



The Municipality of the County of Cumberland

Chapter 02-2

Athol Road Sewerage System By-Law

As presented to Council April 17th, 2002
Approved by Council June 19th, 2002

Part I – General

Title

1. This By-Law may be cited as the "Athol Road Sewerage System By-Law" and shall apply to properties on both sides of the Athol Road in the Municipality of the County of Cumberland commencing at a point 170 meters from the intersection of McGee Street and the Athol Road and thence westerly along the Athol Road for 1170 meters, and shall also apply to properties on both sides of Beaton Lane from the intersection of Beaton Lane and the Athol Road northerly a distance of 185 meters.

Definitions

2. In this By-Law, unless the context otherwise requires:
 - (a) "agreement" means the agreement between the Municipality of Cumberland and the Town of Springhill for the conveyance of the Athol Road Sewerage System;
 - (b) "Athol Road Sewerage System" means the structures, pipes, devices, equipment, processes or other things used, or intended to be used, for the collection, transportation, and pumping of sewage, as depicted in the as-built drawings titled "Athol Road Sewerage System", dated October 2, 1975, produced by A. H. Roy & Associates Limited Engineering Consultants;
 - (c) "biochemical oxygen demand" or "BOD" means the quantity of oxygen utilized, expressed in milligrams per litre, in the biochemical oxidation of matter within a one hundred and twenty hour period at a temperature of twenty degrees centigrade, as determined in procedures set forth in "Standard Methods";
 - (d) "building" means any structure which requires sewage services and includes any dwelling, house, shop, store or office;
 - (e) "building service connection" means a piping system that conveys sewage, liquid waste, stormwater or surface runoff from a property to a municipal sewer;
 - (f) "chemical oxygen demand" or "COD" means the quantity of oxygen utilized in the chemical oxidation of organic matter under standard laboratory procedure, expressed in milligrams per litre, according to "Standard Methods";

- (g) "Chief Administrative Officer" means the Chief Administrative Officer of the Municipality of the County of Cumberland;
- (h) "Clerk" means the Clerk of the Municipality of the County of Cumberland;
- (i) "colour of liquid" means the appearance of a liquid from which suspended solids have been removed;
- (j) "combined sewer" means a sewer intended to function simultaneously as a storm sewer and a sanitary sewer;
- (k) "Council" means the Municipal Council of the County of Cumberland;
- (l) "domestic waste" means waste derived principally from dwellings;
- (m) "dwelling unit" means living quarters that:
 - (i) are accessible from a private entrance, either outside the building or in a common area within the building,
 - (ii) are occupied or, if unoccupied, are reasonably fit for occupancy,
 - (iii) contain kitchen facilities within the unit, and
 - (iv) have toilet facilities that are not shared with the occupants of other dwelling units;
- (n) "effluent" means treated wastewater flowing out of a treatment plant;
- (o) "grease" means total oil and grease extracted from aqueous solution or suspension according to the laboratory procedures set forth in "Standard Methods", and includes, but is not limited to, hydrocarbons, esters, oils, fats, waxes and high molecular fatty acids;
- (p) "holding tank" means a closed watertight receptacle that is designed and used to receive and store sewage prior to collection by a septic tank cleaner for disposal at an approved off-site location;
- (q) "industrial premises" means an area of land with or without buildings or structures on which activities pertaining to industry, manufacturing, commerce, trade, business or institutions are carried, out as distinguished from domestic dwellings;
- (r) "Inspector" means the person appointed pursuant to this By-Law as the Inspector for the Athol Road Sewerage System;

