

REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW NO. 1171

A bylaw to provide for the administration of the Regional District of Central Okanagan *sewer systems*.

WHEREAS the Regional District of Central Okanagan is authorized by separate bylaws to provide for the operation, maintenance, and improvements of various *sewer systems* located within the Regional District of Central Okanagan;

AND WHEREAS it is deemed necessary and expedient to establish and standardize the regulations for the administration of the *sewer systems* and the terms and conditions upon which sewer will be provided;

AND WHEREAS the Regional Board adopted the "Regional District of Central Okanagan Sewer Systems Fees & Charges Bylaw No. 988, 2002" as amended by Bylaw Nos. 1002, 1057, 1143, and 1146, a bylaw to provide for the imposition of fees and charges against the *owner* of any *parcel* located within a Regional District of Central Okanagan water system service area;

AND WHEREAS the Regional Board adopted the "Regional District of Central Okanagan Sewer Systems Regulation Bylaw 987, 2002" as amended by Bylaw No. 1079 to establish the regulations under which sanitary sewer will be provided;

AND WHEREAS it is deemed prudent to combine the regulations and the fees and charges into one bylaw to improve clarity and administrative efficiency;

AND WHEREAS this bylaw repeals and replaces the "Regional District of Central Okanagan Sewer Systems Fees & Charges Bylaw No. 988, 2002", as amended and the "Regional District of Central Okanagan Sewer Systems Regulation Bylaw 987, 2002", as amended;

NOW THEREFORE, THE REGIONAL BOARD OF THE REGIONAL DISTRICT OF CENTRAL OKANAGAN, IN OPEN MEETING ASSEMBLED, ENACTS AS FOLLOWS:

PURPOSE

The purpose of this bylaw is to establish regulations under which sanitary sewer will be provided and to establish fees and charges which may be imposed against the *owner* of any *parcel* located within a *Regional District* of Central Okanagan *sewer system* service area.

TABLE OF CONTENTS

PURPOSE	1
TABLE OF CONTENTS	2
SECTION 1 - TITLE	4
SECTION 2 - APPLICATION	4
SECTION 3 - INTERPRETATION	4
3.01 Severability	4
3.02 Definitions	4
SEWER SYSTEM REGULATIONS	8
SECTION 4 - LIABILITY	8
4.01 Limitation of Liability	8
4.02 Indemnification	8
SECTION 5 - GENERAL REQUIREMENTS	8
5.01 Compliance with Bylaw	8
5.02 Ownership of the System	8
5.03 Other Legislated Requirements	9
5.04 <i>Owner's Liability</i>	9
5.05 Approval to Connect	9
5.06 <i>Service Connections</i>	9
5.07 <i>Sanitary Sewer System Extensions</i>	10
5.08 Interference with the <i>Sanitary Sewer System</i>	10
5.09 Accidental Discharges	10
5.10 Connection Requirement	10
5.11 Non Compliance	11
5.12 Interruption of Service	11
5.13 Water Meters	11
5.14 <i>Wastewater Drainage System</i>	12
5.15 Inspection Chambers and Manholes	12
5.16 <i>Septic Tanks / Portable Holding Tanks</i>	12
5.17 <i>Pre-treatment</i>	13
5.18 Interceptors	14
5.19 Non-residential Connection to the <i>Sanitary Sewer System</i>	15
5.20 Volume Control	15
5.21 Sampling and Analysis	15
5.22 Prohibitions	16
SECTION 6 - ADMINISTRATION AND ENFORCEMENT	19
6.01 Right Of Entry	19
6.02 Cease and Desist Order	19
6.03 Violation	19
6.04 Offence	19
SEWER SYSTEM FEES, CHARGES, RECOVERY OF COSTS AND PENALTIES	20
SECTION 7 – GENERAL	20
7.01 Schedules	20
SECTION 8 - FEES & CHARGES	20
8.01 Connection Fee	20

8.02	Administration Fees	20
8.03	Capital Costs for <i>Sanitary Sewer System</i> Extensions	20
8.04	User and Maintenance Fees	21
8.05	Connection Security	21
8.06	Debt Servicing Fee	21
8.07	Recovery of Costs.....	21
8.08	Penalties	22
8.09	Capital Connection Fee.....	22
ENACTMENT	22	
SECTION 9 - ENACTMENT.....	22	
9.01 Repeal of Previous Bylaw	22	
9.02 Bylaw Adoption	22	
SCHEDULE "A"	24	
TABLE I – <i>USER FEES</i> FOR THE WESTSIDE REGIONAL SEWER SYSTEM	24	
SCHEDULE "B"	25	
TABLE I – MAINTENANCE FEES FOR THE AREA 901 ELLISON SEWER SYSTEM.....	25	
SCHEDULE "C"	26	
CONNECTION SECURITY AGREEMENT	26	
SCHEDULE "D"	27	
SUMMARY OF BYLAW AMENDMENTS.....	27	

SECTION 1 - TITLE

This bylaw may be cited as the "Regional District of Central Okanagan Sewer Systems Bylaw No. 1171, 2006".

SECTION 2 - APPLICATION

This bylaw shall apply to the *owner* or occupier of all *parcels* located within the Corporation of the District of Peachland and within Electoral Areas 'Westside' and 'Central Okanagan East' of the *Regional District* of Central Okanagan.

SECTION 3 - INTERPRETATION

3.01 Severability

If any section, subsection, sentence, clause or phrase of this bylaw is deemed to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of the bylaw.

Wherever the masculine is used throughout this bylaw, it shall also mean the feminine, and wherever the singular is used throughout this bylaw, it shall also mean the plural.

3.02 Definitions

In this bylaw, unless the context requires otherwise:

"B.O.D." stands for "biochemical oxygen demand" and means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory conditions in five (5) days at 20° C, expressed in milligrams per liter as determined by the appropriate procedure in *Standard Methods*.

