

**CHAPTER 24
PUBLIC SEWERS BY-LAW**

**PART I
DEFINITIONS**

1. Unless the context specifically indicates otherwise, the meaning of terms used in this by-law shall be as follows:
 - 1) "**SANITARY SEWER**" shall mean a sewer which carries sanitary sewage, as defined hereafter, and to which storm, surface and ground water are not intentionally admitted.
 - 2) "**STORM SEWERS**" shall mean a sewer which carries storm and surface water, industrial cooling water, or unpolluted process waters, but excludes sanitary sewage.
 - 3) "**COMBINED SEWER**" shall mean a sewer intended to function simultaneously as a storm sewer and a sanitary sewer.
 - 4) "**BUILDING SEWER**" shall mean a sewer which is located on private property and which connects a building to a public sewer or other place of disposal.
 - 5) "**PUBLIC SEWER**" shall mean a sewer which is located on public property and which is owned and maintained by the Town.
 - 6) "**PRIVATE SEWER**" shall mean a sewer which is located on private property and which is not owned or maintained by the Town.
 - 7) "**SANITARY SEWAGE**" shall mean water-carried wastes from residences, commercial buildings or premises, institutions and industrial establishments, but excluding storm sewage, as defined hereafter.
 - 8) "**STORM SEWAGE**" shall mean ground, surface and storm waters which are unpolluted other than by their contact with the natural environment and industrial cooling water, and unpolluted process water.

- 9) "**SLUDGE**" shall mean the discharge of sewage which in concentration of any given constituent or any quantity of flow exceeds more than five times the average 24 hour concentration or flow for a period in excess of fifteen minutes.
- 10) "**SEWAGE WORKS**" shall mean all sewer systems, sewage pumping stations, sewage treatment plants, and other works for the collection, acceptance, transmission, treatment, and disposal of sewage or for any one or more of them.
- 11) "**GARBAGE**" shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food and from the handling, storage and sale of produce.
- 12) "**NATURAL OUTLET**" shall mean any outlet into a ravine, gulch, watercourse, or the bed thereof, whether the same usually contains water or not, or any stream, river, creek, ditch, lake or other body of surface or groundwater.
- 13) "**TOWN**" shall mean the Town of Bridgewater, the duly elected Councillors of the Town of Bridgewater, acting in Council, or any commission or officer appointed by the Council to supervise the operation and administration of the sewage works.
- 14) "**TOWN'S INSPECTOR**" shall mean any sanitary inspector, public health inspector or any person who is authorized by the Town to carry out inspections or investigations on behalf of the Town as may be required under this by-law.
- 15) "**POLLUTED**" shall mean altered physical, chemical, biological or aesthetic properties of the natural waters of the area, including change of the temperature, taste, or odour of the waters, or the addition of any liquid, solid, radioactive, gaseous or other substance to the water or the removal of such substances from the water, which will render, or is unlikely to render, the waters harmful to the public health, safety, or welfare; or harmful or less useful for domestic, municipal, industrial, agricultural, recreational or other lawful uses, or for animals, birds, or aquatic life.
- 16) "**USER**" means the owner or occupant of property which is serviced by, connected to, or makes use of the Town's sewerage system.

Amended
Jan.6/95

<p>PART II THE REQUIRED USE OF PUBLIC STREETS</p>

2. It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the Town, or in any area under the jurisdiction of the Town, any human or animal excrement, garbage or other objectionable waste.

3. It shall be unlawful to discharge to any natural outlet within the town, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this by-law. This section shall not apply to emergency sanitary sewer overflow, or to any sanitary sewer which existed prior to 1975.
4. The owner of any dwellings, house, shop, store, office or other building, situated within the town and abutting on any street, alley or right-of-way in which there is now located, or may in the future be located, a public sanitary or combined sewer of the town, is hereby required, at his expense, to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this by-law, within 90 days after date of notice by the Town to do so.
 - (a) Dwellings may be constructed on approved lots serviced by on-site septic where the dwelling will be located more than 100 metres (328 feet) away from the street in which central sewer and/or water is located; provided that the on-site services are constructed to NSDEL's requirements and are approved by NSDEL. Further, should a public street with central sewer be constructed within 20 metres of the dwelling, the dwelling will be required to connect within one year of notification by the Town to do so.

4(a)
approved
Dec. 11,
2006

PART III
BUILDING SEWERS AND CONNECTIONS

5. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof, without first obtaining a permit from the Town.
6. The owner or his agent shall make application to the Town for any proposed connection.
7. The Town shall provide any installations required for the connections within the rights-of-way of the town streets when
 - 1) the owner pays the connection charge provided in Section 27 hereof, and
 - 2) the property fronts on a street in which there is a sewer.
8. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an internal lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, in which case the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. For the purpose of this section, the word "building" includes each unit of a semi-detached (side by side) building.

