

**CORPORATION OF THE CITY OF NEW WESTMINSTER**



**SEWERAGE AND DRAINAGE REGULATION BYLAW NO. 7746, 2015**

EFFECTIVE DATE: March 30, 2016

CONSOLIDATED FOR CONVENIENCE ONLY  
(September 16, 2016)

This is a consolidation of the bylaws listed below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

AMENDMENT BYLAW  
7863, 2016

EFFECTIVE DATE  
Sept. 12, 2016

The bylaw numbers highlighted in this consolidation refer to the bylaws that amended the principal Bylaw No. . The number of any amending bylaw that has been repealed is not referred to in this consolidation.

Obtainable from the City Clerk's Office

**CORPORATION OF THE CITY OF NEW WESTMINSTER**



**Sewerage and Drainage Regulation**

**Bylaw No. 7746, 2015**

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## Sewerage and Drainage Regulation

### Bylaw No. 7746, 2015

WHEREAS Section 8 of the *Community Charter* authorizes Council to provide any service that the Council considers necessary or desirable;

AND WHEREAS Council has established and hereby wishes to confirm its establishment of the municipal service of disposal of *Sewerage and Drainage*;

AND WHEREAS Section 8 of the *Community Charter* authorizes Council to regulate, prohibit and impose requirements in relation to municipal services;

AND WHEREAS by this Bylaw Council wishes to regulate, prohibit and impose requirements in relation to the municipal service of disposal of *Sewerage and Drainage*;

NOW THEREFORE the Council of the Corporation of the City of New Westminster, in open meeting assembled, enacts as follows:

#### Title

1. This Bylaw may be cited as the "Sewerage and Drainage Regulation Bylaw No. 7746, 2015."

### PART 1 – DEFINITIONS

#### Definitions

2. In this Bylaw, unless the context otherwise requires:

*"Combined Sewerage"* means a mix of *Domestic Sewerage & Drainage*;

*"Director of Engineering"* means the Director of Engineering Services of the City and shall include his or her duly appointed assistants or representatives;

*"Domestic Sewerage"* means:

- (a) human excreta, and
- (b) waterborne *Waste* from the preparation and consumption of food and drink, dishwashing, bathing, showering, and general household cleaning and laundry;

*"Drainage"* means runoff or water otherwise resulting from rainfall, snowfall, and snowmelt;

*"Drainage Service Connection"* means the pipe extending from the property line to the *Municipal Drainage System*;

*"Engineering Fees and Rates Bylaw"* means the Engineering Fees and Rates Bylaw No. 7553, 2013 as amended from time to time;

*"Fixture"* means a sink, shower, tub, toilet, receptacle, appliance, apparatus or other device that discharges *Sewerage, Drainage* or clear-water *Waste* and includes *Floor Drains* and *Drainage* catchbasins;

*"Floor Drain"* means a *Fixture* used to receive water from the floor of a building;

*"Garbage"* means solid *Waste*;

*"Grease"* means an organic substance recoverable by procedures set forth in *Standard Methods* and includes but is not limited to hydrocarbons, esters, fats, oils, waxes and high molecular carboxylic acids;

*"Inspector"* means the person appointed as City Building Inspector by the City Council and includes Deputies to the City Building Inspector and any other employee of the City authorized to carry out inspections for the purposes set out in this Bylaw;

*"Interceptor"* means a plumbing device designed to intercept most oil, grease and grit before they enter the *Municipal Works*;

*"Municipal Drainage System"* means the system operated and maintained by the City for the purpose of transporting, disposing, treating, using or discharging *Drainage*, and includes the *Municipal Drainage Works*;

*"Municipal Drainage Works"* means the mains, storm sewers, *Service Connections*, ditches, culverts and *Drainage* pump stations and other works used for the *Municipal Drainage System*;

*"Municipal Sewerage System"* means the system operated and maintained by the City for the purpose of transporting *Sewerage* to a treatment facility, and includes the *Municipal Sewerage Works*;

*"Municipal Sewerage Works"* means the mains, sewers, *Service Connections* and other works used for the *Municipal Sewerage System*;

*"Municipal Works"* means the *Municipal Sewerage Works* and the *Municipal Drainage Works*;

*"Municipal System"* means the *Municipal Drainage System* and/or the *Municipal Sewerage System*;

*"Non-Domestic Waste"* means all *Sewerage* except *Domestic Sewerage, Combined Sewerage, Drainage, Uncontaminated Water, and Septic Tank Waste*;

*"Occupancy"* means the use or intended use of a building or part of it for the shelter or support of persons, animals or property;

*“Owner”* means the registered owner of real property;

*“Plumbing System”* means an assembly of pipes, fittings, *Fixtures, Traps* and appurtenances that is used to convey *Sewerage*, clear-water *Waste* or *Drainage* from a building or property to a *Municipal Sewerage System* or a *Municipal Drainage System*;

*“Private Sewerage Works”* means the pipe and other works for the disposal of *Sewerage* extending from the building or structure on the property to the *Sewerage Service Connection*;

*“Private Drainage Works”* means the pipe and other works for the disposal of *Drainage* extending from the building or structure on the property to the *Drainage Service Connection*;

*“Private Works”* means the *Private Sewerage Works* and *Private Drainage Works*;

*“Professional Engineer”* means a person who is registered or licensed to practice as a Professional Engineer under the Engineers and Geoscientists Act;

*“Prohibited Waste”* is listed in Schedule “B”;

*“Restricted Waste”* is listed in Schedule “C”;