- (s) "lot" means a parcel of land described as a lot in a valid deed recorded at the Registry of Deeds, or as shown on an approved final plan of subdivision filed at the Registry of Deeds;
- (t) "matter" includes any solid, liquid, or gas;
- (u) "Municipality" means the Municipality of County of Cumberland or the area contained within its municipal boundaries, as the context requires;
- (v) "natural outlet" means any outlet from a natural watercourse into another watercourse, pond, ditch or lake, or other body of surface or ground water;
- (w) "on-site sewage disposal system" means:
 - (i) a septic tank and a disposal field,
 - (ii) a holding tank,
 - (iii) a privy, or
 - (iv) a system, other than one described in subclauses (i), (ii) or (iii), that meets specifications established or adopted by the N.S. Department of Environment and Labour and is not directly connected to a municipal system or an approved central sewage collection and treatment system, but does not include a wastewater treatment facility;
- (x) "owner" includes a part owner, joint owner, tenant in common or joint tenant of the whole or any part of any land or building; and in case of the absence or incapacity of the person having title to the land or building, a trustee, an executor, an administrator, a guardian, an agent, a mortgagee in possession or any other persons having the care or control of the land or building, and in absence of proof to the contrary, the person assessed for the property;
- (y) "pathologic waste" means waste generated in a hospital or similar institution which contains human or animal tissue altered or affected by disease, and instruments or other materials which may have come in contact with such tissue;
- (z) "person" means any individual, firm, company, association, society, corporation or group;
- (aa) "ph" means the measure of the intensity of the acid or alkaline condition of a solution determined by the hydrogen ion concentration of the solution in accordance with the "Standard Methods";
- (bb) "phenolic compounds" means hydroxyl derivatives of benzene and its condensed nuclei, concentrations of which shall be determined by "Standard Methods";

- (cc) "private wastewater facilities" means wastewater facilities that are privately owned and serve two or more properties;
- (dd) "professional engineer" means a registered member in good standing of the Association of Professional Engineers of Nova Scotia;
- (ee) "provincial regulations" means the requirements and provisions of the Province of Nova Scotia contained in any Provincial Statute or in any Regulation or Order made pursuant to the authority of any Statute of Nova Scotia;
- (ff) "public sewer" means a sewer which is owned and maintained by a Municipality and is located within the boundaries of Municipality of the County of Cumberland;
- (gg) "sanitary sewer" means a sewer receiving and carrying liquid and water-carried wastes and to which storm, surface or ground waters are not intentionally admitted;
- (hh) "sewage" means the combination of liquid and water-carried wastes from buildings, containing animal, vegetable or mineral matter in suspension or solution, together with such groundwater, surface water or stormwater as might be present;
- (ii) "sewer" and "sewer works" means a pipe or conduit for carrying sewage, groundwater, stormwater or surface runoff, and includes all sewer drains, storm sewers, clearwater sewers, storm drains and combined sewers vested in, or under the full or partial control of, the Municipality;
- (jj) "standard methods for the examination of water and wastewater" and "Standard Methods" mean the analytical and examination procedures provided in the edition current at the time of testing, published jointly by the American Public Health Association and the American Water Works Association or any publication by or under the authority of the Canadian Standards Association deemed appropriate by the Municipality;
- (kk) "storm sewer" means a sewer that carries stormwater and surface runoff water, excluding sewage;
- (ll) "stormwater" means water from precipitation of all kinds, and includes water from the melting of snow and ice, groundwater discharge and surface water;
- (mm) "street" means a public street, highway, road, lane, sidewalk, thoroughfare, bridge or square and includes the curbs, gutters, culverts and retaining walls in connection therewith, except as otherwise required by the context;

- (nn) "suspended solids" means insoluble matter than can be removed by filtration through a standard glass fibre filter as provided by "Standard Methods";
- (oo) "Town" means the Town of Springhill or its appointed representatives, as the context requires;
- (pp) "Town Clerk" means the Clerk for the Town of Springhill;
- (qq) "Town Council" means the Municipal Council of the Town of Springhill;
- (rr) "uncontaminated water" means any water, including water from a public or private water works, to which no matter has been added as a consequence of its use, or to modify its use, by any person, and may include cooling water;
- (ss) "waste" means any material discharged into wastewater facilities;
- (tt) "wastewater" means any liquid waste containing animal, vegetable, mineral, or chemical matter in solution or suspension carried from any premises;
- (uu) "wastewater facilities" means the structures, pipes, devices, equipment, processes or other things used, or intended to be used, for the collection, transportation, pumping or treatment of sewage and disposal of effluent, which is located within the boundaries of Municipality of the County of Cumberland or the Town of Springhill and operated by a municipal government;
- (vv) "water utility" means any water utility or public water supply system located in the Municipality of the County of Cumberland, owned by a public entity and regulated under the Public Utilities act;
- (ww) "watercourse" means the bed and shore of every river, stream, lake, creek, pond, spring, lagoon, swamp, marsh, wetland, ravine, gulch or other natural body of water and the water therein, and any channel, ditch, reservoir, drain, land drainage works or other man-made surface feature intended to convey or contain water, whether it contains or conveys water or not; and
- (xx) "year" means the fiscal year of the Municipality of the County of Cumberland.

