



City of Prince Rupert

Sewer Regulations and Rates Bylaw No. 3067, 1998

(With Amendments to March 31, 2004)

Consolidated for Convenience Only

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CITY OF PRINCE RUPERT

BYLAW NO. 3067

A BYLAW TO REGULATE THE EXTENSION OF AND CONNECTIONS TO THE SANITARY SEWER SYSTEM, THE STORM SEWER SYSTEM AND THE COMBINED SEWER SYSTEM OF THE MUNICIPALITY AND TO IMPOSE SEWER CONNECTION FEES, USER RATES AND RENTALS FOR USE OF SAID SEWERS.

WHEREAS the City has constructed and is operating and maintaining a system of sanitary sewers, storm sewers, and combined sewers on a self-liquidating basis for the benefit of residents of the Municipality;

AND WHEREAS it is expedient that all lands or real properties within the Municipality which require the service and are capable of being connected to the sewer system should be so served;

AND WHEREAS it is necessary from time to time to extend the said sewer system to provide service to other residents of the Municipality;

AND WHEREAS it is deemed just that the cost of making such extensions to the said sewer system should not be permitted to place any undue burden upon the revenues of this system;

AND WHEREAS it is expedient to provide for the connection of sewers from houses and other buildings with the sanitary sewers, storm sewers, and combined sewers of the City of Prince Rupert and to regulate same;

THEREFORE the Council of City of Prince Rupert, in open meeting assembled enacts as follows:

PART 1 - DEFINITIONS

1.1 In this Bylaw:

“abandonment” means that the building or dwelling serviced by the sewer has been demolished or other wise deemed unusable.

“applicant” means an owner or his agent making application for sanitary sewer, storm sewer, or combined sewer services and from whom the City may expect to receive revenue on a continuing basis for this service.

“B.O.D.” (denoting Biochemical Oxygen Demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days expressed in milligrams per litre.

“Building Inspector” means the Building Inspector of the City of Prince Rupert, and his duly authorized representatives.

“building sewer” includes any sanitary sewer, storm sewer or combined sewer located between any building or structure and its property line.

“business premises” means any bank, store, office, service outlet or other undertaking whether situated in a commercial zone or not and not otherwise classified in the bylaw.

“capable of connection” means that the parcel of land abuts a street, lane, public right-of-way or easement upon, under or over which there is a City sewer system which abuts any part of the parcel and which plumbing or drainage system of the house or building on the parcel may be connected to the appropriate service connection by either a gravity sewer or a pump and force main.

“City” means the City of Prince Rupert.

“Collector” means the Collector of the City of Prince Rupert duly appointed by Council pursuant to the provisions of the “Municipal Act”.

“combined sewer” means a sewer receiving storm water, surface waters and drainage, and sewage.

“Council” means the Municipal Council of City of Prince Rupert.

“dwelling unit” means one or more rooms constituting a unit of living accommodation used or intended to be used for living and sleeping purposes and containing a sink and cooking facilities.

“employee” includes management personnel and any person who is regularly employed for more than 20 hours per week, on average, in a one-year period.

“Engineer” means the Director of Engineering Services of the City or any person appointed by the Council to serve in that capacity and will be referred to herein as the Engineer, and his duly authorized representatives.

“garbage” means solid wastes from the domestic and commercial preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

“main” means a pipe including manholes, cleanouts and other appurtenances other than service connections, pumping stations, treatment plants or lagoons.

“Municipal Act” means the *“Municipal Act, R.S.B.C. 1996, Chapter 323”*, as amended.

“owner” shall have the meaning assigned to it by Section 5 of the “Municipal Act”.

“person” means and includes natural persons of either sex, associations, co-partnerships, firms and corporations, whether acting by themselves or by a servant, agent or employee.

“properly comminuted garbage” means the waste from the preparation, cooking and dispensing of food, shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sanitary sewer and combined sewers, with no particle greater than one quarter (1/4) inch in any dimension.

“P.H.” means the logarithm of the reciprocal of the weight of hydrogen ions in grams per litre of solution.

“sanitary sewer” means a sewer which carries sewage and to which storm, surface and drainage waters are not intentionally admitted.

“service connection” means a pipe, which may include a cleanout, and the necessary connections and other materials necessary to connect any part of a building sewer to the main.

“sewer” means a pipe including manholes and other appurtenances for carrying storm water and sewage other than a service connection in the sewer system.

“sewer extension” means any installation requiring the construction of a sanitary sewer, storm sewer, or a combined sewer on any highway, Municipal right-of-way or easement, from an existing sewer designated by the Engineer. “Extension” shall not include a service connection.

