

PART XIV

SEWERS

Prohibition

327 No person shall injure or remove any portion of wastewater facilities or a stormwater system, except as directed by the engineer.

Policy for standards and specifications

328 (1) The council may, by policy, prescribe standards and specifications for connections to wastewater facilities and stormwater systems and the conditions under which connections may be made.

(2) No person shall make a connection to wastewater facilities or a stormwater system

(a) in violation of any policy or by-law made pursuant to this Act;

(b) without the approval of the engineer.

Building service connection

329 (1) An owner is responsible for the design, construction and maintenance of that part of a building service connection determined by the council *or village commission* by by-law, whether on privately-owned property or not.

(2) The construction of a building service connection is subject to the supervision of the engineer.

(3) A building service connection shall be of the size and at the grade, and with the mode of piercing or opening into the sewer, and generally be constructed in the manner and of the materials approved by the engineer.

(4) No building service connection shall be covered in until it is inspected and approved by the engineer.

(5) Where the owner, or an agent of the owner, covers in a building service connection before it is inspected and a certificate of approval issued, the engineer may open it for the purpose of inspection.

(6) The engineer may repair or replace a building service connection with the consent of the owner and at the expense of the owner.

Sewer connection abandoned

330 (1) When a sewer connection is abandoned, the owner shall effectively block up the connection at the sewer in a manner approved by the engineer.

(2) The blocking up shall be inspected and approved by the engineer before it is covered.

(3) Where the owner or the owner's agent covers in a blocked sewer connection before it is inspected and a certificate of approval issued, the engineer may open it for the purpose of inspection.

(4) Where the owner does not effectively block up a sewer connection within twenty-four hours from the receipt of a notice from the engineer to do so, the engineer may cause it to be done.

Repairs required

331 (1) Where a building service connection or special sewer connection is causing a municipal sewer to malfunction and repairs to the connection would result in the malfunction being cured, the engineer may require the owner of the property in which any portion of the connection which requires repairs is located to complete the repairs within a reasonable time specified by the engineer.

(2) Where the repairs required are not completed by the owner within the time specified, the engineer may cause the repairs to be completed.

Connection required to municipal sewer

332 (1) The engineer may give notice in writing to an owner of property that may be served by a sewer requiring that owner, within the time specified in the notice, to connect with the municipal sewer by a building service connection.

(2) The engineer may require an owner to repair,

reconstruct or replace a building service connection.

(3) If a building service connection is not laid, built and connected with the municipal sewer or any other work in connection with the building service connection is not done to the satisfaction of the engineer, the engineer shall, in writing, notify the owner of the property served or to be served by the building service connection to that effect, specifying in what particulars the work is unsatisfactory, and if the owner fails to perform the work to the satisfaction of the engineer within seven days from the receipt of the notice, the engineer may perform the necessary work.

Prohibition and power to make by-laws

333 (1) No person shall permit the discharge into wastewater facilities or a stormwater system of a municipality *or a village* or into wastewater facilities or a stormwater system or building service connection connecting with the wastewater facilities or stormwater system of a municipality *or a village* of

- (a) a liquid or vapour having a temperature higher than that specified by the council *or village commission*, by by-law;
- (b) inflammable or explosive matter;
- (c) a quantity of matter capable of obstructing the flow in, or interfering with, the proper operation of a part of the sewage works and treatment process;
- (d) sewage that has any corrosive property that could be hazardous to structures, equipment or personnel;
- (e) sewage of such quality that an offensive odour or foam could emanate from the wastewater facilities system or that could cause a nuisance;
- (f) sewage containing fish or animal offal or pathological or medical wastes;
- (g) the contents of septic tanks, holding tanks or wastes from marine vessels or vehicles or sludge from sewage

treatment plants;

(h) sewage containing animal fats, wax, grease or vegetable oil in liquid or solid form in concentrations exceeding those specified by the council *or village commission*, by by-law;

(i) sewage containing herbicides, pesticides, xenobiotics, polychlorinated biphenols or radioactive materials that are not approved for disposal in a sanitary sewer by the Atomic Energy Control Board of Canada;

(j) sewage in concentrations of suspended solids that exceed the limit specified by the council *or village commission* by by-law;

(k) sewage that exerts or causes biological oxygen demand and chemical oxygen demand greater than amounts specified by the council *or village commission*, by by-law, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment facilities;

(l) sewage that contains toxic substances at the point of discharge to the municipal sewer in excess of the concentrations specified by the council *or village commission*, by by-law;

(m) sewage containing substances for which special treatment or disposal practices are required by any applicable enactments of Canada or the Province,

and compliance with any limit is not attainable simply by dilution.