*“Separated System Area”* means an area of the City in which the *Municipal Drainage Works* are separated in the street from the *Municipal Sewerage Works*;

*“Service Connection”* means either a *Sewerage Service Connection* or a *Drainage Service Connection*;

*“Sewerage”* means *Domestic Sewerage, Combined Sewerage* and *Waste* from Commercial, Industrial, Institutional and other sources;

*“Sewerage Service Connection”* means the pipe extending from the property line to the *Municipal Sewerage System*;

*“Standard Methods”* means in accordance with the latest edition from time to time of “Standard Methods for the Examination of Water and Wastewater”, jointly prepared and published by the American Public Health Association, American Water Works Association and the Water Environment Federation or any successors thereto;

*“Suspended Solids”* means insoluble matter which either floats on the surface or is suspended in *Sewerage* and that is separable by the appropriate procedure described in *Standard Methods*;

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*“Temporary Sump”* means an approved containment system or pit which receives liquid *Waste* and which is located below the normal grade of the gravity system and which must be emptied by mechanical means”;



"Trap" means a fitting or device that is designed to hold a liquid seal that will prevent the passage of gas but will not materially affect the flow of a liquid;

"Trucked Waste" is waste that due to the level of contamination or health/environmental risk it poses, cannot be legally be disposed of down the *Municipal Sewerage Works*;

"Waste" means any substance, whether gaseous, liquid or solid, that is discharged or discarded, directly or indirectly, to a Sewer or Sewage Facility;

"Watercourse" means a stream, creek, ditch or other natural or man-made surface feature in which *Drainage* flows and which is part of the *Municipal Drainage System*.

## **PART 2 – SCOPE OF THE MUNICIPAL SYSTEM**

### Confirmation of Municipal Services

3. Council hereby confirms the establishment of the municipal services of *Sewerage* disposal and *Drainage* discharge.

### Role of the Director of Engineering

4. The *Director of Engineering* is authorized to control, supervise and administer the *Municipal System*.

### Application

5. The regulations and prohibitions in this Bylaw do not apply to City employees or contractors acting under the direction of or with the permission of the *Director of Engineering*, or to members of the Fire Department acting in the course of their powers and duties.

### No Obligation to Provide Service if Insufficient Capacity

6. Nothing in this Bylaw shall obligate the City to provide services to any property or person when, in the opinion of Council, the capacity of the *Municipal System* is insufficient to provide the service.

### City Not Liable for the Failure of the Municipal System

7. The City shall not be liable for the failure of the *Municipal Sewerage System* or the *Municipal Drainage System* in consequence of any accident or damage to either or both of those systems, or the breakdown or malfunction of either or both of those systems, or the connection to the *Municipal System*, or any temporary stoppage from blockages, alterations or repairs, whether the failure arises from the negligence of any person in the employ of the City or any other person or through natural deterioration or obsolescence of the *Municipal Sewerage System* or *Municipal Drainage System*, or otherwise.

### No Guarantee of Service – City Alterations – No Liability

8. The City does not guarantee service. The City reserves the right at any and all times, without notice, to change operating conditions of the *Municipal Sewerage System* and/or the *Municipal Drainage System*, for the purposes of making repairs, extensions, alterations or improvements, or for any other reason. Neither the City, its officers, employees nor agents shall incur any liability of any kind whatever by reason of the cessation in whole or in part of the *Municipal Sewerage System* and/or the *Municipal Drainage System* or changes in operating conditions.

### Owners to Provide Their Own Back-Up Facilities

9. Owners or other persons depending on continuous and uninterrupted disposal of *Sewerage* and/or *Drainage* shall provide on the property and at their cost, such necessary equipment and facilities suitable to their requirements.

### Construction of Private Works

10. Every owner of property who constructs *Private Sewerage Works* or *Private Drainage Works* shall ensure that they are constructed to receive all *Sewerage* and all *Drainage*, respectively, emanating from all buildings and structures on the property.

### Construction and Maintenance of Private Works

11. Every owner shall construct, operate, repair, maintain and replace the *Private Sewerage Works* and *Private Drainage Works* on the owner's property in strict compliance with all applicable bylaws, laws, regulations, codes and orders, including this Bylaw.

### Standard of Private Maintenance

12. Every owner shall maintain the *Private Sewerage Works* and *Private Drainage Works* on the owner's property in proper working condition and in such way that there is no leakage of *Sewerage* or *Drainage* and no infiltration of any groundwater into the *Private Works*.

### Mandatory Use of Municipal System

13. Every owner shall ensure that:
  - (a) all *Sewerage* originating from any building located on such property owner's property is connected to and discharged into the *Municipal Sewerage System*, when such a system is available to the property;
  - (b) all *Drainage* originating from such owner's property is contained entirely on that property and connected to and discharged into the *Municipal Drainage System*, when such a system is available to the property.

### Holding Tanks

14. Holding tanks are not allowed on any property within the area of the City that has been designated as the Metro Vancouver's Regional Growth Strategy - Urban Containment Area, and the City will not permit a *Service Connection* to a property that contains a holding tank and owners must remove all such holding tanks.

#### City Construction of Private Works and Removal of Holding Tanks

15. Where:
  - (a) an owner fails to construct *Private Works* on the owner's property and connect to the *Municipal System* as required by Section 13 of this bylaw; or
  - (b) an owner fails to remove a holding tank from his property as required by Section 14 of this bylaw,the City may enter on the owner's property and fulfill the requirement at the expense of the owner and recover the costs incurred from that person as a debt and where the costs are not paid within 30 days may recover those costs as Special Fees pursuant to Division 14 of Part 7 of the Community Charter.

