

CITY OF WHITEHORSE

BYLAW 2013-56

A bylaw to provide for the operation, maintenance, and control of sewerage and drainage systems for the City of Whitehorse

WHEREAS section 265 of the *Municipal Act* (R. S. Y. 2002) provides that council may pass bylaws for municipal purposes respecting municipal utilities, facilities, works, and improvements on private and public land; and

WHEREAS it is deemed expedient and in the public interest to:

- (1) Establish a system of sewerage works for the collection, conveyance, and treatment of sewage, and to operate and maintain this system for the City of Whitehorse; and
- (2) Establish a drainage system for the impounding, conveying, and management of surface and other waters, and to operate and maintain this system for the City of Whitehorse.

NOW THEREFORE, the council of the municipality of the City of Whitehorse, in open meeting assembled, hereby ENACTS AS FOLLOWS:

SHORT TITLE

1. This bylaw may be cited as the "**Sewer and Storm Utility Bylaw**".

OBJECTIVES

2. The objectives of this bylaw are to
 - (1) Ensure the proper operation of public sewer and storm collection systems and protect this infrastructure from corrosion, structural damage and obstruction;
 - (2) Protect the wastewater treatment process by reducing contamination;
 - (3) Protect the environment, people and property by eliminating hazardous or toxic conditions within the sewer and storm collection systems;
 - (4) Optimize system efficiency by preventing uncontaminated water from entering the system;
 - (5) Protect the environment from contaminants that are not removed by the treatment system;
 - (6) Enable the City of Whitehorse to maintain compliance with the operational conditions established by the Yukon Water Board and *Yukon Environment Act*.

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DEFINITIONS

3. For the purposes of this bylaw and the schedules attached hereto, unless the context otherwise requires, the following definitions apply:

“ACCREDITED LABORATORY” means any laboratory accredited by an authorized accreditation body in accordance with a standard based on “CAN-P-1585: Requirements for the Accreditation of Environmental Testing Laboratories” established by the Standards Council of Canada, as amended.

“ADVERSE EFFECT” means impairment or damage to the sanitary sewer system, storm sewer system, water system, human health and safety, City property, or the environment.

“APPLICANT” means property owner or the authorised agent for the property owner.

“APPROVED” means approved by the Designated Officer.

“APPROVED CONTRACTOR” means a contractor authorized by the Designated Officer in writing to complete utility installations. Authorization is granted annually through an application in a form prescribed by the Designated Officer.

“AUTHORIZED AGENT” means a person, firm or corporation authorised by the owner to act on the owner’s behalf through designation, contract, or otherwise.

“BEST DEMONSTRATED AVAILABLE TECHNOLOGY (BDAT)” means treatment technology that is considered demonstrated based on usage in similar type applications and that is environmentally desirable based on its minimisation of emissions through the application of best available technology in combination with good operating practices, where costs are not prohibitive considerations, and includes internal processing, operating, and use practices that maximise or enhance treatment technology performance.

“BIOMEDICAL WASTE” means waste that has not been disinfected or decontaminated and is generated by human or animal health care facilities; medical or veterinary research and teaching establishments; health care teaching establishments; clinical testing or research laboratories; and facilities involved in the production or testing of vaccines. This includes the following types of waste: human anatomical waste; animal waste; microbiological laboratory waste; human blood and body fluid waste and waste sharps as defined in the CCME Guidelines for the Management of Biomedical Waste in Canada as amended from time to time.

“BOD” means Biochemical Oxygen Demand means the five-day BOD which is the determination of the molecular oxygen utilized during a five-day incubation period for the biochemical degradation of organic material (carbonaceous demand), and the oxygen used to oxidize inorganic material such as sulphides and ferrous iron and the amount of oxygen used to oxidize reduced forms of nitrogen (nitrogenous demand) as determined by the appropriate procedure in Standard Methods.

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“BUILDING” means a temporary or permanent structure having a roof supported by columns or walls for the shelter or enclosure of persons, animals, materials, chattels and equipment.

“BUILDING INSPECTION DEPARTMENT” means the City of Whitehorse Building Inspection Department.

“BUILDING AND PLUMBING BYLAW” means the City of Whitehorse Building and Plumbing Bylaw as amended from time to time.

“CAR WASH” means a commercial or industrial building or structure containing facilities for washing motor vehicles, including tunnel car washes, coin operated automatic car washes and coin operated self-service car washes.

"CITY" means the City of Whitehorse.

“CITY ENGINEER” means the professional Engineer employed by the City of Whitehorse, and licensed to practice in Yukon, or his/her designate.

“CITY MANAGER” means the City Manager of the City of Whitehorse or an authorised representative.

"CITY UTILITY" means the sanitary sewer system, storm sewer system and water system owned and operated by the City.

“CLEAR WATER WASTE” means any water including water from the City water distribution system to which no matter has been added.

