

# SUMMER VILLAGE OF NORRIS BEACH

## BYLAW NO. 150

### A BYLAW FOR THE PURPOSE OF REGULATING THE MANAGEMENT OF PRIVATE SEWAGE DISPOSAL SYSTEMS IN THE SUMMER VILLAGE OF NORRIS BEACH

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**WHEREAS** the *Municipal Government Act 2000, c.M-26* and amendments thereto provides that a Council of a municipality may pass bylaws for the safety, health and welfare of people and the protection of people and property;

**AND WHEREAS** the *Municipal Government Act 2000, c.M-26* and amendments thereto, permits the Summer Village to impose fines for bylaw offences;

**AND WHEREAS** the Council of the Summer Village of Norris Beach deems it advisable to adopt a Bylaw respecting private sewage disposal systems within the municipality's boundaries;

**NOW THEREFORE** the Council of the Summer Village of Norris Beach duly assembled and pursuant to the authority conferred upon it by the Province of Alberta enacts as follows:

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#### Name of Bylaw

1. This Bylaw shall be known as "The Private Sewage Disposal Systems Bylaw 2017".

#### Purposes of the Bylaw

2. The purposes of this Bylaw are to:
  - a. Protect the safety, health and welfare of people and property by ensuring that *Private Sewage Disposal Systems* are safely and appropriately maintained and operated;
  - b. Ensure *Private Sewage Disposal Systems* treat *Wastewater* in a manner consistent with the objectives of the *Standard of Practice*; and
  - c. Ensure that properties with *Private Sewage Disposal Systems* connect to the Wastewater Utility System in a timely and appropriate manner.

## Interpretation

### 3. In this Bylaw:

- a. *Designated Officer* means a designated officer appointed by the *Village* pursuant to the *Municipal Government Act* to carry out the powers, duties and functions of a designated officer under this Bylaw or any other Bylaw or *Enactment*.
- b. *Effluent* means the liquid discharged from any *Private Sewage Disposal System* component.
- c. *Enactment* means any Federal or Provincial laws or regulation, any other bylaw of the *Village*, and any amendments or substitutions thereto.
- d. *Holding Tank* means a tank designed to retain *Wastewater* including *Effluent* until transferred to the Regional Wastewater System..
- e. *Municipal Government Act* means the *Municipal Government Act*, R.S.A., 2000, c. M-26 as amended or repealed and replaced from time to time and amendments thereto.
- f. *Owner* means the registered owner, occupant, or person responsible for a lot within the municipal boundaries.
- g. *Person* includes an individual, corporation, partnership, association, or any other legal entity.
- h. *Private Sewage Disposal System* means a plant for the treatment and disposal of *Wastewater*, including on-site wastewater treatment systems as defined in the *Standard of Practice* and *Privies*.
- i. *Private Sewage Disposal Systems Regulation* means the *Private Sewage Disposal Systems Regulation*, Alberta Regulation 229/1997 as amended or repealed and replaced from time to time and amendments thereto.
- j. *Privy* means a small building having a toilet pedestal, or bench with a hole or holes, through which human excrement falls into an excavated pit or waterproof vault.
- k. *Safety Codes Act* means the *Safety Codes Act*, R.S.A. 2000, c. S-1 as amended or repealed and replaced from time to time and amendments thereto.
- l. *Safety Codes Officer* means a Safety Codes Officer in the plumbing discipline.

- m. *Standard of Practice* means the Alberta Private Sewage Systems Standard of Practice 2015 published by the Safety Codes Council as amended or repealed and replaced from time to time and amendments thereto.
  - n. *Treatment Field* means a system of *Effluent* dispersal and treatment by distributing *Effluent* within trenches containing void spaces that are covered with soil and includes a "Treatment field" as further defined in the *Standard of Practice*.
  - o. *Uniform Quality Management Plan* means the Joint Uniform Quality Management Plan prepared by the Safety Codes Council and adopted by the *Village* as amended or repealed and replaced from time to time and amendments thereto.
  - p. *Village* means the Summer Village of Norris Beach.
  - q. *Wastewater* means the composite of liquid and water-carried wastes associated with the use of water for drinking, cooking, cleaning, washing, hygiene, sanitation, or other domestic purposes and includes "greywater" as defined in the *Standard of Practice* but does not include liquid waste from industrial processes.
  - r. *Wastewater Utility System* means a system for collecting *Wastewater* operated by the *Village* or a contractor selected by the *Village*, either alone or in cooperation with other municipalities and transporting it to the *Regional Wastewater System*.
1. Nothing in this Bylaw relieves any *Person* from complying with any *Enactment* or any requirements of any permit, order or license.
  2. Where any conflict exists between this Bylaw and any Provincial or Federal law or regulation, the law or regulation prevails.
  3. Where this Bylaw uses the masculine or singular version, this includes the feminine or plural and vice versa.

