

THE MUNICIPALITY OF THE DISTRICT OF GUYSBOROUGH

LITTLE DOVER WASTEWATER MANAGEMENT DISTRICT BY-LAW

BEING A BY-LAW regulating the use and maintenance of a Wastewater Management System, and the discharge of waters and wastes into a community sewer system, as well as the installation of septic tanks and sewer laterals on private lands in the Wastewater Management District, and providing penalties for violation thereof.

PART 1 – DEFINITIONS

1. Unless the context specifically states otherwise, the meaning of terms used in this By-Law shall be as follows:
 - a) **BUILDING SEWER** – shall mean any sewer, tanks, pumps pipes or piping system which is located on private property and which connects the building sewer or drainage system or the building sanitary conveniences to the sanitary sewer, storm sewer or combined sewer or other places of disposal;
 - b) **COMMITTEE** – shall mean the Public Services Committee of the Municipality of the District of Guysborough, or such other Committee of Council as shall be given responsibility for sewer services by the Municipality of the District of Guysborough from time to time;
 - c) **INDIVIDUAL ON-SITE SEWAGE DISPOSAL SYSTEM** – shall include the septic tank with disposal field and all other private sewage disposal systems which are within a Wastewater Management District;
 - d) **INDUSTRIAL WASTE** – shall mean any slimes, tailings, effluent, sewage or other waste products of any kind whatsoever which is the result of an industrial undertaking, and which is intended to be discharged from the industrial undertaking to a building sewer;
 - e) **INSPECTOR** – shall mean Director of Public Works or any other Municipal employee or employees of any Consultant Firm authorized by the Municipality of the District of Guysborough to carry out inspections or investigations on behalf of the Municipality of the District of Guysborough as may be required under this By-Law;
 - f) **MUNICIPAL COUNCIL** – shall mean the Council of the Municipality of the District of Guysborough;
 - g) **MUNICIPALITY** – shall mean the Municipality of the District of Guysborough;

- h) OWNER – shall mean an owner, a part owner, joint owner tenant in common or joint tenant of the whole or any part of any land or building, and includes a trustee, an executor, a guardian, an agent, a mortgagee in possession or other person having the care or control of any land or building in case of the absence or disability of the person having title thereto;
- i) PUBLIC SEWER – shall mean a sewer which is located on public or private property within the Wastewater Management District which is owned and maintained by the Municipality of the District of Guysborough;
- j) SANITARY SEWAGE – shall mean water-carried wastes from the sanitary conveniences of residences, commercial buildings or premises, institutions, and industrial establishments, but excluding storm sewage as hereinafter defined;
- k) SANITARY SEWER – shall mean the sewer pipe system which carries sanitary sewage, as defined hereinbefore, and to which storm, surface and ground water are not intentionally admitted;
- l) SEWER LATERAL – shall mean any piping systems which runs from the private property line to the public sewer, and is not within the portion of the system owned or operated by the Municipality;
- m) SLUDGE – shall mean any discharge of sewage which in concentration of any given constituent or in quantity of flow exceeds more than five times the average twenty-four hour concentration or flow for a period in excess of fifteen minutes;
- n) 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;
- o) STORM SEWER – shall mean a pipe system which carries storm and surface waters, industrial cooling water, or unpolluted process water but excludes sanitary sewage;
- p) STREET – shall mean any public road in the Municipality of the District of Guysborough;

**PART 2 – ESTABLISHMENT OF WASTEWATER MANAGEMENT
DISTRICT AREA & COMMITTEE**

1. The establishment of a Wastewater Management District shall be pursuant to the provisions of Part 14, Section 342 of the Municipal Government Act, R.S.N.S. Chapter 295 or any amendments thereto.
2. The Municipality hereby establishes the Wastewater Management District for the Community of Little Dover, the boundaries of which are as described in Schedule “A” hereto attached, and shown on Schedule “B” hereto attached.