Notification

3. For the purposes of this By-Law, any notice or communication required to be given to a property Owner shall be deemed to be adequately and properly given if

mailed by regular mail to the address appearing on the current assessment roll of the Municipality, or if delivered by hand to that address; and if required to be given to the Inspector, Town, or Municipality, if mailed by regular mail to, or if delivered by hand to the office of the Municipal Clerk of the Municipality at the offices of the Municipality, and in the case of the Town, if mailed by regular mail to, or if delivered by hand to the office of the Town Clerk of the Town.

Any notice or communication sent by regular mail shall be deemed to have been received seven days after having been mailed.

Appeals

4. Any right of Appeal provided in the By-Law may be exercised by the Owner or person effected giving written notice to the Clerk of the intention to appeal and the nature of the decision, notice or other matter being appealed. The Clerk shall fix a date for the hearing of the Appeal by Council. The hearing of the Appeal shall be as timely and informal as circumstances permit, and shall respect the principles of natural justice, including the right to be heard.

Inspector

5. Council shall by resolution appoint an Inspector for the Athol Road Sewerage System, herein called the "Inspector" who shall exercise all the powers and duties assigned herein and by the Municipal Government Act with regard to the Athol Road Sewerage System.

Inspection

6. For the purpose of the administration of this by-law, pursuant to Section 503 of the Municipal Government Act, the Inspector may, upon production of his or her identification, enter any premises and have free unimpaired access to observe, to measure the flow of wastewater to any sewer, and to collect any samples required.

Pretreatment

7. Where pre-treatment or flow equalizing facilities are provided for any waters or wastes, they shall be maintained continuously and satisfactorily in effective operation by the Owner, at their expense.

Damage To Facilities

8. No person shall break, damage, destroy, deface or tamper or cause permit the breaking, damaging, destroying, defacing or tampering with:
 - 1) any part of the Athol Road Sewerage System; or

- 2) any permanent or temporary device installed in the Athol Road Sewerage System for the purpose of pumping, measuring, sampling and testing of wastewater.

Work On Facilities

9. Except as otherwise provided by this By-law, no work shall be carried out on the Athol Road Sewerage System other than under the authority of the Town of Springhill.

Closing Private Sewers or Drains

10. Council shall have the power to stop and close up and prevent from discharging into the Athol Road Sewerage System, any private sewer or drain through which substances are discharged or into which substances are thrown, deposited, or supposed to be put, which are prohibited by this By-law or which are liable to damage the sewers, negatively affect the operation of the Town's sewage treatment facility or obstruct the flow of sewage. Council shall not cause any sewer to be closed up pursuant to this sub-section unless the Owner of the sewer is first notified and given an opportunity to be heard by Council.

Offences

11. Any person who contravenes any section of this By-law is liable on conviction to a penalty of not less than \$100.00 and not more than \$10,000.00 and in default of payment to imprisonment for a term of not more than one year.

Application

12. This By-Law shall apply to the Sewerage System and area described in section 1 herein, notwithstanding any other Sewer or Sewerage By-Law in force in the Municipality from time to time.

Coming Into Force

13. This By-Law shall come into force on publication.

Part II - Sewer Charges

Sewer Service Charge

14. Every Owner of land
 - (a) on which any building is connected to the Athol Road Sewerage System;

- (b) on which a building is situated that Council has ordered connected to the Athol Road Sewerage System; or
- (c) on which there is any development connected to the Athol Road Sewerage System;

shall pay to the Municipality an annual "Sewer Service Charge". The Sewer Service Charge shall be collected as an "Area Rate" as provided in the Municipal Government Act.

- 15. The amount of the Sewer Service Charge shall be set by Council by resolution annually. Council may set different Sewer Service Charges for different types or classes of buildings or developments.