### **PART 3 - SERVICE CONNECTIONS**

#### Permit Required for Connection of Private Works to the Municipal System

16. No person shall connect any *Private Sewerage Works* or *Private Drainage Works* with any *Sewerage Service Connection* or *Drainage Service Connection* without first obtaining a permit to do so from the *Director of Engineering* and paying the applicable connection fee established in the *Engineering Fees and Rates Bylaw*.

#### Authorized Agents

17. The owner may, in writing, consent to an application for a *Service Connection* being made on the owner's behalf by the owner's authorized agent, and in that case all directions, orders and other communications made by the *Director of Engineering* to the authorized agent are deemed to have been made to the owner.

#### Issuance of Permit

18. Upon an owner satisfying all the conditions of this Bylaw for the issuance of a permit, the *Director of Engineering* will issue a *Service Connection* permit to the owner.

## Requirement for New and Separate Service Connections

19. Where:

- (a) a new building is constructed, or
- (b) an existing building is renovated and the estimated construction value:
  - (i) exceeds the current assessed value of the improvements on the subject property as set by the BC Assessment Authority;
  - (ii) is more than \$100,000 in total; or
  - (iii) is greater than \$100,000 spread over a 5 year periodand the work involves:
  - (i) site excavation work;
  - (ii) enlargement of the *Plumbing System* by adding two or more *Fixtures*; or
  - (iii) an increase in the number of bedrooms

the requirements of Section 20 shall apply.

20. Where Section 19 applies:

- (a) and there is no *Service Connection* or the *Service Connection* is 40 years old or older, the owner shall install a new *Sewerage Service Connection*, and where the property is located in a *Separated System Area* a separate *Drainage Service Connection*;
- (b) the owner shall replace existing *Private Works* with separate *Private Sewerage Works* and *Private Drainage Works* whether or not the property is in a *Separated System Area* and whether or not new and/or separate *Service Connections* are required;
- (c) and the *Service Connection* is less than 40 years old, the owner must provide a video inspection of the *Service Connection* for review by the City and where, in the opinion of *Director of Engineering*, there is excessive damage to the *Service Connection*:
  - (i) the owner shall repair or replace the *Service Connection*; and
  - (ii) if the *Service Connection* is replaced, it must be replaced by a new *Sewerage Service Connection*, and where the property is located in a *Separated System Area* a separate *Drainage Service Connection*.
- (d) the owner shall:

- (i) replace all no-corrode, asbestos, cement or clay *Service Connections* of any age or condition; and
- (ii) install inspection chambers at the property line.

#### Separate Service Connection Required for Each Property

- 21. Subject to Section 22, each separate parcel of land requires its own *Service Connection* to the *Municipal System*.
- 22. The requirement of Section 21 shall not apply to strata lots, air space parcels and the remainder parcels from which they are subdivided if all such parcels are or will be developed with a *Plumbing System* which is the subject of registered reciprocal easements, satisfactory to the *Director of Engineering*, by which all owners have access to all parts of the *Plumbing System* for inspection, maintenance, repair and replacement.

#### Additional Service Connections

- 23. Where there is an existing *Service Connection* to any property and:
  - (a) the owner applies to the City for an additional *Service Connection* of the same type; or
  - (b) the owner requires more than one connection to the *Municipal System*

the owner shall, subject to the approval of the *Director of Engineering*, deposit with the City a sum equal to the estimated cost of providing such service and should there be a difference between the actual cost of providing such service and the estimated cost, such difference shall be the responsibility of the owner.

#### Location of Service Connection

- 24. When an owner applies for a permit to connect any *Private Sewerage Works* or *Private Drainage Works* with the *Municipal System*, the owner must provide an engineering topographical survey plan of the property, after which the *Director of Engineering* will determine:
  - (a) to which main sewer the *Private Works* shall be connected;
  - (b) the location and depth of the *Private Works*; and
  - (c) the lowest elevation that a plumbing *Fixture* can be installed such that the flood level rim of the plumbing *Fixture* (the top edge at which water can overflow) is not below the restricted elevation unless the plumbing *Fixture* is pumped.

#### Lowering or Discontinuance of Service Connection

- 25. Where, in order to meet the requirements of any owner applying for connection to the

*Municipal System*, it is necessary for the *Director of Engineering* to lower or discontinue an existing *Service Connection*, the owner shall pay to the City the City's actual cost of lowering the connection or capping off the existing connection and replacing it, based on the cost of materials, staff time, overhead and administration fee.

#### Municipal Sewer on Private Property

26. Where any part of the *Municipal System* is located in or on privately-owned property, or in respect of which the City holds an easement, right of way, or statutory right of way on privately-owned property, no person shall connect to or disturb any part of the *Municipal System* except by permission and under the direction of the *Director of Engineering*.

#### Low Pressure Systems

27. Where the *Sewerage* and/or *Drainage* generated on a property cannot be drained to the *Municipal System* by gravity, or in the event that the municipal sewer on the street is operating or, in the opinion of the *Director of Engineering*, may need in the future to operate under hydraulic head, the owner of the property may be granted a *Service Connection* only if:
- (a) the owner installs on the owner's property a sewage pump unit and the associated force main, designed by a *Professional Engineer* and installed in accordance with the engineered design, to pump the *Waste* to the *Municipal System*; and
  - (b) the owner registers against the title to the owner's land in favour of the City, in priority to all financial charges, a *Land Title Act*, Section 219 covenant, in a form acceptable to the City, promising:
    - (i) to operate, repair, maintain, and otherwise be fully responsible for the sewage pump unit and the associated force main and including the controls and all auxiliary components;
    - (ii) not to change the pumping characteristics of the pumping system unless otherwise approved by the *Director of Engineering*; and
    - (iii) when necessary, to replace the pumps, force main and controls including installing a balancing tank to meet changing operating conditions of the low pressure system in the area, which replacement work must be designed by a *Professional Engineer* and the owner must submit the record of replacement to the City.