"C.O.D." stands for "chemical oxygen demand" and means the measure of the oxygen consuming capacity of inorganic and organic matter present in *domestic* or *industrial wastewater* as determined by the appropriate procedure described in *Standard Methods*.

"community sanitary sewer service area" means a sanitary sewer service area

- i) established to provide for the construction of a sanitary sewer collection system to collect and convey sewage generated in the service area, and;
- ii) whose geographic boundary encompasses less than five hundred (500) *parcels*, and;
- iii) whose geographic boundary is located within Electoral Areas 'Westside' and 'Central Okanagan East' of the *Regional District* of Central Okanagan.

"cooling water" means untreated water originating from heat exchangers or similar type units.

"design flow" means the sewage flow as calculated, in accordance with the Health Act, by the *Owner's* consultant and as approved by the *Regional District Engineer*.

“District” means the *Regional District* of Central Okanagan and the Corporation of the *District* of Peachland as described in their Letters Patent and amendments thereto.

“District Engineer” means the Director of Engineering Services of the *Regional District* of Central Okanagan or his designate.

“domestic wastewater” means the *wastewater* resulting from normal human living processes and not from commercial or industrial activities.

“engineer” means a person who is registered, or duly licensed as such, under the Engineers and Geoscientists Act of British Columbia.

“extraneous flows” means water originating from rainwater, snow melt, ground water, roof drain water, foundation drain water, subsurface drainage, surface water, single pass *cooling water*, condensate, or storm water.

“flammable liquid” means any liquid having a flash point below 38 ° C and having a vapour pressure not exceeding 280 kPa at 38 ° C.

“garbage” means solid wastes from domestic or commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

“grab sample” means a single sample of a *wastewater* stream or discharge that represents the composition of the *wastewater* at the particular time and location at which the sample was collected.

“grease” means an organic substance recoverable by procedures set forth in *Standard Methods* and includes but is not limited to hydrocarbons, esters, fats, oils, waxes, and high molecular weight carboxylic acids.

“industrial wastewater” means any *wastewater* except *domestic wastewater*.

“maintenance fee” means a fee for the availability of sewer service and may be imposed regardless of whether or not a *property* or a *premises* is connected to a sewer *system*.

“offal” means waste portions of food, animals, fowl, or fish.

“one day composite sample” means a composite sample comprised of flow proportioned samples collected at one hour intervals over the duration of one operating day.

“Owner” shall be interpreted as defined in the Local Government Act as amended from time to time.

“parcel” means any lot, block, or other area in which land is held or into which land is subdivided but does not include a highway.

“premises” means any residence, building, or structure located on a *property*.

“property” means any *parcel* contained within the boundaries of a *Regional District water system* service area.

“pesticide” means an organism or material that is represented, sold, used, or intended to be used, to prevent, destroy, repel, or mitigate a pest and includes:

- i) a plant growth regulator, plant defoliator, or plant desiccant; and
- ii) a control product, other than a device that is a control product under the Pest Control Products Act (Canada).

“pH” means logarithm, to the base 10, of the reciprocal of the concentration of Hydrogen ions in moles per liter of solution.

“Plumbing Code” means any regulation made by the Minister of Municipal Affairs in accordance with Section 692 of the Local Government Act.

“pre-treatment” means the use of any physical and/or chemical process to ensure the composition of the effluent conforms to the minimum requirements of this bylaw.

“Regional Board” means the elected Board of the *Regional District*

“Regional District” means the Regional District of Central Okanagan as described in Letters Patent and amendments thereto.

“Regional District Engineer” means the Director of Engineering Services of the *Regional District* or his designate.

“sanitary sewer system” means any sewerage works or appurtenances thereto which are owned and operated by the *Regional District*.

“septic tank” means any device or structure designed for the temporary storage of *wastewater*.

“service connection” means the pipe which is located at the *property* line of a *parcel*, or at the edge of a statutory right of way, and is provided to connect the *wastewater drainage system* to the *sanitary sewer system*.

“sewage treatment plant” means the Westside Regional *Wastewater Treatment Plant*.

“Special Waste” means a substance that is defined as *Special Waste* as interpreted by the Waste Management Act.

“Standard Methods” means the Standard Methods of Water and *Wastewater Analysis* (most current edition) as published by the American Public Health Association, the American Water Works Association, the Canadian Standards Association, and the Water Pollution Control Federation.

“Subdivision Bylaw” means a bylaw adopted by the *District* under Section 938 of the Local Government Act.

“suspended solids” means the solid matter according to particle size, expressed in milligrams per liter, in a liquid as determined according to *Standard Methods*.

“two hour composite sample” means a composite sample consisting of equal portions of 8 *Grab Samples* collected at 15 minute intervals.

“uncontaminated wastewater” means water such as spent *cooling water*, de-chlorinated water discharged from a swimming pool, and water used in street cleaning.

“user fee” means a fee imposed for the use of the sanitary sewage system.

“wastewater” means the water-borne wastes of the *District* derived from human or industrial sources including *domestic wastewater* and *industrial wastewater*, but does not include storm water and *uncontaminated wastewater*.

“wastewater drainage system” means an assembly of pipes, fittings, fixtures, traps, and appurtenances, not owned by the *Regional District*, that is used to convey *wastewater* to a *service connection*.

“watercourse” means:

- i) the bed and shore of a river, stream, lake, creek, lagoon, swamp, marsh or other natural body of water; or
- ii) a channel, ditch, reservoir or other man-made surface feature; whether containing or conveying water continuously or intermittently.

Unless otherwise defined herein, all words or expressions used in this bylaw shall have the same meaning assigned to them as like words or expressions contained in the Local Government Act, Interpretation Act, Zoning Bylaw, Subdivision and Servicing Bylaw, Water Systems Bylaw, and the *Plumbing Code*.

