

VILLAGE OF MIDWAY
SANITARY SEWER
REGULATION AND RATE
BYLAW NO. 337

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SCHEDULE 'A' Connection and User Fees

CEASE AND DESIST ORDER

VILLAGE OF MIDWAY

SANITARY SEWER REGULATION AND RATE BYLAW 337

A bylaw to regulate the sanitary sewer system, sewage treatment and rates.

WHEREAS pursuant to **Section 517 of the Local Government Act**, Council may by bylaw establish and operate a local service for the collection, conveyance, treatment and disposal of sewage and require connection to said sewage works.

AND WHEREAS Council has established and adopted bylaws to provide for the collection, conveyance, treatment and disposal of sewage within the Village of Midway;

AND WHEREAS pursuant to Section 268 and 269 of the Local Government Act, Council may authorize entry onto any property to ascertain bylaw compliance, require action by a person, take action if the person fails to take action, and recover costs for such action taken;

NOW THEREFORE, the Council of the Village of Midway, in open meeting assembled, enacts as follows:

SECTION 1 – TITLE

This bylaw may be cited as the “Village of Midway Sewer System Regulation and Rate Bylaw 337.”

SECTION 2 - REPEAL

The following bylaws of the Village of Midway, and all amendments thereto, are hereby repealed:

- Bylaw 185 (1988) – Sewer Rates and Regulations
- Bylaw 289 (1997) – Amend Sewer Rates and Regulations Bylaw 185
- Bylaw 306 (1998) – Amend Sewer Rates and Regulations Bylaw 185

SECTION 3 – INTERPRETATION

In this Bylaw, unless the context otherwise requires, the singular includes the plural and masculine includes the female gender and a corporation.

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.

3.02 Limitation of Liability

Sewer service is provided on the condition that the Owner makes no claim against the Village its Council, 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.

3.03 Indemnification

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

3.04 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 litre as determined by the appropriate procedure in “Standard Methods”.

“Building Inspector” means the Chief Building Inspector of the Village or his authorized designate.

“building sewer” means a pipe that is connected to a building drain one (1) metre outside a wall of a building and that leads to a public sewer or a private sewage disposal system.

“Administrator” means the Municipal Administrator for the Village of Midway.

“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”.

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

“Council” means the Municipal Council of the Village of Midway.

“domestic wastewater” means the wastewater produced from non-commercial or non-industrial activities and which result from normal human living processes.

“ester” means chemical compound formed by replacing the hydrogen of an acid by an alkyl, aryl, etc. radical.

“extraneous flows” means water originating from rainwater, snowmelt, groundwater, roof drain water, foundation drain water, subsurface drainage, surface water, swimming pools, single pass cooling water, condensation or storm water.

“flammable liquid” means any liquid having a flash point below 38°C and having a vapor 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 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.

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

“one-operating-day composite sample” (one day sample) means a composite sample comprised of flow proportioned sample collected at one-hour intervals over a 24-hour time period.

“Owner” shall be interpreted as defined in the Local Government Act.

“parcel” means a lot, block, or other area in which land is held or into which land is subdivided.

“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:

- (a) a plant growth regulator, plant defoliator or plant desiccant; and
- (b) 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 litre of solution.

“Plumbing Code” means any regulation made by the Lieutenant Governor in Council of British Columbia, in accordance with Section 692 of the Local Government Act.

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

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

“Public Works Foreman” means the Public Works Foreman of the Village, or his designate.

“sanitary sewer system” means any sewerage works and appurtenances thereto owned by the Village.

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

“service connection” means a pipe which is located at the property line of a parcel, to 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 Village Wastewater Treatment Plant.

“Special Waste” means a substance that is defined as “Special Waste” as interpreted by the Waste Management Act, R.S.B.C. 1996.

“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 the Subdivision and Development Servicing Bylaw of the Village.

“suspended solids” means the solid matter according to particle size, expressed in milligrams per litre, 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 consecutive 15-minute intervals.

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

“Village” means the council or its designate.

