

SUMMER VILLAGE OF CRYSTAL SPRINGS

BYLAW NO. 230

CONSOLIDATED WITH BYLAW NO. 240

**TO REGULATE MANAGEMENT AND MAINTENANCE OF
PRIVATE SEWAGE DISPOSAL SYSTEMS**

THE WASTEWATER BYLAW 2018

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 Crystal Springs 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 Crystal Springs duly assembled and pursuant to the authority conferred upon it by the Province of Alberta enacts as follows:

Name of Bylaw

1. This Bylaw shall be known as the "Wastewater Bylaw 2018".

Interpretation

2. In this Bylaw:
 - a. *Certified Maintenance Inspector* means the holder of a Private Sewage Certificate of Competency granted by Alberta Municipal Affairs and who has been approved by the *Summer Village*.
 - b. *Holding Tank* means a sewage tank buried underground that permits no waste water to escape until transferred for treatment offsite.
 - c. *Inspection Report* means an Inspection Report provided by a *Safety Codes Officer* in accordance with the Uniform Quality Management Plan adopted by the *Summer Village* Council or by a *Certified Maintenance Inspector* in accordance with this Bylaw.
 - d. *Municipal Government Act* means the *Municipal Government Act, R.S.A., 2000, c. M-26* as amended or repealed and replaced from time to time and amendments thereto.
 - e. *Private Sewage Disposal System (or Sewer System)* means on-site wastewater treatment systems as defined in the Standard of Practice, Septic Tanks and the associated Treatment Fields, *Holding Tanks, Privies or Outhouses*, or a plant for the treatment and disposal of *Wastewater* that is not connected to a municipal wastewater utility system.

- f. *Safety Codes Officer* means a Safety Codes Officer in the plumbing discipline holding Group B qualifications.
- g. *Summer Village* means the Summer Village of Crystal Springs.
- h. *Wastewater* means the composite of liquid and water-carried wastes associated with the use of water for cooking, cleaning, washing, sanitation, or other domestic purposes as defined in the Standard of Practice but does not include liquid waste from industrial processes.
- i. *Municipal Wastewater Utility System* means a piping system for collecting Wastewater operated by the *Summer Village* or a contractor selected by the *Summer Village*, either alone or in cooperation with other municipalities.

General

- 3. This bylaw is applicable to all properties (lots) within the Summer Village. All properties within the Summer Village that are used for any purpose including camping, recreational activities or living accommodation must contain all wastewater in a water tight *Holding Tank*.
- 4. New *Holding Tank* installations are required to conform to the Alberta Private Sewage Systems Standard of Practice 2009 and as amended from time to time.
- 5. All wastewater pipes are to be connected to a *Holding Tank*. The minimum capacity for a holding tank shall be a minimum of 5,500 litres (1,200 gallons) unless a waiver or variance regarding the minimum has been approved by the Development Officer.
- 6. Nothing in this Bylaw relieves any Person from complying with any Enactment or any requirements of any permit, order or license.
- 7. Where any conflict exists between this Bylaw and any Provincial or Federal law or regulation, the law or regulation prevails.

Inspections

- 8. All new and replacement *Private Sewage Disposal Systems* require inspection by a *Safety Codes Officer* in accordance the Safety Codes Act and the *Uniform Quality Management Plan*.
- 9. All existing holding tanks, Privies, and *Private Sewage Disposal Systems*, are required to be inspected by a Certified Maintenance Inspector.
- 10. The *Summer Village* requires the Inspection to ensure a *Private Sewage Disposal System* meet the standards of the Alberta Private Sewage Systems Standard of Practice 2009 and amendments thereto. The property owner shall ensure that a copy of the inspection report is provided to the Summer Village Office.
- 11. Inspections to all holding tanks, privies and *Private Sewage Disposal Systems* are to be completed prior to July 15, 2019 and to be repeated every second year thereafter.
- 12. Inspection costs as outlined above will be borne by the property owner and, if unpaid, will be added to the subsequent tax roll.

Privies and Alternative Private Sewage Systems

- 13. Septic or Treatment Fields shall not be constructed within the *Summer Village*.
- 14. All existing *Privies (Outhouses)* must be equipped with water-tight *Holding Tanks* and be constructed to comply with the *Standard of Practice* and Land Use Bylaw provisions regarding required setback from property lines.

15. Alternative systems: Chemical toilet and incinerating toilet by-products must be disposed of in a manner acceptable to Alberta Environment and any other authority with relevant jurisdiction.

Future Development and Improvements

16. New *Holding Tank* installations and modifications to *Private Sewage Disposal Systems* are required to have all permits in place, including a Development Permit, prior to commencement of such work.
17. Any new or upgraded sewage system is required to conform to the provincial legislation and standards current at the time.
18. All new developments, including replacements of buildings and existing *Systems* must install a *Holding Tank* with a minimum capacity of 1200 gallons which has two compartments, and two risers in compliance with the Municipal Wastewater Utility specifications.
19. The holding tanks noted in 18. above must be connected to the Municipal Wastewater Utility.
20. Holding tanks must be inspected by a Safety Codes Officer after they have been installed but before they are covered with soil.

Severability

21. 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

22. If a *Certified Maintenance Inspector* identifies any failure to comply with the *Standard of Practice for Private Sewage Disposal Systems* or any unsafe conditions, the *Certified Maintenance Inspector* must notify a *Safety Codes Officer* and the *Summer Village* immediately.
23. If a *Safety Codes Officer* or the *Summer Village* believes that a Person has committed an offence pursuant to this Bylaw or the *Safety Codes Act* or any regulation, the *Safety Codes Officer* may commence proceedings against that Person.
24. Any Owner with a non-compliant sewage system who fails to repair or replace the *Holding Tank* within 90 days may be subject to a fine and the *Summer Village* may contract to have the system upgraded. The upgrade will include the installation of a conforming *Holding Tank*, having the contaminated soil removed and replaced, and connecting the tank to the Municipal Wastewater System with all costs charged to the Property Owner.
25. 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 *Summer 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.
26. Nothing in this Bylaw diminishes or in any way affects the provisions of the *Safety Codes Act* relating to offences or penalties and/or the obligations imposed by the *Safety Codes Act* relating to the reporting of accidents or unsafe conditions.
27. The levying and payment of any fine 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.

Effective Date

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

READ a first time this 7th day of February, 2018.

READ a second time this 7th day of February, 2018.

READ a third time and finally passed 14th day of March, 2018.

Signatures on File

**Ian Rawlinson, Mayor
Summer Village of Crystal Springs**

**Sylvia Roy, Chief Administrative Officer
Summer Village of Crystal Springs**

SCHEDULE A - PENALTIES

PENALTIES

Offense	Amount
1st Offense	\$2,500.00
2nd Offense	\$10,000.00
3rd 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 as per the conditions and late payment penalties will apply.