“COD” means Chemical Oxygen Demand, being the quantity of oxygen expressed in milligrams per litre utilised in the chemical oxidation of organic matter contained in sewage as determined by standard methods.

“CONSUMER” means any person who could receive water from a City water main adjacent to his property or from a bulk water station, or discharge sewage into a City sanitary sewer adjacent to his property, or discharge trucked sewage into a sewage dumping station.

“COMPOSITE SAMPLE” means a volume of wastewater, storm water, uncontaminated water, clear-water or effluent made up of three or more grab samples that have been combined automatically or manually and taken at intervals during the sampling periods.

“COOLING WATER” means the water that is used in a process for the purpose of removing heat and that has not, by design, come in contact with any raw material, intermediate product, waste product or finished product or recirculating water that is discharge from a cooling or heating water system.

"COUNCIL" means the elected Council of the City of Whitehorse.

“CROSS CONNECTION” means any physical arrangement whereby the City water supply is connected, directly or indirectly, with any non-potable or un-approved private water supply system, sewer drain, conduit, well, pool, irrigation system, storage reservoir, plumbing fixture, or any other device which contains,

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or may contain, contaminated water, liquid, gases, sewage, or other wastes, or unknown or unsafe quality which may be capable of imparting contamination to the City water supply as a result of back flow.

“DESIGNATED OFFICER” means an employee of the City of Whitehorse or an authorised representative designated in writing by the City Manager to enforce this bylaw.

“DOMESTIC WASTEWATER” means wastewater that is the composite of liquid and water-carried wastes associated with the use of water for drinking, cooking, cleaning, washing, hygiene, sanitation and other domestic purposes, and which does not exceed the levels set out in Schedule C of this bylaw.

"DWELLING" means one or more rooms intended to be used as a residence by one household, each dwelling having independent living, sleeping, toilet facilities and not more than one kitchen.

"EDUCTOR DUMPING PERMIT" means an eductor dumping permit issued by the City allowing a person to release wastewater or clear water waste into the Wet Well at Marwell Lift Station.

“EROSION AND SEDIMENT CONTROL PLAN” means a plan approved by the City of Whitehorse to allow runoff from a development or construction site to be discharged to the City storm sewer system. The plan shall incorporate, as a minimum, all Standard Erosion and Sediment Control (ESC) practices as defined in this bylaw.

“FEES and CHARGES BYLAW” means the City of Whitehorse Fees and Charges Bylaw as amended from time to time.

“FREEZE PROTECTION DEVICE” means any approved device to prevent the freezing of the water service.

“GARDEN SUITE” means a secondary dwelling unit located on a lot where the principal use is single detached housing.

“GRAB SAMPLE” means a volume of wastewater, storm water, uncontaminated water or effluent which is collected over a period not exceeding fifteen minutes.

“GROUND WATER” means water beneath the earth’s surfacing accumulating as a result of seepage.

“HAULED WASTEWATER” means waste removed from a wastewater system including a septic tank system, privy pit, a chemical toilet, a portable toilet or a wastewater holding tank.

“HAZARDOUS WASTE” means any substance or mixture of substances, other than a pesticide that exhibits characteristics of flammability, corrosivity, reactivity or toxicity and any substance that that been designated as a hazardous waste under the *Canadian Environmental Protection Act, 1999*, as amended, or any act passed in replacement of it.

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"INDUSTRIAL WASTE" means waste generated by commercial or industrial activities that presents health, safety or environmental concerns, and includes but is not limited to, lime, sulphur, asbestos, contaminated soils, empty chemical containers and drums, carbon, acids, caustics, sludge, and industrial sump water, but excludes hazardous waste and biomedical waste.

"IRRIGATION" means the distribution of water to the surface or sub-surface of lawns, gardens or other areas situated outside buildings by pipes, hoses, sprinklers or any other method.

"LIST OF FEES" means Schedule A of this bylaw, a list of items for which the City may charge a fee in accordance with the Fees and Charges Bylaw.

"MATTER" means any gaseous, liquid or solid matter.

"MONITORING ACCESS POINT" means an access point, such as a chamber, in a private sewer connection to allow for observations, sampling and flow measurement of the wastewater, uncontaminated water or storm water therein.

"MUNICIPAL UTILITIES" means a system or facility that is used to provide any of the following things for the public: water, sewage treatment and disposal, public transportation, heat, waste heat, and waste management; and a service or product that is provided for public consumption, benefit, convenience, or use.

"OIL and GREASE" means n-hexane extractable matter such as fats, waxes, and oils as determined by standard methods.

"OWNER" means the person, persons, or corporation who has by law the management, control, custody or use of the lot, and includes an authorised agent.

"OVER STRENGTH MATTER" means waste concentrations in excess of the concentrations specified in Schedule C of this bylaw, and less than the concentrations specified in Schedule B of this bylaw.