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

“wastewater drainage system” means an assembly of pipes, fittings, fixtures, traps, and appurtenances, not owned by the Village, 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 and the Plumbing Code.

SECTION 4 – GENERAL REQUIREMENTS

4.01 Compliance with Bylaw

No person shall:

- (a) connect any 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.

4.02 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.

4.03 Other Legislated Requirements

No person shall enter 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 Village. Where there is a conflict of regulations, the more stringent shall apply.

4.04 Interference with the Sanitary Sewer System

The sanitary sewer system, its operation, maintenance, repairs, and replacement shall be under the direction and control of the Public Works Foreman. No person other than the Public Works Foreman, a Village employee acting in the course of his duties or a contractor authorized by the Public Works Foreman shall:

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

4.05 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 Village in order that the necessary precautions can be taken to minimize the deleterious effect of the discharge.

4.06 Approval to Connect

4.06.01 Village Provides Sewer Connection

Where the Village has provided a sewer connection to the parcel, the Public Works Foreman shall not approve connection to the sanitary sewer system until the Owner:

- (a) makes an application for connection to the Village on the prescribed form;

(b) makes an application for a building permit to the Village Building Inspection Department;

(c) Pays all applicable charges and fees.

4.06.02 Owner Provides Sewer Connection

Where the Owner is allowed to provide the sewer connection to the parcel, the Village shall not approve connection to the sanitary sewer system until the Owner:

(a) makes an application for connection to the Village;

(b) makes an application for a building permit to the Village Building Inspection Department;

(c) deposits with the Village a security in the form of cash, an irrevocable letter of credit, or a bank draft, in the amount of one hundred and twenty-five percent (125%) of the estimated capital cost to extend the sanitary sewer system to service the parcel;

(d) pays all applicable fees and charges including but not limited to the application fee, building permit fee, administration and inspection fee, latecomer charges, and development cost charges;

(e) submits, where applicable, an "Application for Permission to Construct Works Within Highway Right-of-Way" to the Village; and

(f) complies with the provisions of this bylaw.

4.07 Connection Requirement

The Owner of every parcel within the sewer service area upon which wastewater is being generated and where:

(a) a service connection has been provided to service the parcel; or

(b) a sanitary sewer main fronts any portion of the parcel; or

(c) the Village requires that a sanitary sewer main be extended to service the parcel pursuant to Section 939 of the Local Government Act,

shall construct a wastewater drainage system to provide for the collection of all wastewater generated on the parcel and connect the wastewater drainage system to the sanitary sewer system.

Should the Owner fail to connect the parcel to the sanitary sewer system as required above, Village may by written notification order the Owner to make connection to the sanitary sewer system within sixty (60) days.

In the event the Owner fails to make the required connection within sixty (60) days of notification, the Village may order the required connection to be made by Village employees, or others, and all costs incurred shall be recovered pursuant to Section 4.08 of this bylaw.

4.08 Recovery of Costs

Any costs incurred as a result of action taken by the Village pursuant to this bylaw shall;

- (a) be at the expense of the Owner and recovered pursuant to Section 269 of the Local Government Act, **AND**
- (b) be in addition to and not in substitution of any fine or other penalty to which the Owner may be subject pursuant to the provisions of this bylaw.

4.09 Work Done at Cost

The cost will include the amount expended by the Village for all expenditures incurred in doing the work, plus administration charges. The Village will supply an estimate of cost and will require an advance payment prior to commencement of the work and any surplus will be refunded.

4.10 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 Village may make any repairs and take whatever remedial action necessary to limit the extent of the damage and shall recover the cost pursuant to Section 4.08.

Should testing indicate that the components of the wastewater are not in compliance with the provisions of this bylaw, the Village 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 Section 4.16 of this bylaw, **AND**
- (b) the Village notifies the Owner, in writing, indicating the Owner has complied with Section 4.16 of this bylaw and authorizing the Owner to resume discharge of the wastewater.