“sewer system” means all sanitary sewerage works, storm sewerage works, combined sewerage works, and natural watercourses serving as part of the drainage system, and all appurtenances thereto, including sewers, service connections, pumping stations, treatment plants, sewage lagoons and sewer outfalls laid within any highway, municipal right-of-way or easement or municipal property.

“sewage” means water carried wastes from residences, buildings, business premises, institutions, commercial and industrial establishments, and shall include:

- a) **“industrial waste”** meaning the liquid wastes from commercial, manufacturing and industrial processes, trade, or business as distinct from sanitary sewage.

- b) **“sanitary sewage”** meaning that portion of sewage exclusive of industrial wastes.

“suspended solids” means solids that either float on the surface of or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.

“storm water” means the excess rainfall that runs off the surface of the ground or any improvements placed or constructed thereon.

“storm sewer” means a sewer that carries storm water and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

“user” means any person, corporation, partnership or party and their heirs, successors, and assigns of them, to whom the context can apply, whose premises are connected to the sewer system of the City of Prince Rupert.

Wherever the singular or masculine is used in the Bylaw the name shall be deemed to include the plural or the feminine or the body politic or corporate, and also their respective heirs, executors, administrators, successors and assigns.

PART 2 - USE OF SEWER SYSTEM

2.1 Tampering With The Sewer System

- 2.1.1 No person shall make any connection whatsoever to the sewer system or in any way tamper with the sewer system without first obtaining written permission from the Engineer.
- 2.1.2 No person shall discharge, deposit or throw or cause, allow or permit to be discharged deposited or thrown into any sewer, plumbing fixtures connected thereto, drain, manhole, inspection chamber or any other part of the sewer system, any substance of any kind whatsoever tending to obstruct or injure the sewer works or to cause any nuisance, or which will in any manner interfere with the proper functioning, maintenance or repair of the said sewer system.
- 2.1.3 No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface, mar or tamper with any sewer or any of the appurtenances thereto or belonging thereunto.

2.2 Liability

2.2.1 It is a condition of the supply of the sewer system that;

- a) In the event that the supply of the sewer system to any consumer shall fail, whether from natural causes or accident or from any other causes whatsoever, the City shall not be liable for damage by reason of such failure.
- b) The City shall not be liable for any injury or damage to any person or property arising or occurring from the use of the sewer system.

2.3 Open Discharge

2.3.1 No person shall discharge into any ditch, drain, creek, stream or water course, any sanitary sewage, other waters, industrial wastes, petroleum products, coal tar, or any refuse or substance arising from the manufacture or processing of gas or petroleum or other material and products without first obtaining written permission to do so from the Engineer and the Medical Health Officer. Where no appropriate sewer is available, an industry shall discharge its wastes into such outlet or water course as may be prescribed by the Engineer, subject to such standards of quality, quantity and rate of discharge as may be prescribed and subject to the approval of the Medical Health Officer and provincial Ministry of Environment, if applicable.

2.4 Prohibited Wastes

2.4.1 The following shall not be discharged or caused to be discharged into any pipe, main, conduit, manhole, street inlet, gutter or aperture of the sewer system, except by permission for extraordinary circumstances:

- a) Any gasoline, benzene, naphtha, alcohols, or other flammable or explosive liquid, solid or gas;
- b) any solid or viscous substance capable of obstructing sewage flow or interfering with the operation of the sewerage works or treatment facilities. These substances include, but are not limited to, ashes, cinders, sand, mud, straw, grass clippings, insoluble shavings, metal, glass, rags, feathers, tar, asphalt, creosote, plastics, wood, animal paunch contents, offal, blood, bones, meat trimmings and wastes, fish or fowl head, shrimp, crab or clam shells, entrails, lard, tallow, baking dough, chemical residues, cannery waste bulk solids, hair and fleshings, spent grain and hops, whole or round paper dishes and cups, whole or ground plastic dishes and cups, whole or ground food and beverage containers, uncommunitated garbage, paint residues;
- c) any noxious or malodorous gas or substance which either singly or by interaction with other wastes, is capable of creating a public nuisance or hazard to life or preventing entry into a sewer or pump station;

- d) radioactive material - except within such limits as are permitted by the licence issued by the Atomic Energy Control Board of Canada; or
- e) any material from a cesspool or septic tank except at authorized receiving stations.

2.5 Restricted Wastes

- 2.5.1 Storm water and unpolluted drainage and cooling water shall not be discharged to sanitary sewers.
- 2.5.2 No material other than storm water, unpolluted drainage water and cooling water shall be discharged to storm sewers.

