

THE CITY OF CASTLEGAR

OFFICE CONSOLIDATION

Consolidated to

January 6, 2014

BYLAW 704

City of Castlegar sewer regulations and regulations bylaw.

WHEREAS pursuant to Sections 611 and 612 of the Municipal Act it is deemed expedient to make provisions for regulating the rates, conditions and terms under or upon which sewer disposal services may be supplied to and used by the inhabitants of the City of Castlegar.

NOW THEREFORE the Municipal Council of the City of Castlegar in open meeting assembled, enacts as follows:

Citation:

1. This bylaw may be known and cited as the "City of Castlegar Sewer Regulation and Rates Bylaw No. 704, 1994".

Definitions:

2. In the Bylaw, unless the context otherwise requires:
 - a. "City" shall mean the City of Castlegar.
 - b. "Collector" shall mean the person appointed from time to time by the Council as Collector.
 - c. "Common Sewer" shall mean all sanitary or storm sewer pipes, lift stations, manholes, catch basins and other fittings and fixtures on or under City right-of-ways and easements under the control of the City.
 - d. "Prohibited Waste" shall mean waste collected by a grab or composite sample and determined to be:
 - . flammable or explosive
 - . a cause of obstruction or interference of flow within a common sewer or sewer connection pipe
 - . odorous
 - . greater than 65 degrees celsius in temperature
 - . pathogenic
 - . corrosive
 - . radioactive
 - e. "Property Owner" shall mean the registered owner of any lands and premises within the City and shall, where applicable, include the agent, executor or administrator of such owner or the lessees or occupier of the premises.
 - f. "Restricted Waste" shall mean waste collected through one operating day composite sampling process and determined to contain any one element in concentrations greater than the following:

Factor/Element	Maximum limit or concentration
. Maximum temperature	- 65 ° C
. pH low	- 5.5
. pH high	- 10.5
. Synthetic Oil/Grease	- 15 mg/L
. Natural Oil/Grease	- 150 mg/L
. Pheolics	- 1.0 mg/L
Factor/Element	Maximum limit or concentration

. Biological Oxygen Deman	- 500 mg/L
. Suspended Solids	- 600 mg/L
. Aluminum	- 50.0 mg/L
. Arsenic	- 1.0 mg/L
. Cadmium	- 0.2 mg/L
. Chromium	- 4.0 mg/L
. Cobalt	- 5.0 mg/L
. Iron	- 10.0 mg/L
. Lead	- 1.0 mg/L
. Manganese	- 5.0 mg/L
. Mercury	- 0.05 mg/L
. Silver	- 1.0 mg/L
. Sulphates	- 1500.0 mg/L
. Sulfides	- 1.0 mg/L
. Zinc	- 3.0 mg/L

- g. "Sanitary Building Sewer" shall mean the sanitary sewer pipe extending from the property line of the property concerned to the building situated thereon, and joining the sewer connection to the plumbing system at the building.
- h. "Sewer Connection" shall mean the sewer pipe extending from the common sanitary sewer or common storm sewer to the property line of the property being served.
- i. "Sewer Service" shall mean works or services provided by the City and include:
- . collection and treatment of waste
 - . sewer connection
 - . common sewer extension
 - . collection of storm runoff
- j. "Sewer Treatment Facility" shall mean a sewer treatment facility owned and operated by the City.
- k. "Storm Building Sewer" shall mean the storm sewer pipe extending from the property line of the property concerned to the building or area having drainage thereon, also joining the sewer connection to the plumbing system at the building.
- l. "Superintendent of Public Works" shall mean the person appointed as such by the Council of the City and any person delegated to assist him in carrying out his duties under this bylaw.
- m. "Waste" shall mean any material deposited in or collected by a common sewer pipe, sewer connection pipe or sewer treatment facility.

General Provisions

3. No person shall make any connection to the common sewer without first receiving approval from the City.
4. The property owner shall keep the building sewer pipes, fixtures, fittings on their own premises or property free flowing, in good repair, and protect them from frost at their own risk and expense.

