in strength in excess of those stated as "standard sewage" in this Bylaw, without first obtaining a licence to do so from the Director of Public Works & Engineering in the manner provided, but no such licence shall be given by the Director of Public Works & Engineering until:
- 1) Such person has made application in writing for permission to discharge such wastes or sewage into a sewer within or entering the City Sewerage System; and
 - 2) Such applicant shall have given the chemical and physical analysis, quantity and rate of discharge of wastes or sewage to be so discharged and any other detailed information that is required, including all pertinent information relating to any proposed pretreatment before discharge; and
 - 3) The application has been formally approved in writing.
- f) Where necessary, in the opinion of the City Commissioner, the person making application for a licence, shall provide, at his expense, such preliminary treatment as may be necessary to change the characteristic of the industrial waste or sewage to the standards acceptable to the Commissioner and where these preliminary treatment facilities are provided they shall be continuously and effectively operated by the applicant at his own expense.
- g) When required by the Director of Public Works & Engineering, the applicant for a licence on premises served by a sewer connection carrying industrial wastes, shall at his expense install a suitable control manhole in the sewer connection to facilitate observation, sampling and measurement of wastes. Such manhole shall be accessibly and safely located and shall be constructed in accordance with plans approved by the Director of Public Works & Engineering and shall be maintained by him at no expense to the City.
- h) All measurements, tests and analysis of the characteristics of industrial waste, sewage or water to which reference is made in this Bylaw shall be conducted in accordance with the "Standard Method for the Examination of Water and Waste Water" of the American Public Health Association, and shall be determined at the control manhole provided for in paragraph (g) above or upon suitable samples taken at said manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the sewer main to the point at which the sewer connection of the licensee enters.

- i) The Director of Public Works & Engineering and/or other duly authorized persons 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 Bylaw. If such inspections disclose any failure, omission or neglect to clean out such interceptors, or disclose any defect in the location, construction, design or maintenance of any of the sewer system or any connection therefrom to the City Sewerage System, the owner, proprietor or occupier shall be notified in writing to rectify the cause of complaint. Failure to rectify the defect shall constitute a breach of this section.

6. SEWAGE SERVICE CHARGES

Every person occupying property connected with the City Sewerage System shall pay a sewerage service charge as hereinafter provided in this Bylaw. The said Sewerage Service charge will be based on a flat rate and a volume rate based on cubic metre of water used. The said Sewerage Service charge shall be paid in the same manner and at the same times and places as charges for the water bills are paid.

Once a sewerage service connection has been established, at minimum the associated flat rates per this Section shall apply and be due and payable by the property owner or tenant as the case may be. Notwithstanding, if the water supply is shut off for any reason deemed desirable or necessary, at minimum the associated flat rates for sewerage service per this Section shall apply and be due and payable by the property owner.

- 1) a) In the case of property connected to the Sewerage System and served by the City's water system, a charge for standard sewage shall be as follows:

SEWERAGE SERVICE CHARGES - A

FLAT RATE MONTHLY

Meter Size

15-25 mm (5/8" – 1") Residential	\$ 16.92
40 mm (1.5") Residential	\$ 91.71
15-18 mm (5/8" – 3/4") Commercial/Industrial/Other	\$ 21.49
25 mm (1") Commercial/Industrial/Other	\$ 68.79
40 mm (1.5") Commercial/Industrial/Other	\$ 91.70
50 mm (2") Commercial/Industrial/Other	\$137.56
75 mm (3") Commercial/Industrial/Other	\$550.23
100 mm (4") Commercial/Industrial/Other	\$688.92

SEWERAGE SERVICE CHARGES - B (Underground Infrastructure)

FLAT RATE MONTHLY

Meter Size

15-25 mm (5/8" – 1") Residential	\$ 13.30
40 mm (1.5") Residential	\$ 69.11
15-18 mm (5/8" – 3/4") Commercial/Industrial/Other	\$ 17.09

25 mm (1") Commercial/Industrial/Other	\$ 54.28
40 mm (1.5") Commercial/Industrial/Other	\$ 72.22
50 mm (2") Commercial/Industrial/Other	\$108.49
75 mm (3") Commercial/Industrial/Other	\$433.34
100 mm (4") Commercial/Industrial/Other	\$541.86

Volume Rate

Per cubic metre	\$ 1.25
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- b) In the case of a premise, connected to the City's Sewerage system that obtains water, in whole or in part from sources other than the City's water system, in addition to any charges under the preceding subsection a), the charge for sewage shall be based on the set volume rate charged for the equivalent amount of water with which the property is served from such other sources.
 - c) Effective January 1, 2004, in the case of a premise that obtains water from the City's water system with usage measured by an irrigation meter, the flat rate, only, as cited in clause 1 (a) shall apply.
- 2) Where no water meter or other exact means exist to determine the quantity of water consumed by any person or user, the Director of Public Works & Engineering shall make an estimate of such quantity for the purpose of determining the sewage charge and such estimate shall be final and conclusive. The occupant of any property may, however, at his own expense, install and maintain an approved type of water meter upon which the sewage charge shall thereafter be determined.