4.11 Interruption of Service

The Village may limit, interrupt, terminate, or refuse sewer service, or limit the hours during which any person may use sewer services:

- (a) in circumstances where the discharge of wastewater may interfere with works being undertaken on the sanitary sewer system by the Village; or
- (b) where a person contravenes the provisions of this bylaw;
- (c) in compliance with the provision of this bylaw where circumstances are such that the public interest may so require.

When sewer services are limited, interrupted, terminated, or refused the Village shall, except in the case of an emergency, make reasonable efforts to notify the Owner or occupant of the affected parcel.

4.12 Service Connections

Each parcel shall be limited to one service connection except, 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 Village.

All service connections shall be installed by the Village at the expense of the Owner or as otherwise directed by Village.

Service connections shall be repaired, replaced, and maintained by the Village or as otherwise directed by the Public Works Foreman, but maintenance such as unplugging or clearing of blockage shall be the responsibility of the Owner at their expense.

Any costs incurred as a result of the Village taking action to unplug or unblock a service connection shall be recovered pursuant to Section 4.08 of this bylaw.

4.13 Wastewater Drainage System, Building Sewers

Every wastewater drainage system including building sewers, 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 Owners responsibility to ensure that the wastewater drainage system is installed such that it meets the elevation of the service connection. The Village is not obligated to meet the elevation of, or connect to, any wastewater drainage system installed prior to installation of the service connection.

The repair and maintenance of the wastewater drainage system shall be the responsibility and expense of the Owner. Should the Public Works Foreman determine that extraneous flows or deleterious substances are entering the sanitary sewer system due to an unauthorized connection, improper maintenance, or improper repair of a wastewater drainage system, the Village may issue a Cease and Desist Order to the Owner. The Village may take further action pursuant to Section 4.11 of this bylaw.

Where any wastewater drainage system is to be abandoned, the Owner shall notify the Village. The Village will block, seal and physically disconnect the service connection, and the costs of such work shall be recovered pursuant to Section 4.08 of this bylaw.

4.14 Control Manholes

All industrial wastewater must pass through an inspection chamber and/or control manhole as directed by the Public Works Foreman. Inspection chambers and manholes must be:

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

4.15 Septic Tanks

No septic tanks shall be connected to the sanitary sewer system.

No person shall permit any sludge, deposit, or material contained in, or originating from, any septic tank to enter the sanitary sewer system. All sludge, deposit, or material originating from a septic tank must be disposed of by the Owner at an approved septage disposal facility.

Where a building has been served by one or more septic tanks and the building is subsequently connected to the sewer system, the Owner shall within one (1) month after the date of such connection, either remove the old septic tank(s) on the property and fill in the excavations so created, or clean out the septic tanks(s) and fill the same with gravel, earth, or sand in such a manner that no danger of cave-in will remain.

4.16 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 to conform to the provisions of this bylaw. In support of the proposal, the Engineer must submit the following information to the Village;

- (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 with the provisions of this bylaw, and
- (iv) detailed operation and maintenance procedures.

No construction shall take place on the pre-treatment facility until such time as the Village has reviewed the above information and approved construction. Approval to construct the pre-treatment facility 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 Public Works Foreman.

4.17 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) food processing;
- (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 be a pre-manufactured package designed for the specific purpose of trapping deleterious components, and
- (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 specifications and manuals to Village for approval prior to construction. In addition the Owner must submit operation and maintenance manuals. All costs of such review by the Village shall be at the Owners expense.

No construction shall take place on the interceptor until such time as the Village has reviewed the above information and approved construction. Approval to construct the interceptor by the Village 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 Owners expense. The Owner shall maintain written records of all clearing, repair, calibration and maintenance and shall store said records at the place of business for minimum of three (3) years. The Owner shall make these records available for examination by the Public Works Foreman at all reasonable times.

4.18 Non-residential Uses Connecting 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 a Professional Engineer to prepare and submit the following information to the Village in order for the Public Works Foreman 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 or discharged,
- (iv) the anticipated biochemical oxygen demand and the amount of suspended solids or grease,
- (v) the pH factor 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 Public Works Foreman.