2.6 Limitation On Waste Characteristics

- 2.6.1 Except by permission for extraordinary circumstances, waste shall not be discharged or permitted to be discharged into a sanitary sewer or combined sewer when the waste has any of the following characteristics:

- a) any garbage that has not been properly comminuted to 1/4 inch or less in any dimension;
- b) any liquid or vapour having a temperature higher than 60° Celsius;
- c) any water or waste which contains grease (includes fats, waxes, oils, or any other non-volatile material extracted by hexane from an acidified sample of the wastes), whether or not emulsified, whose all inclusive concentration is in excess of 150 milligrams per litre or which contains more than 15 milligrams per litre of substances derived from petroleum sources, or which contain any substance which may solidify or become discernible viscous at temperatures above 0° Celsius;
- d) any water or waste having a suspended solids content of more than 600 milligrams per litre;
- e) any soluble waste or waste water having a PH lower than 5.3 or higher than 9.5 or having any other corrosive property which reasonably could be hazardous to structures, equipment, personnel engaged in the operation or maintenance of the sewerage works or biological sewage treatment processes, such as, but not limited to, batter or plating acid and wastes, copper sulphate, chromium salts and compounds, or salt brine;

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- f) any water or waste containing a toxic or poisonous substance, in sufficient quantity to injure or interfere with any sewage treatment process, to constitute a hazard to humans, animals, or fish or to create any hazard to the receiving

waters or storm water overflows, or to the effluent of the sewage treatment plant;

- g) any material which exerts or causes
 - (i) unusual concentrations of inert suspended solids, such as but not limited to, fuller's earth, lime slurries or lime residue;
 - (ii) unusual concentrations of dissolved solids such as, but not limited to, sodium chloride, calcium chloride or sodium sulphate;
 - (iii) excessive discoloration such as, but not limited to, dye wastes or vegetable tanning solutions; or,
 - (iv) unusual biochemical oxidation demand.
- h) Any storm waters, surface waters, ground waters, roof run off or surface drainage, and no person shall connect to any sanitary sewer any roof leaders fountain drains, sump or other collectors of surface or ground water;
- i) any water or waste that will, by itself or with other water or wastes in the sewer system, release obnoxious gases, or develop colour of undesirable intensity; or form suspended solids in objectionable concentration;
- j) water or wastes containing substances in such concentrations that they are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such a degree that the sewage treatment plant effluent cannot meet the requirements of any other agency having jurisdiction over discharges to the receiving waters.

2.7 Exceptions

- 2.7.1 Where there exists the possibility that there may be discharged into a sewer from any premises any of the wastes, sewage or substances described in Sections 2.4, 2.5 and 2.6 hereof, the Engineer may issue a permit for the connection of such premises to the sewer system with a special provision governing treatment prior to discharge, rate and quality of effluent discharged. When required by the Engineer, primary treatment or protective devices, satisfactory to the Engineer, and Medical Health Officer shall be installed and maintained by the applicant to prevent discharge of such wastes, sewage or substances described in Section 2.4 and 2.6 hereof into the sewer system or to neutralize the same.

2.8 Unpolluted Discharges

- 2.8.1 Unpolluted industrial waters shall not be discharged into the sewer system without the express consent of the Engineer in writing.

- 2.8.2 Industrial cooling water which may be polluted with insoluble oils or greases or insoluble suspended solids shall be pre-treated for removal of the pollutants and the resultant unpolluted water shall be discharged into a combined sewer or a storm sewer, ditch or approved natural outlet or water course.
- 2.8.3 Water from air conditioning, cooling or condensing systems shall be discharged into a combined sewer or a storm sewer, ditch or approved natural outlet or water course.

2.9 Rate Of Discharge

- 2.9.1 The rate or rates of discharge for various times of a twenty four (24) hour period for any commerce or industry applying for a connection to the City's sewer system shall not exceed the extra capacity of the sewer system after all the other regular users have been accommodated. Such industries, or corporations, shall install and maintain on their own properties, such holding facilities, pumps, valves, flow regulating and measuring devices as may be required by the Engineer to ensure that the specified flow rates shall not be exceeded.

2.10 Interceptors

- 2.10.1 Grease, oil and sand interceptors shall be provided on private property for all garages, gasoline service stations and vehicle and equipment washing establishments. Interceptors will be required for other types of industries or commercial establishments when they are necessary for the proper handling of liquid waste containing grease in excessive amounts or any flammable wastes, sand, grit or other harmful ingredients except that such interceptors shall not be required for private living quarters or dwelling units. Such interceptors shall be so located as to be readily and easily accessible for cleaning and inspection. All interceptors shall be maintained by the owner at his expense in continuously efficient operation at all times.