"OVER STRENGTH SURCHARGE" means the charge per kilogram per cubic meter, as specified in the Fees and Charges Bylaw to be charged to a consumer who releases waste water to the sanitary sewer system that exceeds the standards set in Schedule C of this bylaw.

"PATHOLOGICAL WASTE" means pathogenic or disease-producing organisms.

"PCB WASTE" means polychlorinated biphenyl waste.

"PERMIT TO DISCHARGE" means a sanitary sewer discharge permit issued by the City allowing a person to release wastewater or clear water waste to the sanitary sewer, or a storm sewer discharge permit issued by the City allowing a person to release storm water, sub-surface water or clear water waste to the storm sewer.

"PERSON" means any legal entity including a partnership, corporation, trust, union etc. as defined in the *Yukon Interpretations Act*.

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“PESTICIDE” means a pesticide regulated under the Pest Control Products Act.

“PHENOLS” means the hydroxyl derivatives of benzene.

“PHOSPHOROUS” means phosphorous expressed in milligrams per litre as determined by Standard Methods.

“PLAN OF RECORD” means record drawings produced and signed by a qualified individual showing the actual locations, dimensions, materials and construction details of the sewer or storm system.

“PLUMBING DEVICE” means any type of plumbing apparatus, fitting, fixture, piping, or hardware located in a dwelling, building or on private property.

“PREMISES” means an area of land, including a lot or parcel of land with or without buildings.

“PRE-TREATMENT” to use an industrial or commercial wastewater treatment facility designed to remove sufficient pollutants from the waste stream to allow compliance with the effluent limits established in Schedules B or C of this bylaw.

"PRIVATE SERVICE" means the portion of sanitary sewer, storm sewer or water service located between the property line and the building being serviced and maintained by the owner.

“PROPERTY” means a piece of real estate, a lot defined by property lines.

"PROPERTY LINE" means a line which defines the perimeter of a lot which is legally defined either by registered plan or description.

"REGISTERED OWNER" means any person registered as the owner of real property in the Land Titles Office for the Yukon Land Registration District.

“RELEASE” means to directly or indirectly conduct matter to the sanitary sewer system, storm sewer system, or any water course by spilling, discharging, depositing, abandoning, depositing, leaking, seeping, pouring, draining, emptying or by any other means.

“REMEDIATION SITE” means a site where a soil contaminant has been identified and has been, is being, or is planned to be removed or treated by remedial activity.

“RESTRICTED WASTE” means waste concentrations in excess of the concentrations specified in Schedule B of this bylaw.

"SANITARY SEWER" means a pipe or conduit installed in the street that carries waste water, ground water, uncontaminated processor cooling water, but not storm drainage water or sub-surface water from foundation drains.

"SANITARY SEWER DISCHARGE PERMIT" means a permit issued by the Designated Officer that allows a person, subject to certain terms and conditions, to release water or wastewater to the City sanitary sewer.

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“SANITARY SEWER PROHIBITED MATERIAL” means any substance that may, directly or indirectly, obstruct the flow of water within the sanitary sewer or may have a negative impact and includes, but is not limited to:

- (1) soil, sediment, or other solid matter;
- (2) cooking oil and grease;
- (3) groundwater;
- (4) storm drainage water;
- (5) super-chlorinated water;
- (6) animal waste, dead animals or animal parts;
- (7) gasoline, diesel fuel, motor oil, transmission fluid, and antifreeze;
- (8) solvents;
- (9) paint;
- (10) cement or concrete wastes;
- (11) sawdust, wood, fibreboard or construction material;
- (12) yard waste;
- (13) pesticides, herbicides or fertilizers;
- (14) Biomedical Waste;
- (15) Hazardous Waste;
- (16) Industrial Waste;
- (17) soaps or detergents; and
- (18) fish and aquatic fauna and flora.

"SANITARY SEWER SERVICE" means the pipe used or intended to be used to conduct waste water, ground water, uncontaminated processor cooling water, but not storm water or sub-surface water from foundation drains, from one building only on one lot to a sanitary sewer.

“SANITARY SEWER SYSTEM” means all sanitary sewers, sanitary lift stations, the waste water treatment facilities, outfalls and all associated appurtenances.

“SEDIMENT INTERCEPTOR” means an interceptor designed to prevent any sediment from maintenance garages, carwashes or commercial parking lots passing into the sanitary sewer or storm sewer system.

“SERVICE FAILURE or INTERRUPTION” means the failure of a sanitary sewer service, storm sewer service or water service to work properly as a result of blockage, damage or freezing.

“SERVICING STANDARDS MANUAL” means the City of Whitehorse Servicing Standards Manual or as amended from time to time.

“SEWAGE” see definition for wastewater

"SHUT OFF" means an interruption in or discontinuance of the supply of water or sewer service authorised by the City.

“SPECIAL WASTE” means any substance or group of substances so designated by the Special Waste Regulations of the Yukon Environment Act as amended or any act passed in replacement of it.