4.19 Volume Control

Where wastewater is discharged into the sanitary sewer system in volumes which may exceed the available downstream capacity, the Village 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 Public Works Foreman.

4.20 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 Public Works Foreman, shall be carried out at the cost of the discharger.

4.21 Prohibitions

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

- (a) Any extraneous flows
- (b) Any garbage that has been ground, comminuted or shredded by a garbage disposal unit or by an "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 60°C; or
 - (ii) exceeds or could cause the exceeding 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 clipping, 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 septic tank or cesspool.
- (n) Any waste, liquid or material classified as "Special Waste" pursuant to the provisions of the Waste Management Act.
- (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	One Operating Day Composite Sample	Two Hour Composite Site	Grab Sample
B.O.D.	500	1000	2000
C.O.D.	750	1500	3000
Suspended Solids	600	1200	2400
Oil and Grease (non petroleum)	150	300	600
Oil and Grease (petroleum source)	15	30	60
pH (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 below. 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	A1	50.0	100.0	200.0
Arsenic	As	1.0	2.0	4.0
Boron	B	50.0	100.0	200.0
Cadmium	Cd	0.2	0.4	0.8
Chromium	Cr	4.0	8.0	16.0
Cobalt	Co	5.0	10.0	20.0
Copper	Cu	2.0	4.0	8.0
Cyanide	Cn	1.0	2.0	4.0
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	0.05	0.1	0.2
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 by the Village if it considers there is some detrimental effect on the Village's treatment plant, infrastructure or workmen.

- (i) 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 amendable 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.

- (ii) 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.).

SECTION 5 – ADMINISTRATION AND ENFORCEMENT

5.01 Sanitary Sewer Capital Levies, Connection, and User Fees

There shall be and is hereby imposed and levied a connection and sewer users charge against the Owner or Occupier of real property whose property or premises is connected to the sanitary sewer system.

Each parcel of land or premises shall be classified in accordance with the categories set out in Schedule 'A' attached hereto and forming part of this Bylaw and the users charge shall be the rate shown opposite the relevant category.

In the case of a connection being made during the year, the charges imposed shall begin with the month during which the final inspection of the sewer connection was made. If made on or before the 15th day of the month, the full monthly rate will be charged. If made after the 15th day of the month, the charge will be at half the rate for that month.

The sewer users charge shall be due and payable ANNUALLY at the office of the Clerk as follows:

- the sewer rate payable under Schedule 'A' of this Bylaw shall be levied annually and become due on the second day of July and such levy shall be subject to a penalty of ten (10) percent if unpaid after this date. (due date means the same date as property tax due date)

Any charge, including any penalty additions, remaining unpaid on the thirty-first (31) day of December shall be deemed to be taxes in arrears in respect of the property and shall forthwith be entered on the real property tax roll by the Clerk as taxes in arrears.

5.02 Right of Entry

Public Works Foreman is authorized to enter upon any property or premises 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 Village or their designates to perform all actions required including inspection, observation, measurement, testing and sampling in order to determine compliance with this bylaw.

5.03 Cease and Desist Order

The Village 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 remove the building sewer until the Owner or Occupant complies with the bylaw and receives in writing "Notification of Compliance" from the Village.

Where an Owner does not comply with a Cease and Desist Order within the specified time limit, the Village may order the action contained in the order to be performed by Village employees, or others, at the expense of the Owner. All costs incurred as a result of such action shall be recovered pursuant to Section 4.08.

5.04 Violation

Any person who:

- (a) violates bylaw provisions;
- (b) causes or permits any act in contravention or violation of bylaw provisions;
- (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 bylaw provisions;
- (e) fails to comply with bylaw orders, directions, or notices; or
- (f) prevents, obstructs or attempts to prevent or obstruct the authorized entry Public Works Foreman authorized under Section 5.02 to enter upon the lands

will be guilty upon summary conviction of an offence under this bylaw.