2.11 Commercial And Industrial Service Connection Sampling Chamber

- 2.11.1 All properties discharging commercial and industrial wastes shall have installed on the service connection a suitable chamber for the inspection, sampling, and measurement of the discharged wastes. The chamber shall be accessibly and safely located and be constructed in accordance with plans approved by the Engineer, and shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible.

2.12 Sampling Procedure Tests And Analysis

- 2.12.1 All measurements, tests and analyses to the characteristics of water and wastes to which reference is made in the Bylaw shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Waste Water", published by the American Public Health Association. Sampling shall be determined at the sampling chamber provided for in Section 2.11.1 and shall be carried out by

customarily accepted methods to reflect the effects of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. In the event that no special sampling chamber has been required, the control manhole shall be the nearest manhole in the sewer system downstream from the service connection point. (Normally, but not always, B.O.D. and suspended solids results are determined from periodic grab samples.)

PART 3 - BUILDING SEWERS

3.1 B.C. Building and Plumbing Code

- 3.1.1 Building sewers shall be installed and repaired in accordance with the B.C. Building and Plumbing Codes and shall be constructed by and at the expense of the owner, and shall be approved by the Building Inspector prior to connection being made to the service connection.

3.2 Building Sewer Required

- 3.2.1 The owner of every parcel of land capable of connection, and on which a building or structure is situated shall connect the plumbing system of such building or structure to the sewer system.
- 3.2.2 In the event of any such owner failing to make the necessary connection within thirty (30) days after being notified in writing by the Engineer to do so, the Engineer, by his workmen or others, may have the work done at the expense of any such owner. Notwithstanding the foregoing, failure to connect the plumbing system from a building or structure to the sewer system within the aforesaid period of thirty (30) days is an offence under this Bylaw.

3.3 Runoff And Drainage Control

- 3.3.1 The owner of every parcel of land, capable of connection to the storm sewer system, who carries out construction of a roof area, or who installs a storm water drainage system for an existing roof area, or who installs a perimeter drainage system for a building or structure, or who installs a drainage system for the parcel of land, shall connect the drainage system to the storm sewer system, provided the storm sewer system has the capacity to accommodate the storm water.
- 3.3.2 In the event of any such owner failing to make the necessary connection within thirty (30) days after being notified in writing by the Engineer to do so, the Engineer, by his workmen or others, may have the work done at the expense of any such owner. Notwithstanding the foregoing, failure to connect the storm water drainage system from a building or structure to the storm sewer system within the aforesaid period of thirty (30) days is an offence under this Bylaw.

3.4 Maintenance Of Building Sewers

- 3.4.1 Building sewers shall be maintained by the property owner at his sole expense. Where any sewer becomes stopped or otherwise fails to function, the owner or occupier of the premises served shall first determine that the blockage is not located in his building sewer and then notify the Engineer forthwith and the Engineer shall, as soon as practicable, arrange to have said sewer or service connection unstopped or otherwise restored to serviceable condition and make a determination as to the responsibility for the costs of the repair. If the defect is determined to be located in the building sewer, the property owner shall effect repairs within ten (10) days.
- 3.4.2 In the event the property owner refuses or neglects to carry out repairs within the specified time, the Engineer may, by his workmen or others, terminate the water supply to the property or, have the work done at the expense of the owner.
- 3.4.3 Should the owner insist that the defect is in the service connection and not in the building sewer, the City shall carry out repairs. If there is no fault or defect due to collapsed and/or deterioration as per Subsection 4.9.2 found in the service connection, the owner shall pay for the cost of the repairs undertaken by the City.

3.5 Abandonment

- 3.5.1 When any building sewer is abandoned, the owner or his agent shall notify the Engineer and shall be required to pay the abandonment fee prescribed in Schedule "A" of this Bylaw.

PART 4 - SERVICE CONNECTIONS

4.1 Illegal Connections

- 4.1.1 No person shall connect or attempt to connect, or allow to be connected, or allow to remain connected to the sewer system any property or premises otherwise than in accordance with the provisions of the Bylaw.

4.2 Connection Application

- 4.2.1 Each application for a service connection shall be made to the City by the owner or his authorized agent in the form prescribed by the Engineer. The owner or his agent shall, on making application and upon payment of the prescribed fee in schedule "A", or obtaining a credit rating acceptable to the City as represented by the Financial Administrator, be provided with the service and will be given thirty days (30) to pay for such services.

- 4.2.2 If such connection is practicable, the Engineer will, within thirty (30) days, weather permitting, provide and install a service connection to the applicant's property.
- 4.2.3 If such connection is not practicable, the Engineer shall so notify the applicant within ten (10) calendar days.