### **Inspections**

4. All new holding tanks must be inspected by a *Safety Codes Officer* in accordance with the *Uniform Quality Management Plan*.

### **Privies and Alternative Private Sewage Systems**

1. No new *Privy* or *Treatment Field* shall be constructed within the *Village*.
2. No new Alternative private sewage systems may be constructed or installed in the *Village*.
3. Existing alternative systems, such as treatment fields, chemical toilets and

incinerating toilets, must be decommissioned upon connection of the Municipal Utility Wastewater System.

### **Future Development and Improvements**

4. All new developments must install a *Holding Tank*.
5. All *Wastewater* producing parcels within the *Village* must connect to a *Wastewater Utility System* on or before September 30, 2018.
6. All *Privies* and *Treatment Fields* must be removed from service prior to the parcel they service being connected to a *Wastewater Utility System*.

### **Severability**

7. Each separate provision of this Bylaw shall be deemed independent of all other provisions, and if any provisions of this Bylaw are declared invalid all other provisions shall remain valid and enforceable.

### **Enforcement**

8. If a *Certified Maintenance Inspector* or *Designated Officer of the Summer Village* identifies any failure to comply with the *Standard of Practice* or any unsafe conditions, he must notify a *Safety Codes Officer* immediately.
9. If a *Designated Officer* or a *Safety Codes Officer* believes that a *Person* has committed an offence pursuant to this Bylaw or the *Safety Codes Act* or any regulation thereunder, the *Designated Officer* or *Safety Codes Officer* may commence proceedings against that *Person* by:

Levying a penalty as set out in Schedule A

Issuing an order pursuant to the *Safety Codes Act*; or

Issuing an order pursuant to the *Municipal Government Act*.

Nothing in this Bylaw diminishes or in any way affects the provisions of the *Municipal Government Act* relating to offences and penalties or the rights of the *Village* pursuant to the *Municipal Government Act* or at common law to seek an entry order, order for compliance, injunction or any other order to obtain compliance with this Bylaw.

Nothing in this Bylaw diminishes or in any way affects the provisions of the *Safety Codes Act* relating to offences or penalties.

The levying and payment of any fine or imprisonment for any period pursuant to this Bylaw does not relieve any *Person* from paying any fees, charges, or costs for which that *person* is liable under the provisions of this Bylaw, any other Bylaw or any *Enactment*.

Nothing in this Bylaw diminishes or in any way affects the obligations imposed by the *Safety Codes Act* relating to the reporting of accidents or unsafe conditions.

**Effective Date**

This Bylaw repeals Bylaw No. 123 and Bylaw No. 124.

This Bylaw comes into effect on the date of the third reading.

**READ** a first time this 22<sup>nd</sup> Day of September, 2017.

**READ** a second time this 22<sup>nd</sup> Day of September, 2017.

Given unanimous consent to proceed to third reading this 22<sup>nd</sup> Day of September, 2017.

**READ** a third time and finally passed this 22<sup>nd</sup> Day of September, 2017.



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Brian Keeler, Mayor  
Summer Village of Norris Beach



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Sylvia Roy, CAO  
Summer Village of Norris Beach

**SCHEDULE A**

**PENALTIES**

<b>Offense</b>	<b>Amount</b>
1 <sup>st</sup> Offense	\$2,500.00
2 <sup>nd</sup> Offense	\$10,000.00
3 <sup>rd</sup> and Subsequent Offenses	\$25,000.00 each

**PLUS** the cost of remediation / rehabilitation required due to the nature of the offense.

Note that any penalty or remediation cost that remains unpaid will be transferred to the Property Tax account and late payment penalties will apply.