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“SPILL” means a direct or indirect discharge into the wastewater works, storm sewer or the natural environment which is abnormal in quantity or quality in light of all the circumstances of the discharge.

“STANDARD EROSION AND SEDIMENT CONTROL PRACTICES” means retaining existing vegetation and ground cover where possible; installing and maintaining sediment trapping devices or filter fabric bags inside catch basins and exposed manholes that may collect runoff from construction sites; diverting runoff away from cleared areas by the use of low berms; keeping sand, gravel, concrete mix and spoiled material off paved surface areas; and re-vegetating, covering or mulching disturbed areas as soon as practically possible.

“STANDARD METHODS” means a procedure or method set out in the latest version of Standard Methods for the Examination of Water and Wastewater, published jointly by the American Water Works Association and the Water and the Water Pollution Control Federation.

“STORM SEWER” means a pipe, conduit or ditch installed in the street for the collection and transmission of storm water, sub-surface water and clear-water wastes.

“STORM SEWER DISCHARGE PERMIT” means a permit issued by the Designated Officer that allows a person, subject to certain terms and conditions, to release storm water, sub-surface water or clear-water waste to the City storm sewer.

“STORM SEWER PROHIBITED MATERIAL” means any substance that may, directly or indirectly, obstruct the flow of water within the storm sewer or may have a negative impact on the environment or a water course and includes, but is not limited to:

- (1) soil, sediment, waste or other solid matter;
- (2) faecal matter, animal waste, dead animals or animal parts;
- (3) cooking oils and greases
- (4) super-chlorinated water
- (5) gasoline, diesel fuel, motor oil, transmission fluid, and antifreeze;
- (6) solvents;
- (7) paint;
- (8) cement or concrete wastes;
- (9) sawdust, wood, fibreboard or construction material;
- (10) yard waste;
- (11) pesticides, herbicides or fertilizers;
- (12) biomedical waste;
- (13) hazardous waste;
- (14) industrial waste;
- (15) soaps or detergents;
- (16) water from hot tubs; and
- (17) fish and aquatic fauna and flora.

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“STORM SEWER SERVICE” means the pipe used or intended to be used to conduct storm water, sub-surface water and clear-water wastes from a building or site to a storm sewer.

“STORM SEWER SYSTEM” means the sewer for the collection and transmission of uncontaminated water, storm water, drainage from land or from a watercourse or any combination thereof, and includes storm sewers, ditches, storm water lift stations, storm water management facilities, outfalls and all associated appurtenances.

“STORM WATER” means surface run-off water which is the result of natural precipitation.

“STORM WATER MANAGEMENT FACILITY” means an impoundment and associated appurtenances and controls for the containment, detention or retention of storm water.

“STREET” shall include all highways, roads, lanes, alleys, avenues, easements, thoroughfares, utility lots, drives, bridges and ways of public nature, sidewalks, boulevards, parks, public squares and other public places unless the contrary is expressed or unless such construction would be inconsistent with the context of this bylaw.

“SUB-SURFACE WATER” means water at a depth of not more than 15 metres beneath the surface of the ground and includes foundation drainage.

“SUMP” means a facility on the connection to the sanitary sewer system or storm sewer system for trapping oil, grease, or solids before discharge to the sanitary sewer or storm sewer system and which requires regular cleaning to remove such items.

“SUPER CHLORINATED WATER” means water containing excessive amounts of chlorine as would result from dis-infection of water mains.

“TERMINATION WORK” the permanent shut off of a water and or sewer service.

“TKN” means Total Kjeldahl Nitrogen being the sum of organic and ammonia nitrogen, expressed in milligrams per litre as determined by standard methods.

“TSS” means Total Suspended Solids being solids that are contained in the water or wastewater expressed in milligrams per litre as determined by standard methods.

“WASTEWATER” means the composite of water and water carried wastes from residential, commercial, industrial or institutional premises or any other source.

“WASTEWATER TREATMENT FACILITY” means any structure or thing used for the physical, chemical, biological treatment of waste water.

“WATERCOURSE” means a channel, ditch or depression, either natural or artificial, in which a flow of water occurs, either continuously or intermittently.

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“ZONING BYLAW” means the City of Whitehorse Zoning Bylaw as amended from time to time.

OPERATION OF THE CITY UTILITY

4. The operation of the City Utility shall be under the management and control of the Designated Officer.
5. The Designated Officer shall manage the City Utility under the direction of the City Manager and/or Council.
6. The Designated Officer is authorised to shut down the water system and/or mechanically plug the storm or sanitary sewer system and/or lockout private pumps that discharge into the storm or sanitary sewer system to any consumer in accordance with any relevant section of this bylaw provided that notice is given when it is practical to do so. Notice of shut off shall be as follows:
 - (1) Emergency repairs – no notice required,
 - (2) Scheduled repair work – 12 hours written notice,
 - (3) Shut down for non-compliance with the bylaw – 14 days written notice.
7. Should a consumer wish to appeal a decision made by the Designated Officer, they shall submit such an appeal in writing to the City Manager within seven days of the occurrence of the decision.