4.3 Individual Connections

- 4.3.1 Each property shall have its own service connection to all available sewers of the sewer system, which shall be installed by the City or its authorized representatives.
- 4.3.2 Where two or more buildings exist on one parcel of land and where such parcel of land can be subdivided, each building shall have separate service connections.
- 4.3.3 The Engineer may require a separate building storm sewer to be installed where it is expected that a storm sewer system or combined sewer system may be available in the future.

4.4 Size Of Service Connection

- 4.4.1 The minimum size for a residential sanitary sewer service will be 100 mm diameter.
- 4.4.2 The minimum size for a commercial and industrial sanitary sewer service will be 150 mm diameter. An exception to the foregoing is a sanitary sewer force main which may be smaller if approved by the Engineer.
- 4.4.3 The minimum size for a residential storm sewer service will be 150 mm diameter.
- 4.4.4 The minimum size for a commercial and industrial storm sewer service will be 200 mm diameter.

4.5 Connection Location

- 4.5.1 Where possible, the service connections will be located at the location requested by the applicant. In the event the applicant's preferred location is not practicable due to the existence of installed surface improvements, or is in conflict with installed underground utilities, the Engineer shall designate the location of each service connection to each parcel of land or premises.

4.6 Depth Of Bury

- 4.6.1 Where practicable as governed by the depth of the sewer, the minimum depth of the service connection at the property line shall be 0.914 metres (3 feet). Where possible, the service connection will be installed with sufficient depth to provide natural drainage from the lowest floor of any building or structure except where natural

drainage is impractical due to the relative elevation of the sewer and the lowest floor of the building or structure.

4.7 Compulsory Service Connections

- 4.7.1 Where street surface improvements are scheduled for installation by the City during a current budget year, the Engineer shall order compulsory service connections to be installed to any property abutting such street and served by the sewer system regardless of whether or not any improvement is constructed on the property and the cost of the service connection shall be the responsibility of the owner, such amount being payable upon demand.

4.8 Connection To Service Connection

- 4.8.1 In all cases, the service connection shall be installed by the City prior to installation of the building sewer and connection of the building sewer to the service connection by the owner. The City shall not be responsible to meet the elevation or connect to an existing building sewer installed by the owner prior to installation of the service connection.

4.9 Maintenance Of Service Connections

- 4.9.1 Service connections shall be maintained by the property owner at his sole expense. Where any service connection becomes stopped or otherwise fails to function as determined in Section 3.4.1, the owner or occupier of the premises served shall notify the Engineer forthwith and the Engineer shall, as soon as practicable, arrange to have said service connection unstopped or otherwise restored to serviceable condition and make a determination as to the responsibility for the costs of the repair.
- 4.9.2 The City shall be responsible for the cost of repairs necessary to the service connection only if such repairs are caused by the pipe or service connection collapse and/or deterioration subject to subsection 4.9.3.
- 4.9.3 Where any stoppage, collapse or failure in the service connection is found to have been caused by an act, or neglect, of the owner or occupier of the premises, all costs incurred by the City in restoring service shall be paid by such owner or occupier.
- 4.9.4 In cases where the problem has developed due to a build-up of grease or other owner deposited material creating an obstruction, the City will require the installation of a sewer cleanout and the charge for installing the cleanout, as per Schedule "A" of this Bylaw, shall be paid by the owner.
- 4.9.5 The City may hold the property owner responsible for tree roots from trees on their property causing damage or blockage at mains or service lines on City property.

4.10 Disconnecting Illegal Connection

- 4.10.1 Any building sewer or other drainage works connected to a service connection without a permit therefore pursuant to this Bylaw, and any service connection connected to the sewer system and discharging therein to any sewage, substance or matter prohibited by this Bylaw may be disconnected, stopped up and closed at the direction of the Engineer and at the owner's cost. Any permit issued pursuant to Sections 2.7 and 2.8 hereof shall be in effect so long as the treatment specified is satisfactory to the Engineer and the Medical Health Officer. Upon the permit lapsing, the service connection may be disconnected, stopped up and closed at the direction of the Engineer and at the owner's costs.

PART 5 - EXTENSIONS TO SEWER SYSTEM

5.1 Extension Applications

- 5.1.1 All applications for sewer system extensions shall be made in writing to the Engineer by the owner of the property to be served by such system extensions.

5.2 Extension By Council Resolution

- 5.2.1 The Council of the City of Prince Rupert may designate by Bylaw sewer system extensions for any budget planning period covering one or more years.

