

**CONSOLIDATION OF BYLAW 6656 AS OF NOVEMBER 15th, 2004 UP TO AND
INCLUDING BYLAW 7513**

THE CORPORATION OF THE DISTRICT OF NORTH VANCOUVER

BYLAW 6656

A bylaw to establish a storm sewer system and a sanitary sewer system and make provision for the use of these sewer systems pursuant to sections 587, 588, 611 and 612 of the *Municipal Act*, R.S.B.C 1979, c290

The Council for The Corporation of the District of North Vancouver enacts the following:

Title

1. This bylaw may be cited as the "**SEWER BYLAW**".

Interpretation

- 2) In this bylaw,
clear water waste means waste water with impurity levels that will not contravene the *Fisheries Act*, R.S.C. 1985, c. F-14, and includes cooling water obtained from a domestic water supply and to which no substance has been added, condensate drainage from refrigeration and air conditioning equipment, and cooled condensate from steam heating system, but does not include *storm water*.

deleterious substance means the definition of *deleterious substance*" set out in section 34 of the Fisheries Act. R.S.C. 1970. c. F-14, at the time of the adoption of this bylaw.

Director means the Director of Parks and Engineering Services or his designate.

District means The Corporation of the District of North Vancouver.

District Employees means authorized personnel of the *District*, persons authorized by the *District*, and persons engaged under independent contract by the District.

Domestic Sewage means sewage generated through normal residential (domestic) use.

order to comply means an order substantially in the form of Attachment 6 to this bylaw;

real property means land, with or without improvements so affixed to the land as to make them in fact and law a part of it.

sanitary drainage system means an assembly of pipe, fixtures, traps and appurtenances within a parcel of *real property* that is used to convey *sewage* to a *sanitary sewer connection* at the property line or edge of an easement or to a private sewage disposal system.

sanitary sewer connection means the municipally owned pipe installed within a highway or easement on a sanitary sewer main to provide the connection between the *sanitary sewer system* and a *sanitary drainage system*.

sanitary sewer system means the municipally owned system of pipes, pumps, and appurtenances located on highways and easements for the purpose of conveying *sewage* from the *sanitary sewer connection* to Greater Vancouver Sewerage and Drainage District (GVS & DD) facility.

sewage means a liquid waste, other than *clear water waste*, and *storm water* that is or is intended to be discharged into the *sanitary sewer system*.

storm sewer connection means the municipally owned pipe installed within a highway or easement on a storm sewer main to provide the connection between the *storm sewer system* and a *storm drainage system*.

storm drainage system means an assembly of traps, sumps, ditches and troughs within a parcel of *real property* that is used to collect and convey *storm water* to a *storm sewer*.

connection at the property line or the edge of an easement, or to a private *storm water* disposal system.

storm sewer system means the municipally owned system of pipe, ditches and watercourse on highways and easements for the purpose of conveying *storm water* from the *storm sewer connection*.

storm water means ground water or rain water with impurity levels that will not contravene the *Fisheries Act, R.S.C. 1970, c.F.-14*.

work includes any construction, installation, alteration, extension, excavation, back-filling, repair, maintenance, or replacement of a *sanitary sewer system*, *sanitary sewer connection*, *storm sewer connection*, or *storm sewer system*.

Establishment of Sewer Systems

3. The Council hereby establishes as separate systems
 - a) a *sanitary sewer system*; and
 - b) a *storm sewer system*.

Administration of Sewer Utility

4. The *Director* is empowered to administer and enforce this bylaw.

Work on Sewer Systems

5. No person, other than *District Employees*, may do *work* on the *sanitary sewer system*, or the *sanitary sewer connection* or the *storm sewer system*, or the *storm sewer connection*. The sanitary and storm sewer systems owned by the GVS & DD and situated within the District of North Vancouver are excluded from this clause.

Use of Sanitary Sewer System

6. No person may use the *sanitary sewer system* for other than the discharge of *sewage*. All discharge into the *sanitary sewer system* must comply with Greater Vancouver Sewerage and Drainage District Sewer Use Bylaw no. 164 as amended from time to time.

Use of Storm Sewer System

7. No person may use the *storm sewer system* for other than the discharge of *storm water* or any *clear water waste* or both as permitted by the relevant provisions of the current *Building Regulations of British Columbia*.

Requirements to use the Sanitary Sewer System

8. Except as provided in this section every *sanitary drainage system* shall discharge into a *sanitary sewer connection* connected to the *sanitary sewer system*. However, an alternative disposal method may be used:
- (a) where the *sanitary sewer system* is located more than 350 metres horizontally from the nearest point of the *real property* upon which is located the building served by the *sanitary drainage system*;
 - (b) where the *sanitary drainage system* is connected to an approved existing, functioning, alternate disposal system.