### On-Site Drainage Facility Requirements

28. Where an on-site *Drainage* management facility has been installed the owner must ensure that the facility is:
- (a) accessible;
  - (b) maintained in good condition; and
  - (c) functioning as designed.

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#### **PART 4 – OIL, GREASE AND GRIT INTERCEPTORS**

##### Requirement for Sewerage Interceptors

29. Oil and grease *Interceptors* shall be provided by the owner, at the owner's expense, on the *Private Sewerage Works* of food sector establishments, automobile service stations and vehicle and equipment washing establishments. *Interceptors* will be required for other types of businesses, when in the opinion of the *Director of Engineering* they are necessary for the proper handling of *Sewerage* containing grease or suspended solids.

##### Requirement for Drainage Interceptors

30. Oil and grit *Interceptors* shall be provided by the owner, at the owner's expense, on the *Private Drainage Works* of industrial, commercial and multi-family sites. *Interceptors* will be required for other types of properties, when in the opinion of the *Director of Engineering* they are necessary for the proper handling of *Drainage* containing oil, grit or suspended materials.

##### Type of Interceptors

31. *Interceptors* installed pursuant to Section 29 and 30 shall be:
- (a) approved by the *Director of Engineering*; and
  - (b) located so as to be readily and easily accessible for cleaning and inspection.

## Maintenance of Interceptors

32. An owner shall:
- (a) maintain *Interceptors* installed pursuant to Section 29 and 30 in good working order and according to the manufacturer's recommendations; and
  - (b) Inspect the *Interceptors* regularly to ensure:
    - (i) The *Interceptors* performance is maintained to the manufacturer's specifications for performance and
    - (ii) That the surface oil and grease or grit levels do not exceed the recommended level.
33. The owner or operator of the premises for which an *Interceptor* is required under Sections 29 and 30 shall keep the records of maintenance for:
- (a) *Interceptors* clean-out; and
  - (b) Oil, grease and grit disposal
- on the premises for two years and shall provide those records to the *Inspector* or the *Director of Engineering* upon request.
34. No person shall:
- (a) discharge emulsifiers to the sewer system through *Interceptors*; or
  - (b) use enzymes, bacteria, solvents, hot water or other agents to facilitate the passage of oil and grease through an *Interceptors*.
35. Where the owner or operator of the property or establishment or to which Sections 29 and 30 applies fails to comply with Sections 33 and 34 of this bylaw the *Director of Engineering* may:
- (a) order the owner or operator of the property or establishment to comply within 10 days; and
  - (b) if the owner or operator fails to comply with the order, the *Director of Engineering* may retain the services of a contractor to carry out the examination and cleaning of the grease *Interceptors* at the cost of the owner or operator of a food sector establishment.
36. For the purposes of Section 16(2) of the *Community Charter*, the contractor retained by the *Director of Engineering* to carry out the examination and cleaning of the grease *Interceptors* pursuant to Section 35 of this bylaw is authorized to enter the property on which the subject food sector establishment is located carry out that work.



## PART 5 - BLOCKAGES

### Removal of Blockages from Private Works

37. The owner shall be solely responsible, at the owner's sole cost, to remove any blockages in the *Private Works* which are attributable to the discharge of *Sewerage* and/or *Drainage* from the owner's property.

### Failure of Private Works

38. The owner is responsible for all failures in the *Private Sewerage Works* or *Private Drainage Works* on the owner's property.

### Owner to Do First Investigation

39. If *Private Works*, which are not part of a low pressure system, become stopped or otherwise fail to function, the owner must:
- (a) first arrange for a plumber to rectify the stopped service; and
  - (b) notify the *Director of Engineering* only where a plumber cannot rectify the stopped service.

### No Inspection Chamber - owner to Pay Costs to Clear All Blockages

40. Where there is no inspection chamber installed on the *Service Connection* at the property line or the inspection chamber cannot be located, the owner shall be responsible for all costs associated with clearing a blockage up to the municipal main including:
- (a) the removal of the blockage;
  - (b) repair to the *Municipal Works*; and
  - (c) reinstatement of the area where the work was undertaken to its previous state

except where the work is associated with *Municipal Works* in a failed structural state or which has been damaged by tree roots in which case the owner shall be responsible for all costs associated with clearing a blockage only in the *Private Works*.

### Inspection Chamber – owner to Pay Costs to Clear Blockage in Private System

41. Where there is an inspection chamber installed on the *Service Connection* at the property line, and the blockage is found to be located in the *Private Works*, the owner shall be responsible for all costs to remove the blockage and repair the service.

### Blockages in Low Pressure Systems

42. Where any *Municipal Works, Service Connection, or Private Sewerage Works or Private Drainage Works* is part of a low pressure system, and there is a blockage in any part of the system, the owner shall remove the blockage at the owner's cost regardless of the location and if the blockage is within any part of the dedicated road right of way, the owner must first obtain a City Street Occupancy permit.