5.3 Extension Other Than By Council Resolution

- 5.3.1 In the event an applicant wishes to proceed with a sewer system extension which has not been designated by Council, the Engineer may, with the approval of Council, proceed with the extension provided that the applicant shall pay to the City in advance, the total cost of construction as estimated by the Engineer. The final cost to the applicant of the sewer system extension shall be the actual cost to the City of construction. The service connection costs for each parcel of land owned by the applicant to be served by such extension shall be as set out in Schedule "A" to this Bylaw and shall be added to such construction costs. In the event the sewer extended above serves property for which no application for extension has been received other than the original applicant, the "Excess or Extended Services and Latecomers Payments" provisions of Section 939 of the Municipal Act shall apply.

5.4 Extension Limits

- 5.4.1 Where a sewer is extended by other than Council resolution, the minimum inside diameter shall be approved by the Engineer, with a minimum of eight (8) inches, and shall extend from the existing sewer designated by the Engineer having sufficient surplus capacity and grade to carry the additional sewage resulting from the said

extension, to a point opposite the furthest boundary of the last parcel of land to be served by the said extension.

5.5 Costing For Oversize Extensions

- 5.5.1 Where any sanitary sewer, storm sewer, or combined sewer is extended other than by Council Resolution, and where the City may desire to install a sewer of greater capacity than is required to provide service to the lands for which application for an extension has been made, and if such excess capacity will be available to permit further extension beyond the boundaries of the land to be immediately served thereby, the “Excess or Extended Services and Latecomers Payments” provisions of Section 939 of the Municipal Act shall apply.

PART 6 CHARGES FOR WORKS AND SERVICES

6.1 Connection And Abandonment Fee

- 6.1.1 The Owner or his agent shall, on making application at City Hall for a service connection, or the abandonment of a service connection, pay to the City the applicable fee prescribed in Schedule “A” of this Bylaw. Such services will be provided after payment is received or in the case of a service connection, arrangements have been made in accordance with Section 4.2.1.

6.2 Additional Service Connection Charges

- 6.2.1 Where service connections were prepaid to any parcel of land existing at the date of this Bylaw, the connection fee payable by any subsequent owner applicant of such parcel pursuant to this Bylaw shall be waived. The provisions of this subsection shall not apply to any parcel of land created by subdivision where each connection fee was not prepaid, nor to the additional costs payable by any owner applicant for additional or replacement location of service connections.

6.3 User Rate

- 6.3.1 The owner or occupier of real property shall pay, in addition to all other rates, charges, and fees, for the use of the sewer system in an amount equal to the rate specified in Schedule “A” of this Bylaw.

6.4 Extra Treatment Charges

- 6.4.1 Where the discharge of any waters, sewage or wastes exceeding the limits for suspended solids or B.O.D. as set out in Section 2.4 and 2.6 of this Bylaw, or where in the opinion of the Engineer the discharge of grease is excessive and where these discharges are permitted by permit as provided under Section 2.7.1 and 2.8, the

permittee shall pay an extra treatment charge as set out in Schedule "A" of this Bylaw.

6.5 Discontinuation Of User Rate

6.5.1 During any period of time a person arranges to have the billing of the user rate to a dwelling discontinued under this Bylaw, the person is not subject to any charge provided he notifies the municipality in writing that:

- a) The dwelling will not be occupied for any period of time not less than three consecutive months equal to one complete billing quarter. Quarters starting January, April, July, and October.
- b) He will arrange for the Building Inspector to verify that the dwelling is empty. The charge for this is in accordance with the general "Inspection Fees" under Bylaw 2420, 1982, Fee Schedule "A".
- c) He will sign an agreement with the Finance Department regarding the discontinuation of services to the dwelling and his responsibility to notify the City if the dwelling is to be occupied at any time in the future.

6.5.2 Should the City become aware that the dwelling has been occupied without notification, the City shall back charge the owner to the date of discontinuation of the User Rate and charge the ten (10%) percent late payment penalty.

6.6 Outstanding Fees And Charges Added To Taxes

6.6.1 Any fees or charges for works, repairs, services and user rates, including charges for works or repairs undertaken by the City due to failure by the property owner or occupier to carry out the necessary works or repairs, not paid on or before the thirty-first (31) day of December in any year shall be deemed to be taxes in arrears in respect of the parcels of land concerned and such sums shall be recovered with interest, in the same manner as ordinary municipal taxes upon land in accordance with the applicable provisions of the Municipal Act.

6.7 Customer Service

6.7.1 The Engineer and his designates will seek to ensure customer service and satisfaction in the provision of sewer services to the local consumer. It will be the Engineer's right and obligation to take such action as is deemed equitable and necessary in terms of service delivery, customer charges, and the long term interest of the utility.