(2) The council *or village commission* may, by by-law

(a) prohibit the discharge of named substances into any building service connection, wastewater facilities or stormwater system;

(b) prescribe conditions under which the discharge of contaminants set out in this Section or in a by-law may be

permitted, and shall in the by-law set out the contaminant the discharge of which is permitted, and the requirements of any agreements with respect to it;

(c) prescribe methods of testing and measurement to ensure compliance with this Part and any by-law.

(3) A treatment or flow quantity control equalizing facility installed pursuant to a by-law or an agreement made pursuant to this Section shall be maintained by the owner of the property on which it is installed at the expense of the owner.

Requirement for interceptors

334 (1) The engineer may require an owner of land that is connected to wastewater facilities or a stormwater system of the municipality *or the village* to provide grease, oil and sand interceptors.

(2) All interceptors shall be of a type and capacity approved by the engineer and shall be located so as to be readily and easily accessible for cleaning and inspection.

(3) Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature and shall be of substantial construction, watertight and equipped with easily removable covers which when bolted in place are gastight and watertight.

(4) Where the interceptors required are not provided by the owner within the time referred to in the notice, the engineer may cause the interceptors to be provided.

Control service access

335 (1) The engineer may require the owner of an industrial, commercial or institutional property served by a building service connection to install a suitable control service access in the building service connection to facilitate observation, sampling and measurement of the wastes.

(2) The control service access shall be located and constructed in accordance with plans approved by the engineer.

(3) The control service access shall be installed by the owner at the owner's expense and shall be maintained by the owner so as to be safe and accessible at all times.

(4) Where the control service access required is not provided by the owner within the time required by the engineer, the engineer may cause the control service access to be installed.

By-law regarding private systems

336 A municipality may, by by-law, require owners of private on-site sewage disposal systems to have the systems pumped, emptied, cleaned, checked and maintained in accordance with the standards set out in the by-law.

Requirement to connect to municipal sewer

337 (1) Where a municipal sewer becomes available to a property served by a private on-site sewage disposal system, the engineer may require the owner of the property to connect the property to the municipal sewer.

(2) Upon receipt of a notice from the engineer requiring a connection, the owner shall, within the time specified in the notice, cause the property to be connected to the municipal sewer by a building service connection.

(3) ~~The~~ *If required by the engineer, the* owner shall cause any septic tank, cesspool, privy or private on-site sewage disposal system on the property to be abandoned and removed or filled with suitable material in a manner acceptable to the engineer.

(4) Where the owner of a property is notified by an official of the municipality *or the village* or an official of the Province, pursuant to a by-law or an enactment, to remove or close up a cesspit, septic tank, privy or private on-site sewage disposal system on the property, and the owner fails to comply with the notice, or where the owner of a property fails to comply with a notice requiring the construction of a building service connection in accordance with this Act, the engineer may cause to be done all work necessary for compliance with the notice.

(5) The engineer may require, as a part of the work necessary for compliance, the installation of a suitable water closet and its connection with a municipal sewer.

Prohibition

338 No person shall

(a) permit stormwater, surface water, ground water, roof runoff, subsurface drainage, cooling water or industrial process waters to be discharged into a sanitary sewer;

(b) connect a sump pump to a sanitary sewer;

(c) discharge sewage anywhere except into a municipal sewer, private on-site sewage system or central sewage collection and treatment system;

(d) permit any contents of a septic tank or cesspit to be discharged into a municipal sewer or watercourse.