SEWER SYSTEM REGULATIONS

Sections 4, 5, and 6 outline the terms and conditions upon which sanitary sewer will be provided.

SECTION 4 - LIABILITY

4.01 Limitation of Liability

Sewer service is provided on the condition that the *Owner* make no claim against the *Regional District*, its Board or Council, or its officers, agents, and employees acting within the scope of their employment. It is further a condition that the *Owner* shall make no claim for any indirect, incidental, or consequential damage.

4.02 Indemnification

Sewer service is provided on the condition that the *Owner* indemnify and save harmless the *Regional District*, its Board or Council, or its officers, agents, and employees in respect of all claims arising from the provision of the sewer service.

SECTION 5 - GENERAL REQUIREMENTS

5.01 Compliance with Bylaw

No person shall:

- a) connect a *wastewater drainage system* to the *sanitary sewer system*, or
- b) permit any direct or indirect discharge of any *wastewater* into the *sanitary sewer system*,

except in accordance with the provisions of this bylaw.

Should any person contravene the provisions of this bylaw, and in such contravention causes or may cause damage to the sewer system, the *Regional District* shall make any repairs and take whatever remedial action necessary to limit the extent of the damage and shall recover the cost from the *owner* pursuant to this bylaw.

5.02 Ownership of the System

The sewer system, its operation, maintenance, repair and replacement shall be under the direction and control of the *Regional District Engineer*.

All sewer pipes, connections, appurtenances, or facilities required to operate the sewer system to the *Owner's property* line shall be owned by the *Regional District*. This includes but is not limited to, all works that are located within a highway or a statutory right of way, regardless whether the works were constructed at the expense of the *Owner* or the *Regional District*.

5.03 Other Legislated Requirements

No person shall enter into or work upon the *sanitary sewer system* without meeting the applicable confined space entry, street regulations, or other safety requirements, required by the Workers' Compensation Act.

Nothing in this bylaw relieves any person or organization from complying with any provision of any Federal or Provincial legislation, or any other bylaw of the *Regional District*. Where there is a conflict of regulations, the more stringent shall apply.

5.04 Owner's Liability

The *Owner* shall ensure that the terms and conditions, under which connection to the *sanitary sewer system* is provided, are not breached. The *Owner* shall be liable:

- a) to pay all costs, rates, charges, *user fees*, and penalties that may be imposed pursuant to this bylaw; and
- b) for any breach of this bylaw arising on the *parcel* to which sanitary sewer service is provided, whether the breach is actually committed by the *Owner* or by a third party renting, leasing, or having access to the *property*.

5.05 Approval to Connect

Approval for connection to the *sanitary sewer system* shall not be granted until the *Owner* complies with all Fees and Charges provisions of this bylaw.

All applications for connection to the sewer system shall be made to the *Regional District* Engineering and Inspection Services Departments. Applications must be made by the *owner* of the *property* to which the application refers, or by the *owner's* duly authorized agent.

All applications for connection shall state the use of the *premises* for which the sewer system is to be connected, the number of dwelling units, the legal description and location of the *property* or *premises* to which the connection is to be made, and any other information that may be necessary to accurately assess the fees and charge applicable to the connection.

Approval for connection to the sewer system shall not be granted until the *Owner*:

- a) Submits an Application for Connection;
- b) Submits an Application for a Building Permit;
- c) Submits a Capital Cost Connection Security Agreement, if applicable;
- d) Pays all applicable fees and charges;
- e) Complies with the provisions of the "*Regional District* of Central Okanagan Subdivision and Development Servicing Bylaw No. 704, 1996" and this bylaw.

5.06 Service Connections

Each *parcel* shall be limited to one *service connection* except:

- a) each residential unit on an R2 zoned *property* shall have a separate service; and
- b) where limitations in site servicing, development restrictions, future subdivision, or proposed stratification exist, the *Owner* may make application for additional *service connections*. Additional *service connections* and their location must be approved by the *Regional District Engineer*.

- c) the *owner* shall register with Land Titles any easement agreement(s) with adjacent properties for a sewer connection prior to application for a building permit and the *owner* shall provide a copy of such agreement to the *Regional District*.

All *service connections* shall be installed by the *Regional District* at the expense of the *Owner*.

Service connections shall be repaired, replaced, and maintained by the *Regional District*. Any costs incurred as a result of the *District* taking action to unplug or unblock a *service connection* shall be recovered pursuant to provisions as set in this bylaw.

5.07 Sanitary Sewer System Extensions

All *sanitary sewer system* extensions required in order to provide sewer service to a *parcel* shall be constructed and installed by the *Regional District*.

5.08 Interference with the Sanitary Sewer System

The *sanitary sewer system*, its operation, maintenance, repair, and replacement shall be under the direction and control of the *Regional District Engineer*. No person other than the *Regional District Engineer*, a *District* employee acting in the course of his duties or a contractor authorized by the *Regional District Engineer* shall:

- a) enter into or work upon the *sanitary sewer system*;
- b) make or terminate a *service connection* to the *sanitary sewer system*;
- c) uncover or tamper with the *sanitary sewer system*; or
- d) attach or detach any line, pipe, or other appurtenance to the *sanitary sewer system*.

5.09 Accidental Discharges

Any person responsible for, or aware of, the accidental discharge of prohibited substances into the *sanitary sewer system* shall report the same forthwith to the *District Engineer* in order that the necessary precautions can be taken to minimize the deleterious effects of the discharge.

5.10 Connection Requirement

The *Owner* of every *parcel*, which is located within a Sewer System Service Area upon which *wastewater* is being generated and where;

- a) a *service connection* has been provided to service the *parcel*;
- b) a sanitary sewer trunk main fronts any portion of the *parcel*; or
- c) the *Owner* is required, pursuant to the Local Government Act, to extend a sanitary sewer trunk main in order to service the *parcel*,

shall construct a *wastewater drainage system* to collect all *wastewater* generated on the *parcel* and connect the *wastewater drainage system* to the *sanitary sewer system*.