GENERAL RESTRICTIONS ON USERS

8. No person, except those authorised in writing by the Designated Officer, shall:
 - (1) Use, obstruct or impede access to the City Utility, or any portion thereof, in any manner;
 - (2) Drill, cut, connect, join, excavate, bury, disturb or otherwise interfere with the City Utility;
 - (3) Enter into any City Utility structure whether underground or above ground or any Utility compound whether it is fenced or not;
 - (4) Alter, remove, or destroy any facilities or sites specifically designed to store storm water;
 - (5) Alter, remove, or destroy pre-treatment facilities or spill containment facilities required by the Designated Officer that were constructed under the approval of the City.
9. No person shall cause, permit or allow the release of clear water waste so that it runs to waste, whether by reason of leakage from underground piping, faulty plumbing, or otherwise unless the release of water to waste is necessary and approved in writing by the Designated Officer to prevent the water service from freezing, or a permit to discharge has been issued by the Designated Officer.
10. No person shall release or permit the release of any over strength matter, restricted waste, or sanitary sewer prohibited material to the sanitary sewer

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unless a sanitary sewer discharge permit has been issued by the Designated Officer authorizing the release.

11. No person shall release or permit the release of any over strength matter, restricted waste, or storm sewer prohibited material to the storm sewer.
12. The Designated Officer may, at such times and for such length of time as is required, restrict or prohibit sewage generation as necessary to effect repairs.

THE SANITARY SEWER AND STORM SEWER SYSTEM

13. Any private storm sewer system connected to the City storm sewer system or any private sanitary sewer system connected to the City sanitary sewer system shall conform to the most recent City Servicing Standards Manual.
14. Prior to use or activation of any private storm sewer system connected to the City storm sewer system, or any private sanitary sewer system connected to the City sanitary sewer system, the owner or developer shall submit a Plan of Record to the City Engineer for approval.
15. The Designated Officer may, as a condition of connection to the City utility, inspect the property or premises of any person who applies to the City for such service in order to determine if it is appropriate to allow connection to such property or premises and whether such premises comply with the relevant City bylaws.
16. Where water or waste which
 - (1) is hazardous or creates an immediate danger to any person;
 - (2) endangers or interferes with the operation of the storm sewer system or sanitary sewer system;
 - (3) causes or is capable of causing an adverse effect; or
 - (4) is a sanitary sewer prohibited material or storm sewer prohibited material;is discharged into the City sanitary sewer or storm sewer system, the Designated Officer may, in addition to any other remedy available, disconnect, plug or seal off the service discharging the unacceptable water or waste into the sanitary sewer or storm sewer system, or take such other action as is necessary to prevent such water or waste from entering the sanitary sewer or storm sewer systems.
17. The Designated Officer may, with the permission of the owner, inspect the premises in order to perform any inspection or testing of equipment, piping or fixtures in or on such premises in order to determine whether this bylaw is complied with, and in the event that such owner fails to provide proof of compliance or refuses to give such permission, the supply of water to those premises may be shut off upon 14 days written notice.

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SANITARY SEWER AND STORM SEWER SERVICES

18. The provision of sanitary sewer and storm sewer services to the consumer or owner shall at all times be subject to the terms and conditions set out in this bylaw and the charges designated in the Fees and Charges Bylaw.
19. Applications for sanitary sewer or storm sewer service connection, termination or alteration shall be made in writing to the Designated Officer not less than 14 working days before the service is required, and in such form as is prescribed.
20. The applicant for a sanitary sewer or storm sewer service shall hire an approved contractor to complete service installation and/or alteration work, including the portion from the property line to the sewer or storm main. Should an approved contractor not be available, the applicant may request that the portion of work on City property be completed by the City. The applicant shall be responsible for all costs associated with service installation or alteration work. Contractors seeking approved contractor status shall apply in writing on a form approved by the Designated Officer. Contractor approvals are valid for the application year only and may be cancelled at any time for just cause.
21. Where an applicant has requested a service termination the City shall cap the storm or sewer service lines or decommission the service as soon as reasonably practicable. The applicant shall continue to pay the water and sewer charges specified in the Fees and Charges Bylaw until the termination has been completed and shall pay the costs of service termination as designated in the Fees and Charges Bylaw.
22. Service connections shall not cross property lines between adjacent private properties except by legally registered easement plans and agreements.
23. There shall be no more than one sewer service connection to each property except as approved in writing by the Designated Officer.
24. All proposed sewer service connections for garden suites shall be approved by the Designated Officer prior to installation.

