

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NUMBER 2001-40

Being a By-Law regulating the use of public and private sewer drains, the installation and connection of sewers and the discharge of waters and wastes into the public sewer system in the Town of Amherstburg and the decommissioning of existing private on site septic systems.

WHEREAS the Ontario Municipal Act R.S.O. 1990 c.M. 45, Section 210 (83) (86) (87) (94) and (150) authorizes Council to make regulations for sewage that may be necessary for sanitary purposes.

AND WHEREAS Ontario Regulations No. 160/93 made pursuant to the Building Code Act requires a Municipality to carry out such inspections as prescribed by that regulation.

AND WHEREAS the Council of the Municipal Corporation of the Town of Amherstburg deems it expedient and desirable to enact a by-law to regulate disposal of sewage and other wastes within the said Municipality.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF AMHERSTBURG ENACTS AS FOLLOWS:

1. Definitions in this By-Law shall mean as follows:

INSPECTOR: Shall mean the Chief Building Official of the Town of Amherstburg.

SEWAGE Shall mean waste water, or a combination of water-carried wastes from residences, business buildings, institutions, industrial establishments and accessory buildings thereto.

SANITARY SEWER Shall mean a sewer which carries sewage, to which storm, surface and ground waters are not admitted.

PUBLIC SEWER Shall mean that section of the sewer considered to be the main sewer to which all owners of abutting properties have equal rights and is owned and controlled by the Municipality.

SEWER SERVICE CONNECTION Shall mean the extension from the public sewer to the property line and is owned and controlled by the Municipality.

BUILDING SEWER Shall mean that part of the drainage piping outside a building or structure that connects a building drain to the sewer service connection.

2. **JURISDICTION**

- (a) The Chief Building Official or appointed inspectors of the Municipality shall inspect all building sewers from the building to the sewer service connection at the street line, and shall not permit any illegal connections to be made to the public sewer as set out in this By-Law.
- (b) After the installation of the building sewer, the owner shall be responsible for the satisfactory operation, cleaning, repair, replacement and maintenance of the connection from the property line to the building.
- (c) The sewer service connection from the public sewer to the street line shall be the responsibility of the Municipality.

3. **APPLICATION FOR PERMITS**

No person shall make any connections into the Municipality's sewer service connection without first having obtained a permit from the Chief Building Official.

- (a) Application shall be made, in writing, to the Chief Building Official on the form prescribed, which application shall contain the name of the owner of the lot, the present state of construction (if a new building), a plan in duplicate of the lot showing the point at the street line at which the connection is to be made, the date for the proposed work to be done, the type of waste to be disposed from the sewer and the name of the contractor undertaking the work.
- (b) Upon receipt of a properly completed application, from the owner or his authorized representative, the Chief Building Official shall issue a permit for the connection, and shall deliver a copy to the operator of the sewage works.
- (c) The fee to be paid to the Municipality shall be as outlined in the Municipal Building By-Law and shall accompany the application for the provision of sewage service to each premise as a fee for inspection of the newly installed building sewer and connection to the sewer service connection.

4. **REGULATIONS FOR BUILDING SEWER AND SEWER SERVICE CONNECTIONS**

No connection shall be made to the Municipal public sewer except as follows:

- (a) Each dwelling must have a separate building sewer, except with the written approval of the Inspector, and further except where one building stands at the rear of another, or an interior 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 whole considered as one building sewer.

- (b) An inspection tee shall be installed in the building sewer at the street line and the clean-out shall be one foot below finished grade level.
- (c) All connections from the public sewer or the sewer service connection to the building shall be of the following materials:
 - (i) From the street line to the building shall be a 4" minimum diameter sewage pipe of polyvinyl chloride pipe SDR-28 made to the Canadian Standards Association Standard B-181.2, B-181.1 and B-182.1 respectively and acrylonitrile-butadiene-styrene, or as revised by the Building Code Act, latest revision. All fittings shall be of polyvinyl chloride made to Canadian Standards Association Standards.
 - (ii) All connections to be approved water tight.
- (d) No connection shall be made to a Municipal public sewer or sewer service connection until a permit has been issued for a sewer connection in accordance with this By-Law, and no said connection shall be made except by the approval of the Municipality.
- (e) All labour and material necessary for the connection of a sewer service connection, from the public sewer to the street line, shall be paid for by the owner of the property which is to be provided with the sewage service connection where no such service connection exists. The owner shall make an application in writing to the Manager of Public Works on the prescribed form and a prescribed deposit shall accompany the application as an advance payment of the installation of the sewer service connection. The balance of payment, if any, shall be invoiced upon the completion with a fourteen day payment due date.
- (f)
 - (i) All labour and material necessary for the connection of the building sewer from the street line internally, shall be supplied and paid for by the owner, and the owner shall indemnify the Municipality for any loss or damage that may occur in the said construction to any third person or to the Municipality's public sewer, watermain or storm sewer.
 - (ii) Nothing in this section shall relieve the owner from the obligation of maintaining such building sewer in accordance with the provisions of this By-Law.
 - (iii) A clean-out shall be installed in the building drain as near as practical to the inner face of the wall through which the drain passes or other approved clean-out shall be provided. Every clean-out shall comply with the Ontario Building Code.
 - (iv) A connection shall be made to the public sewer system in compliance with the By-Law and any septic tanks, cesspools and similar private sewage disposal facilities shall be pumped of all affluent, tops and sides broken and voids filled with clean granular material and suitably compacted, or completely removed.