3. The Wastewater Management System may consist of a public sewer and individuals on-site sewage disposal systems as contained in the Wastewater Management District Area.
4. When the Municipal Council deems it necessary that a public sewer or individual on-site sewage disposal system be constructed in the Wastewater Management District Area, the Council may order, by resolution, and without the authorization of any petition of the owners, that such public sewer or individual on-site sewage disposal system be constructed and all the provisions of the By-Laws related to and regulating the use of such systems in force in the Municipality by and are hereby made applicable to any such systems constructed by virtue of such resolution.
5. The Municipal Council may, by resolution, order the repair and improvement of any public sewer or individual on-site sewage disposal system, whenever the same shall be considered necessary or desirable, and to lay out, excavate and complete such system within the Wastewater Management District Area and for any other work necessary to be done in connection therewith.
6. The management, operation and control of the Wastewater Management District as defined in Clause 2 is vested in the Municipal Council of the Municipality of the District of Guysborough. The Council shall annually appoint a Committee to be responsible for Wastewater Management Systems within the Municipality. It shall be the duty of this committee to make annual reports to Council concerning the operation, construction and installation of all public sewers and individual on-site sewage disposal systems within the Wastewater Management District Area. Council may refer to such Committee any questions relating to any proposed installation of a public sewer or individual on-site sewage disposal system in any part of the Wastewater Management District Area for study and report. This Committee shall be responsible for the supervision of the enforcement of the By-Laws relating to public sewers and all individual on-site sewage disposal systems within the Wastewater Management District Area.

This Committee shall oversee the construction and installation of public sewers and individual on-site sewage disposal systems in any Wastewater Management District Area established by the Municipality of the District of Guysborough.

PART 3 – THE REQUIRED USE OF THE WASTEWATER MANAGEMENT SYSTEM

1. The owner of any dwelling house, shop, store, office or other building, the nearest part of which is not more than Two-Hundred Feet (200') from any portion of the public sewer or individual on-site sewage disposal system within the Wastewater Management District Area, is hereby required, at his expense, to connect any facilities discharging sanitary sewage directly with the disposal system provided by the Municipality in accordance with the provisions of the By-Law, within Thirty (30) Days after the date of the official notice to connect. In circumstances where the Municipality provides a tank within

private property, the property owner shall be responsible for the installation of the sewer lateral from the dwelling or building to the tank. Where the septic tank forms part of the treatment system the Municipality shall install the appropriate tank and all piping connections from the tank to the main line in the street. The tank installation shall include any necessary pumps, etc. with the power supply for any pumps within private property to be provided by the property owner.

2. Where a public sewer is not available within the Wastewater Management District Area, the building sewer system shall be connected to a private on-site sewage disposal system and will be up-graded to the Department of Environment requirements at the cost of the Municipality, excluding the cost of laying pipe from the foundation of the building to the individual on-site sewage disposal system as provided by the Municipality.

PART 4 – BUILDING SEWERS AND CONNECTIONS

1.
 - a. No person, firm or corporation shall make any opening or openings to uncover any public sewer or individual on-site sewage disposal system or connect a building sewer, private drain or sewer within the public sewer or individual on-site disposal system within the Wastewater Management District Area, without first obtaining a permit therefore from the Municipality, which permit shall be in the form of Schedules “C” and “D” to this By-Law. Provided however, that notwithstanding the issuance of any such permit, the person to whom any such permit is issued shall be liable for any damage or injury to the public sewer or individual on-site sewage disposal system caused by him, his servants, agents or workmen in making any such connection.
 - b. It shall be the duty of any person, firm or corporation who connects any on-site sewage disposal system, or drain while excavating, to securely protect the excavation in such manner as may be directed by the Inspector, and to use a licensed installer for the purpose of such work.
 - c. There shall be two classes of building sewer permits:
 - (i) for residential and commercial service; and
 - (ii) for service to establishments producing industrial wastes.