5. If a parcel of land, upon which is situated a building occupied by one or more persons, abuts a street or lane or right-of-way upon or under which there is a common sewer, the owner or occupier of such building shall connect or cause to be connected, the said building sewer with the common sewer in the manner provided by this bylaw.
6. The City shall not be required to supply a sewer connection to any property within the City which is serviced by other than the common sewer.
7. The property owner shall be responsible for all costs associated with the works required for the installation of a sewer connection for his property.
8. No works or services shall be performed on the common sewer unless authorized in writing by the Superintendent of Public Works.
9. All works and services performed on the common sewer shall conform with the requirements of the City of Castlegar Standard Construction Specifications.
10. No person shall in any way interfere or tamper with any pipe, fixture, fitting, or other component of the common sewer.
11. The City shall not be liable for damages caused as a result of a disruption or discontinuation of sewer service.
12. No person being a property owner, occupant, or tenant of any premises supplied with sewer services by the City shall sell, give away or permit use of the common sewer for the benefit of others, except to those persons provided written authorization from the Superintendent of Public Works.

Application - Connection

13. No permit for sewer service shall be issued where, in the opinion of the Superintendent of Public Works the common sewer is incapable of adequately serving the said parcel of land, and in such case the provision of Section 5 of this bylaw shall be deemed to have been waived in respect to that parcel of land.
14. Application for sewer service shall be made to the City and shall be made on the form contained in Schedule "A" of this Bylaw and shall be accompanied by the proper fee as specified in Schedules "B" of this Bylaw. Each application, when duly signed by the property owner includes agreement to abide by the terms and conditions of this Bylaw and any subsequent amendments thereto.
15. Applications for sewer service submitted by other than the registered or legal property owner must be accompanied by a letter of consent or authorization from the registered or legal property owner.
16. The sewer service fee paid in accordance with Section 14 hereof, does not include works within private property.

Application - Disconnection

17. When any building within the city is removed or demolished application for disconnection of a sewer connection shall be made in writing, by the property owner, and delivered to the City office, and until such application has been submitted, sewer rates may be charged as prescribed by Schedule "B" to the property owner.

Waste Standards

18. No person shall discharge or allow to be discharged into a common sewer or sewage treatment facility any restricted or prohibited waste.
19. No person shall discharge any deleterious material into a common sewer or Sewage Treatment Facility without a Waste Discharge Permit. The Superintendent of Public Works may require the material to be discharged be analyzed by a recognized laboratory to ensure conformance with restricted or prohibited waste standards of this bylaw. The cost of the laboratory testing must be prepaid by the applicant.
20. Applications for a Waste Discharge Permit shall be made to the City and shall be made on the form contained in Schedule "C" of this bylaw and shall be accompanied by the proper fee specified in Schedule "B" of this bylaw.
21. No person shall discharge waste into a common sewer or sewage treatment facility in excess of 100 cubic meters over any consecutive 30 day period.
22. Any waste likely to damage or increase maintenance costs on the sewer collection system or which may detrimentally effect the sewage treatment process shall be pretreated to render them innocuous prior to discharge into a common sewer.

Rates and Charges:

23. Property owners shall be responsible for payment of all rates for sewer services provided to properties owned by them.
24. The user rates and charges specified in Schedule "B" of this Bylaw are hereby imposed and levied for sewer services supplied by the City. All such rates shall be due and payable from the first day of January in each year but may be paid in four equal quarterly payments due on or before March 31, June 30, September 30, and December 31.
25. Where a metered rate is referred to in Schedule "B", the user rate shall be calculated on the basis of the metered quantity of water delivered to the premises to which the sewer rate applies. User rates calculated on a metered basis may be invoiced quarterly for the periods ending March 31, June 30, September 30 and December 31. Payment for the period ending December 31 shall not be deemed to be due until January 1 of the following year.
26. User rates are subject to a discount of up to 10%, as determined by the Council, if paid within the discount period stated on the invoice. **(Bylaw 954)**
27. A penalty of 5% (five percent) shall be imposed upon the balance of the current quarterly instalment (or any portion thereof) that is unpaid by the last day of each respective quarter.
28. For any sewer service activated on after the 1st of January, the user account will be billed for an amount equal to the annual rate prorated for the number of days remaining in the year.
29. For any sewer service de-activated after the 1st of January, the user account will be credited for an amount equal to the annual rate prorated for the number of days remaining in the year.