### Owner Payment of Costs to City

43. Where the owner is required to pay costs to the City to clear blockages, the owner shall pay, upon receipt of an invoice, all costs incurred by the City and where costs incurred for work done or services provided in relation to the owner's land or improvements remain unpaid, those amounts shall be added to the owner's taxes.

## **PART 6 - WATERCOURSE CROSSINGS**

### No Obstructions of Ditches

44. Except as permitted under Section 45 by the *Director of Engineering*, no person shall:
- (a) construct a *Watercourse* crossing;
  - (b) obstruct;
  - (c) or permit the continued obstruction
- of the flow of water in a part of a *Watercourse* abutting the owner's property.

### Permitted Watercourse Crossings

45. An owner may construct or permit the continued existence of a crossing over any part of a *Watercourse* abutting his or her property, if the crossing:
- (a) is for the sole purpose of providing reasonable access to the owner's property;
  - (b) complies with the standard with requirement for allowable access and;
  - (c) does not obstruct the flow of water in the *Watercourse*.

### Removal at Cost of owner

46. Where a person contravenes Section 45 of this Bylaw, the City may remove:
- (a) the *Watercourse* crossing; or
  - (b) obstruction
- at the cost of that person.

## PART 7 - STANDARDS FOR SEWERAGE DISCHARGES

### Septic Tank Waste

47. No person may deposit or permit the deposit of waste or any other material in a septic tank to enter the *Municipal System*.

### Non-Domestic Waste

48. No person shall discharge or allow or cause to be discharged into the *Municipal System* any *Non-Domestic Waste* unless:
- (a) that person has a current valid Waste Discharge Permit in writing from the Greater Vancouver Sewerage and Drainage District; and
  - (b) the *Restricted Waste* is discharged strictly in accordance with the terms and conditions of the permit.

### Trucked Waste

49. No person shall dispose or allow or cause to be disposed into the *Municipal System* any *Trucked Waste* unless:
- (a) that person has a current valid permit in writing from the Greater Vancouver Sewerage and Drainage District; and
  - (b) the *Trucked Waste* is disposed at a designated disposal facility.

### Prohibited Discharge

50. No person may discharge or allow or cause to be discharged into the *Municipal Sewerage System* any:
- (a) *Prohibited Waste* as listed in Schedule "B";
  - (b) water or any other substance for the purpose of diluting any *Non-Domestic Waste* in order to have it meet the standards of this Bylaw;
  - (c) any *Sewerage* with particles larger than 0.5 cm in any dimension;
  - (d) any *Sewerage* having a suspended solids content of more than 600 milligrams per litre;
  - (e) any *Garbage*; or
  - (f) any water or *Waste* which contains grease, whether or not emulsified, at a concentration in excess of 150 milligrams per litre or which contains more than 15 milligrams per litre of substances derived from petroleum sources.

### Restricted Discharge

51. No person may discharge or allow or cause to be discharged into the *Municipal Sewerage System* any *Restricted Waste* as listed in Schedule "C".

## **PART 8 - STANDARDS FOR DRAINAGE DISCHARGES**

### Prohibited Discharge

52. No person may discharge or allow or cause to be discharged into any *Drainage* system, ditch, creek, stream, *Watercourse*, lake, bay, river, or ocean any:
- (a) *Prohibited Waste* as listed in Schedule "B";
  - (b) prohibited or hazardous waste as defined in the Environmental Management Act;
  - (c) sediment or sediment-laden water having a total suspended solids content of more than 75 milligrams per litre;
  - (d) anything in a concentration or quantity which may be or may become a health or safety hazard to personnel operating or maintaining the *Drainage* system or which may cause damage or interfere with the proper operation or capacity of the *Drainage* system or which may injure or is capable of injuring any property, or health of any person or any life form; and
  - (e) anything which contravenes the Fisheries Act of Canada.

### Restricted Discharge

53. No person, unless prior authorization in writing from the *Director of Engineering* has been granted, shall discharge or allow or cause to be discharged into the *Municipal Drainage System* any:
- (a) *Restricted Waste* as listed in Schedule "C";
  - (b) processed water from groundwater remediation;
  - (c) cooling waste water or which has had additives harmful to the receiving environment;
  - (d) industrial cooling water which may be polluted with insoluble oils, grease, or insoluble suspended solids; or
  - (e) swimming pool and/or hot-tub water.

## PART 9 - ACCIDENTAL DISCHARGE/ SPILL REPORTING

### Notification of Accidents

54. Owners and all other persons shall notify the City immediately of any accidental discharges or any other discharges or highway spills of the types of *Waste* that are restricted or prohibited under this Bylaw.

### Owner Action

55. In the case of an incident under Section 54, the owner of the property must take immediate action to provide appropriate countermeasures to stop the discharge and contain the spill.

### City Action

56. Where the owner does not take immediate action under Section 55, the City may take appropriate action, including on the owner's property, to minimize damage to the *Municipal System* and/or surrounding properties.

### City Costs

57. All costs incurred by the City under Section 56 shall be paid by the owner of the property from which the spill originated and other persons instigating or contributing to the discharge or spill.

### Follow-up Information to City

58. Within five (5) calendar days of providing the notification required by Section 54, the:
- (a) owner; or
  - (b) person responsible for the spill or discharge

shall provide a detailed written statement to the *Director of Engineering* providing the location, time and date of occurrence, setting out the cause of the spill or discharge, identifying the type of chemical or substance that was spilled or discharged, the volume of the spill or discharge, the countermeasures taken to control the spill or discharge and address any damage the spill or discharge may have caused and detailing the measures being taken to prevent its future occurrence.