All costs pertaining to the connection of the *wastewater drainage system* to the *sanitary sewer system* shall be at the expense of the *Owner*.

The *Regional District Engineer* may, by written notification, order an *Owner* to make connection to the *sanitary sewer system* within sixty (60) days, or such longer period as may be specified in the notification. In the event the *Owner* fails to make the required connection within the time specified in the notification, the *District Engineer* may order the required connection to be made and all costs incurred shall be recovered pursuant to this bylaw.

5.11 Non Compliance

Should any person contravene the provisions of this bylaw, and such contravention causes or may cause damage to the *sanitary sewer system*, the *District* may make any repairs and take whatever remedial action necessary to limit the extent of the damage and shall recover the cost pursuant to this bylaw.

Should testing indicate that the components of the *wastewater* are not in compliance with the provisions of this bylaw, the *Regional District Engineer* shall notify the *Owner*, in writing, to cease and desist the discharge of *wastewater*. The cease and desist order shall remain in effect until such time as:

- a) the *Owner* complies with all requirements of this bylaw, and;
- b) the *District Engineer* notifies the *Owner*, in writing, indicating that the *Owner* has complied with this bylaw and authorizing the *Owner* to resume the discharge of *wastewater*.

5.12 Interruption of Service

Sewer service may be limited, interrupted, terminated, or refused:

- a) in circumstances where the discharge of *wastewater* may interfere with works being undertaken on the *sanitary sewer system*; or
- b) where a person contravenes the provisions of this bylaw.

Except in the case of an emergency, reasonable efforts shall be made to notify the *Owner* or occupant of the affected *parcel* if sewer services are going to be limited, interrupted, terminated, or refused.

5.13 Water Meters

This section applies to the *Owner* or occupier of any *parcel* zoned commercial, industrial, institutional, or multi-family.

Where an *Owner* or occupier is applying for a building permit to either:

- a) construct a new building; or
- b) alter the existing building footprint; or
- c) change the existing occupant use, or
- d) connect to the *sanitary sewer system*,

they shall be required to install a remote reading water meter and irrigation credit meter prior to final approval of the building permit.

The type of meter and installation requirements shall be pursuant to the standards of the local water purveyor and the *Regional District*.

5.14 Wastewater Drainage System

Every *wastewater drainage system* shall be constructed at the expense of the *Owner* in accordance with the standards contained in the *Subdivision Bylaw*, the *British Columbia Plumbing Code* and the *Building Bylaw*. It is the *Owner's* responsibility to ensure that the *wastewater drainage system* is installed such that it meets the elevation of the *service connection*. The *District* is not obligated to meet the elevation of, nor connect to, any *wastewater drainage system* installed prior to the installation of the *service connection*.

The repair and maintenance of the *wastewater drainage system* shall be the responsibility and the expense of the *Owner*. Should the *District Engineer* determine that *extraneous flows* or deleterious substances are entering the *sanitary sewer system* due to unauthorized connection, improper maintenance, or improper repair of a *wastewater drainage system*, the *District Engineer* may issue a Cease and Desist Order to the *Owner*.

Where a *wastewater drainage system* is to be abandoned, the *Owner* shall notify the *District Engineer*. The *District* will block, seal, or physically disconnect the *service connection*, and the costs of such work shall be recovered pursuant to this bylaw.

5.15 Inspection Chambers and Manholes

All *domestic wastewater* must pass through an inspection chamber and all *industrial wastewater* must pass through either an inspection chamber or a manhole as directed by the *District Engineer*. Inspection chambers and manholes must be:

- a) constructed and installed in accordance with the *Subdivision and Development Servicing Bylaw*;
- b) installed in the *wastewater drainage system*, at a location approved by the *District Engineer*, to facilitate observation, measurement, and sampling of the *wastewater*;
- c) accessible to the *District Engineer* at all times;
- d) constructed, installed, and maintained at the expense of the *Owner*.

Where there is more than one building on a *parcel* discharging *industrial wastewater*, each building must have a separate inspection chamber installed 1.0 meter outside the wall of the building where the building drain connects to the building sewer.

5.16 Septic Tanks / Portable Holding Tanks

This section does not apply to recreational vehicle connections provided on *parcels* zoned by the *Zoning Bylaw* for tourist campsites.

No *septic tanks*, portable holding tanks, or recreational vehicles shall be connected to the *sanitary sewer system*.

No person shall permit any sludge, deposit, or material contained in, or originating from, any *septic tanks*, portable holding tanks, or recreational vehicles to enter into the *sanitary sewer system*.

Where a sewer connection is made to a *parcel* where a *septic tank* or tanks exist, the *owner* shall remove any sludge, deposit, or material contained in the existing *septic tanks* and shall either:

- a) fill the *septic tanks* with clean fill, gravel, or sand; or
- b) break down the *septic tanks* and remove all the debris from the *parcel*.

All sludge, deposit, or material originating from a *septic tank*, portable holding tank, or recreational vehicle must be deposited at the *Regional District's* disposal facility.

5.17 Pre-treatment

Where *wastewater*, or any component of the *wastewater*:

- a) does not meet the provisions of this bylaw;
- b) may damage or increase maintenance costs on the *sanitary sewer system*; or
- c) may detrimentally affect the operation of the *sewage treatment plant*.

The *Owner* must retain an *engineer* to submit a proposal which outlines the method of *pre-treatment* proposed in order for the *wastewater* to conform to the provisions of this bylaw. In support of the proposal, the *engineer* must submit the following information to the *District*:

- i) detailed design of the proposed *pre-treatment* facility,
- ii) detailed list of the *wastewater* components and the anticipated concentration of each component before and after treatment,
- iii) detailed sampling and analysis schedule required to ensure the concentration of the *wastewater* components remain in compliance to the provisions of this bylaw,
- iv) detailed operation and maintenance procedures.