30. Notwithstanding Section 25, all rates and charges remaining unpaid on the 31st day of December in each year shall be added to and form part of the taxes payable in respect of the land and improvements therein, and shall be entered on the Collector's Roll as taxes in arrears.
31. The cost of works required to clear or flush waste or debris originating from a property and interrupting the free flow within the common sewer shall be charged to the owner of the originating property.

Inspection

32. The sanitary and storm building sewer shall be left uncovered at the joint with the common sewer until it has been inspected and approved in writing by the Superintendent of Public Works.
33. Officers, employees, and agents of the City of Castlegar are hereby authorized to enter upon any lands and premises in the municipality at all reasonable times to ascertain whether the requirements and regulations of the of the Bylaw are being observed.

Enforcement

34. Any person who installs a connection to the City common sewer without first obtaining approval and paying the applicable charges, will be guilty of an offence under this Bylaw.
35. Any person who violates any provision of this bylaw, or who suffers or permits any act to be done in contravention or violation of any of the provisions of this bylaw, or who neglects or refrains from doing anything required to be done by any provision of this bylaw, commits an offence and is liable on conviction to a fine of not more than \$2,000.00.

Enactment

36. The "City of Castlegar Sewer Connection Bylaw No. 136, 1964" and all amendments and "City of Castlegar Sewer Rates Bylaw No. 495" and all amendments are repealed on the date this bylaw comes into effect.

37. This bylaw shall take effect January 1, 1995.

READ A FIRST TIME on the 18th day of October, 1994.

READ A SECOND TIME on the 18th day of October, 1994.

READ A THIRD TIME and PASSED on the 1st day of November, 1994.

ADOPTED, on the 15th day of November, 1994.

List of Amending Bylaws

754	January 1, 1996
806	March 4, 1997
831	January 1, 1998
860	January 1, 1999
892	November 22, 1999
916	January 8, 2001
954	December 19, 2002
1052	December 4, 2006
1098	December 15, 2008
1101	March 16, 2009 (Repealed)
1115	December 21, 2009
1152	January 16, 2012
1167	December 17, 2012
1184	January 6, 2014

Mike O'Connor, MAYOR

Dianne Hunter, CITY CLERK

SCHEDULE "A"

City of Castlegar Sewer Regulations and Rates Bylaw No. 704, 1994 and Amendments Thereto

APPLICATION FOR SEWER DISPOSAL SERVICE(S)

I, _____ being the property owner of the premises described as:

Lot _____ Block _____ D.L. _____ Plan _____

and situated at # _____ Street/Avenue, in the City of Castlegar, hereby make application for the following services:

- the use of a common sewer of residential, commercial or other. The use or occupancy of the property or premise supplied will be _____ (describe current or proposed occupancy and zoning) consisting of _____ square metres of total building floor area.
- new sewer connection(s) or installation(s).
- sewer connection repair(s) or adjustment(s)
- common sewer main extension
- other(provide description) _____

DATED at the City of Castlegar this _____ day of _____, 20__.

APPLICANT

TOTAL COST OF SERVICE(S) = \$ _____

- note: (a) a detailed cost summary is attached for the property owners review.
(b) the total costs presented herein will be held firm for a period not exceeding sixty (60) from date of issuance.

(Superintendent of Public Works) DATE: _____

SCHEDULE "A"

City of Castlegar Sewer Regulations and Rates Bylaw No. 704, 1994 and Amendments Thereto

AGREEMENT FOR SEWER DISPOSAL SERVICE(S)

The completion of this agreement does not relieve the applicant, authorized agent or owner from conforming to all requirements or every pertinent bylaw and regulation enforced within the City of Castlegar.