All *sewage* disposal must comply with the *Health Act*, R.S.B.C. 1979, c 161. and the current *Building Regulations of British Columbia*, and the B.C. Special Waste Regulations, and the GVS & DD Sewer Use Bylaw No. 164.

Requirements to use the Storm Sewer System

9. Except as provided in this section all *storm water*, *clear waste water* and run-off from hard surfaces shall discharge into the *storm sewer system*. Alternative discharge is permitted in accordance with the current *Building Regulations of British Columbia*, upon acceptance of the Director where the following conditions apply:
- a) discharge by pumping would be required;
or
 - b) the *storm sewer system* is located more than 50 metres horizontally from the nearest point of *real property* upon which is located the building served by the *storm drainage system*;
and
 - c) the *storm drainage system* is connected to an approved existing, functioning, alternate discharge system.

Where an alternate discharge has failed or is creating damage or a nuisance to adjoining properties, the discharge shall be connected into the nearest available *storm sewer system*, or, failing the availability of a *storm sewer system*, an alternate system is acceptable if designed by a Professional Engineer and accepted by the *District*.

Monitoring Chamber

10. a) New *sanitary drainage systems* which are located on land that is zoned CD, industrial, or commercial according to the "District of North Vancouver Zoning Bylaw, 1965, as amended, shall not be connected to a *sanitary sewer connection* unless equipped with a monitoring chamber. The monitoring chamber that meets the technical specifications is set out in Attachment 1, and is suitable for the sampling and inspection of the *sewage* which is discharged from the *sanitary drainage systems* to the *sanitary sewer connection*. For sampling purposes, the monitoring chamber must be void of *domestic sewage*. Process information and a technical drawing must also be submitted to the Air Quality and Source Control Department of the GVRD for approval.
- b) A property owner that is served with written notice from the *Director* advising that a monitoring chamber is required on an existing or new *sanitary drainage system* located on that owner's property shall install a monitoring chamber on that *sanitary drainage system* in accordance with subsection 10 (a) and 10 (c) of this bylaw:
- i) within one year of the notice being served for an existing *sanitary drainage system*; or
 - ii) prior to connection to the *sanitary sewer connection* in the case of a new *sanitary drainage system*; or
 - iii) as ordered by the *Director*.

- c) An owner of a parcel of land, or person on behalf of the owner, who installs a monitoring chamber shall install the monitoring chamber on the *sanitary drainage system* at or near property line within the bounds of the owner's parcel of land. All costs associated with the installation and maintenance thereof shall be the responsibility of the owner.
- d) The *Director* may waive the requirements of this section where the property owner has submitted a report from a Professional Engineer certifying that the intended use of the property including any construction or remodelling work will introduce only *domestic sewage* to the *sanitary sewer system*.

Oil & Grit Interceptors

- 11. a) New *storm drainage systems* which are located on land that is zoned CD, industrial, or commercial according to the "District of North Vancouver Zoning ByLaw, 1965", as amended, shall not be connected to a *storm sewer connection* unless equipped with an oil and grit interceptor. The oil and grit interceptor shall meet the technical specifications set out in Attachment 2 and shall be suitable for the sampling and inspection of the *storm water* which is discharged from the *storm drainage system* to the *storm sewer connection* and suitable for the interception, retention, and removal of *deleterious substances* in that discharge.
- b) A property owner that is served with written notice from the *Director* advising that an oil and grit interceptor is required on an existing or new *storm drainage system* located on that owner's property shall install an oil and grit interceptor on that *storm drainage system* in accordance with subsections 11(a) and 11(c) of this bylaw:
 - i) within one year of the notice being served for an existing *storm drainage system*; or
 - ii) prior to connection to the *storm sewer connection* in the case of a new *storm drainage system*; or
 - iii) as ordered by the *Director*.
- c) An owner of a parcel of land, or person on behalf of the owner, who installs an oil and grit interceptor shall install the oil and grit interceptor on the *storm drainage system* at or near the property line within the bounds of the owner's parcel of land. All costs associated with the installation and maintenance thereof shall be the responsibility of the owner.
- d)
 - (i) All oil and grit interceptors shall be cleaned by a waste contractor holding a valid District business licence as frequently as necessary to ensure that *deleterious substances* in the discharge from the *storm drainage system* are intercepted and retained for removal;
 - (ii) The owner of the property on which an oil and grit interceptor has been installed shall maintain records of the cleaning for inspection by the *Director* and shall forward, to the *Director*, by May 1 of each year, a copy of the record of inspections for the previous 12 months;
 - (iii) Such records are to be maintained on the premises on which the oil and grit interceptor is located and are to be retained for not less than six years;
 - (iv) The *Director* may order the owner of an oil and grit interceptor to undertake more frequent cleaning if there is evidence that inadequate or lack of cleaning of the oil and grit interceptor has impaired its ability to intercept, and retain for removal, the *deleterious substances* in the discharge from the *storm drainage system*.