Calculation of Charges

- 16. For residential buildings the Sewer Service Charge shall be an equal charge on each dwelling unit. For commercial, institutional or industrial developments the Charge shall be set by Council following the formula applied to similar occupancies within the Town of Springhill.

Collection

- 17. (1) The Sewer Service Charge shall be billed annually in conjunction with annual municipal taxes.
- (2) The Sewer Service Charge, if not paid by the due date, shall bear interest at the same rate as charged on unpaid taxes.

Liens

- 18. (1) 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 *Municipal Government Act*.
- (2) The sewer service charge and interest thereon may be sued for and collected in the same manner as other rates and taxes.
- (3) 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 *Municipal Government Act*.

Subdivisions

19. Any proposed extension of the Athol Road Sewerage System to service a subdivision shall comply with the requirements of the Municipality and the Town of Springhill.

Part III - Sewer Construction and Connections

Construction of Municipal Sewers

20. The Town Council may by resolution order the repair or improvement of the existing portion of the Athol Road Sewerage System, whenever the same shall be considered necessary or desirable, and to lay out, excavate and complete this work and perform any other work necessary to be done in connection therewith.

Connection Requirement

21. (1) The Owner of a building, the nearest part of which is not more than two hundred feet from the public road right-of-way in which the Athol Road Sewerage System is constructed shall be required at the Owners expense to construct a building service connection therefrom and connect the same to the said sewer; provided, however, the Inspector may exempt any such building that appears:
 - (a) to be adequately served with an existing on-site sewage disposal system that has been approved by Nova Scotia Department of the Environment and Labour; or
 - (b) would not be adequately served by connection to the Athol Road Sewerage System.
- (2) The Inspector may give notice in writing to an Owner of a building that may be served by sewer requiring that Owner, within the time specified in the notice, to connect the building to the Athol Road Sewerage System.
- (3) Upon receipt of a notice from the Inspector requiring a connection, the Owner shall, within the time specified in the notice, cause the property to be connected to the Athol Road Sewerage System by a building service connection.
- (4) Where the Owner of a property is notified by the Inspector, pursuant to a By-Law or an enactment, to remove or close up a cesspit, septic tank, privy or on-site sewage disposal system on the property, and the Owner

fails to comply with the notice, or where the Owner of a property fails to comply with a notice requiring the construction of a building service connection in accordance with this By-Law, the Municipality may cause to be done all work necessary for compliance with the notice.

- (5) The Inspector may require, as a part of the work necessary for compliance, the installation of a suitable water closet and its connection with the Athol Road Sewerage System.

Sewer Connections

22. (1) Any land Owner connecting to the Athol Road Sewerage System, where a building service connection is not constructed to the property line, shall contract these services privately. The following conditions must be met prior to the installation:
 - (a) the Contractor shall submit to the Inspector a valid Letter of Good Standing issued by the Province of Nova Scotia Workers Compensation Board;
 - (b) the Contractor shall provide to the Inspector documentation of related work experience in this field;
 - (c) the Contractor shall obtain a "Breaking of Soils Permit" from the Nova Scotia Department of Transportation and Public Works and provide a copy to the Inspector;
 - (d) the Contractor shall conduct all work in accordance with the Nova Scotia Department of Transportation and Public Works, Nova Scotia Department of Environment and Labour, Canadian Plumbing Code, Standard Specifications for Municipal Services, this By-Law, and good Engineering practices;
 - (f) the Contractor shall give one week written notice to the Inspector prior to the installation;
 - (g) the Contractor shall indemnify the Municipality and the Town of Springhill from any loss or damage that may directly or indirectly be occasioned by the installation of the building service connection;
- (2) The Contractor shall not cover any portion of an installation or connection without approval of the Inspector; and
- (3) The Contractor shall complete all work within 14 days of commencing the work. The Municipality, at the Contractors' expense, will conduct work

not completed within this time frame as well as any work found to be unsatisfactory to the Municipality.

Connection Specifications

23. Every person connecting to the Athol Road Sewerage System shall construct the service connection according to requirements of the National Building and Plumbing Codes, Standard Specifications for the Installation of Municipal Services, Nova Scotia Department of Environment and Labour, Nova Scotia Department of Transportation and Public Works and the Town of Springhill.