PLUMBING: General

25. The Designated Officer has the right of access to any building or premise provided with a sump, sediment interceptor, or oil/water separator for the purposes of inspection and testing.
26. All plumbing connected to the City utility shall conform to the *Building Standards Act* and the City Building and Plumbing Bylaw.
27. No person shall install or operate within the City, any waste grinding devices for domestic, industrial, commercial or institutional purposes, the effluent from which will discharge directly or indirectly into a sanitary or storm sewer.
28. Commercial garages, service stations, or businesses that wash or lubricate motor vehicles or businesses that wash aggregates or soils shall be equipped with a readily accessible sand trap and sump and such sand trap and sump shall

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be maintained in good working order. The design of such sand trap and sump shall be approved by the Designated Officer.

PLUMBING: Vehicle and Equipment Oil/Water Separators

29. Commercial garages, service stations, or businesses that maintain, wash or lubricate motor vehicles where discharge is directly or indirectly connected to the City sanitary sewer or storm sewer system shall install an oil/water separator designed to prevent motor oil and lubricating grease from passing into the sanitary sewer or storm sewer in excess of limits set out in Schedule B of this bylaw.
30. The owner or operator of the premises as set out in section 29 of this bylaw shall operate and properly maintain an oil/water separator in any piping at its premises that connects directly or indirectly to the City sanitary sewer or storm sewer system. The oil/water separator shall be installed in compliance with the most current requirements of the Canadian Building Code, and installed and maintained as per Best Management Practices for Automotive Repair Operations that discharge to a sanitary sewer system by the Canadian Petroleum Products Institute (CPPI).
31. No commercial garage, service station or business that maintain, wash or lubricate motor vehicles and where discharge is directly or indirectly connected to the City sanitary sewer or storm sewer system shall allow sump wastewater to be discharged to the City sanitary sewer or storm sewer system without prior written approval from the Designated Officer.
32. A maintenance schedule and record of maintenance shall be available to the Designated Officer upon request for each oil/water separator installed. Maintenance records must be retained for a minimum two year period.

PLUMBING: Food Related Grease Interceptors

33. Every owner or operator of a restaurant or other industrial, commercial or institutional premises where food is cooked, processed or prepared, for which the premises is connected directly or indirectly to a sanitary sewer, shall take all necessary measures to ensure that oil and grease are prevented from entering the sanitary sewer in excess of the provisions of this bylaw. Grease interceptors shall not discharge to the storm sewer.
34. The owner or operator of the premises in section 33 of this bylaw shall install, operate and properly maintain a grease interceptor in any piping system at its premises that connects directly or indirectly to the City sanitary sewer, according to the manufacturer's recommendations. Traps should be cleaned before the thickness of the organic material and solids residuals is greater than twenty-five percent of the available volume; cleaning frequency should not be less than every four weeks and the maintenance schedule must be posted in the workplace in proximity to the grease interceptor. The installation of the oil and

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grease interceptor shall meet the requirements of the National Plumbing Code of Canada and Canadian Standards Association CAN/CSA B-481.2, as amended.

35. Emulsifiers shall not be discharged to the City sanitary sewer or storm sewer system. No person shall use enzymes, bacteria, solvents, hot water or other agents to facilitate the passage of oil and grease through a grease interceptor.
36. A maintenance schedule and record of maintenance shall be available to the Designated Officer upon request for each oil and grease interceptor installed. Maintenance records must be retained for a minimum two year period.

PLUMBING: Dental Waste Amalgam Separator

37. Every owner or operator of premises from which dental amalgam may be discharged directly or indirectly into a sewer shall install, operate and properly maintain dental amalgam separators with at least 95% efficiency in amalgam weight and certified ISO 11143 – “Dental Equipment: Amalgam Separators”, in any piping system at its premises that connect directly or indirectly to a sewer by no later than December 31, 2013.
38. A maintenance schedule and record of maintenance shall be available to the Designated Officer upon request for each dental and waste amalgam separator installed. Maintenance records must be retained for a minimum two year period.

FREEZE PROTECTION

39. The responsibility for the supply, operation, installation, maintenance and all capital and operating costs of freeze protection devices and methods is the responsibility of the owner. Approved bleeders for sewer service freeze protection shall not be altered without the approval of the Designated Officer.
40. The owner shall protect the sanitary sewer service and storm sewer service from blockage or damage due to freezing. Freeze protection devices or methods shall be installed or employed in accordance with the Servicing Standards Manual and to the satisfaction of the Designated Officer.
41. Service interruption caused by freezing shall be addressed as specified in section 97 of this bylaw.
42. Sanitary sewer services and storm sewer services shall be insulated in accordance with the Servicing Standards Manual.
43. The Designated Officer has the right of access to any building or premise provided with a freeze protection device for the purposes of inspection and testing.