In consideration of the approval of this application, I/we agree to duly pay all applicable user rates and service charges for all sewer services provided herein as prescribed by the "City of Castlegar Sewer Regulations and Rates Bylaw", and amendments thereto. I/we further agree that I/we will be bound by all the provisions of the said Bylaw where applicable and the rules and regulations made thereunder and that in consideration of the aforesaid I will protect and save harmless the City of Castlegar from all claims for damages caused by the delivery of the said service(s). I/we further agree to release and indemnify the City of Castlegar, its Council members, employees and agents from and against all liability, demands, claims, causes of action, suits, judgements, losses, damages, costs and expenses of whatever kind I/we or any other person, partnership or corporation or our respective heirs, successors, administrators or assignees may have to incur in consequence of or incidental to this agreement.

DATED at the City of Castlegar this ____ day of _____, 20__.

Property Owner

(signature)

AUTHORIZATION TO PROCEED WITH WORKS:

(Superintendent of Public Works) DATE: _____

SCHEDULE "B" TO
SEWER RATES BYLAW 704

A. SERVICES CHARGES (Not Subject to Discount)

1. Charges for installation of a building sanitary and storm sewer service:

(a)	100 mm diameter	\$ 920.00 (minimum) plus any additional service costs itemized in (c) below
(b)	152 mm diameter	\$ 1,050.00 (minimum) plus any additional service costs itemized in (c) below
(c)	additional service costs	
(i)	administration	15%
(ii)	service or main extension (100 mm to 152 mm diameter and/or where the service length is greater than 15 m)	\$ 120.00/linear metre plus any additional service costs itemized in (c)
(iii)	restoration	\$ 75.00/square metre
(1)	asphalt road repair	\$ 20.00/linear metre
(2)	asphalt curb	\$ 60.00/linear metre
(3)	concrete curb	\$ 120.00/linear metre
(4)	sidewalk (concrete)	\$ 12.00/square metre
(5)	boulevard landscaping	\$ 14.00/linear metre
(6)	boulevard swale or ditch	\$ 800.00/each
(7)	retention catch basin	\$ 60.00/linear metre
(8)	culvert	\$ 16.00/cubic metre
(9)	over excavation (depth of bury exceeding 1.2m)	

2. Charges for disconnection of a building sanitary and storm sewer service:

(a)	\$920 (minimum) plus any additional services costs itemized in (b) below	
(b)	additional service costs	
(i)	administration	15%
(ii)	restoration	
(1)	asphalt road repair	\$ 75.00 / square metre
(2)	asphalt curb	\$ 20.00 / linear metre
(3)	concrete curb	\$ 60.00 / linear metre
(4)	sidewalk (concrete)	\$120.00 / linear metre
(5)	boulevard landscaping	\$ 12.00 / square metre
(6)	boulevard swale or ditch	\$ 14.00 / linear metre
(7)	retention catch basin removal	\$200.00 each
(8)	culvert removal	\$ 60.00 / linear metre
(9)	over excavation (depth of bury exceeding 1.2 m)	\$ 16.00 / cubic metre

3. Waste Discharge Permit \$200 / load 600 gallons

B. USER RATES

1. Metered Rate – All Users

(a) Flat Rate – per quarter (Industrial, Commercial and Institutional)	-2011	\$ 35.00
	-2012	\$ 36.00
	-2013	\$ 37.00
	-2014	\$ 38.00
(b) Flat Rate – per quarter (Multi-family residential)	-2011	\$ 15.00
	-2012	\$ 17.00
	-2013	\$ 19.00
	-2014	\$ 21.00
(c) Unit Rate - per cubic metre (Industrial, Commercial and Institutional)	-2011	\$ 0.35
	-2012	\$ 0.36
	-2013	\$ 0.37
	-2014	\$ 0.38
(d) Unit Rate - per cubic metre (Multi-family residential)	-2011	\$ 0.35
	-2012	\$ 0.36
	-2013	\$ 0.37
	-2014	\$ 0.38