Service Connection

24. (1) No person shall uncover, make any connection with or opening into, repair, use, alter or disturb any portion of the Athol Road Sewerage System or appurtenance thereof without first obtaining a permission from the Town of Springhill.
- (2) No connection to the Athol Road Sewerage System shall be made except under the supervision of the Town of Springhill or its representative.
- (3) Existing building service connections may be used in connection with new buildings only when they are found, on examination and test by the Inspector to meet all the requirements of this By-Law.
- (4) The Inspector, at his or her discretion, may require an Owner to either repair, reconstruct or replace a building service connection, if, in his or her opinion, it has failed or malfunctioned or is in danger of doing so.
- (5) If a building service connection is not laid, built and connected with the Athol Road Sewerage System or any other work in connection with the building service connection is not done to the satisfaction of the Inspector, the Inspector shall, in writing, notify the Owner of the property served or to be served by the building service connection to that effect, specifying in what particulars the work is unsatisfactory. If the Owner fails to perform the work to the satisfaction of the Inspector within seven days from the receipt of the notice, the Municipality may perform the necessary work at the Owners expense.
- (6) 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 a means approved by the Inspector, and in accordance with good Engineering practices, and discharged to the sewer service connection, at the Owners expense.

- (7) A separate and independent building service connection 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. The building service connection from the front building may be extended to the rear building and the whole considered as one building service connection.
- (8) All excavation within the Nova Scotia Department of Transportation and Public Works right-of-way shall meet all regulations and specifications of that Department.
- (9) The person to whom a permit has been issued, or their authorized agent or successor, shall notify the Inspector when the subject sewer service connection is ready for inspection and connection to the public sewer.
- (10) The inspection shall be made within 14 days of the receipt of notice. No portion of the works shall be covered until authorized by the Inspector on expiry of the above period. If works or any portion thereof are not in compliance with this By-Law, a notice shall be given to the Owner in respect of the unsatisfactory portion of the works, and all of the above provisions respecting period of notice, time limit for inspection, operation of the building service connection, burial of underground works, and correction of unsatisfactory works shall be thereby renewed.

Repairs

25. (1) Where a building service connection or special sewer connection is causing the Athol Road Sewerage System to malfunction and repairs to the connection would result in the malfunction being cured, the Inspector may require the Owner of the property in which any portion of the connection which requires repairs is located to complete the repairs within a specified time.
- (2) Where the repairs required are not completed by the Owner within the time specified, the Inspector may cause the repairs to be completed, and the Municipality may recover the costs in the same manner as other charges or rates under this By- law.

Abandoned On Site Services

26. Where a building has been connected to the Athol Road Sewerage System or the Inspector has ordered a building to be so connected, the Municipality may by resolution order any septic tank, cesspool, privy or on-site sewage disposal system on the property to removed or filled with suitable material in a manner acceptable to the Municipality.

Storm Sewage

27. No person shall connect any storm sewer to the Athol Road Sewerage System.

Disconnection

28. (1) Whenever any sewer service connection is abandoned, the Owner shall effectively cap the connection at the property line so as to prevent sewage from backing up into the soil, or solid materials being washed into the sewer.
- (2) The capping must be inspected and a certificate of approval be issued by the Inspector before it is covered.
- (3) Where the Owner or the Owner's agent covers in a capped sewer connection before it is inspected and a certificate of approval issued, the Inspector may open it for the purpose of inspection and the Municipality may recover the costs in the same manner as other charges or rates under this By- law.
- (4) Where the Owner does not effectively cap a sewer service connection as required under the provisions of Sub-section (1) within seven (7) days from receipt of a notice from the Inspector, the Inspector may cause the same to be done and the cost of such work may be recovered and the Municipality may recover the costs in the same manner as other charges or rates under this By- law.

Liability

29. The Owner shall indemnify the Municipality and the Town of Springhill from any loss or damage that may directly or indirectly be occasioned by the installation of the sewer service connection.