No construction shall take place on the *pre-treatment* facility until such time as the *District Engineer* has reviewed the above information and approved construction. Approval to construct the *pre-treatment* facility by the *District Engineer* does not imply that the quality of the *wastewater* discharged after *pre-treatment* will meet the requirements of this bylaw. It is the *Owner's* responsibility to ensure that all the components of the *wastewater* will comply with the provisions of the bylaw after the *pre-treatment* process is completed.

The design, construction, operation, and maintenance of the *pre-treatment* facilities shall be the responsibility of the *Owner* and at the *Owner's* expense. The *Owner* shall maintain written records of all cleaning, repair, calibration, maintenance, sampling, and analysis and shall store said records at the facility for a minimum of three (3) years. The *Owner* shall make these records available for examination by the *Regional District Engineer* at all reasonable times.

5.18 Interceptors

The *Owner* of every *parcel* shall be required to provide an interceptor if the *wastewater* being discharged from the *parcel* contains, or will contain, *grease*, oil, grit, *flammable liquids* or gases, or other components which may interfere with or damage the *sanitary sewer system*. This includes but is not limited to:

- a) service stations, vehicle repair garages, and automobile wash bays
- b) dry-cleaning establishments
- c) milk plants, and creameries
- d) laboratories
- e) commercial kitchens
- f) concrete plants, and aggregate washing plants

Interceptors shall not be required for private living quarters or dwelling units unless they contain a home occupation which warrants the use of an interceptor.

All interceptors shall be:

- i) of sufficient capacity to perform the purpose for which it is intended,
- ii) designed by an *engineer* or a pre-manufactured package designed for the specific purpose of trapping the deleterious components,
- iii) located as to be readily and easily accessible for cleaning and inspection.

In support of the interceptor design, the *Owner* shall be required to submit detailed design drawings and calculations from the *engineer* or manufacturer's specifications and manuals to the *Regional District Engineer* for approval prior to construction. In addition the *Owner* must submit operation and maintenance manuals.

No construction shall take place on the interceptor until such time as the *Regional District Engineer* has reviewed the above information and approved construction. Approval to construct the interceptor by the *District Engineer* does not imply that the quality of the *wastewater* discharged after passing through the interceptor will meet the requirements of this bylaw. It is the *Owner's* responsibility to ensure that all the components of the *wastewater* will comply with the provisions of the bylaw after passing through the interceptor.

The design, construction, operation, and maintenance of the interceptor shall be the responsibility of the *Owner* and at the *Owner's* expense. The *Owner* shall maintain written records of all cleaning, repair, calibration, and maintenance and shall store said records at the place of business for a minimum of three (3) years. The *Owner* shall make these records available for examination by the *District Engineer* at all reasonable times.

5.19 Non-residential Connection to the Sanitary Sewer System

Where an *Owner* or occupier proposes to:

- a) make application to connect an industrial or commercial activity to the *sanitary sewer system*; or
- b) expand or change an industrial or commercial activity in such a way that it may affect the quality or quantity of the *wastewater* being discharged into the *sanitary sewer system*.

The *Owner* or occupant must retain an *engineer* to prepare and submit the following information to the *District Engineer* in order for the *District Engineer* to ascertain that the proposed application, expansion, or change conforms to the provisions of this bylaw:

- i) the proposed or existing development or addition, including flow schematic drawing,
- ii) the daily volumes and peak discharges,
- iii) the type of waste to be processed and discharged,
- iv) the anticipated *B.O.D.* and the amount of *suspended solids* or *grease*,
- v) the *pH* and temperature of the *wastewater*,
- vi) chemical composition of the *wastewater*,
- vii) the proposed *pre-treatment*, including dimensions of the proposed facility,
- viii) flow equalizing or mixing facilities,
- ix) the location of sampling manhole,
- x) the monitoring equipment,
- xi) any other information deemed necessary by the *Regional District Engineer*.

5.20 Volume Control

Where *wastewater* is discharged into the *sanitary sewer system* in volumes which may exceed the available downstream system capacity, the *Regional District Engineer* may require the *Owner* or occupier of the *premises* to take measures to equalize the discharge volumes and strengths.

Equipment necessary to comply with this section shall be provided, maintained, and operated by the *Owner* or occupier of such *premises* in a manner satisfactory to the *Regional District Engineer*.

5.21 Sampling and Analysis

All tests, measurements, analyses, and examinations of *wastewater*, its characteristics or contents shall be carried out in accordance with "*Standard Methods*." Initial testing shall be arranged and paid for by the discharger. Additional testing or re-testing of *wastewater*, made necessary by non-compliance with this bylaw, or at the request of the *Regional District Engineer*, shall be carried out at the cost of the discharger.