PART 7 INSPECTION

7.1 Right Of Entry

7.1.1 The owner of every parcel of land and the occupier of every premise shall at all reasonable times allow, suffer and permit the Engineer, Building Inspector, or authorized City employees to enter into or upon lands and premises for the purpose of inspecting the premises and sewer pipes, drains, fixtures and any other apparatus used in connection with such sewer connection or plumbing system and to observe, measure, sample and test the quantity and nature of sewage being discharged into the sewer system in order to ascertain whether or not the provisions of this bylaw are being obeyed.

7.2 Inspection

7.2.1 Building sewers shall have passed inspection by the Building Inspector prior to connection being made to the service connection.

7.2.2 The Building Inspector may withhold an occupancy permit until water service pipes have been inspected and connected.

PART 8 OFFENCES AND ADMINISTRATION

8.1 Offences And Penalties

8.1.1 Every person who violates any of the provisions of this Bylaw, or who causes, suffers, or permits any act or thing to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects or refrains from doing anything required to be done by any of the provisions of this Bylaw, or who fails to comply with any order, direction or notice given under this Bylaw, shall be liable on summary conviction to a fine not exceeding TEN THOUSAND DOLLARS (\$10,000.00) or to imprisonment for not more than six (6) months and the cost of prosecution.

8.1.2 Where an offence under this Bylaw is of a continuing nature, each day that the offence continues or is permitted to exist shall constitute a separate offence.

8.1.3 Nothing in this section affects any other right or remedy of the City in respect of any violation of any provision of this Bylaw.

8.2 Reference to Other Bylaws Or Enactments

8.2.1 Reference to any Bylaw or enactment is a reference to that Bylaw or enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided.

8.3 Severability

8.3.1 If any section, subsection, clause, subclause, phrase or any other part, of this Bylaw is for any reason held to be invalid, void or ineffective by the decision of any court of competent jurisdiction, the part in question is to be severed from the rest of this Bylaw and that does not affect the validity of the remainder of this Bylaw, which is to be interpreted and applied as if this Bylaw had been enacted without the severed part.

8.4 Notice Given

8.4.1 Any notice in writing required, in this Bylaw, to be given by the Engineer shall be sufficiently given if sent to the owner by mail, left with the owner, or deposited in the owner's mailbox at his residence or place of business.

8.5 Adoption

8.5.1 This Bylaw shall come into full force and effect upon its final passage and adoption, except Schedule "A" which shall come into force on January 1, 1999.

8.5.2 Sanitary Sewer And Combined Sewer Bylaw No. 2969, 1995 as amended is hereby repealed except Schedule "A" which is repealed on the effective date of the substitute Schedule "A" of this Bylaw.

8.5.3 This Bylaw may be cited for all purposes as "**Sewer Regulations and Rates Bylaw No. 3067, 1998**".

READ THE FIRST TIME THIS 23RD DAY OF NOVEMBER, 1998 A.D.

READ THE SECOND TIME THIS 23RD DAY OF NOVEMBER, 1998 A.D.

READ THE THIRD TIME THIS 23RD DAY OF NOVEMBER, 1998 A.D.

ADOPTED THIS 14TH DAY OF DECEMBER, 1998 A.D.

MAYOR

CORPORATE ADMINISTRATOR

This Bylaw has been consolidated for convenience and includes amendments from:

BYLAW NO. 3067, 1998

Bylaw No. 3099, 2000 - Adopted May 11, 2000
Bylaw No. 3172, 2004 - Adopted March 31, 2004

Bylaw 3172

SCHEDULE "A"

SANITARY SEWERS, STORM SEWERS, AND COMBINED SEWERS FEES AND CHARGES

1. The fees for connection of sewer service shall be as follows:

Up to and including 100 mm diameter service \$1,210.00

Over 100 mm diameter service at the cost of the applicant for all materials, labour and other charges with a minimum fee of \$1,320.00

Prince Rupert Industrial Park (Subdivision of part of Block 2, District Lot 251, Coast Range 5, Plan 1456)

150 mm diameter sewer service \$3,300.00

Larger than 150 mm shall be at the cost of the applicant for all materials, labour and other charges with a minimum fee of \$3,400.00

An inspection fee of \$110.00

will be added to the above charges for each service connection.
If both storm sewer and sanitary sewer connections are inspected at the same time and in the same trench, then the additional \$100. fee for storm sewer hookup inspection will be waived.