- e) The *Director* may waive the requirements of this section where the property owner has submitted a report from a Professional Engineer certifying that the intended use of the property including any construction or remodelling work, will not introduce *deleterious substances* to the *storm sewer system*.

Inspection Chambers

- 12. a) All new *storm drainage connections* and *sanitary drainage connections* that do not require a monitoring chamber or an oil and grit chamber or have a man-hole at or near the property line shall be equipped with an inspection chamber that meets the technical specifications set out in Attachment 3.

Establishment of Sewer Connections

- 13. The *District* will allow connections to the *sanitary sewer system* and the *storm sewer system* in accordance with the following procedure:
 - a) an owner of *real property* makes a written request to the *Director* for a *sanitary sewer connection* or a *storm sewer connection*;
 - b) the request shall be accompanied by payment for the connection, in accordance with Attachment 4;
 - c) the request shall contain the permission of the owner of the *real property* for *District Employees* providing the connection to enter the *real property* being serviced;
 - d) upon being satisfied that the requested connection can be made in accordance with good engineering practice and complies with the provisions of this bylaw, and the discharge meets the requirement of GVS & DD Sewer Use Bylaw No. 164, the *Director* may direct that the *work* be done;
 - e) the connections may not be used until approval has been granted by the *Director*.

Sanitary Sewer System User Charge

- 14. The owner or occupier connected to the *sanitary sewer system* shall pay the applicable charges for the use of the system in accordance with Attachment 5.

Capping of Sewer Connections

- 15. Before a building is demolished, destroyed or removed from *real property*, any *sanitary sewer connection* or *storm sewer connection* shall be capped off by *District employees*. The cost of capping off shall be paid by the owner or occupier of the *real property*, in accordance with Attachment 4.

Order to Comply

- 16. When an owner or occupier of *real property* has failed to comply with the provisions of this bylaw, the *Director* may, in addition to other enforcement measures that the *District* may take, serve on such owner or occupier an *Order to Comply* in the form of Attachment 6, specifying the non-compliance and indicating a date by which the owner or occupier is ordered to comply.

Service

- 17. The *Director* may serve any notice, order, or invoice issued pursuant to this bylaw by:
 - a) personal service; or
 - b) return registered mail to the address of the owner or the occupier, as appropriate, shown on the last revised *real property* assessment rolls in which case the owner or occupier shall be deemed to have been served on the third day after mailing.

Appeal

18. An owner who has been served an *Order to Comply* may, by giving notice in writing to the Municipal Clerk at least three business days prior to the expiry of the time given in the *Order to Comply* to remedy the failure to comply, appeal to the Council in writing who may hear and determine the appeal by confirming, amending or rescinding the *Order to Comply*.

Default

19. If the terms of an *Order to Comply* are not fulfilled by the date prescribed in the order, the *District* may have *District Employees* enter the *real property* and do the *work* necessary to bring the property into compliance with the *Order to Comply* and the *District* may recover the cost of such work from the owner or occupier of the property together with interest at the rate for overdue accounts as set by Council.

Costs

20. The *Director* shall certify to the Director of Financial Services all costs incurred by the *District* in performing or causing to be performed any *work* under Section 19, upon receipt of which the Director of Financial Services shall demand payment by issuing an invoice in the amount of the costs to the person named in the *Order to Comply*, and to the owner of the *real property*, if different from such person, and such invoice may be served in accordance with section 17.

Right of Entry

21. The *Director* and *District Employees* designated by the *Director* to inspect the *sanitary drainage system* or the *storm drainage system* may enter, at all reasonable times, on any property subject to this bylaw, to ascertain whether the provisions of the bylaw and the terms of any permit or order issued pursuant to this bylaw by the *Director* are being observed.

Offence and Penalties

22. Every person who;
 - a) contravenes; or,
 - b) causes, suffers, or permits anything to be done that contravenes; or,
 - c) fails or neglects to do anything required by; or,
 - d) obstructs the *Director* or *District Employees* in the exercise of their powers under the provisions of this bylaw, or the terms of any permit or order issued pursuant to this bylaw, commits an offence and is liable upon summary conviction for a penalty of not more than \$10,000 and for the cost of prosecution, and each day that the offence continues constitutes a separate offence.