5.22 Prohibitions

No person shall discharge or cause to be discharged at any entry point into the *sanitary sewer system*:

- a) any *extraneous flows* including but not limited to storm drains, sumps, roof drains, and foundation drains;
- b) any *garbage* that has been ground, comminuted, or shredded by a *garbage disposal unit* or by "in sink" garburator;
- c) any non-domestic water or waste which contains dyes or colouring materials which discolour the *wastewater*;
- d) any water or waste added for the purpose of diluting wastes which would otherwise not meet the maximum concentrations outlined in this bylaw;
- e) any non-domestic liquid or vapour having a temperature higher than 65 °C;
- f) any substance which may solidify or become viscous at temperatures above 0°C;
- g) any material which exerts or causes:
 - i) unusual concentrations of inert *suspended solids*, such as, but not limited to, fuller's earth;
 - ii) unusual concentrations of dissolved solids such as but not limited to sodium chloride, calcium chloride or sodium sulphate;
- h) any soluble waste or *wastewater* having a *pH* lower than 5.5 or higher than 9.5 or having any other *corrosive property* which could be hazardous to structures, equipment, or personnel including, but not limited to, battery or plating acid and wastes, copper sulphate, chromium salts or brine;
- i) any flammable or explosive liquid, solid, or gas which:
 - i) has a closed cup flashpoint of sixty degrees Celsius (60 °C); or
 - ii) exceeds or could cause an exceedance of ten percent (10%) of the lower explosive limit at any point within the *sanitary sewer system* for any single reading or five percent (5%) for any two (2) consecutive readings.
This includes but is not limited to gasoline, benzene, naphtha, alcohol, fuel, oil, solvents, and acetone;
- j) any *pesticides*, insecticides, herbicides, or fungicides;
- k) any toxic, radioactive, poisonous, corrosive, noxious, or malodorous gas, liquid, or substance which may either singly or by interaction with other wastes:
 - i) cause public or worker health and safety hazards,
 - ii) cause injury to or interference with the *wastewater* treatment process,
 - iii) cause corrosive damage to the *sanitary sewer system*,
 - iv) result in the release of toxic gases, vapours, or fumes within the *sanitary sewer system*;
- l) any solid or viscous substance, petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin which may:

- i) obstruct the flow in the *sanitary sewer system*,
- ii) interfere with or damage the *sanitary sewer system* or the *wastewater treatment process*.

This includes but is not limited to ashes, cinders, grit sand, mud, straw, grass clippings, insoluble shavings, metal, glass, rags, feathers, tar, asphalt, creosote, plastics, wood, animal paunch contents, *offal*, blood, bones, meat trimmings and waste, fish or fowl head, shrimp, crab or clam shells, fish scales, entrails, lard, mushrooms, tallow, baking dough, chemical residues, cannery or wine waste, bulk solids, hair and fleshings, spent grain and hops, whole or ground food or beverage containers, *garbage*, paint residues, cat box litter, slurries of concrete, cement, lime, or mortar;

- m) any sludge, deposit, or material from a cesspool;
- n) any waste, liquid, or material classified as "*Special Waste*" pursuant to the provisions of the Waste Management Act, R.S.B.C., 1979, C.428.5 and amendments thereto;
- o) any *non-domestic wastewater* as analysed in the specified sample type which exceeds the limits for the following parameters, expressed in the total form as milligrams per litre and as shown in the following table:

Parameter	Concentration in Milligrams per Litre (mg/L)		
	<i>One Day Composite Sample</i>	<i>Two Hour Composite Sample</i>	<i>Grab sample</i>
<i>B.O.D.</i>	500	1000	2001
<i>C.O.D.</i>	750	1500	3000
<i>Suspended Solids</i>	600	1200	2400
Oil and Grease (non petroleum)	150	300	600
Oil and Grease (petroleum source)	15	30	60
<i>pH</i> (non-domestic waste)	>6 and <9.5	>5 and <11	>5.5 and <10.5

- p) any non-domestic waste which, at the point of discharge into a sewer, contains any substance, in a combined or uncombined form, with a concentration in excess of the levels set out in the following table. All concentrations are expressed as total concentrations, which include both the dissolved and undissolved substances.

Substance	Abbreviation	Concentration in Milligrams per Litre		
		One day composite sample	Two hour composite sample	Grab sample
Aluminum	Al	50.0	100.0	200.0
Arsenic	As	0.5	1.0	2.0
Boron	B	50.0	100.0	200.0
Cadmium	Cd	0.2	0.4	0.8
Chromium	Cr	2.0	4.0	8.0
Cobalt	Co	5.0	10.0	20.0
Copper	Cu	2.0	4.0	8.0
Cyanide	Cn	0.5	1.0	2.0
Iron	Fe	10.0	20.0	40.0
Lead	Pb	1.0	2.0	4.0
Manganese	Mn	5.0	10.0	20.0
Mercury	Hg	0.025	0.05	0.1
Molybdenum	Mo	1.0	2.0	4.0
Nickel	Ni	2.0	4.0	8.0
Phenols	-	1.0	2.0	4.0
Phosphorus	P	12.5	25.0	50.0
Silver	Ag	1.0	2.0	4.0
Sulphate	SO ⁴	1500.0	3000.0	6000.0
Sulphide	S	1.0	2.0	4.0
Tin	Sn	5.0	10.0	20.0
Zinc	Zn	3.0	6.0	12.0

Note: More restrictive guidelines may be required if the *Regional District Engineer* considers there to be a detrimental effect on the *sewage treatment plant*, the *sanitary sewer system*, or the workers.

- q) any water or waste containing substances in such concentrations that are not amenable to treatment or reduction by the sewage treatment process employed, or are amenable to treatment only to such a degree that the *sewage treatment plant* effluent cannot, during normal operation, meet the requirement of any other agency having jurisdiction over discharges to the receiving waters.
- r) any material or substance (e.g. enzymes and/or bacteria) that alters the structure of the waste(s) but does not reduce the loading (C.O.D.).
- s) any water or *wastewater* contained in, but not limited to, a swimming pool, hot-tub, or artificial pond.

SECTION 6 - ADMINISTRATION AND ENFORCEMENT

6.01 Right Of Entry

Regional District officers, or their designates, are authorized to enter upon any *property* or *premises* at any reasonable time to inspect any building or *premises* to ensure compliance with, or prevent violation of, the provisions of this bylaw.

The *Owner* or occupant shall permit the *Regional District* officers or their designates to perform all actions required including inspection, observation, measurement, testing, and sampling in order to determine compliance with this bylaw.