Amended
Oct.30/87

9. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Town, to meet all requirements of this by-law.
10. Size, slope, alignment, materials of construction of the building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing, backfilling and trench and the connection to the public sewer, shall all conform to the requirements of the Town, as they may exist at the time of installation. All building sewers shall incorporate an effective back water valve, if any fixture served by it is located below the level of the street on which the sewer main is located.
11. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which the building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drains shall be lifted by an approved means and discharged to the building sewer.
12. No person shall make connection of roof down spouts, exterior foundation drains, area way drains or other sources of surface runoff or groundwater to a building sewer or building drain, which in turn is connected directly or indirectly to a public sanitary sewer. Surface runoff or groundwater shall be disposed of by connection to a public storm or combined sewer, or by a natural outlet or shall be disposed of by wet well or other approved means.
13. The person who originally made application for the building sewer permit shall notify the Town when the building sewer is ready for inspection and connection to the public sewer. The entire works shall be performed under the supervision of the Town's inspector.
14. All excavations for the building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Street, sidewalk, walkways, and other public property disturbed in the course of the work shall be restored to a condition which is satisfactory to the Town.

PART IV
USE OF THE PUBLIC SEWER

15. No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, unpolluted cooling water or unpolluted industrial process waters to any sanitary sewer.
16. No persons shall discharge or cause to be discharged any sanitary sewer to any storm water.
17. Storm water, industrial cooling water, unpolluted process water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved under the Environmental Protection and Waters Act.
18. No person shall insure, break or remove any portion of any receiving basin, covering flag, manhole, vent shaft, grating or any part of any sewer or drain, or obstruct the flow of water

or permit any substance to flow into a sewer or drain which shall form a deposit having a tendency to fill or obstruct such sewer or drain.

19. Sanitary sewage shall be discharged to such sewers as are specifically designated as sanitary sewers or combined sewers, except that no person shall discharge or cause to be discharged the following described substances, materials, waters or wastes:
- 1) Sewage at a temperature in excess of 75° Centigrade;
 - 2) Sewage containing any inflammable or explosive matter and, without limiting the generality of the foregoing, gasoline, benzene, naphtha, fuel oil, acetone or other solvents;
 - 3) Any quantity of matter capable of obstructing the flow in or interfering with the proper operation of any part of the sewage works and without limiting the generality of the foregoing, and such quantity of ashes, cinders, garbage, sand, straw, mud, shavings, metal, glass, rags, feather, plastic, wood or cellulose;
 - 4) Sewage having a pH less than 5.5 or greater than 9.5, of which, due to its nature or content, becomes less than 5.5 or greater than 9.5 during transmission to a sewage treatment plant;
 - 5) Sewage that may cause a nuisance and without limiting the generality of the foregoing, sewage containing hydrogen sulphide, carbon disulfide, ammonia, trichloroethylene, sulphur dioxide, formaldehyde, chlorine, bromine, or pyridine, in such quantity that an offensive odour could emanate from the sewage works or could cause a nuisance;
 - 6) Sewage containing fish, animal wastes and, without limiting the generality of the foregoing, containing intestines, stomach casings, intestinal contents, hides, hooves, toenails, horns, bones or poultry heads or sewage containing hair, wool, fur, feathers, paunch manure or fleshings;
 - 7) Sewage containing toxic or chemical pollutants in greater concentrations than is permitted by any authority having jurisdiction over the receiving waters.
 - 8) Sewage which exerts or causes:
 - a) Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime, slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulphate);
 - b) Excessive discolouration (such as, but not limited to, dye wastes and vegetable tanning solutions);
 - c) Unusual BOD, chemical oxygen demand or chloride requirements in such quantities as to constitute a significant load on the sewage treatment works;
 - d) Unusual volume of low or concentration of wastes constituting "sludge" as defined herein;

- 9) The contents of septic tanks without approval of the Town;
 - 10) Radioactive materials except as may be permitted under the Atomic Energy Control Act, R.S.C. 1970, Chapter A19, and amendments thereto and regulations thereunder;
 - 11) Storm runoff, sewage derived from the drainage of lands or roofs, water used for cooling purposes or any other unpolluted waste waters;
 - 12) Without limiting any of the foregoing, no person shall discharge or cause to be discharged any waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment process employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge of the receiving waters.
20. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 21 of this by-law, the Town may do any or all of the following:
- 1) Reject the wastes;
 - 2) Require pretreatment to an acceptable condition for discharge to the public sewers;
 - 3) Require control over the quantities and rates of discharge;
 - 4) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewage charges.
21. If the Town requires the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Town.
22. Grease, oil and interceptors shall be provided by the property owner when, in the opinion of the Town, they are necessary to the proper handling of liquid wastes containing grease in excessive amounts, or any inflammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required to private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Town, and shall be located as to be readily and easily accessible for cleaning and inspection.
23. Each preliminary treatment or flow equalizing facility shall be maintained continuously and satisfactorily in effective operation by the owner at his expense.
24. When required by the Town, the owner of any property served by a building sewer carrying industrial waste shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manholes, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Town. Manholes shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

25. No statement contained in this party shall be construed as preventing any special agreement or arrangement between the Town and any industrial concern or institution whereby an industrial or institutional waste of unusual strength or character may be accepted by the town for treatment, subject to payment therefore by the industrial concern.