### Liability

59. The notifications under Sections 54 and 58 will not relieve the owner or other responsible person of liability for any consequential expense, loss or damage to the *Municipal System* or for any fines and/or penalties imposed by the City or other level of government.

## **BYLAW NO. 7863, 2016**

## PART 10 – CONSTRUCTION WORKS

### BYLAW NO. 7863, 2016

#### Use of Municipal System for Temporary Drainage

60. When an owner is constructing a new building or undertaking building operations or relaying the Private Works, the owner shall not use any Service Connection or any part of the Municipal System for Drainage or discharge purposes unless a Temporary Sump, to catch sediment, and strainers to catch suspended solids have been installed to the satisfaction of the Inspector or the Director of Engineering.

### BYLAW NO. 7863, 2016

#### Concrete and Cement Works

61. No person may permit the discharge or washing of cement, concrete or any deleterious substance during construction including buildings, driveways, patios, walls, other surfaces, or from concrete vehicles or concrete equipment, to the Municipal System, ditch, creek, stream, Watercourse, lake, bay, river, or ocean.

## PART 11 – INSPECTIONS

62. The *Inspector* is hereby authorized to enter onto and into any property or building at any reasonable time in order to ascertain whether there is compliance with this Bylaw.

#### No Hindrance of Inspection

63. No person shall hinder or prevent the *Inspector* from entering and making reasonable inspection of any property or building.

#### No Obstructions to Inspection

64. No person shall place or permit an obstruction, including fencing, *Garbage*, landscaping, other materials or things, which hinders or prevents the inspection of any property, building or on-site works, including any maintenance hole, ditch, *Watercourse*, inspection chamber, or other *Fixture*.

#### Removal of Obstructions

65. The *Director of Engineering* may order the owner to remove an obstruction at the expense of the owner.

#### Monitoring

66. The *Director of Engineering* may require that an owner of property from which any material or substance prohibited or restricted by this Bylaw is being discharged into the *Municipal System* to undertake, at that person's expense:

- (a) the installation of a control maintenance hole;
- (b) the measurement, sampling and analysis of the material or substance discharged and provide the data to the City.

#### Standard Methods

67. All measuring, sampling and analysis required by the *Director of Engineering* must be carried out in accordance with methods and procedures specified in *Standard Methods*, unless otherwise authorized by the *Director of Engineering*.

#### Sample Analysis

68. Samples which have been collected must be analyzed by a qualified, independent agency, unless other prior arrangements have been authorized in writing by the *Director of Engineering*.

#### Access Point

69. For the purposes of the provision of control maintenance hole to comply with Section 66, the *Director of Engineering* may accept the point of discharge into the *Municipal System* as an alternative for the purposes of measuring, observing or sampling the prohibited material or substance.

### **PART 11 – FEES FOR USE OF MUNICIPAL SYSTEM**

#### Payment of Fees

70. The owner of a property receiving the benefit of the municipal service shall:
- (a) pay the fee for the service in accordance with the *Engineering Fees and Rates Bylaw*; and
  - (b) shall advise the City where the use or *Occupancy* of the property changes, having reference to the classification of user set out in the *Sewerage System User Fees and Rates in Engineering Fees and Rates Bylaw*.

### **PART 12 – OFFENCES, PENALTIES, DISCONNECTION**

#### Notice of Bylaw Infraction

71. The *Director of Engineering* may issue a written notice to an owner that the owner is in contravention of this Bylaw and direct the owner to comply.

#### No False Information

72. No person shall:
- (a) provide to the City false information; or

- (b) make inaccurate or untrue statements.

#### No Tampering

73. No person shall maliciously, willfully or negligently:
- (a) break, damage, destroy, uncover, deface, mar, or tamper with any *Service Connection* or any part of the *Municipal System*;
  - (b) in any way operate, remove, or make any alteration to any part of the *Municipal System*; or
  - (c) uncover or place fill over any part of the *Municipal System*.

#### Discontinuance of Service

74. Subject to Section 75, the *Director of Engineering* may disconnect any property from the *Municipal System* through disconnection of the water service in response to:
- (a) a contravention of any of the provisions of this Bylaw; or
  - (b) for non-payment of fees or other charges when due;
- if the owner of the property fails to remedy the contravention or non-payment after receiving 30 days written notice from the *Director of Engineering*.

#### Emergency Disconnections

75. Nothing in Section 74 or Section 76 prevents the City from temporarily disconnecting *Private Works* without notice in reasonable response to an emergency situation.

#### Timing of Disconnection

76. The *Director of Engineering* shall not disconnect the *Private Works* under Section 74(a) until:
- i. the Director has imposed a notice period that coincides with at least one meeting of Council scheduled at least 3 days from the date of delivery of the notice;
  - ii. the Director has advised the owner that he or she may, by written request delivered to the City Clerk at least two days before the meeting, appear before the Council at its next regular meeting; and
  - iii. the owner has failed to appear before Council during the notice period;
- or



- iv. Council, after hearing the submissions of the owner, affirms the disconnection of the *Private Works*.

#### Notice of Disconnection

77. Service of the notice referred to in Section 74 will be sufficient if the notice:
  - (a) In the case of service on an individual, is served personally or mailed by prepaid registered mail to the address of the owner shown on the then current year's real property assessment roll for the residential property for the which the notice is issued;
  - (b) In the case of service on a corporation, is served personally on a director, officer or manager of the corporation or by leaving it at or mailing it by registered mail to the registered office of the corporation.