Part IV - Sewer Discharge

Discharges to Combined and/or Sanitary Sewers:

30. (1) Except as otherwise provided in this By-Law, no person shall discharge, release, suffer or cause to be discharged into Athol Road Sewerage System, combined sewer, public or private connections to the Athol Road Sewerage System or combined sewer any of the following:

- (a) any material that may cause a nuisance, and without limiting the generality of the foregoing, hydrogen sulphide, mercaptans, carbon disulphide, other reduced sulphur compounds, amines, ammonia, trichloroethylene, sulphur dioxide, formaldehyde, chlorine, bromine, or pyridine, in such a quantity that an offensive odour could emanate from a wastewater facility or could cause a nuisance;
- (b) any quantity of matter capable of obstructing the flow in or interfering with the proper operation of any part of a wastewater facility, and without limiting the generality of the foregoing, any such quantity of ashes, cinders, sand, potters clay, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, or cellulose;
- (c) punch manure or intestinal contents from horses, cattle, sheep or swine, hog bristles, pig hooves or toenails, animal intestines or stomach casings, bones, hides or parts thereof, manure of any kind, poultry entrails, heads, feet or feathers, eggshells, fleshing and hair resulting from tanning operations;
- (d) animal fat or flesh in particles larger than will pass through a one quarter (1/4) inch screen;
- (e) sewage containing pathological or medical wastes;
- (f) the contents of septic tanks, holding tanks or wastes from marine vessels or vehicles or sludge from sewage treatment plants;
- (g) sewage that has any corrosive property that could be hazardous to structures, equipment or personnel;
- (h) inflammable or explosive matter; and without limiting the generality of the foregoing, gasoline, benzene, naphtha or fuel oil or wastewater containing any of these in any quantity;
- (i) wastewater or uncontaminated water having a temperature in excess of sixty (60) degrees Celsius;
- (j) wastewater having a pH less than 5.5 or greater than 9.5 or having any other corrosive or scale forming properties capable of causing damage or hazards to the wastewater facilities or personnel of the wastewater facilities;
- (k) wastewater containing dyes or colouring materials which pass through a wastewater facility and discolour the wastewater facility effluent;

- (l) wastewater containing any of the following in excess of the indicated concentrations:

Aluminum (Al)	50 Milligrams/Litre
Antimony (Sb)	5 Milligrams/Litre
Arsenic (As)	1 Milligram/Litre
Barium (Ba)	5 Milligrams/Litre
Beryllium (Be)	5 Milligrams/Litre
Bismuth (Bi)	5 Milligrams/Litre
Cadmium (Cd)	0.1 Milligram/Litre
Chlorides expressed as Cl	1500 Milligrams/Litre
Chromium (Cr)	4 Milligrams/Litre
Cobalt (Co)	5 Milligrams/Litre
Copper (Cu)	1 Milligrams/Litre
Cyanide expressed as HCN	2 Milligrams/Litre
Fluorides expressed as F	10 Milligrams/Litre
Iron (Fe)	10 Milligrams/Litre
Lead (Pb)	2 Milligrams/Litre
Manganese (Mn)	5 Milligrams/Litre
Mercury (Hg)	0.1 Milligrams/Litre
Molybdenum (Mo)	5 Milligrams/Litre
Nickel (Ni)	2 Milligrams/Litre
Phenolic Compounds	1 Milligrams/Litre
Phosphorus (P)	30 Milligrams/Litre
Sulphates expressed as SO ₄	1500 Milligrams/Litre
Sulphide expressed as H ₂ S	2 Milligrams/Litre
Selenium (Se)	5 Milligrams/Litre
Silver (Ag)	2 Milligrams/Litre
Tin (Sn)	5 Milligrams/Litre
Zinc (Zn)	3 Milligrams/Litre

- (m) wastewater of which the BOD exceeds three hundred (300) milligrams per litre;
- (n) wastewater containing more than three hundred fifty (350) milligrams per litre of suspended solids;
- (o) wastewater of which the COD exceeds one thousand (1000) milligrams per litre.
- (p) wastewater containing more than one hundred (100) milligrams per litre of fat, grease, or oil, and, in the case of mineral oils, in concentrations exceeding fifteen (15) milligrams per litre;