In either case, the owner or his agent shall make application on a form furnished by the Inspector, which form shall have the context given in Schedules “C” and “D” of this By-Law, as is applicable. The permit application shall be supplemented by any plans, specifications, and other information as is deemed necessary by the Municipality, to determine whether the application meets the requirements of this By-Law.

2. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the Owner. The Owner shall indemnify the Municipality from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

3. 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, courtyard or driveway. The building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.
4. Old building sewers may be used in connection with new buildings only when they are found, on examination and testing by the Inspector, to meet all the requirements of this By-Law.
5. 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 the trench, and connection to the public sewer or individual on-site sewage disposal system shall all conform to the requirements of the Municipality as set out in Part 5 of this By-Law.
6. Whenever feasible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which the sewer drain is too low to permit gravity flow to the public sewer system or individual on-site sewage disposal system, sanitary sewage carried by such sewer drain shall be lifted by an approved means and discharged to the public sewer or individual on-site sewage disposal system at the expense of the owner.
7. The person who originally made application for the building sewer permit shall notify the inspector when the building sewer is ready for inspection and connection to the public sewer. The entire works shall be performed under the supervision of an inspector. Backfilling of the building sewer shall not be undertaken until the inspections are completed and certificates of approval by the owner.

PART 5 – APPLICATION TO CONNECT

1. Before any person constructs a building sewer, he shall apply to the Municipality for directions as to the proper lines and grades applicable to his building sewer and the Inspector shall assign suitable lines and grades for any building sewer.
2.
 - (1) The construction and installation of any building sewer shall be under the direct supervision of the Inspector and the specification for labour and materials under which the public sewer was constructed are to be considered as part of the specification for any such building sewer modified, however, so as to be applicable to the building or buildings situated on the property to be served by such building sewer.
 - (2) The installation requirements necessary before connections of the public sewer or individual on-site sewage disposal system is permitted are as follows:

PART A

- (i) Any building sewer shall, from a point three feet (3') outside of the foundation of the house or building to the street line or individual on-site sewage disposal system shall be of first quality materials, the pipe having a diameter of four to six inches (4" to 6");
- (ii) Sewer laterals must not be less than four inches (4") in diameter and be constructed of PVC DR28 with ring tight joints or approved equivalent;
- (iii) The building sewer may be laid in a common ditch with the water line but it must be buried at a lower elevation and at a minimum distance of twelve inches (12") away from the water line;
- (iv) The building sewer must be laid on a bed of tamped sand or approved fine gravel of not less than six inches (6") in depth and must not be backfilled until inspected and approved by the Inspector;
- (v) When backfilling is permitted a topping of not less than six inches (6") of sand or approved fine gravel must be laid over the sewer line before previously excavated backfill material is replaced into the ditch to bring it up to grade.

PART B

- (i) An application for a permit to make connection to sewer main trunk lines or individual on-site sewage disposal systems must be made by the property owner to the Municipality or its appointed agents;
 - (ii) When a permit is issued a property owner can proceed with installation of laterals under conditions of the above noted specifications and regulations;
 - (iii) Backfilling of ditches must not be undertaken until the installations are inspected and the approval certificate received by the owner.
3. All sewers shall be constructed in accordance with the provisions of the Public Highways Act, R.S.N.S. 1989, Chapter 371, and amendments and regulations thereto and shall cause as little obstruction as possible for pedestrians and vehicular traffic during installations.
4. (1) Whenever any building sewer is abandoned, the owner shall effectively block up the connection at the property line so as to prevent sewage from backing up into the soil, or dirt being washed into the sewer.
- (2) Where the owner does not effectively block up the building sewer as required under the provisions of sub-section (1) within seven (7) days from receipt of

notice from the Inspector, requiring him to do so, the Inspector may cause the same to be done and the cost of such work caused to be done may be recovered as a debt by the Municipality from the owner in an action in any court of competent jurisdiction.