5.05 Offence

Each day's continuance of an offence under Section 5.04 constitutes a new and separate offence.

5.06 Penalty

Any person who violates bylaw provisions may, on summary conviction, be liable to a penalty not exceeding \$10,000.00 and not less than \$100.00, 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.

SECTION 6 – ENACTMENT

6.01 Bylaw Adoption

That Bylaw No. 337 cited as “Village of Midway Sanitary Sewer Regulation and Rate Bylaw 337” be now READ A FIRST TIME this 3rd day of **June, 2002**.

That Bylaw No. 337 cited as “Village of Midway Sanitary Sewer Regulation and Rate Bylaw 337” be now READ A SECOND TIME this 3rd day of **June, 2002**.

That Bylaw No. 337 cited as “Village of Midway Sanitary Sewer Regulation and Rate Bylaw 337” be now READ A THIRD TIME this 3rd day of **June, 2002**.

That Bylaw No. 337 cited as “Village of Midway Sanitary Sewer Regulation and Rate Bylaw 337” having met all prerequisites for final adoption, be now FINALLY ADOPTED this 17th day of **June, 2002**.

MAYOR

ADMINISTRATOR

I hereby certify this to be a true and correct copy of Bylaw 337, being a bylaw to establish and operate a local service for the collection, conveyance, treatment and disposal of sewage and require connection to said sewage works.

ADMINISTRATOR

**VILLAGE OF MIDWAY
SANITARY SEWER REGULATION AND RATE BYLAW 337**

CEASE AND DESIST ORDER

To: _____

Address: _____

You are hereby notified that you are in contravention of the provisions of the Village of Midway "Sanitary Sewer Regulation and Rate Bylaw" in that:

(Describe Contravention) _____

It has been determined that continued wastewater discharge from your property may have an adverse affect on the Village's sanitary sewer system and you are required to Cease and Desist the discharge of wastewater within _____ hours. This order will remain in effect until the contravention has been remedied and you have been notified in writing to resume discharge.

Failure to comply with the order shall be deemed a violation of the bylaw and be subject to plugging, sealing or removal of the service connection at your expense and/or legal action in terms of Section 4 of the bylaw.

Date

Village of Midway

**VILLAGE OF MIDWAY
SANITARY SEWER REGULATION AND RATE BYLAW 337**

SCHEDULE 'A'

A. Sewer Rates

Description	Monthly Rate
Private Dwellings (per family unit)	\$ 10.00
Hotels	
- Kettle River Inn	- Lounge \$ 20.00
	- Apartment \$ 10.00
	- 3 Rental Rooms @ \$2.00 each \$ 6.00
- JJ's/Mile 0	- Restaurant \$ 20.00
	- 9 Rooms @ \$2.00 each \$ 18.00
	- Apartment \$ 10.00
	- Laundry Room \$ 11.00
Apartment Blocks	
- McMynn Agencies	- 4 Apt's @ \$10.00 each \$ 40.00
- Parkview Manor	- 20 Units @ \$10.00 each \$200.00
	- Kitchen \$ 10.00
	- Hairdress Shop \$ 10.00
Cabins	
- Perepelkins	- 2 Cabins @ \$10.00 each \$ 20.00
Stores	\$ 8.00
Post Office	\$ 8.00
Garage & Service Stations	\$ 11.00
Laundromats (per washing machine)	\$ 11.00
Financial Institutions	\$ 8.00
Offices	\$ 8.00
School Board Office/Garage	\$ 10.00
Elementary School	\$ 20.00
Maintenance Buildings	\$ 10.00
B.C.S.S.	\$100.00
Industrial Buildings	\$ 18.00
Churches	\$ 10.00
Church Halls/Schools	\$ 10.00
Church Residence	\$ 10.00

B. Service Connections

1. 100 mm Diameter \$975.00
2. Greater than 100 mm Diameter or any connection installed in frozen ground as determined by the Clerk or any connection requiring asphalt or hard surface removal. At cost per CL 4.09