- (v) Existing septic tanks, cesspools or similar on site sewage facilities are to be pumped empty by a licenced hauling company, certified through Part 8 of the Ontario Building Code.
- (g) No person shall cause or permit the discharge of any storm water, including surface water, groundwater, rain runoff, foundation drain, sump pumps or other sub-surfaces drainage, including any unpolluted cooling water or unpolluted industrial process water, into the Sewage Works of the Municipality.
- (h) The building sewer from the building to the Municipal Sewer Service Connection shall be connected to the building at an elevation below the foundation footings where existing grade will permit. No building sewer shall be laid parallel to within three (3) feet any bearing wall. The building sewer shall be laid at sufficient depth to afford protection from frost and at uniform grade in straight alignment wherever possible.
- (i) All excavations required for the installation of a building sewer shall be by open trench, unless otherwise approved by the Inspector. All pipe shall be installed according to the Ontario Building Code specifications and no back-fill shall be placed until the work has been inspected. All connections and joints shall be gas-tight and watertight and all joints in between, such pipe and metals, shall be made with approved joining materials.
- (j) The applicant for the sewer service connection permit shall give at least forty-eight (48) hours notice to the Inspector when the building sewer is ready for inspection and connection to the sewer service connection. The connection shall be made under the supervision of the Inspector or his representatives.
- (k) All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Municipality.
- (l) Only 45 degree angle elbows or bends shall be used in the building sewer where an elbow is required and in no event shall a 90 degree angle be permitted.

2. **GENERAL**

- (a) No person shall maliciously, wilfully or negligently break, damage, destroy, deface, or tamper with any structure, appurtenance, or equipment which is a part of the Municipal Sewage System.
- (b) The Inspector and other duly authorized employees of the Municipality or the Ministry of the Environment or the Windsor/Essex County Health Unit, bearing the proper credentials and identification, shall be permitted to enter upon all properties for the purpose of inspection, observation, measurements, sampling and testing in accordance with the provisions of this By-Law.


- (c) Where an owner wishes to install his own plumbing or lay his own sewer or drain, the word "owner" shall be substituted for the word "plumber or drain layer" throughout this By-Law, and all such work shall be in accordance with this By-Law.

7. **PENALTIES**

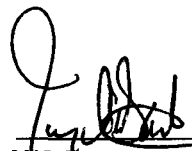
- (a) Any person found guilty of an offence under the provisions of this By-Law shall be subject to a penalty of an amount not exceeding One Thousand (\$1,000.00) Dollars for each offence, exclusive of costs, to be recoverable under the provisions of The Provincial Offences Act.
- (b) If any building sewer or any connection to a sewer service connection or public sewer is made by an owner, or his authorized representative, contrary to the provisions of this By-Law, the owner shall repair such defective work or material within ten (10) days after receipt of a notice from the Engineer, Inspector or Municipality requiring him to do so and, if the owner fails to repair such work, the Municipality may repair the work, including the right to enter upon the lands, and the cost of such repairs shall be added to the tax roll for the property and collected in the same manner as municipal taxes.

8. This By-Law shall come into full force and effect upon the final passing thereof.

READ a FIRST, SECOND AND THIRD time this 24th day of September, 2001 .



