

Sewage Utility Bylaw

BYLAW 93-2020

A bylaw of the Resort Village of Sunset Cove, in the province of Saskatchewan, to control the collection, storage, and disposal of sewage.

Under Section 48 of *The Public Health Act, 1994*, the Resort Village of Sunset Cove in the Province of Saskatchewan enacts as follows:

1. In this bylaw the expression –

- a) “Administrative authority” means a Medical Health Officer or Public Health Officer.
- b) “Council” means the governing body for the Resort Village of Sunset Cove.
- c) “Householder” means owner, occupant, lessee, or tenant, or the person otherwise in charge of any dwelling, building, or other premises. It may also include the registered owner of the land on which a structure sits.
- d) “Sewage” means any liquid waste other than clear water waste or storm water;
- e) “Municipality” means the Resort Village of Sunset Cove
- f) “Storage or Holding Tank” means a tank constructed of a material that is equivalent to the requirements set out in the Provincial Plumbing Regulations, designed to collect and hold sewage without treatment prior to transporting such waste to a final point of disposal;
- g) “Privy Vault” means a storage or holding tank placed under an outside toilet for confinement and storage of human excrement only.

- 2. All householders whose premises are located within the boundaries of the municipality of Resort Village of Sunset Cove must provide an approved storage or holding tank to receive liquid waste emanating from their premises. Upon installation, prefabricated and non-prefabricated sewage holding tanks must be certified to the most current CSA standards for prefabricated storage tanks and holding tanks.
- 3. Any person installing storage or holding tanks for the purpose of storing sewage, located in the Resort Village of Sunset Cove, must first obtain approval to do so from the village council and comply with all existing Saskatchewan Health Authority regulations.
- 4. Existing facilities for the storage and/or disposal of sewage shall be required to comply with this bylaw at a time and to an extent specified by this bylaw, with a “grandfather” exception made for holding tanks that currently do not meet the setback requirements

or holding capacities provisions of this bylaw. Future replacement of any existing holding tanks will require adherence to all requirements of this bylaw and any amendments thereto or revisions thereof.

5. All new facilities for the storage of sewage, located in the municipality, shall comply with this bylaw and any amendments thereto or revisions thereof.
6. The facilities provided for the storage of sewage shall be
 - a) of not less than 1,000 gallons (4,546 litres) with the respect to storage or holding tanks.
 - b) not less 250 gallons (1136 litres) with respect to privy vaults.
7. When locating a holding tank, the minimum setback distances from the described structures shall be:
 - a) Basement 1 meter (3 ft)
 - b) Large tree 3 meters (10 ft)
 - c) Property Boundary 3 meters (10 ft)
 - d) Walk/Driveway 1.5 meters (5 ft)
 - e) Cut or embankment 3 meters (10 ft)
 - f) Well 9 meters (30 ft)
 - g) Water Course 9 meters (30 ft)
 - h) In-ground water cistern 6 meters (20 feet)
8. The householder shall maintain all facilities on his property for the storage of sewage in sanitary and structural conditions satisfactory to the administrative authority and/or municipality. No person shall dispose of liquid waste or sewage except at a location approved by the municipality or administrative authority.
9. No person shall place or permit hazardous wastes to enter into a holding tank. Hazardous Waste means a substance defined as Hazardous Waste pursuant to The Environmental Management and Protection Act, 2002.
10. No person shall provide a sewage hauling service within the Resort Village of Sunset Cove without a current permit to do so from the Saskatchewan Ministry of Environment and without the written approval from the municipality. Municipal approval shall be valid for a period of five years unless cancelled by the municipality.

11. A sewage hauler granted permission to transport sewage from the municipality shall provide the administrative authority of the municipality with such information that is required from time to time, regarding the service provided to any household, to fulfil their requirements regarding the invoicing, safety or monitoring of any storage or holding tank within the municipality. Failure to provide such information may result in the cancellation of permission to conduct business within the Resort Village of Sunset Cove.

12. The Resort Village of Sunset Cove maintains a contract with other municipalities for the ability to use their sewage lagoons for our sewage disposal. There is a tippage fee charged to the Resort Village of Sunset Cove for each load of sewage deposited within their facility. The Resort Village of Sunset Cove shall pay the tippage fees for each householder of one (1) tippage fee per calendar month, up to a maximum twelve (12) lagoon tippage fees per calendar year. Every tippage fee in excess of twelve (12) sewage disposals per calendar year shall be the financial responsibility of the householder and will be invoiced back to the householder. The householder will be responsible for all sewage transportation costs to the lagoon facility.

12(a) This bylaw will take effect on July 1st 2020. Any householder tippage fees in excess of six tippage fees during the period of July 1st 2020 to December 31st 2020 will be the financial responsibility of the householder.

13. All tippage fee invoices submitted to the householder must be paid within 30 days of the date of billing or shall be subject to a penalty of 1.5% of the total arrears. All rates, costs or charges imposed by this bylaw remaining unpaid on December 31, shall be transferred to the tax roll of the Village and may be levied and collected in like manner as municipal rates and taxes are by law recoverable under the authority of the Saskatchewan Municipalities Act.

14. Sewage transported shall be disposed of only at a point(s) approved by the Saskatchewan Ministry of Environment and the municipality. No person shall dispose of liquid waste or sewage except at a location approved by the Saskatchewan Ministry of Environment and the municipality.

15. When, in the opinion of the administrative authority or Council, there is a breach of any provisions of this bylaw, a notice of this breach may be posted on the premises, facility or property where the breach is found.

i Any person, who without permission of the administrative authority or council, takes down, covers up, mutilates, defaces or alters the notice posted under this bylaw, is guilty of an offence.

ii The posting of a notice on a premises, facility, or property pursuant to this bylaw shall not relieve the person in default from the possible imposition of a penalty for infringement of this bylaw or from having to carry out the work correcting the breach.

16. If any person fails, neglects or refuses to comply with any provision of this bylaw within a specific time, the municipality may proceed to have the work done that it considers necessary for the compliance with the bylaw, and the cost of the work is to be added to, and thereby forms part of, the taxes on the land on which the work is done.

17. Every person who contravenes any provision of this bylaw is guilty of an offence and liable on summary conviction:

(a) in the case of an individual:

(i) for a first offence

(A) to a fine of not more than \$5,000; and

(B) to a further fine of not more than \$100 for each day during which the offence continues; and

(ii) for a second subsequent offences:

(A) to a fine of not more than \$20,000; and

(B) to a further fine of not more than \$200 for each day during which the offence continues; and

(b) in the case of a corporation or business:

(i) for a first offence :

(A) to a fine of not more than \$100,000; and

(B) to a further fine of not more than \$1,000 for each day during which the offence continues; and

(ii) for a second or subsequent offence:

(A) to a fine of not more than \$250,000; and

(B) to a further fine of not more than \$5,000 for each day during which the offence continues.

18. This bylaw shall come into force on the date of final approval by the municipality as defined by *The Public Health Act, 1994* and the Minister of Health.

SEAL

Mayor/Deputy Mayor

Administrator

Certified a true copy of a Bylaw passed by
The Council of the Resort Village of Sunset Cove at regular
meeting held this ____ day of _____, 2020.