#### Reconnection

78. The *Director of Engineering* may refuse to turn on or reconnect a disconnected private work until all necessary repairs have been completed to the satisfaction of the *Director of Engineering* and all applicable charges, including any charges for disconnection and re-connection, have been paid.

#### Offence

79. No person shall do any act or thing, or permit any act or thing, to be done in contravention of any permit issued pursuant to this Bylaw.
80. No person shall do any act or thing, or permit any act or thing, to be done in contravention of this Bylaw.
81. Every person who contravenes this Bylaw by doing any act which it forbids or omitting to do any act which it requires to be done commits an offence and is liable, on summary conviction, to a fine of not more than \$10,000.00. A separate offence shall be deemed to be committed upon each day during and in which any contravention of this Bylaw occurs or continues.
82. The penalties imposed under Section 81 shall be in addition to and not in substitution for any other penalty or remedy that the court may impose under this Bylaw, another bylaw, or an enactment.

#### Additions to Taxes

83. Money incurred by the City for work done or services provided by the City in relation to an owner's land or improvements at the default of the owner may be collected in the same manner and with the same remedies as property taxes, and if it is due and payable by December 31 and unpaid on that date, is deemed to be taxes in arrears.

## **PART 13 - GENERAL**

### Interpretation

84. In this Bylaw words importing the male gender include the female gender and either includes neuter and vice-versa and words importing singular number include the plural number and vice versa.

### Severability

85. Each provision of this Bylaw is severable from each other provision, and, if any provision is determined to be void or unenforceable in whole or in part, this determination shall not be deemed to affect or impair the validity of any other provision, unless a Court otherwise determines.

### Repeal

86. Sewerage and Drainage Systems Regulation Bylaw No. 4524, 1971 and amendments thereto are hereby repealed.

### Schedules

87. The schedules annexed to this Bylaw shall be deemed to be an integral part of it and the definitions in Schedule "A" shall apply to Schedule "B" and "C".

List of Schedules:

Schedule "A" – Definitions for Schedules

Schedule "B" – Prohibited Waste

Schedule "C" – Restricted Waste

**Adopted March 30, 2015**

## Schedule "A"

### Definitions for Schedules

In the schedules to this Bylaw:

"Air" means the atmosphere but, except in a Sewer or a Sewage Facility or as the context may otherwise require, does not include the atmosphere inside a human-made enclosure that is not open to the weather;

"Air Pollution" means the presence of Air Contaminants or substances that substantially alter or impair the usefulness of the Air;

"Air Contaminant" means an "air contaminant" as defined in the Environmental Management Act;

"Domestic Waste" means

(a) Waste produced on a Residential Premises, or

(b) Sanitary Waste and Sewerage from showers and restroom washbasins

produced on non-residential property;

"Grab Sample" means a sample collected at one particular time and place;

"GVS&DD" means the Greater Vancouver Sewerage and Drainage District;

"Hazardous Waste Regulation" means the Hazardous Waste Regulation as amended from time to time pursuant to the Environmental Management Act;

"Non-Domestic Waste" means all Sewerage except Domestic Waste, Sanitary Waste, Storm Water, Uncontaminated Water, and Septic Tank Waste;

"Residential Premises" means a building or premises or part of a building or premises used or intended to be used solely for the purpose of a residential dwelling, whether on a permanent, temporary or seasonal basis;

"Sanitary Waste" means Sewerage that contains human feces, urine, blood or body fluids originating from sanitary conveniences or other sources;

"Septic Tank Waste" means any Waste extracted from a cesspool, septic tank, sewage holding tank, seepage pit, interceptors or other containment for human excretion and Waste;

"Sewage Facility" means works owned by the City or the GVS&DD or otherwise under the control or jurisdiction of the City or the GVS&DD that gathers, treats, transports, stores, utilizes or discharges Sewerage;

"Sewer" means all pipes, conduits, drains, and other equipment and facilities, owned or otherwise under the control or jurisdiction of the City or the GVS&DD, for collecting, pumping,

and transporting Sewerage either to a Sewage Facility or otherwise and includes but is not limited to all such pipes, conduits, drains and other equipment and facilities which connect with those of the City and the GVS&DD;

“Standard Methods” means the latest edition of “Standard Methods for the Examination of Water and Sewerage” jointly prepared and published from time to time by the American Public Health Association, American Water Works Association and the Water Environment Federation or any successors thereto;

“Storm Water” means Drainage water resulting from rainfall or other natural precipitation from the atmosphere and includes, but is not limited to, water from melting snow or naturally occurring ice;

“Uncontaminated Water” means:

(a) water in its natural state, that, after use for any purpose, is not substantially changed from its natural state as to chemical or biochemical qualities or temperature;

(b) water supplied by Municipal Works that, after use for any purpose, is not substantially changed from its state at the point of delivery from the Municipal Works as to chemical or biochemical qualities or temperature; and

(c) clean water from roof drains, building foundations, wells, and cisterns;

“Waste” means any substance, whether gaseous, liquid or solid, that is discharged or discarded, directly or indirectly, to a Sewer or Sewage Facility;

“Sewerage” means the composite of water and water-carried Waste from residential, commercial, industrial or institutional premises or any other source;

## **SCHEDULE "B"**

### **Prohibited Waste**

The following are designated as Prohibited Waste for the purposes of this Bylaw:

#### **1. FLAMMABLE OR EXPLOSIVE WASTE**

Any Waste which is capable of causing or contributing to an explosion or supporting combustion in any Sewer or Sewage Facility including, but not limited to, gasoline, benzene, naphtha, diesel or other fuel oil, Waste crankcase oil and sludge resulting from the manufacture of acetylene.