**PART V
POWERS OR AUTHORITY OF INSPECTORS**

26. The Town's inspectors shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and testing, at any reasonable time. The inspectors shall have no authority to inquire into any processes beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

PART VI

Amended

- Apr.10/91 27. The owner of every property fronting on any street in which there is a public sewer and which has been or may hereafter be connected with a public sewer by a building drain from said house, shall pay to the Town

27(1) fees amended 24 May 2005

- 1) Where there is an existing dwelling on the property, the sum of Three Hundred Dollars (\$300.00) for one connection, and an additional One Hundred Twenty-Five Dollars (\$125.00) if storm water connection is done at the same time as the sanitary sewer connection.

or,

27(2) fees amended 24 May

- 2) Where there is no existing dwelling on the property, the sum of Six Hundred Dollars (\$600.00) for one connection and an additional Three Hundred Fifty Dollars (\$350.00) if storm water connection is done at the same time as the sanitary sewer connection.

The rate to be charged for connection with a public sewer after the coming into effect of this by-law is hereby fixed at said rate. Back-up valves and traps shall be installed on all new connections to the public sewer. All cellar drains which are connected with the public sewer shall be fitted with a grate. For the purpose of this section, 'existing dwelling' shall mean any dwelling in existence as of January 1, 1991.

28. The owner of every house, shop or other property within the town of Bridgewater connected with the public sewer of the Town of Bridgewater shall annually, commencing on and effective from the 1st day of April, 2008, pay to the Town, for each property owned by him or her, a charge or rate of use of the sewerage system as follows:

Fees Amended
July 12, 2004
May 25, 2005
August 14, 2006
May 14, 2007
August 11, 2008

Residence and Land Leased Communities

- \$151.90 for one dwelling unit, plus
- \$66.50 for each additional dwelling unit;

Hotels and Motels
 - \$322.60 plus \$21.30 for each guest unit;

Hospitals
 - \$322.60 plus \$21.30 per patient bed;

Other Commercial, Shopping Centres, Institutional and Industrial Users
 - \$322.60 for the first user and
 - \$189.80 for each additional user.

Amended
 Nov.20/97

29. Said annual service charges for the use of the sewerage system shall be payable in installments at the same time and in the same manner as the Town's tax bills. They will be included on the Town's tax bills and identified separately on the tax bill as a sewer charge. The sewer charges shall be for the same period as the Town's fiscal year (i.e. April 1 - March 31).

Amended
 Nov.20/97

30. The sewer service charge, if not paid by the due date, shall bear interest at the same time, in the same manner and at the same rate as charged on unpaid taxes.

**PART VII
 PENALTIES**

Approved
 Nov.20/97

28. Transition provisions for the change from the previous calendar year billing period shall be as follows:

Interest on unpaid charges from previous periods.	These balances shall bear interest at the same time, in the same manner and at the same rate as that charged on unpaid taxes effective January 1, 1998.
Period January 1, 1998 to March 31, 1998	In the previous by-law 50% of the annual charge was due and payable on the 1st day of January. One-half of this amount (3 months) shall be added to the annual charges for the Town's fiscal year Apr. 1/98-Mar. 31/99. In effect the sewer charges billed shall be for a fifteen month period.
Subsequent Fiscal Periods April 1 to March 31 (Starting April 1, 1998)	Annual charges shall be payable in installments at the same time and in the same manner as the Town's tax bills

29. Prosecution resulting from violation of Section 18 shall not be made in the case of illegal connections which existed prior to October 1, 1971, without three months notice to remedy the condition.

30. Any person who violates or fails to comply with any provision of this by-law shall be liable to a penalty not exceeding One Thousand Dollars (\$1,000.00), or in default of payment, to imprisonment for a term not exceeding 30 days, but this section shall not apply to Section 4.

Amended

Nov. 20/97 31.

The sewer service charge is a lien on the whole of the property subject to the sewer charge in the same manner, and with the same effect as rates and taxes under the *Assessment Act*.

- 1) The sewer service charge and interest thereon may be sued for and collected in the same manner as other rates and taxes.
- 2) Land is liable to be sold for unpaid sewer service charges in the same manner and with the same effect as for unpaid rates and taxes pursuant to the *Assessment Act*.

<p style="text-align: center;">PART VIII REPEAL</p>
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32. The former Chapter 23A and 24 of the by-laws entitled "Public Sewers" and any other by-laws or parts of by-laws in conflict herewith are hereby repealed.