PRIVATE STORM AND WASTEWATER DISPOSAL SYSTEMS

44. The owner may install at his own expense a private storm water or wastewater disposal system only when there is no City storm sewer or sanitary sewer available. The owner of the private system shall at the owner's expense:

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- (1) Provide plans, specifications and other information considered necessary by the Designated Officer,
 - (2) Construct the system in accordance with all applicable statutes, regulations and/or the City Servicing Standards Manual to the satisfaction of the Designated Officer.
45. The owner of commercial, industrial, institutional and multi-family premises with more than four units shall provide private drainage for storm water run-off from roofs, parking areas, storage areas, paved areas and courtyards.
46. The owner shall connect the private storm water drainage system to:
- (1) A storm sewer where available, or
 - (2) Directed into on-site landscaping or on-site drainage structure that has been approved by the Designated Officer, or
 - (3) Directed into a location designated by the Designated Officer, or
 - (4) At such time as a storm sewer becomes available in the City right-of-way adjacent to the property, the Designated Officer may require connection of the private storm sewer at the owner's cost.
47. Combined sanitary and storm sewer systems shall not be utilized.

MONITORING ACCESS POINTS

48. The owner of a commercial, institutional, or industrial premises or multi-family residential building with one or more connections to a sewer or storm system may be required to install and maintain in good repair in each connection, a suitable monitoring access point to allow observation, sampling and flow measurements of the wastewater, uncontaminated water or Storm Water therein as required by the Designated Officer.
49. The monitoring access point shall be on the property of the owner in a location approved by the Designated Officer.

SEDIMENT INTERCEPTORS

50. Every owner or operator of a premises having a potential for hydrocarbon or other pollution or a heavy sediment loading, such as vehicle wash establishments, parking lots with 40 or more parking stalls, or high traffic areas such as drive thru lanes from which sediment may directly or indirectly enter a storm sewer, shall take all necessary measures to ensure that such sediment or pollution is prevented from entering the City storm or sanitary sewer in excess of the limits in this bylaw.
51. Catch basins installed on private property for the purposes of collecting storm water and carrying it into the storm sewers shall be equipped with a Sediment Interceptor and the installation of these catch basins on private property shall comply with the most recent Servicing Standards Manual.

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52. All Sediment Interceptors shall be maintained in good working order and according to manufacturer's recommendations and shall be inspected regularly to ensure performance is maintained to the manufacturer's specifications for performance.
53. The owner or operator of premises as outlined in section 50 of this bylaw shall keep documentation of interceptor clean-out and sediment disposal for a minimum of two years.
54. The maintenance schedule and record of maintenance shall be submitted to the Designated Officer upon request for each Sediment Interceptor installed.

RELEASES TO THE SANITARY SEWER SYSTEM

55. No person shall release, or permit the release of any matter into the sanitary sewer system except:
 - (1) Domestic wastewater that complies with the requirements of this bylaw;
 - (2) Industrial/commercial/institutional wastewater that complies with the requirements of this bylaw;
 - (3) Hauled wastewater that complies with the requirements of this bylaw;
 - (4) Over Strength Matter, storm water, clear water waste, sub-surface water or other matter where a sanitary sewer discharge permit has been issued by the Designated Officer.
56. No person shall release, or permit the release of any matter into the sanitary sewer system which, in the opinion of the Designated Officer, may:
 - (1) Cause a hazard to human health that cannot be effectively mitigated by wastewater treatment;
 - (2) Cause a hazard to the environment;
 - (3) Cause an adverse effect on the sanitary sewer system;
 - (4) Cause an impairment to any wastewater treatment process;
 - (5) Cause a health or safety hazard to a person authorised by the City to inspect, operate, maintain, repair or otherwise work on the sanitary sewer or storm sewer system;
 - (6) Become a hazard to persons, vegetation, property or animals.
57. No person shall release, or permit the release into the sanitary sewer system of:
 - (1) Any matter other than domestic wastewater, which by itself or in combination with another substance is capable of creating odours;
 - (2) Ashes, cinders, sand, potters clay, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics or other solid or viscous substance capable of causing obstruction, or other interference with, the operation of the sewerage works;

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- (3) Matter from a snow dump site;
 - (4) Sub-surface water from de-watering of an excavation or trench; or
 - (5) Sanitary sewer prohibited material.
58. No person shall release or permit the release of any of the following into the sanitary sewer system unless a sanitary sewer discharge permit or eductor dumping permit has been issued or amended by the Designated Officer:
- (1) Waste, water or wastewater which directly or indirectly results in a release that is in contravention to the City of Whitehorse Water Licence, *Yukon Waters Act* and *Waters Regulation*, or the *Yukon Environment Act*.
 - (2) Storm water and run-off from melt or natural precipitation;
 - (3) Clear Water Waste;
 - (4) Sub-surface or foundation drainage;
 - (5) Trucked Waste;
 - (6) Wastewater or matter having:
 - (a) a temperature greater than 75°C;
 - (b) a pH less than 5.5 or greater than 10.5;
 - (c) a restricted waste as described in Schedule B;
 - (d) over strength matter as described in Schedule C; or
 - (e) a special waste.
59. Where sampling is required, the sampling may be collected manually or by using an automatic sampling device and may contain additives for its preservation. For the purpose of compliance with a sanitary sewer discharge permit or eductor dumping permit, wastewater streams within premises may be sampled at the discretion of the Designated Officer.
60. All tests, measurements, analyses and examinations of the wastewater or its characteristics shall be carried out in accordance with Standard Methods and be performed by an accredited laboratory for analysis for the particular substances.
61. No person shall connect a private storm water, surface water or subsurface water drainage system to a sanitary sewer service that connects or will be connected to the sanitary sewer system.
62. No person shall dilute wastewater for the purpose of avoiding the requirements of this bylaw.
63. Where a person requires, or is, releasing wastewater that does not meet the requirements of sections 56, 57, 58 of this bylaw, the person shall apply to the Designated Officer in the prescribed form and pay the fee as designated in the Fees and Charges Bylaw for a sanitary sewer discharge permit. The Designated Officer will review the application and may either issue or refuse the permit.

