

**BYLAW # 3****VILLAGE OF NEW MINAS****SEWER BYLAW**

RESOLVED by the Village Commissioners of the Village of New Minas, that Bylaw Number 3 be repealed and the following substituted:

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**PART 1 – INTERPRETATION**

1. All words in this Bylaw shall have their usual English meaning, unless the context requires otherwise, whenever used in this Bylaw;
  - (a) “Building” means any dwelling, house, shop, store, office, factory, or part thereof, which is occupied by some person or persons;
  - (b) “Building Code” means the Building Code in force in the Village;
  - (c) “Biochemical Oxygen Demand” means the quantity of oxygen utilized in the biochemical oxidation of matter in five (5) days at twenty (20) degrees Celsius;
  - (d) “Colour of a Liquid” means the appearance of a liquid from which the suspended solids have been removed;

- (e) “Large Commercial or Industrial User” means any establishment which may, in the future, request to be connected into the Village of New Minas’ Sewerage System and which establishment expects to or does use .25 of a cubic metre or more of the Village’s water supply, as registered on the establishment’s water meter, in any given day, or, an establishment which expects to or does discharge a waste water whose strength in BOD5, or whose content of suspended solids or grease, before any form of pre-treatment, exceeds the strength of domestic sewage;
- (f) “Matter” includes any solid, liquid or gas;
- (g) “Commission” means the Village Commission of New Minas;
- (h) “Owner” means any owner, part owner, joint owner, tenant in common, and includes a trustee, executor, administrator, guardian, agent and mortgagee in possession, or other person having the care or control of any land or building;
- (i) “pH” means the logarithm to the base 10 of the reciprocal of the concentration of hydrogen ions in grams per litre of solution;
- (j) “Sewage” includes any liquid waste containing human, animal, vegetable, or mineral matter in solution or in suspension;
- (k) “Sewerage System” means any works for the collection, transmission, treatment, or disposal of sewage, or any part of any such works;
- (l) “Standard Methods” means a procedure set out in “Standard Methods for the Examination of Water and Wastewater” published jointly by the American Public Health Association, American Water Works Association and Pollution Control Federation, current at the date of testing, or a procedure approved by an analyst of the Department of Environment;
- (m) “Suspended Solids” means solid matter in or on a liquid, which matter is removable by filtering;
- (n) “Village” means the Village of New Minas;
- (o) “User” means the owner or occupant of property which is serviced by, connected to, or makes use of the sewerage system;
- (p) “Duplex” means a building consisting of two residential units, located one on top of the other, which building is separated by open space from all other buildings and, without limiting the generality of the foregoing, includes any dwelling which was constructed as a single residential unit

but in which the basement or upper storey has been converted to form another separate residential unit, and whether or not access to the second story is gained internally or externally;

- (q) “Semi-Detached Dwelling” means a residential unit which is one side of a two-unit building, which building is divided vertically by a wall extending ground to roof and which building is separated by open space from other buildings, and which residential unit has an independent entrance.

## **PART 2 – ADMINISTRATION**

2. For the purpose of the administration of this Bylaw, any representative of the Village may, upon production of his/her identification, enter any building to observe, measure and sample the flow of sewage to any sewer.
3. Except as otherwise specifically provided in this Bylaw, all tests, measurements, analyses and examinations of sewage, its characteristics or contents shall be carried out in accordance with Standard Methods.

## **PART 3 – RATES AND CHARGES**

4. Every user, as defined with respect to the sewerage system, shall pay a charge to the Village. Such charge shall be a quarterly for **metered users or an annual charge for non metered users of the sewerage system** for the construction, operation and maintenance of a pollution control system, including collection mains or pipes, force mains, pumping stations, sewage treatment plant or plants, and other similar treatment facilities for pollution control. Such charge shall be composed of a service charge calculated to recover the annual cost to service the debt related to the cost of construction of the sewerage system, and a rate per cubic metre calculated to recover annual operating and maintenance costs related to the sewerage system, with such rate to be calculated on the basis of water consumption.
5. (a) In the case of users who are consumers of the New Minas Water Commission, the service charge shall be based on water meter size, relative to standard capacities and the variable (rate) charge shall be on the basis of water consumption.

(b) The resulting sewer rates are:

<u>Meter Size</u>	<u>Charge Per Quarter</u>
5/8"	\$15.50
3/4"	\$23.50
1"	\$36.00
1 1/2"	\$67.00
2"	\$105.50
3"	\$207.00

All consumption, per m3, \$0.42.