2. Users shall pay the following rates and charges for each month or portion of a month they remain users, however no single user shall pay a monthly charge of less than \$8.25 in any case:

		<u>MONTHLY CHARGE</u>		
<u>CLASS</u>	<u>APPLICABLE TO:</u>	Effective April 1st 2004	Effective January 1st 2005	Effective January 1st 2006
A	<ul style="list-style-type: none"> - Laundry - Health Spa - Bottling Plant 	\$252.60	\$279.70	\$288.70
B	<ul style="list-style-type: none"> - Beer Parlour - Café or Restaurant with Liquor Licence - Laundromat - Industrial or Commercial Warehouse 	\$126.40	\$139.90	\$144.40

<u>CLASS</u>	<u>APPLICABLE TO:</u>	<u>MONTHLY CHARGE</u>		
		Effective April 1st 2004	Effective January 1st 2005	Effective January 1st 2006
C	- Licensed lounge, cabaret or theatre	\$85.90	\$95.10	\$98.20
D	- Business Premises with more than 20 employees	\$70.70	\$78.30	\$80.80
E	- Café or Restaurant without Liquor Licence - Coffee Shop, Drive-in or Take Out Food Establishment - Automobile Car Wash - Amusement Centre with Lounge or Snack Bar - Business Premises – more than 9 and up to and including 20 employees	\$50.60	\$56.00	\$57.80
F	- Dentist, Physician, Surgeon or Veterinarian – more than one practitioner - Barber or Beauty Salon – more than one operator	\$40.40	\$44.70	\$46.10
G	- Private Club - Dentist, Physician, Surgeon or Veterinarian – one Practitioner only - Dry Cleaner - Service Station – without Commercial Car Wash - Bakery - Warehouse, Workshop or Light Industrial Premises - Amusement Centre – without Lounge or Snack Bar - Barber or Beauty Parlour with one operator only - Animal Shelter - Museum	\$25.30	\$28.00	\$28.90
H	- Church - Day Care Centre or Nursery - Church Hall – where separate from Church Building - Business Premises – more than four and up to	\$15.10	\$16.70	\$17.20

MONTHLY CHARGE

CLASS APPLICABLE TO:

Effective April 1st 2004	Effective January 1st 2005	Effective January 1st 2006
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and including 9 employees

I	- each self-contained dwelling unit, including those within multiple dwellings or apartment blocks - Trailer Court – for each trailer	\$17.00	\$18.80	\$19.40
J	- Office and Business Premises with two to 4 employees	\$11.60	\$12.80	\$13.20
K	- Rooming or Boarding House–Each House-keeping unit - Hotel, Motel or Auto Court – for each rental unit with kitchen facilities - School – for each 35 students or portion thereof of as at September 20 th enrolment	\$10.20	\$11.30	\$11.70
L	- Business Premises – one employee only	\$7.60	\$8.40	\$8.70
M	- Rooming or Boarding House – Each Sleeping Room - Hotel, Motel or Auto Court – for each rental unit without kitchen facilities - Hospital – for every 2 patient beds	\$5.10	\$5.60	\$5.80

3. **Residential Accounts** under Schedule “A”, Section 2 I, meaning self-contained dwelling units shall be paid on an annual basis on the same schedule as municipal taxes. Installment payments can be made for any amount at any time.

4. **Commercial Accounts** under Schedule “A”, Section 2 shall be rendered monthly or quarterly unless otherwise required and all rates and charges provided herein shall be due and payable by all users at the office of the City Collector on or before the last business day of the current month or quarter for which the billing is made.

“Quarter means the relevant 3 month period ending on the last day of March, June, September and December of any year.

5. Where sewer waste is filtered by means of a septic tank(s) approved by the City, the user charges set out in Section 2 will be reduced by 50%.

6. Extra Treatment Charges will be as follows:

Charge for treating one (1) pound of B.O.D. above permitted limits	\$1.10
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Charge for treating one (1) pound of suspended solids above permitted limits	\$0.90
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Charge for treating one (1) pound of grease discharged	\$2.20
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7. **Abandonment Fees**

With reference to Section 1.1.1, the fee for disconnecting and capping off an abandoned sanitary or storm sewer service shall be three hundred and thirty (\$330.00) dollars for each service regardless of the size of the connection.

8. **Clean-out Installation Charges**

With reference to Section 1.1.1, the cost of installation of a sewer clean-out is two hundred and twenty (\$220.00) dollars.

9. **Late Payment Penalty**

The accounts for all user rates are subject to a penalty of ten percent (10%) applied to the current charges if the account is not paid on, or before the due.

10. **Unpaid Fees and Charges**

Any amounts imposed under this Schedule remaining unpaid on the thirty first day of December in any year shall be deemed to be taxes in arrears in respect of the parcels of land concerned and such sums shall be recovered with interest, in the same manner as ordinary municipal taxes upon land in accordance with the applicable provisions of the *Community Charter*.