6.02 Cease and Desist Order

The *Regional District Engineer* may order the *Owner* or occupant who contravenes this bylaw to:

- a) comply with the bylaw within a specified time limit, and;
- b) plug, seal or physically disconnect the *wastewater drainage system* until the *Owner* or Occupant complies with the bylaw and receives in writing a "Notification of Compliance" from the *Regional District Engineer*.

Where an *Owner* does not comply with a cease and desist order within the specified time limit, the *Regional District Engineer* may order the action contained in the order to be performed by *District* employees, or others, at the expense of the *Owner*. All costs incurred as a result of such action shall be recovered pursuant to this bylaw.

6.03 Violation

Any person who:

- a) violates the provisions of this bylaw;
- b) causes or permits any act in contravention or violation of the provisions of this bylaw;
- c) neglects or omits bylaw requirements;
- d) causes, or permits any *wastewater* to be discharged into the *sanitary sewer system* in a manner prohibited by or contrary to the provisions of this bylaw;
- e) fails to comply with bylaw orders, directions, or notices;
- f) prevents, obstructs or attempts to prevent or obstruct the authorized entry of any officer authorized under this bylaw to enter upon the lands;

will be guilty upon summary conviction of an offence under this bylaw. Each day's continuance of an offence under this section will constitute a new and distinct offence.

6.04 Offence

Each day's continuance of an offence constitutes a new and distinct offence.

SEWER SYSTEM FEES, CHARGES, RECOVERY OF COSTS AND PENALTIES

Sections 7, 8 and 9, outline the sewer system fees, charges, recovery of costs and penalties.

SECTION 7 – GENERAL

7.01 Schedules

Schedules 'A', 'B', 'C' and 'D' are attached to and form part of this bylaw.

SECTION 8 - FEES & CHARGES

8.01 Connection Fee

The following table outlines the Connection Fee, which must be paid at the time of submitting an application for Connection:

CONNECTION FEE TABLE

Type of Connection	Connection Fee*
Single Family Residential / Duplex (non-strata)	\$100.00 per <i>parcel</i>
Bare Land Strata / Building Strata	\$100.00 per unit
Mobile Home Parks	\$100.00 per unit
Multifamily Residential (non-strata)	\$100.00 per application
Commercial / Industrial / Institutional	\$250.00 per application

* The Connection Fee shall be applied at each application for Connection regardless of whether or not previous Connection Fees have been paid for the same *parcel*.

8.02 Administration Fees

Where the *sanitary sewer system* is required to be extended, or a *service connection* must be installed in order to service a *parcel*, the *Owner* shall pay an administration fee equal to 3% of the total capital costs of constructing and installing the works.

The administration fee shall be in addition to any other fees or charges provided for in this bylaw. The minimum administration fee shall be \$150.00.

This section does not apply if the *Owner* is required to pay Administration Fees in accordance to the Regional District of Central Okanagan Subdivision and Development Servicing Bylaw 704, 1996.

8.03 Capital Costs for Sanitary Sewer System Extensions

Where an *Owner* applies to connect to the *sanitary sewer system*, or if the *Regional District* has ordered the *Owner* to connect to the *sanitary sewer system*, and the *sanitary sewer system* must be extended, or a *service connection* must be installed in order to service the *property*, the *Owner* shall:

- a) be responsible for all capital costs pertaining to the extension of the *sanitary sewer system* or installation of the *service connection*;
- b) deposit a security in the form of an irrevocable letter of credit, or bank draft, equal to the sum of the estimated cost to complete the work, including any applicable administration fee, **plus** an additional twenty five percent (25%) for contingencies;

Upon completion of the extension to the *sanitary sewer system* or installation of the *service connection*, the *Regional District* shall reimburse any remaining balance of the security to the *Owner*. If the security is insufficient to cover the costs of completing the work the *Regional District* shall recover the costs in accordance to the Local Government Act and the Community Charter.

8.04 User and Maintenance Fees

Any *Owner* or occupier of real *property* whose *property* is connected to the *Sanitary Sewer System* shall be imposed and levied a *user fee* in accordance with Schedule 'A' and 'B', attached to and forming part of this bylaw.

User fees shall commence on the day which final inspection is made or as determined by the Building Inspector. *Maintenance fees* shall commence immediately upon registration of the *property*.

User and maintenance fees shall be due and payable thirty (30) days after the billing date.

Any *user fees* or *maintenance fees* remaining unpaid on the 15th day of December of any year shall be deemed taxes in arrears and shall be forthwith entered on the real *property* tax roll by the collector as taxes in arrears.

8.05 Connection Security

This section does not apply to *parcels* located within a *community sanitary sewer service area* where:

- a) the installation of the collection system has been completed; and
- b) the final cost of installing the collection system has been established.

Every *Owner* who makes an application to connect to the *Sanitary Sewer System* shall:

- a) deposit, with the *Regional District*, a security equal to the estimated *community sanitary sewer service area* charge as determined by the *Regional District Engineer* ;
- b) enter into a Connection Security Agreement as contained in Schedule "C"; and
- c) comply with the provisions of this bylaw.

8.06 Debt Servicing Fee

Debt Servicing Fee shall be established and collected by separate bylaws.

8.07 Recovery of Costs

Any costs incurred as a result of action taken pursuant to this bylaw shall:

- a) be at the expense of the *Owner* and recovered pursuant to the Local Government Act and the Community Charter; and
- b) be in addition to and not in substitution for any fine or other penalty to which the *Owner* may be subject pursuant to the provision of this bylaw

8.08 Penalties

Any person who violates the provisions of this bylaw may, on summary conviction, be liable to the maximum penalty under the Offence Act, plus the cost of prosecution, for each offence. The penalties imposed under this section are a supplement and not a substitute for any other remedy to an infraction of this bylaw.