6. Billing for charges shall be rendered quarterly.
7. All bills rendered under the provision of this Bylaw shall be due and payable within thirty (30) days of the date rendered. A late charge of one and one half percent (1.5%) per month of the net bill shall be payable after the due date of the bill. Each bill shall show the amount payable within thirty days from the date rendered and the amount payable after thirty days from that date. Each bill shall show the date after which the higher rate will be charged if payment has not been made by that date.
8. All rates and charges levied under this Bylaw shall constitute a lien on the real property of the owner of the property in respect of which the charge is levied and may be collected in the same manner and with the same remedies as rates and taxes under the Assessment Act.
9. The rates and charges payable under this Bylaw shall apply to all bills rendered after September 30, 2004.

#### **PART 4 – SEWER CONNECTIONS**

10. (a) Every owner of a building, the nearest part of which is not more than one hundred feet (100') from any portion of the Village's sewerage system is hereby required, at his/her expense, to connect and keep connected to the sewerage system of the Village, any facilities in the said building discharging sewage, in accordance with the provisions of this Bylaw.
  - (b) Such connection shall be made within a period of six months from notification given by the Village.
  - (c) Unless otherwise provided by these bylaws, an owner is liable for the entire cost of the private sewer drain leading from his property to the point at which

the private sewer drain connects to the public sewer and the connection costs thereof.

- (d) Maintenance of system in road limits shall be the Village's responsibility.
11. Every owner of a building proposing to connect the same to the Village's Sewerage system shall first obtain a permit for such connection from the Village and shall, in his/her application for such permit, furnish to the Superintendent of Public Works such information as the Superintendent of Public Works may require from time to time respecting the proposed construction work.
  12. Notwithstanding any other provision of these Bylaws, all sewer pipes, drains and connections shall comply with the requirements of the Building Code , and the Superintendent of Public Works may refuse to grant a permit for the construction of any such sewer pipe, drain, or connection that does not comply with the requirements of said Building Code.
  13. On and after the enactment of the Bylaw, and its approval by the Minister of Service Nova Scotia and Municipal Relations, no person shall install a septic tank with respect to any building, the nearest portion of which is not more than one hundred feet (100') from any portion of the Village's sewerage system and no person shall continue to use a septic tank with respect to any such building after the said building has been connected to the Village's sewerage system.
  14. (a) Every owner shall install and maintain, at his/her expense, in good repair, in each connection a suitable back-water valve to safeguard against any possible flooding from the sewerage system.  
  
(b) Every owner is responsible to expose the sewer service lateral before constructing the foundation to ensure that the elevation of the basement will suit the elevation of the lateral.

#### **PART 5 – SEWAGE DISCHARGE**

15. No person shall discharge or deposit or cause or permit the discharge or deposit into a land drainage system, private branch drains or connections to any sanitary sewer, storm sewer, or combined sewer, matter of any type or at any temperature or in any quantity whether on its own, or mixed with the effluent, or when mixed with other sewage which may be or may become harmful to a sewerage system, or which may interfere with the proper operation of a sewerage system, or which may impair or interfere with any sewage treatment process, or which may be or may become a hazard to persons, animals or property, and without limiting the generality of the foregoing, any of the following:

- (a) Sewage that may cause an offensive odour to emanate from a sewerage system, and without limiting the generality of the foregoing, sewage containing hydrogen sulphide, carbon disulphide, other reduced sulphur compounds, amines or ammonia;
- (b) Sewage at a temperature greater than 65 degrees Celsius (149° Fahrenheit);
- (c) Sewage having a pH less than 6.0 or greater than 10.5 or which, due to its nature or content,
- (d) Explosive matter, gasoline, benzene, naphtha, fuel oil, solvents or sewage containing any of these;
- (e) Sewage containing more than 15 milligrams per litre of solvent extractable matter of animal or vegetable origin;
- (f) Sewage containing more than 15 milligrams per litre of solvent extractable matter of mineral or synthetic origin;
- (g) Sewage which consists of two or more separate liquid layers;
- (h) Sewage of which biochemical oxygen demand exceeds 200 milligrams per litre, except as provided by special agreements authorized under this Bylaw;
- (i) Sewage containing more than 200 milligrams per litre of suspended solids, except as provided by special agreement authorized under this Bylaw;
- (j) Sewage containing coloured matter, which sewage would require a dilution in excess of four (4) parts of distilled water to one (1) part of such sewage to produce a mixture, the colour of which is not distinguishable from that of distilled water;
- (k) Sewage containing any matter which will not pass through a screen having openings not larger than 3.35 millimetres square (No. 6 sieve);
- (l) Sewage containing any of the following matter in excess of the indicated concentrations:

<u>MATTER</u>	<u>EXPRESSED AS</u>	<u>CONCENTRATIONS IN MILLIGRAMS PER LITRE</u>
Aluminium	Al	50
Arsenic	As	1.0
Barium	Ba	5.0
Cadmium	Cd	2.0
Chloride	Cl	1500
Chromium	Cr	5.0
Copper	Cu	5.0
Cyanide	HCN	2.0
Fluoride	F	10
Iron	Fe	50
Lead	Pb	5.0
Mercury	Hg	0.1
Nickel	Ni	5.0
Phenolic Compounds		1.0
Phosphorus	P	100
Sulphate	SO <sub>4</sub>	1500
Sulphide	S	2.0
Tin	Sn	5.0
Zinc	Zn	5.0

(m) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, grease, oils, plastics, wood or other solid or viscous substances in a quantity capable of causing obstruction to the flow in the sewers or any other interference with the proper operation of the sewerage system.

16. No person shall discharge or deposit or cause or permit discharge or deposit into a sanitary sewerage system, any storm water, water from drainage or roofs or land, or from a watercourse.

#### **PART 6 – RESTRICTIONS AND PENALTIES**

17. No person shall break, damage, destroy, deface or tamper with:

- (a) Any part of a sewerage system;
- (b) Any device whether permanently or temporarily installed in a sewage works for the purpose of measuring, sampling and testing of sewage.

18. No person shall connect or cause to be connected any roof leaders, other roof leaders, other roof drains or yard drains to a street storm sewer or to any part of the Village's sewerage system.

19. No person shall connect a footing drain to a sanitary sewer unless the footing elevation is, in the opinion of the Village's Superintendent of Public Works, above groundwater level, and permission therefore has been given in writing by him.
20. No person shall connect a ditch or other storm water flow lateral constructed on or being on private property to any open ditch located within a street right-of-way.
21. The Commission, on being advised that any existing sewer pipe, drain, or connection to the Village's sewer system has not been constructed and maintained in accordance with the provisions of the aforementioned Building Code, whereby the same constitutes a health hazard to the occupants of the building or to other persons, or is likely to damage the Regional Sewer System or the Village's sewer or water supply system or any part thereof, may instruct the Village Clerk to serve notice on the owner or occupant of the building, requiring him/her to remedy the condition described in the notice. Such notice may be served by being posted in a conspicuous place upon the building or may be personally served upon the person or persons named so served with notice to remedy the condition described in the notice within thirty days after service thereof, that person is guilty of an offence pursuant to Section 431 of the Municipal Government Act (Villages) and liable on conviction to a penalty not exceeding \$5000 and in default of payment, to imprisonment for a period not exceeding ninety days.
22. Any person who contravenes any section of this Bylaw, excepting Section 12, is liable on conviction to a penalty of not more than \$5,000 and in the default of payment to imprisonment for a term of not more than ninety days.

#### **PART 7 – OTHER**

23. Where a metered service is not provided or where a consumer is connected to the Village sewer system but not connected to the Village water system, then such consumer shall pay a flat rate of \$140.00 per unit for residential users, and commercial users will be charged at the consumption rate based on **the meter on their private well**.
24. A duplex, which cannot be sold separately, shall install one sewer lateral. Every owner of a semi-detached dwelling shall install two sewer laterals.

*I, Terry Silver, Clerk Treasurer of the Village of New Minas, do hereby certify that the foregoing is a true copy of a Bylaw duly passed at a meeting of the Village of New Minas, duly convened and held on the 14<sup>th</sup> Day of February, 2005.*

*Dated at New Minas, in the County of Kings, the Day of 14<sup>th</sup> Day of February, A.D. 2005.*

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*Terry Silver, Clerk Treasurer*

September 27, 2004

Honourable Barry Barnet  
Minister  
Department of Service Nova Scotia and  
Municipal Relations  
PO Box 216  
Halifax, NS B3J 2M4

Dear Honourable Barnet:

RE: **Sewer Bylaw #3 Amendment**

Please find enclosed Sewer Bylaw #3, which has been amended by the Village of New Minas Commission at its regular meeting held September 13, 2004.

Sincerely,  
**VILLAGE OF NEW MINAS**

Terry Silver  
Clerk Treasurer

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Enclosure