5. (1) Where under any provision of this By-Law approval or permission of the Inspector appointed by the Committee is required before any work or thing may be done, an appeal shall lie to the Committee from the decision of the Inspector, refusing to grant approval or permission, and the Committee shall either direct the Inspector to grant the approval or permission or uphold the decision of the Inspector.
- (2) The right of appeal provided in sub-section (1) shall expire thirty (30) days after the Inspector gives his decision in writing to the owner with respect to the approval or permission.

**PART 6 – USE OF SEWAGE DISPOSAL SYSTEMS WITHIN THE
WASTEWATER MANAGEMENT DISTRICT AREA**

1. No person, firm or corporation shall discharge or cause to be discharged any storm water, surface water, ground water, roof run-off, sub-surface drainage, unpolluted cooling water, or unpolluted industrial process waters to any sanitary sewer.
2. No open gutter, cesspool, privy, vault, cellar, underground drain or exhaust pipe from any machine shall be connected with any public sewer or individual on-site disposal system.
3. No person, firm or corporation shall injure, break or remove any portion of the public sewer individual on-site sewage disposal system or building sewer.
4. No person, firm or corporation shall throw, or permit to be thrown or deposited in any sewer opening or receptacle connected with the public sewer system or individual on-site sewage disposal system, any garbage, offal, dead animals, bones, ashes, cinders, rags, or any other material or thing excepting feces, urine and necessary toilet paper, household liquids.
5. No person shall discharge or cause to be discharged any sanitary sewage to any storm sewer.
6. No person shall discharge or cause to be discharged into the public sewer or individual on-site sewage disposal system or building sewer the following described substances, materials, water or waste:
 - a) sewage at a temperature in excess of sixty degrees (60 degrees) Celsius;

- b) Sewage containing any inflammable or explosive matter, and without limiting the generality of the foregoing, gasoline, benzene, naphtha, fuel oil, acetone, or other solvents;
- c) 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, any such quantity of ashes, cinders, garbage, sand, straw, mud, shavings, metal, glass, rags, feathers, plastics, wood or cellulose;
- d) Sewage that may cause a nuisance, and without limiting the generality of the foregoing, sewage containing hydrogen sulphide, carbon disulphide, ammonia, trichlorethylene, sulphur dioxide, formaldehyde, chlorine, bromine or pyridene, in such quantity that an offensive odor could emanate from the sewage works or could cause a nuisance;
- e) Sewage having a pH less than 5.5 or greater than 9.5 or which, due to its nature or content, becomes less than 5.5 or greater than 9.5 during transmission to a sewage treatment plant;
- f) sewage which exerts or causes:
 - (i) unusual concentrations of inert suspended solids (such as, but not limited to, Fuller's earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulphate);
 - (ii) excessive discoloration (such as, but not limited to dye wastes and vegetable tanning solutions);
 - (iii) unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works;
 - (iv) unusual volume of flow or concentration of wastes constituting "sludge" as defined herein.
- g) The contents of septic tanks.
- h) Radioactive materials except as may be permitted under the Atomic Energy Control Act, R.S.C. 1952, Chapter II and amendments thereto and regulations thereunder.
- i) Storm run-off, sewage derived from the drainage of lands or roofs, water used for cooling purposes or any other unpolluted waste waters.
- j) 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 treatment processes 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 to the receiving waters.