Remedies or Enforcement

23. Nothing in this bylaw, shall be construed as in any way limiting or restricting the powers of the municipality to enforce the provisions of this bylaw in any manner authorized by law.

Repeal

24. The Sewer Charges and Fees Bylaw (Bylaw 5343) and amendments are hereby repealed.

Bylaw amended by: 6723, 6826, 6874, 6928, 6992, 7058, 7142, 7230, 7308, 7438, 7513

ATTACHMENT 5 TO THE SEWER BYLAW (BYLAW #6656)

TITLE

1. "SANITARY SEWER AND DRAINAGE CHARGES AND FEES"

UNMETERED WATER SUPPLY

2. Where the water supply to a property is unmetered, an annual charge is imposed on the owner or occupier of the real property for the maintenance of the sanitary sewer and storm drainage systems according to the class of user as follows. All flat rate annual charges are due and payable at the same time and in the same manner as the general rates and taxes. If Secondary Suite or Family Residential Unit charges are billed separately, they are due and payable within 30 days of invoice date.

The annual charge for premises serviced for less than one year shall be pro-rated from the date of connection to the last day of December. The date of connection shall be determined as follows:

- for premises where a new sanitary sewer inspection chamber has been installed, the date of connection is the date on which District forces pull the inspection chamber plug
- for all other premises, the date of connection is the date of the final plumbing inspection for the first dwelling unit; for phased developments, the date of connection for each phase is the date of the final plumbing inspection for the first dwelling unit in that phase

Any property owner who is about to remove a Secondary Suite or Family Residential Unit shall give written notice of same to the Chief Bylaw Officer; the user charge therefor will be for the period ending December 31st of the year in which the Secondary Suite or Family Residential Unit is removed.

Any property owner who installs a Secondary Suite will be charged the applicable user charge from January 1st of the following year.

All charges are for the calendar year.

SEWER AND DRAINAGE USER CHARGES SEWER AND DRAINAGE USER CHARGES & FEES - ANNUAL CHARGE		
A. FLAT RATE CHARGES		
	USER	2005
1.	Single Family Residence	\$ 271.00
2.	Duplex Residential Unit	\$ 271.00
3.	Strata Title Residential Unit	\$ 225.00
4.	Secondary Suite or Family Residential Unit	\$ 152.00
5.	Any Other Residential Unit	\$ 225.00
6.	Rest Home Plus per bedroom, an additional	\$ 271.00 \$ 46.00
7.	Retail, office or service commercial premise With living quarters, an additional	\$ 271.00 \$ 225.00
8.	Schools, up to ten classrooms Plus per classroom over ten, an additional	\$2,693.00 \$ 225.00

9.	Church	\$ 271.00
----	--------	-----------

METERED PROPERTIES

3. Where the water supply to a property is metered, or where the sewage discharge from a property is metered or otherwise measured under a GVS&DD Waste Discharge Permit, a charge, which is due and payable on or before the 20th day of the month in which the account is rendered, is imposed on the owner or occupier of the real property for the maintenance of the sanitary sewer and storm drainage systems according to the quantity of water delivered to the property or the quantity of sewage discharged from the property as follows:

MONTHLY SEWER AND DRAINAGE CHARGES FOR METERED PROPERTIES	
MONTHLY SEWER AND DRAINAGE CHARGES	2005
For the first 1,000 cu.ft. - metered per 100 cu.ft.	\$ 5.01
For the next 1,500 cu.ft. - metered per 100 cu.ft.	\$ 4.19
For the next 10,000 cu.ft. - metered per 100 cu.ft.	\$ 2.84
For the amount metered in excess of 12,500 cu.ft. per 100 cu.ft.	\$ 2.27
Except that the minimum charge is	\$27.14

QUARTERLY SEWER AND DRAINAGE CHARGES FOR METERED PROPERTIES	
QUARTERLY SEWER AND DRAINAGE CHARGES	2005
For the first 3,000 cu.ft. - metered per 100 cu.ft.	\$ 5.01
For the next 4,500 cu.ft. - metered per 100 cu.ft.	\$ 4.19
For the next 30,000 cu.ft. - metered per 100 cu.ft.	\$ 2.84
For the amount metered in excess of 37,500 cu.ft. per 100 cu.ft.	\$ 2.27
Except that the minimum charge is	\$81.42