Private wastewater facilities requirements

339 (1) A person who owns, maintains or operates private wastewater facilities or who owns or occupies land on or under which there is private wastewater facilities shall maintain and operate the system in such a manner that

(a) a danger to the public health is not created by the system;

(b) sewage or effluent from the system does not appear on the surface of the ground, or in any ditch, excavation or building basement;

(c) sewage or effluent from the system does not appear in any well or in any body of water from which water is used for drinking purposes;

(d) sewage or effluent from the system does not leak from any part of the system; and

(e) offensive odours are not emitted from the system.

(2) Where a person who owns, maintains or operates private wastewater facilities or who owns or occupies land on or under which there is private wastewater facilities fails or neglects to maintain or operate the system in the manner prescribed, the engineer may cause to be served upon that person a notice requiring that the failure or neglect be corrected in the manner set out in the notice within seven days from the service of the notice.

(3) Where the failure or neglect is not corrected in accordance with the terms of the notice and within the time prescribed in the notice, the engineer may cause to be done all work necessary for compliance with the notice.

Requirement to connect to municipal sewer

340 (1) Where a municipal sewer becomes available to a property served by private wastewater facilities, the engineer may require the owner of the property to connect the property to the municipal sewer.

(2) Upon receipt of a notice from the engineer requiring a connection, the owner shall, within the time specified in the notice, cause the property to be connected to the municipal sewer by a building service connection.

(3) The owner shall cause any private wastewater facilities or any portion of it on the property to be abandoned and removed or filled with suitable material.

(4) Where the owner of a property fails to comply with a notice of the engineer pursuant to this Section, the engineer may cause to be done all work necessary for compliance with the notice.

Abandonment of private wastewater facilities

341 (1) When a municipal sewer becomes available to all the properties served by private wastewater facilities, the person who owns, maintains or operates the private wastewater facilities shall cause it to be

abandoned and removed or filled with suitable material.

(2) Where the person who owns, operates or maintains the private wastewater facilities fails to comply with subsection (1), the engineer may cause to be done all work necessary for compliance.

By-law for wastewater management districts

342 (1) A council may, by by-law, establish wastewater management districts.

(2) A by-law establishing a wastewater management district shall include

(a) the boundaries of the wastewater management district;

(b) the system of wastewater management to be used in the district; and

(c) the extent to which the municipality is responsible for the repair, upgrading or replacement of private and municipal sewer systems.

(3) Where the council has established a wastewater management district, the municipality, its servants and agents may enter on any property within the wastewater management district to repair, upgrade or replace a public or private wastewater system and may, in accordance with the by-law, charge any or all of the costs to the owners of the property served by the system.

By-law regarding stormwater

343 (1) A council may make by-laws,

(a) setting standards and requirements respecting stormwater management;

(b) requiring stormwater to be directed to or retained in areas specified in the by-laws;

(c) setting standards and requirements respecting the design, construction and installation of stormwater systems and related services and utilities;

(d) providing further criteria for the approval of stormwater systems that do not meet the standards and requirements set by by-law, but that are an improvement over an existing stormwater system;

(e) regulating the use and maintenance of municipal and private stormwater systems;

(f) providing for the protection of municipal and private stormwater systems;

(g) prescribing when connection of stormwater systems to a municipal stormwater system is required;

(h) providing for exemptions from the requirement to connect stormwater systems to a municipal stormwater system;

(i) prescribing the circumstances under which the engineer may undertake the work required to connect stormwater systems to a municipal stormwater system;

(j) regulating and setting standards for drainage;

(k) regulating and setting standards for grading, describing when the standards and requirements shall be met, and exempting those classes of lots described in the by-law;

(l) prohibiting the issuance of any municipal permits or approvals where a by-law pursuant to this Part is not complied with and prescribing conditions under which, in such cases, the issuance of permits or approvals may be allowed, and any conditions that may be attached to them;

(m) regulating and setting standards with respect to the alteration, diversion, blocking or infilling of stormwater systems.

(2) The engineer may direct a person to comply with a by-law made pursuant to this Section and may direct restoration to the original condition if any work is done contrary to the by-law.

(3) Where the engineer undertakes the work required to connect stormwater systems to a municipal stormwater system pursuant to a by-law, the cost may be recovered from the owner of land which the stormwater system benefits and is a first lien on that land.