- (q) any wastewater or constituent within that results in inhibitory or damaging chemical reactions within the collection, transmission, or treatment facility.
 - (r) radioactive materials except as may be permitted under the Atomic Energy Control Act, RSC 1952, Chapter 11 (or the most recent Act) and amendments thereto and regulations thereunder; or
 - (s) 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).
- (2) 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 of the sewage by treatment processes employed, or are amenable to treatment only to such a degree that the sewage treatment plant effluent cannot meet the requirement of the agencies having jurisdiction over discharge to the receiving waters.
 - (3) The presence in wastewater of each of the matters in Section 30.(1) in a concentration in excess of its limits constitutes a separate offence.
 - (4) No person shall dilute wastewater to achieve compliance with this By-Law.
 - (5) No person shall discharge or cause to be discharged any sanitary sewage to any storm sewer.
 - (6) No person shall injure, break, block or remove any portion of a wastewater facility or its appurtenances.
 - (7) Where pre-treatment or flow equalizing facilities are provided for any waters or wastes, they shall be maintained continuously and satisfactorily in effective operation by the Owner at their expense.

Discharges to Storm Sewers

- 31. (1) Except as otherwise provided in this By-Law, no person shall discharge, release, place or cause to be placed, any substance other than stormwater or uncontaminated water into a storm sewer.
- (2) It shall be unlawful to discharge to any natural outlet within the Municipality, or in any area under the jurisdiction of the said Municipality, any sanitary or storm sewage except where suitable

treatment has been provided in accordance with the provisions of this By-Law.

Prohibition

32. No person shall:
- (a) Permit stormwater, surface water, ground water, roof runoff, subsurface drainage, cooling water or industrial process waters to be discharged into a sanitary sewer;
 - (b) Connect a sump pump to a sanitary sewer;
 - (c) Discharge sewage anywhere except into a municipal sewer, on-site sewage system or central sewage collection and treatment facility;
 - (d) Permit any contents of a septic tank, holding tank or cesspit to be discharged into Athol Road Sewerage System.
 - (e) Permit any contents of a septic tank, holding tank or cesspit to be discharged into a watercourse.

Special Agreements

33. Notwithstanding any provisions in this By-Law, the Town of Springhill may enter into a special written agreement with any industrial concern or institution whereby an industrial or institutional waste of unusual strength, volume, or character may be discharged to the Athol Road Sewerage System, subject to payment therefore, and any other terms and conditions satisfactory to the Town of Springhill and the Municipality.

Requirement for Interceptors

34. (1) The Inspector may require an Owner of land that is connected Athol Road Sewerage System to provide and install grease, oil and sand interceptors, by delivering written notice to the Owner specifying the interceptors to be installed and the time allowed to complete the installation.
- (2) All interceptors shall be of a type and capacity approved by the Inspector and shall be located so as to be readily and easily accessible for cleaning and inspection.
- (3) Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature and shall be of substantial construction, watertight and equipped with easily removable covers which when bolted in place are gastight and watertight.

- (4) Where the interceptors required are not installed by the Owner within the time referred to in the notice, the Inspector may cause the interceptors to be provided and the Municipality may recover the costs in the same manner as other charges or rates under this By- law.

Sampling and Analysis

35. (1) If required by the Inspector, the Owner or operator of industrial premises with one or more connections to a sewage works shall install and maintain in good repair in each connection a suitable manhole to allow observation and sampling of the wastewater and measurement of the flow of wastewater therein, provided that where installation of a manhole is not possible, an alternative device or facility may be substituted with the written approval of the Inspector.
- (2) The manhole or alternate device shall be located on the property of the Owner or operator of the premises, unless the Inspector has given written approval for a different location.
- (3) Every manhole, device or facility installed as required by subsection 1 shall be designed and constructed in accordance with good engineering practice and the requirements of the Inspector, and shall be constructed and maintained by the Owner or operator of the premises at their expense.
- (4) The Owner or operator of industrial premises shall at all times ensure that every manhole, device or facility installed as required by subsection 1 is at all times accessible for purposes of observing and sampling the wastewater and measuring the flow of wastewater therein.
- (5) Where a sample is required for the purpose of determining the characteristics or contents of the wastewater, uncontaminated water or stormwater which is suspected to be out of compliance with this By-Law:
 - (a) one sample alone is sufficient and, without limiting the generality of the foregoing the sample shall be a composite sample, may contain additives for its preservation and may be collected manually or by using an automatic sampling device;
 - (b) except as otherwise specifically provided in this By-Law, all tests, measurements, analyses and examinations of wastewater, uncontaminated water and stormwater, shall be carried out in accordance with Standard Methods; and
 - (c) for each of the metals whose concentration is limited in this By-Law the analysis shall be for the quantity of total metal, which includes all metal both dissolved and particulate.