CLERK



MAYOR

**BUILDING SEWER INSTALLATION
SUPPLEMENTARY REGULATIONS**

1. Each property owner receiving a building sewer and/or sewer service connection shall sign and cause to be filed with the Chief Building Official an application accompanied with a permit fee of \$25.00 in accordance with the Municipal Building By-Law.
2. No work shall be commenced until the permit has first been applied for and obtained.
3. All contractors and/or owners shall ensure that they comply with the provisions of the Construction Safety Act, as amended, and in particular respecting trenches.
4. All contractors and/or owners are reminded that they may contact the Municipality for assistance in locating the lateral sewer at the street line.
5. The contractors and/or owners are requested to use extreme caution when excavating at the street line to locate their lateral sewer.
6. The building sewer shall be laid on a four inch bedding of not greater than 3/4" maximum clear stone or other approved bedding material, subject to the approval of the Inspector and in accordance with the Ontario Building Code Requirements.
7. Under no circumstances shall the owner and/or contractor allow dirt, stone, water or debris to be discharged into the sanitary sewer during any stage of installation, in any amount.
8. The contractor and/or owner shall provide and maintain a sufficient number of portable pumps and shall keep the excavation dry during the installation of the building sewer and the connection into the lateral sewer.
9. The contractor and/or owner shall ensure that no water is pumped onto the traveled portion of the road, and where possible, shall discharge same into ditches, storm sewers or upon the owner's property.
10. All contractors and/or owners shall notify local utility authorities for underground locates of services prior to commencement of any work.
11. The contractor and/or owner shall not discharge contaminated water into any closed culvert or storm sewer.
12. The contractor and/or owner shall not use Municipal property to store excavated soil or materials.
13. The contractor and/or owner shall restore Municipal property to the satisfaction of the Inspector and the Manager of Public Works.
14. Work orders will be issued where restoration on Municipal property is not acceptable. The contractor shall be required to restore same, prior to obtaining any further lateral sewer connection permits or, in the case of an owner, he shall be required to restore same or the Municipality will proceed to do the work and charge the cost incurred to the owner, to be recovered in the same manner as municipal taxes.

15. The owner shall be ultimately held responsible for any future settlement, damages or restoration on Town property resulting through the installation of his building sewer.
16. Visual inspections, as well as camera inspections will be made at random by the Municipality to ensure that no sand, stone or clay tracings are found in the sewer system resulting from the installation of a building sewer and/or lateral sewer connection. Stop work orders will be immediately issued if such are found.
17. Any owner and/or contractor found guilty of contravening Item 7 shall be required to clean the Municipality's public sewer upon demand, at their expense, and in the case of the contractor, he shall be immediately stopped and prevented from obtaining any further Building Sewer Connection Permits and barred from installing any further sanitary building sewers and lateral sewer connections in the Municipality.
18. The contractor/owner agrees not to make any changes in, or additions to, his plumbing or connecting sewer line after the same has been installed and inspected by the Municipality except with the written consent of the Municipality.
19. The plug on the Municipal lateral sewer shall not be removed or tampered with without the prior approval of the Inspector.
20. Should the sewer service line be damaged, the owner and/or contractor shall prevent any water or materials from entering into the Municipal Sewer System and shall notify the Inspector immediately.
21. The building sewer connection at the street line shall be made under the continuous supervision of the Inspector and the excavation shall be dry.
22. Upon conclusion of the water test, the building sewer shall be flushed clean with water.
23. The contractor and/or owner shall be required to comply with all of the above regulations, the provisions of By-Law #2001-40 and all relevant By-Laws and Provincial Statutes and Regulations now in force, and as may be enacted or amended from time to time.
24. Upon completion of the installation and connection and prior to mechanical back-filling, the owner and/or contractor shall adequately secure the pipe with either fill or crushed stone, to the Inspector's satisfaction, and extreme caution shall be used not to alter the alignment or break the pipe and clean-outs when back-filling and compacting the soil.
25. All connections from the sewer service connection to the building shall be of the following materials:
 - a) From the street line to the building shall be a 4" diameter sewage pipe of polyvinyl chloride pipe SDR-28 made to Canadian Standards Association Standard B181.2, B181.1 and B182.1 respectively and acrylonitrile-butadiene-styrene, or as revised by the Building Code Act.
 - b) All connections to be approved water-tight.

- c) All fittings shall be of polyvinyl chloride or acrylonitrile-butadiene-styrene made to Canadian Association Standards.
26. The following measures are to be taken to decommission the septic tanks:
- a) **TOTALLY REMOVE** the tank and dispose of the material offsite in a legal manner.
 - b) Accessible tanks - top is to be broken and the bottom is to be punctured to prevent accumulation of water. The tank is to be filled with 3/4" clear stone.
 - c) Tanks which are inaccessible (under structures as determined by the Chief Building Official) are to be pumped and filled with a lean concrete slurry with no air voids in the presence of the Inspector.
27. All tanks are to be pumped empty by a licenced sanitation hauler, certified by the Province of Ontario - **“Pumping of effluent into the municipal sewage system is a serious offence and violators will be prosecuted to the fullest extent of the law.”**
28. Separate plumbing permits may be required to update plumbing systems within private buildings which could be deemed unsafe under the authority of 15 of the Ontario Building Code Act.