

SUMMER VILLAGE OF CRYSTAL SPRINGS

BYLAW NO. 212

TO REGULATE MANAGEMENT AND MAINTENANCE OF PRIVATE SEWAGE DISPOSAL SYSTEMS

THE WASTEWATER BYLAW

WHEREAS the *Municipal Government Act*, §7(a) 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 §542 authorizes municipal inspections and enforcement of bylaws;

AND WHEREAS the *Safety Codes Act* §26(1) provides that municipalities may be designated as accredited municipalities, authorized to administer that Act with respect to processes or activities, and *Private Sewage Disposal Systems* within municipal boundaries; and §66(3)(b) to adopt Bylaws respecting the carrying out of its powers and duties as an accredited municipality;

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 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".

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 *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 - d. *Municipal Government Act* means the *Municipal Government Act*, R.S.A., 2000, c. M-26 as amended or repealed and replaced from time to time and amendments thereto.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* and *Privies* or *Outhouses*; a plant for the treatment and disposal of *Wastewater* that is not connected to a municipal sewage disposal 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. *Wastewater Collection 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 the standards described in Schedule A.
- 5. All wastewater pipes are to be connected to a *Holding Tank*. The minimum capacity for a holding tank shall be 6,700 litres (1,500 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. Where any conflict exists between this Bylaw and any other existing Summer Village Bylaw, this Bylaw prevails.

Inspections

- 8. All new and replacement *Private Sewage Disposal Systems* require inspection by a *Safety Codes Officer* in accordance §34 of the Safety Codes Act with the *Uniform Quality Management Plan*.
- 9. All existing holding tanks, *Private Sewage Disposal Systems*, are required to be regularly inspected by a Certified Maintenance Inspector.
- 10. Given the *Summer Village* provided inspections in 2007, subsequent inspections by a *Certified Maintenance Inspector* are to take place at least every 10 years, that is, prior to December 31, 2017.
- 11. The *Summer Village* may require an Inspection to ensure a *Private Sewage Disposal System* meet the standards of the Alberta Private Sewage Systems Standard of Practice 2009 and standards described in Schedule A, as per MGA §542(1) and §34 of the Safety Codes Act.
- 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 new and existing *Privies (Outhouses)* must be equipped with water-tight *Holding Tanks* and be constructed to comply with the *Standard of Practice* and LUB #208 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, as in Schedule A.
18. It is recommended all new developments, including replacements of existing *Systems* must install a *Holding Tank* which has two compartments to house pumps necessary for future municipal sewer services.
19. Holding tanks must be inspected by a Safety Codes Officer after they have been installed but before they are covered with soil.
20. All properties which produce *Wastewater* within the *Summer Village* must connect to a *Wastewater Collection System* within 1 year of such system being provided.

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 *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 to a conforming *Holding Tank* and the contaminated soil removed and replaced, 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.

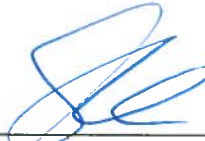
READ a first time this 7th day of May, 2013.

READ a second time this 4th day of June, 2013.

READ a third time and finally passed 9th day of July, 2013.



**Doris Bell, Mayor
Summer Village of Crystal Springs**



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

SCHEDULE A – REGULATIONS AND STANDARDS

1. *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.
2. *Private Sewage Disposal Systems Regulation* means Alberta Regulation 229/1997 as amended or repealed and replaced from time to time and amendments thereto.
3. *Standard of Practice* means the Alberta Private Sewage Systems Standard of Practice 2009 published by the Safety Codes Council as amended or repealed and replaced from time to time and amendments thereto.

If the *Standard of Practice* does not apply to any *Private Sewage Disposal Systems* within the *Village* as a result of any *Enactment*, the *Private Sewage Disposal System* must still be inspected in accordance with this Bylaw, however the applicable standard to which it will be held is a standard acceptable to an administrator of the *Safety Codes Act* instead of the *Standard of Practice*.

4. *Provincial Offences Procedure Act* means the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34 as amended or repealed and replaced from time to time and amendments thereto.
5. *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.

SCHEDULE B - FINES

1. 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* or the *Summer Village* may commence proceedings against that Person by:
 - a) Issuing an order pursuant to the *Safety Codes Act*;
 - b) Issuing an order pursuant to the *Municipal Government Act*;
 - c) Issuing a violation ticket pursuant to the *Provincial Offences Procedures Act*; in an amount of up to \$1000 per offence and also for any recurring offences within 60 day intervals, or
 - d) Laying an information in lieu of issuing a violation ticket pursuant to the *Provincial Offences Procedures Act*.

2. The Owner of a property (lot) who fails to upgrade their sewage facility as ordered within the specified date, or as a condition of a compliance certificate, may be subject to a fine of:

\$2,000.00 for the first offence
\$5,000.00 for the second and any subsequent offence.

The property owner who wilfully discharges waste water on their lot or any other Summer Village property will be subject to a fine of:

\$5,000.00 for the first offence
\$7,500.00 for the second and any subsequent offence.

The Summer Village may, given no action by the owner within 14 days, contract for appropriate remediation services, the cost of which will be borne by the property owner, and if unpaid, be added to the subsequent tax roll as per Section 553 and 553.1 of the Municipal Government Act 200 C.M-26 and any amendments thereto.