7. If any water or wastes are discharged, or are proposed to be discharged to the public sewers or individual on-site sewage disposal systems which waters contain in substance or process the characteristics enumerated in Part 6, Section 6 of this By-Law, the Municipality may do any or all of the following:
 - a) Reject the wastes;
 - b) Require pretreatment to an acceptable condition for discharge to the public sewers or individual on-site disposal systems;
 - c) Require control over the quantities and rates of discharge;
 - d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewage charges;
8. If the Municipality 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 Municipality and subject to the requirements of all relevant Federal and Provincial Statutes and Regulations.
9. Where preliminary treatment or flow equalization facilities are provided for any waters or wastes, they shall be maintained continuously and satisfactorily in effective operation by the Owner at his expense.
10. Whenever the Inspector considers it is necessary, he or they shall require any person who is the owner of land which is used for industrial or commercial purposes and which is connected to a public sewer or individual on-site sewage disposal system to provide grease, oil, and sand inceptors in order to provide for the proper handling of liquid wastes containing grease in excessive amounts, or any inflammable waste, sand, or other harmful ingredients. All owners of garages, service stations, car wash operations and similar business establishments shall provide approved types of inceptors for oil, grease, soap and similar products. All inceptors shall be of a type and capacity approved by the Inspectors, and shall be located so as to be readily and easily accessible for cleaning and inspection. Grease and oil inceptors shall be of substantial construction, watertight and equipped with easily removable covers which, when bolted in place, shall be gas-tight and watertight.
11. When required by the Municipality, 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 Municipality. 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.

PART 7 – FINANCES

1. Every owner of land within the Wastewater Management District Area which is serviced by a public sewer or is fronting on any street or highway within the Municipality of the District of Guysborough, which street or highway has a public sewer installed (as determined by Council pursuant to this By-Law), or which is serviced by an individual on-site sewage disposal system, shall pay to the Municipality a capital charge per equivalent unit. The capital charge shall be the total cost of completing the project, less any amounts funded by Provincial and/or Federal Governments and/or any amount paid by the Municipality from municipal sources to be determined by Council pertaining to the Capital Project. The amount so determined shall be the cost of the project to the property serviced within the Wastewater Management District Area. This amount shall be divided by the total amount of equivalent units in the Wastewater Management District Area served by the system to determine the charge per equivalent unit. The charge for each serviced property shall be determined by multiplying the capital charge per equivalent unit by the number of equivalent units for the property determined in accordance with Section 3 herein. Council shall determine the capital charge for each area covered by this By-Law, which capital charge shall be reviewed from time to time by Council. In the event of development of a lot not previously serviced by a public sewer or individual on-site sewage disposal system the cost of connection shall be the capital charge determined hereunder and reviewed by Council from time to time.

2. Capital charges, including interest, are first liens on the real property and may be collected in the same manner as other taxes;

3. Annual Installments:

Annual installments for payment of Sewer Capital Charges may be made over a period not exceeding ten (10) years starting from the beginning date of October 1, 2001. The annual installment shall be determined by dividing the total capital charge of the serviced property by ten. Annual bills shall be mailed out yearly following the beginning date.

Interest is payable annually on the entire amount outstanding and unpaid, whether or not the owner has elected to pay by installments, as follows. Interest will be calculated monthly on the entire amount outstanding and unpaid at a rate of 9.25%. The monthly interest rate shall be one twelfth of 9.25%.

4. The owner of any property which is served by a public sewer system, clustered sewage disposal system or individual on-site sewage disposal system within the Wastewater Management District Area shall pay an annual maintenance charge. The basic annual maintenance charge shall be calculated based on an amount budgeted by Council to be the amount required to maintain and operate the system for the year plus an amount to be set aside as a reserve for future capital expenditures and/or major repairs to the system.

Once the budget has been determined, the charge per equivalent unit shall be determined by dividing the estimated budget amount for maintenance and operation by the total number of equivalent units in the Area within the Wastewater Management District Area served by the systems. The annual maintenance charge for each property shall then be determined by multiplying the basic annual charge by the number of units for the property determined in accordance with Section 3.