7. CONCENTRATED SEWAGE SERVICE CHARGES

Where the sewage discharged into the Sewerage System from any property exceeds that of "Standard Sewage", the occupant of the said property shall pay to the City in addition to any charges under the preceding subsection 1), a surcharge calculated as follows:

- a) A 100% surcharge on the volume rate of Standard Sewage where the strength is exceeded up to 35%.
- b) A 200% surcharge on the volume rate of Standard Sewage where the strength is exceeded by more than 35% but less than 70%.
- c) A 300% surcharge on the volume rate of Standard Sewage where the strength is exceeded by more than 70%.

8. SEWAGE STRENGTHS

The sewage strength for billing purposes shall be calculated as follows:

- a) A group of five (5) daily samples shall be collected within a fourteen (14) day period and each daily sample analyzed separately. The arithmetical average of the five (5) samples shall be the sewage strength. Each daily sample shall be a mixture of the separate samples taken hourly during the period during which sewage is discharged during the day, with the composite sample being composed from the hourly samples with the proportion of each hourly sample being proportionate to the rate of sewage discharge at that time.
- b) The sewage strength for billing purposes shall be the arithmetical average of the averages of the most recent last three (3) groups of samples that have been taken. If less than three (3) groups of samples have been taken, the arithmetical average shall be the average of the number of groups of samples taken.
- c) Where the testing is required by the City of North Battleford, the cost of testing will be borne by the City of North Battleford. The user shall have the right to request a retest and the cost of the retesting shall be at the expense of the user unless the results of the retest differ by more than fifteen (15%) per centum from the original test by the City of North Battleford. Retesting shall be carried out in a similar manner to the original testing.
- d) The sewage strength shall be retested at such future intervals as the Director of Public Works & Engineering may determine and monthly charges shall continue to be on the basis of Base Costs unless two (2) or more consecutive tests show that the sewage strength is less than that of Standard Sewage for any of the three (3) measured variables.
- e) In the case of any dispute as to the proper charges to which any person is subject by reason of the provisions herein contained, the matter shall first be referred to the Director of Public Works & Engineering and where the dispute is not settled to the satisfaction of the complainant, such complainant may refer the matter to the appropriate committee of City Council whose decision shall be final.

9. WASTEWATER PUMP-OUT DISPOSAL

- a) All transporters of commercial, residential or any other form of wastewater, either being transported directly or indirectly to the City Wastewater Treatment Facility, must have their contents and the location for disposal approved by the Director of Public Works and Engineering. All transporters shall complete a registration form provided at City Hall prior to transporting any wastewater to the approved disposal sites. The proper locations for disposal shall depend on the physical and chemical composition of the wastewater material. Once the material is approved for disposal, the Director of Public Works and Engineering will direct the wastewater disposal to an approved disposal site. A list of these sites will be provided to the transporters.
- b) All Commercial wastewater must be tested and approved by the City before being accepted for disposal at the approved disposal sites. These tests include:

- 1) Light vehicle carwash or similar small business
pH, specific conductance, flashpoint (when hydrocarbons may be present), metals scan (Ag, Al, As, B, Ba, Be, Cd, Co, Cr, Cu, Fe, Mn, Mo, Ni, Pb, Sb, Se, Sn, Sr, Ti, V, Zn, U) BTEX, glycol
 - 2) Heavy truck wash/industrial facilities/Large diesel machine shops, etc.
pH, specific conductance, flashpoint (when hydrocarbons may be present), metals scan (Ag, Al, As, B, Ba, Be, Cd, Co, Cr, Cu, Fe, Mn, Mo, Ni, Pb, Sb, Se, Sn, Sr, Ti, V, Zn, U) BTEX, plus total petroleum hydrocarbons (may be broken down to Fq to F4 fractions at a later date or if desired), phenol, glycol, and organic solvents.
 - 3) Restaurants/Food processing facilities
pH, specific conductance, chlorides, fats/grease BOD, TSS
- c) One sample per pump out location will be taken. If the test results show that there are harmful substances in the wastewater, the City will not accept the contaminated wastewater. The City may, in its absolute discretion, perform random tests from time to time at any pump out location. The transporters will be responsible for gathering the sample and keeping it refrigerated until the engineering technologist can send the sample to an accredited laboratory for evaluation.
- d) The transporters will be responsible for the following costs:
- 1) the transporting fees for hauling wastewater to the approved disposal site;
 - 2) the shipping fees to an accredited laboratory;
 - 3) all applicable sample testing fees.
- e) If the property is connected to the City's water system, and the sanitary wastewater is stored in a wastewater holding tank or septic tank, and the wastewater is pumped out and transported away from the property for off-site treatment, it shall be taken to the City's Wastewater Treatment Facility for processing unless the City has directed it to be taken to another approved disposal site. In these cases, the said Wastewater Service charge will be as follows:
- 1) For residential properties with a holding tank and/or septic drain field, the charge to the transporter will be the minimum residential monthly flat rate plus the rate for the volume of wastewater transported. This charge is to cover the costs of treating the wastewater material.
 - 2) For commercial, industrial or institutional properties with a holding tank and/or septic drain field, the charge to the property will be the commercial monthly flat rate based on the size of the water meter plus the rate for the volume of wastewater transported.
 - 3) If the Director of Public Works and Engineering is of the opinion that the transporter is hauling a greater amount of wastewater than is stated being transported to the disposal sites, the Director of Public Works and Engineering will estimate the amount being transported and the City will charge a rate as if the property were connected to the municipal system.