- (6) Where testing of a sample is required for the purpose of determining the characteristics of contents of the wastewater, uncontaminated water or stormwater to which reference is made in this By-Law, said testing shall be conducted in accordance with the method hereinafter described or by mechanical sampling devices.

Method of Sampling and Analysis

36. (1) A minimum of four (4) - twenty-four (24) hour composite samples shall be taken, three (3) during the work week and one (1) on the weekend;
- (2) Analyses shall be conducted separately on each day's grab sample;
- (3) The final results of these tests shall be averaged for this period to determine the characteristics and concentration of the effluent being discharged into the wastewater facilities or storm sewer system.
- (4) The Inspector may from time to time conduct such tests as are deemed necessary at the manhole, or may enter the industrial premises and conduct the tests as deemed necessary.

Spills

37. (1) Every person who discharges or deposits or causes or permits the discharge or deposit of any matter in any sewer that in nature or quantity is not in the ordinary course of events, shall forthwith notify the Municipality, the Town and the Nova Scotia Department of the Environment and Labour
- (2) For any of the discharges in subsection (1) for which the person is required to forthwith notify the Municipality, and the Town of Springhill, or the Inspector, the notification shall include the following information:
 - (a) name of the company and the address of the location of the spill;
 - (b) name of person reporting the spill and telephone number where that person can be reached;
 - (c) time of the spill;
 - (d) type and volume of material discharged and any associated hazards; and
 - (e) corrective actions being taken to control the spill.

- (3) Within five days following a spill, the person shall submit to the Municipality and the Town of Springhill a detailed written report describing the cause of the spill and the actions taken or to be taken to prevent a recurrence.

Reports

38. (1) Any person who deposits, intends to deposit or permits or intends to permit the deposit of any wastes except domestic wastes into the Athol Road Sewerage System shall file a Waste Survey Report with the Municipality.
- (2) The Waste Survey Report shall contain the following information and shall be signed by an authorized representative of the Owner or operator:
 - (a) name and address of the premises, and names of its Owner and operator;
 - (b) description of process operations, including waste discharge rates and contaminant concentrations, hours of operation and plans and reports certified by a professional Engineer indicating proposed industrial expansion, addition, new construction, or proposed pre-treatment works; and
 - (c) a schematic process diagram indicating waste discharge points and waste descriptions.
- (3) The Waste Survey report shall be in the form attached as Schedule "B".
- (4) Where a change occurs in the information contained in a Waste Survey Report, the Owner or operator of the premises shall submit the new information within 30 days of the change.
- (5) Where a change occurs in any information described in a Waste Survey Report, the Owner or operator of the premises shall submit a new Waste Survey Report setting out the changes.
- (6) No person shall deposit any wastes other than domestic waste in any sanitary sewer or combined sewer until:
 - (a) a Waste Survey Report has been filed with the Inspector,
 - (b) the Inspector has confirmed that the wastes will comply with the requirements of this By-Law, and
 - (c) the Inspector has given written permission, subject to any reasonable conditions, to deposit the wastes.

Clerk's Annotation For official By-Law Book

Date of first reading: <u>April 17, 2002</u>	
Date of advertisement of Notice of Intent to Consider: _____	
Date of second reading: <u>June 19/02</u>	
*Date of advertisement of Passage of By-Law: <u>June 19/02</u>	
Date of mailing to Minister a certified copy of By-Law: _____	
I certify that this ATHOL ROAD SEWERAGE SYSTEM BY-LAW was adopted by Council and published as indicated above.	
_____	_____
Rennie Bugley, Clerk	Date
*Effective Date of the By-Law unless otherwise specified in the text of the By-Law	