5. Every owner of land which is serviced by the system shall be assigned cost based on equivalent units. The equivalent unit shall be based on the following:

Type of Use	Imperial Gallons	Units
1. Single Family Residence	200	1
2. Apartment (self-contained)	200	1
3. Office Building	10 (per employee)	See Note 1 below
4. Church or Hall	200	1
5. Senior Citizen's Complex	100 (per apartment)	See Note 1 below
6. Rest Home	100 (per bed)	See Note 1 below
7. Hospital	150 (per bed)	See Note 1 below
8. Campground	50 (per site)	See Note 1 below
9. Hotel/Motel with Bath	75 (per unit)	See Note 1 below
10. Hotel/Motel Housekeeping Unit	100 (per unit)	See Note 1 below
11. Hotel without Bath	50 (per unit)	See Note 1 below
12. Laundromat	85 (per washer)	See Note 1 below
13. Restaurant	30 (per seat)	

Note 1: Total flows for this use shall be calculated based on the flow given times the appropriate number of employees, apartments, beds, sites, units, washers or seats depending on the type of use. The number of equivalent units is calculated by dividing the above total flow by 200. When the number of units calculated is less than one (1) at any single location, the number of equivalent units assigned to that location shall be one (1).

6. Every charge or tax imposed under the provisions of this By-Law shall constitute a first lien upon the real property, and may be collected in the same manner as other taxes and, at the option of the Treasurer, be collectable at the same time, and by the same proceedings, as taxes, pursuant to Section 81 of the Municipal Government Act.

7. Each property or owner thereof is liable for the entire cost of the building sewer from his property to the street line or individual on-site sewage disposal system.
8. An official appointed by Municipal Council shall keep an account of the cost incurred in installing, laying and construction of any sewer and on its completion shall file in the office of the Municipal Clerk:
 - a) A certificate of the costs of the work;
 - b) A statement of the equivalent units for each property with the name of the Owner thereof.
9. The sewer capital charge shall be payable within thirty (30) days from the date of billing by the Municipality.
10. The Municipal Council shall notify the Owner of the basis of the sewer capital charge assessment to him and the account payable.
11. The annual maintenance charge shall be due and payable on the date for payment of general rates in each year or a date to be determined by Council.
12. Any and all charges made pursuant to the Wastewater Management District By-Law are in lieu of any charges made pursuant to the Sewer By-Law for the Municipality of the District of Guysborough and no one will be liable to pay a charge under both.

PART 8 – POWERS AND AUTHORITIES OF INSPECTORS

1. The Municipality, its servants and agents may enter on any property within the Wastewater Management District to repair, upgrade or replace a public or private wastewater system and may, as set out in this By-Law, charge any or all of the costs to the owners of the property served by the system.

PART 9 – PENALTIES

1. Any person found to be violating any provision of this By-Law shall be subject to prosecution, and upon conviction shall be subject to a penalty not exceeding One Thousand Dollars (\$1,000.00).

PART 10 – REPEALING

1. All former Wastewater Management District By-Laws, which include lands contained in Schedule A, passed by the Council are hereby repealed and this By-Law substituted therefore.

SCHEDULE “A”

LITTLE DOVER WASTEWATER MANAGEMENT DISTRICT AREA

Following is a description of the area covered by Phase II and Phase III of the Wastewater Management District;

BEGINNING at the Northern Boundary of lands now or formerly of Lloyd William Haines, described by Deed in Book 134 at Page 192 at the Registry of Deeds in Guysborough, Nova Scotia.

THENCE extending Easterly to the Shore of Dover Lake,

THENCE extending Southerly parallel with Dover Road to MacGuire Lake, following the Shores of MacGuire Lake to the Brook,

THENCE extending along the Southern Shore of Dover Harbour to lands now or formerly owned by Department of Natural Resources,

THENCE extending Northerly along the shoreline of Dover Harbour to Dover Basin until it reaches lands now or formerly of Department of Natural Resources,

THENCE extending across Dover Road to the Northern boundary of lands now or formerly of Lloyd William Haines, described by Deed in Book 134 at Page 192 at the Registry of Deeds in Guysborough, Nova Scotia.

As shown on the attached map.