2. Unmetered Rates (subject to discount)

(a) Residential		
(i) Single family and multiple family dwellings		\$ 329.32
(ii) Secondary Suite		25% of single family dwelling
(iii) Multiple family dwellings – each dwelling unit		\$ 329.32
(b) Commercial		
(i) Trailer Camps or Courts		
· each trailer pad, stall or dwelling unit		\$ 329.32
(ii) Restaurants, Cafes, Coffee Shops, Beer Parlours, Licensed Lounges		
· per seat (over 60 seats)		\$ 13.51
· minimum per year (first 60 seats)		\$ 798.27
(iii) Laundries, Laundromats or Dry Cleaners		metered use only
(iv) Garages and Service Stations		\$ 594.78
(v) Hairdressers and/or Barbers		
· each basin and toilet		\$ 329.32
· each additional basin		\$ 91.75
(vi) Offices, Stores and Medical or Dental Clinics		
· each basin and toilet		\$ 329.32
· each additional spray, basin or urinal		\$ 91.75

OFFICE CONSOLIDATION
Schedule "B"
to Bylaw 704
Page 3 of 3

(vii) Pool Rooms, Health Spas, Curling Rinks and Bowling Alleys · per unit of occupancy load	\$ 7.73
(viii) Private Halls, Theatres · per unit of occupancy load	\$ 1.93
(ix) Car Washes, Cement Mixing Plans	metered use only
(x) Green Houses, Swimming Pools	metered use only
(xi) Hotels, Motels, Tourist Cabins (flat rate – no refund on vacancies)	\$ 329.32
· owner's unit	
· per suite, room or overnight sleeping accommodation without cooking unit	\$ 86.19
· per suite, room or overnight sleeping accommodation with cooking unit	\$ 111.77
(xii) For all unmetered users not here provided for:	
· each set of basin and toilet	\$ 329.32
· each additional basin or urinal	\$ 91.75
 3. Institutional	
(i) Institutional Offices, Churches and Halls	
· each set of basin and toilet	\$ 183.69
· each additional basin or urinal	\$ 91.75
(ii) Schools (all types) – each Classroom	\$ 329.32
(iii) Hospitals – per bed	\$ 183.69
 4. Industrial	 - metered use only

(Bylaw 1184)

SCHEDULE "C"

City of Castlegar Sewer Regulations and Rates Bylaw No. 704, 1994 and Amendments Thereto

APPLICATION FOR A WASTE DISCHARGE PERMIT

I, _____ being the property owner of the premises described as:

Lot _____ Block _____ D.L. _____ Plan _____

and situated at # _____ Street/Avenue, in _____ hereby make application for the following services:

___ septic waste disposal from a single residential home

___ septic waste disposal from a commercial, industrial or institutional establishment. The activities/business currently being carried out at this property can generally be described as _____

The quantity of waste to be discharged is _____ gallons/litres

The carrier or _____ will be _____ phone: _____

DATED at the City of Castlegar this _____ day of _____, 20__.

APPLICANT _____ phone: _____

SCHEDULE "C"

City of Castlegar Sewer Regulations and Rates Bylaw No. 704, 1994 and Amendments Thereto

AGREEMENT FOR A WASTE DISCHARGE PERMIT

The completion of this agreement does not relieve the applicant, authorized agent or owner from conforming to all requirements or every pertinent bylaw and regulation enforced within the City of Castlegar.

In consideration of the approval of this application, I/we agree to duly pay all applicable user rates and service charges for all sewer services provided herein as prescribed by the "City of Castlegar Sewer Regulations and Rates Bylaw", and amendments thereto. I/we further agree that I/we will be bound by all the provisions of the said Bylaw where applicable and the rules and regulations made thereunder and that in consideration of the aforesaid I will protect and save harmless the City of Castlegar from all claims for damages caused by the delivery of the said service(s). I/we further agree to release and indemnify the City of Castlegar, its Council members, employees and agents from and against all liability, demands, claims, causes of action, suits, judgements, losses, damages, costs and expenses of whatever kind I/we or any other person, partnership or corporation or our respective heirs, successors, administrators or assignees may have to incur in consequence of or incidental to this agreement.

DATED at the City of Castlegar this ____ day of _____, 20__.

Property Owner

(signature)

AUTHORIZATION TO PROCEED WITH DISPOSAL:

(Superintendent of Public Works) DATE: _____

Note to Users

This office consolidation is not an authoritative text of the law and is produced solely as a convenience to the user. The authoritative text of the law is in the original bylaw and the amending bylaw(s).