- Such estimate shall be final and conclusive. The transporter may, however, at its own expense, install a measurement device approved by the City from which the sewage charge shall thereafter be determined.
- 4) At no time will the transportation of the wastewater to the City's Wastewater Treatment Facility be considered part of the City's charges for treating the wastewater.
 - 5) The rates charged will be based on those referenced in Clause 6(1)(a) of the Bylaw.
- f) The transporters shall fill out a liquid waste disposal form, provided by the City, to be left at a drop box at one of the approved disposal sites or delivered to City Hall on a weekly basis. The forms shall include the type of wastewater material hauled; the name and mailing address of the transporter; the name, physical and mailing address of the customer; the volume of wastewater material transported; and the approved disposal site location.
 - g) The following actions of a transporter shall be an offence:
 - 1) Disposing of wastewater material at an unapproved disposal site;
 - 2) Disposing of wastewater material without completing the registration form described in Subsection a) of this Section;
 - 3) Disposing of wastewater material without providing the form described in Subsection f) of this Section;
 - 4) Disposing of wastewater material without the approval required by Subsection a) of this Section.
 - h) Any transporter that commits an offence described in Subsection g) of this Section will be prohibited, upon conviction, from disposing of wastewater material at any location of the City.

10. LIABILITY FOR DAMAGES

The City is not liable for damages:

- a) caused by the breaking, plugging or stoppage of any sanitary sewer main;
- b) caused by the interference with the supply of any water service or sewer necessary in connection with the repair or proper maintenance of sewers;
- c) generally for any accident due to the operation of the Sewerage System of the City of North Battleford unless such accident is shown to be directly due to the negligence of the City or its employees.

11. ENFORCEMENT OF PAYMENT

- a) The payment of any rates or charges, as provided by this Bylaw, may be enforced by all or any of the following methods:
 - 1) by action in any court of competent Jurisdiction;

- 2) by shutting off the water service;
 - 3) by distress and sale of the goods and chattels of any person owing such rates or charges wherever the same may be found in the City.
- b) Where the person is the owner or tenant of a building lot or part of a lot served by the City's Sewerage System, the sum payable by him for the sewerage service supplied by the City to him or for his use, all rates, costs and charges made to him imposed under this Bylaw are a preferential lien and charge on the personal property of the debtor and may be levied and collected in like manner as municipal rates and taxes are recoverable.

12. PENALTIES

- a) Any person who fails to comply with the provisions of Section 3. a) of the Bylaw shall on summary conviction, be liable to a penalty of not less than five (\$5.00) dollars nor more than twenty-five (\$25.00) dollars exclusive of costs, for each and every day such default is continued.
 - b) Any person guilty of a violation of any other provisions of this bylaw shall be liable to the penalty set in the City's General Penalty Bylaw.
13. All monies collected under the provision of this Bylaw shall be credited to the "Sewage Utility Account" and shall be used solely for capital and operation costs of the said Utility.
14. Bylaw Numbers 1113, 1305, 1310, 1397, 1427, 1447, 1487, and 1650 are hereby repealed.
15. This Bylaw shall come into force on the 1st day of May, A.D. 2003.

INTRODUCED AND READ IN COUNCIL A FIRST TIME THIS 14TH DAY OF APRIL A.D. 2003.

READ A SECOND TIME THIS 14TH DAY OF APRIL A. D. 2003.

READ A THIRD TIME AND ADOPTED THIS 28th DAY OF APRIL A.D. 2003.

Wayne Ray
MAYOR

Elaine Kostiuk
CITY CLERK