8.09 Capital Connection Fee

Ellison Sewer System Capital Connection Fee

The Capital Connection Fee for the Ellison Sewer System is \$3,050.00 per residential equivalent unit. This fee must be paid at time of any development, subdivision or application to connect.

ENACTMENT

SECTION 9 - ENACTMENT


9.01 Repeal of Previous Bylaw

The Regional District of Central Okanagan Regional Sewer System Regulation Bylaw No. 987, 2002, as amended and the Regional District of Central Okanagan Sewer Systems Fees & Charges Bylaw 988, 2002, as amended, are hereby repealed.

9.02 Bylaw Adoption

This bylaw shall take effect upon adoption by the Regional Board of the Regional District of Central Okanagan.

READ A FIRST TIME THIS	26th	DAY OF	June	2006.
READ A SECOND TIME THIS	26th	DAY OF	June	2006.
READ A THIRD TIME THIS	26th	DAY OF	June	2006.
RECONSIDERED AND ADOPTED THIS	26th	DAY OF	June	2006.



 CHAIR



 DIRECTOR OF CORPORATE SERVICES

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1171 cited as the "Regional District of Central Okanagan Sewer Systems Bylaw No. 1171, 2006, as read a third time and adopted by the Regional Board on the 26th day of June, 2006.

Dated at Kelowna, B.C.
this 27th day of June, 2006.



DIRECTOR OF CORPORATE SERVICES

USER FEES

SCHEDULE "A"

TABLE I – *USER FEES* FOR THE WESTSIDE REGIONAL SEWER SYSTEM

Class	Description	Monthly User Fee*	
		2006	2007
SA	Single Family Residence	\$19.10	\$19.48
SB	Apartment, Multi Family Residential, Duplex, Mobile Home (per unit)	\$23.10	\$23.48
SC	Laundromat (per machine)	\$26.74	\$27.27
SD	School (per student)	\$0.98	\$1.00
SE	Restaurant, Beer Parlour, Neighbourhood Pub, Food Take-Out	\$76.41	\$77.94
SF	Beauty Salon, Supermarket, Bakery, Medical Facility	\$38.20	\$38.96
SG	Garage, Service Station, Public Assembly	\$26.26	\$26.79
SH	Class Code Not Used		
SI	Commercial Enterprise	\$19.10	\$19.48
SJ	Hospital with Laundry (per bed)	\$19.10	\$19.48
SK	Hospital without Laundry (per bed)	\$11.46	\$11.69
SL	Institution, Work Camp, Rest Home, Residential School (per bed)	\$3.82	\$3.90
SM	Nursing Home (per bed)	\$11.46	\$11.69
SN	Motel or Hotel (per unit)	\$5.32	\$5.43
SO	Motel or Hotel (per housekeeping unit)	\$7.64	\$7.79
SP	Campsite (per seasonal unit)	\$4.66	\$4.75
SQ	Campsite (per year round unit)	\$9.85	\$10.05
SR	All other uses either not defined in Classes A to Q or which are defined with metered flows (per m ³ of Total Monthly Flow***)	\$1.12	\$1.14

* The minimum monthly *user fee* imposed to any account shall be no less than the rate of Class Code SA in the current calendar year;

** Rate increases for the 2004 to 2007 inclusive, effective January 1st of each year;

*** Total Monthly Flow shall be established by monthly *Design Flow* or if metered, by monthly metered flow.

SCHEDULE "B"

TABLE I – MAINTENANCE FEES FOR THE AREA 901 ELLISON SEWER SYSTEM

Class	Description	Monthly Fee 2006*	Monthly Fee 2007*
SUE	Maintenance Fee per Parcel < 0.25 ha (all parcels)	\$24.50	\$26.00
SRE	All other uses which are defined with metered flows (per m ³ of Total Monthly Flow**)	\$1.29	\$1.32

* The minimum monthly *user fee* imposed to any account shall be no less than the rate of Class Code SUE;

** Total Monthly Flow shall be established by monthly *Design Flow* or if metered, by monthly metered flow.

SCHEDULE "C"

CONNECTION SECURITY AGREEMENT

Regional District of Central Okanagan

Date

1450 KLO Road
Kelowna, B.C.
V1W 3Z4

Attention: Director of Engineering Services

Dear Sir:

RE: Civic Address & Legal
Names registered owners
sewer connection costs

Enclosed please find a cheque/bank draft in the sum of \$ in words and #s as security for the right to connect the subject *property* to the *sanitary sewer system* at this time. It is understood that this security shall be deposited in an interest bearing account and that the *Regional District* agrees to hold this security for a maximum of 10 years from the date of receipt. At the end of 10 years the *Regional District* will withdraw the security, including any accrued interest, and will consider the registered *owner's* costs, for connection to the *sanitary sewer system*, paid in full.

Notwithstanding the above, it is likely that the *Regional District* will establish a *Community Sanitary Sewer Service Area* to finance the cost of providing sewer service to the subject *property* before the 10 year time period has elapsed. If, prior to the 10 year time period elapsing, a *Community Sanitary Sewer Service Area* is adopted which includes the subject *property* as one of the participants, the registered *owner* will have two options once the final costs for each *property* in the *Community Sanitary Sewer Service Area* has been determined:

1. the *owner* can request that their share of the capital costs be added to their *property* taxes and amortized over a period of 20 years, in which case the registered *owner* will be entitled a full refund of the security including any accrued interest; or
2. the *owner* can request that the security be applied to their share of the capital costs on the provision that they will receive a refund on the remainder or pay the entire balance owing, as the case may be.

Yours truly,

The Regional District of Central Okanagan acknowledges receipt of the enclosed cheque/bank draft and agrees to the terms of this letter. Regional District of Central Okanagan by its authorized signatory:

Ownername one

Director of Engineering Services

Ownername two

SCHEDULE "D"

SUMMARY OF BYLAW AMENDMENTS

Bylaw No.	Description	Date of Adoption