REDUCTION IN CHARGE

4. Where the water supply to a property is metered and a user of the sanitary sewer system can establish that less than 80% of the water delivered by the water utility to the property is discharged into the sanitary sewer system, the Treasurer shall reduce the charge in proportion to the amount of water which is not discharged into the sewer system as follows:
- water discharged to the sanitary sewer is less than 80 per cent down to 65 percent - 25 percent reduction in sewer charge
 - water discharged to the sanitary sewer is less than 65 per cent down to 35 percent - 50 percent reduction in sewer charge

- water discharged to the sanitary sewer is less than 35 percent - 75 percent reduction in sewer charge

INDUSTRIAL BOD/TSS CHARGES

- Where the discharge to sanitary sewer from a property is regulated under a GVS&DD Waste Discharge Permit, the total annual charge will consist of :

Charges for Metered Properties as established in Part 3, plus
 (Total BOD/TSS User Charges plus Total BOD/TSS Capacity Charges minus
 Adjustment For Previous GVRD Sewer Charges)*

* Note: The sum total of the amounts in parentheses will not be less than 0

Total BOD/TSS User Charges, Total BOD/TSS Capacity Charges, and Adjustment For Previous GVRD Sewer Charges are as follows:

ANNUAL BOD/TSS CHARGES - 2005		
	USER CHARGES (For Total Quantity Discharged During Operating Year**)	CAPACITY CHARGES (For Average Daily Quantity Discharged During Operating Year**)
BOD	\$0.111 / kg.	\$42.975 / kg. / day
TSS	\$0.629 / kg.	\$36.314 / kg. / day
.FLOW	\$0.105 / cu.m.	\$19.305 cu.m. / day

** Note: Operating year is July 1, 2003 to June 30, 2004. Discharge quantities for table above are as determined by the GVS&DD. Metered volumes for table below are from sewage discharge meter readings or measurements as determined by the GVS&DD or from water meter readings.

ADJUSTMENT FOR PREVIOUS GVRD SEWER CHARGES - 2005	
MONTHLY METERED PROPERTIES **	
For the first 1,000 cu.ft. - metered per 100 cu.ft.	\$2.62
For the next 1,500 cu.ft. – metered per 100 cu.ft.	\$2.19
For the next 10,000 cu.ft. – metered per 100 cu.ft.	\$1.49
For the amount metered in excess of 12,500 cu.ft. per 100 cu.ft.	\$1.19
QUARTERLY METERED PROPERTIES **	
For the first 3,000 cu.ft. - metered per 100 cu.ft.	\$2.62
For the next 4,500 cu.ft. - metered per 100 cu.ft.	\$2.19
For the next 30,000 cu.ft. - metered per 100 cu.ft.	\$1.49
For the amount metered in excess of 37,500 cu.ft. per 100 cu.ft.	\$1.19

CHARGE FOR CONTAMINATED GROUNDWATER DISCHARGE TO SEWER

6. 2005\$ 0.258 per cubic metre.

(6723, 6928, 6826, 6992, 7058, 7142, 7230, 7308, 7368, 7438, 7513)

ATTACHMENT 6 TO THE SEWER BYLAW (BYLAW #6656)

Date:

ORDER TO COMPLY

Pursuant to the Sewer Bylaw

TO:

RE: Condition of Real Property
Legal Description

I have investigated the condition of the captioned real property and find that;

in violation of section ____ of the Sewer Bylaw.

You are ordered to:
by _____, 199_.

Failure to comply with the Order may result in either or both of the following two actions set out in Sections 19 and 22 of the Bylaw:

DEFAULT

19. *If the terms of an ORDER TO COMPLY are not fulfilled by the date prescribed in the order, the District may have District Employees enter the real property and do the work necessary to bring the property into compliance with the ORDER TO COMPLY and the District may recover the cost of such work from the owner or occupier of the property together with interest at the rate for overdue accounts as set by Council.*

OFFENCE AND PENALTIES

22. *Every person who;*
- a) *contravenes; or,*
 - b) *causes, suffers, or permits anything to be done that contravenes; or,*
 - c) *fails or neglects to do anything required by; or,*
 - d) *obstructs the Director or District Employees in the exercise of their powers under the provisions of this bylaw, or the terms of any permit or order issued pursuant to this bylaw, commits an offence and is liable upon summary conviction for a penalty of not more than \$10,000 and for the cost of prosecution, and each day that the offence continues constitutes a separate offence.*

An appeal from this Order to Comply is set out in Section 18 of the Bylaw as follows:

APPEAL

18. *An owner who has been served an Order to Comply may, by giving notice in writing to the Municipal Clerk at least three business days prior to the expiry of the time given in the Order to Comply to remedy the failure to comply, appeal to the Council in writing who may hear and determine the appeal by confirming, amending or rescinding the Order to Comply.*

Director of Parks & Engineering Services