#### **2. WASTE CAUSING OBSTRUCTION OR INTERFERENCE**

Any Waste which is capable of obstructing the flow of or interfering with the operation or performance of any Sewer or Sewage Facility including, but not limited to earth, sand, ash, glass, tar, asphalt, plastic, wood, Waste portions of animals, fish or fowl, and solidified fat.

#### **3. WASTE CAUSING AIR POLLUTION**

Any Waste, other than Sanitary Waste, that causes Air Pollution outside any Sewer or Sewage Facility.

#### **4. HIGH TEMPERATURE CREATING WASTE**

a) Any Waste which may create heat in amounts which will interfere with the operation and maintenance of the 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 Centigrade (104 degrees Fahrenheit) or more;

c) Any Non-Domestic Waste with a temperature of 65 degrees Centigrade (150 degrees Fahrenheit) or more.

#### **5. RADIOACTIVE WASTE (NUCLEAR SUBSTANCES)**

Any Waste that, at the point of discharge into a Sewer, is defined as a Nuclear Substance under the federal Nuclear Safety and Control Act.

#### **6. BIOMEDICAL WASTE**

Any Waste that, at the point of discharge into a sewer, contains Biomedical Waste as defined in the Hazardous Waste Regulation as amended from time to time pursuant to the Environmental Management Act.

#### **7. SPECIFIED RISK MATERIAL FOR BOVINE SPONGIFORM ENCEPHALOPATHY**

Any Waste containing the specified risk material as defined in the federal Fertilizers Regulations (C.R.C., c. 666), as amended from time to time, including material from the skull, brain, trigeminal ganglia, eyes, tonsils, spinal cord and dorsal root ganglia of cattle aged 30 months or older, or material from the distal ileum of cattle of all ages.

#### 8. HAZARDOUS WASTE

Any Waste defined as Hazardous Waste in the Environmental Management Act with the exception of Hazardous Waste in compliance with the effluent standards contained in Schedule 1.2, Column 3 of the Hazardous Waste Regulation.

## **SCHEDULE "C"**

### **Restricted Waste**

The following are designated as Restricted Waste for the purposes of this Bylaw:

#### **1. PARTICLE SIZE WASTE**

Any Non-Domestic Waste, including that 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.

#### **2. 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 10.5.

#### **3. WASTE CAUSING INTERFERENCE OR INJURY**

Any Waste in a concentration or quantity which may interfere with the proper operation of a Sewer or Sewage Facility or which may injure or is capable of injuring the health of any person, property, or life form.

#### **4. WASTE PRODUCING AIR CONTAMINANTS**

Any Waste, other than Sanitary Waste, that is capable of emitting into the air within a Sewer or Sewage Facility any substance that injures or is capable of injuring the health or safety of a person, or that causes or is capable of causing material physical discomfort to a person.

#### **5. CORROSIVE WASTE**

Any Waste with corrosive properties which may cause damage to any Sewer or Sewage Facility.

#### **6. SPECIFIED WASTE**

Any Sewerage which, at the point of discharge into a Sewer, contains any substance with a concentration in excess of the levels set out in Tables (A), (B) or (C) below. All concentrations are expressed as total concentrations, which include all forms of the contaminant, combined or uncombined, whether dissolved or undissolved obtained from a Grab Sample. Definitions and methods of analysis for these substances are outlined in Standard Methods or methods specified by the Director of Engineering.



Table A - Conventional Contaminants

Contaminant	Maximum Concentration (mg/L)
Biochemical Oxygen Demand (BOD)	500
Total Suspended Solids (TSS)	600
Total Oil and grease <sup>1</sup> (O&G – Total)	150
Oil and grease (Hydrocarbon) (O&G – Hydrocarbon)	15

Note: Total Oil and grease includes Oil and grease (Hydrocarbons)

Table B - Organic Contaminants

Contaminant	Maximum Concentration (mg/L)
Phenols	1.0
Chlorophenols	0.05
Polycyclic Aromatic Hydrocarbons (PAHs)	0.05
Benzene	0.1
Total BETX3	1.0

Notes:

1. Chlorophenols include:
  - a. tetrachlorophenols (2,3,4,5-, 2,3,4,6-, 2,3,5,6-)
  - b. pentachlorophenol
2. Polycyclic Aromatic Hydrocarbons (PAHs) include:
 

acenaphthene	chrysene
acenaphthylene	dibenzo(a,h)anthracene
anthracene	fluoranthene
benzo(a)anthracene	fluorene
benzo(b)fluoranthene	naphthalene
benzo(k)fluoranthene	phenanthrene
benzo(g,h,i)perylene	pyrene
benzo(a)pyrene	indeno(1,2,3-c,d)pyrene

3. 3BETX include:

- benzene
- ethylbenzene
- toluene
- xylenes

Table C - Inorganic Contaminants

Contaminant	Maximum Concentration (mg/L)
Aluminum	50.0
Arsenic	1.0
Boron	50.0
Cadmium	0.20
Chromium	4.0
Cobalt	5.0
Copper	2.0
Iron	10.0
Lead	1.0
Manganese	5.0
Mercury	0.05
Molybdenum	1.0
Nickel	2.0
Selenium	1.0
Silver	1.0
Zinc	3.0
Cyanide	1.0
Sulphide	1.0
Sulphate	1500