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64. The sanitary sewer discharge permit may place the following terms and conditions on the discharge:
- (1) Place limits and restrictions on the quantity, composition, frequency and nature of the waste permitted to be discharged,
 - (2) Require the holder of the sanitary sewer discharge permit to repair, alter, remove or add to works or construct new works,
 - (3) Require the Permit Holder to complete sampling and testing of the wastewater to determine the concentrations of the constituents of the wastewater,
 - (4) Provide that the Permit will expire on a specified date or upon occurrence of a specified event, and
 - (5) Provide the requirement for pre-treatment to a specified level, payment of an Over Strength Surcharge, as well as sampling, testing and monitoring.
65. The Designated Officer shall calculate and levy an over strength surcharge as designated in the Fees and Charges Bylaw for each kilogram per cubic metre of constituent in the wastewater released to the sanitary sewer system in excess of those specified in Schedule C, but less than those identified as a Restricted Waste in Schedule B.
66. Where best demonstrated available technology (BDAT) for a class of industry cannot meet the restricted waste or over strength matter concentration levels set out in Schedules B or C, the Designated Officer may, through the sanitary sewer discharge permit, authorise the concentration levels achievable through the use of BDAT for that class of industry as the concentration levels above which the wastewater will be designated a restricted waste or over strength matter.
67. The sanitary sewer discharge permit shall be in the form prescribed by the Designated Officer and may be cancelled or suspended at any time without reason and at the sole discretion of the Designated Officer.
68. The person who is issued a sanitary sewer discharge permit shall meet, maintain and operate the facility so that all terms and conditions of the permit are met on a continuous basis.
69. On all new sanitary sewer connections the owner of land zoned as Commercial and Industrial according to the Zoning Bylaw, shall, or as required through the Development Permit process install a sanitary sewer service Monitoring Access Point.

HAULED WASTEWATER

70. No person shall discharge hauled wastewater into the sanitary sewer system at an approved dumping station without first obtaining an eductor dumping permit from the Designated Officer and paying the required permit fee as set in the Fees and Charges Bylaw.

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71. All private sewage disposal contractors issued an eductor dumping permit shall comply with the terms and conditions of the permit and pay the required dumping fee as set in the Fees and Charges Bylaw. The terms and conditions of the permit as considered appropriate by the Designated Officer may include:
- (1) Place limits and restrictions on the quantity, composition, frequency and nature of the waste permitted to be discharged;
 - (2) Require the holder of the eductor dumping permit at the holder's expense to repair, alter, remove or add to works or construct new works;
 - (3) Require the holder of the eductor dumping permit at the holder's expense to monitor, in the way specified by the Designated Officer, the waste being discharged under the eductor dumping permit and to keep records and provide information concerning the discharge and associated waste sources, treatment works and measures;
 - (4) Provide that the eductor dumping permit will expire on a specified date, or upon the occurrence of a specified event.
72. Contravention of any term or condition of the eductor dumping permit may result in the permit being revoked in addition to fines and fees.

RELEASES TO THE STORM SEWER

73. No person shall release or permit the release of any matter into the storm sewer system or any watercourse, except:
- (1) Storm water and run-off from melt of natural precipitation that complies with the requirements of this bylaw;
 - (2) Clear Water Waste;
 - (3) Sub-surface water that complies with the requirements of this bylaw and for which a storm sewer discharge permit has been issued;
 - (4) Water resulting from street cleaning and hydrant flushing;
 - (5) Water resulting from fire extinguishing activities determined by the Designated Officer to be suitable to enter the storm sewer;
 - (6) Water resulting from garden and lawn maintenance, except where pesticides and/or fertilizers are utilized;
 - (7) Water resulting from non-commercial car washing;
 - (8) Sub-surface water, storm water or Clear Water Waste from a remediation site for which a Permit to Discharge has been issued.
74. No person shall release or permit the release of any matter of any type into the storm sewer system or any watercourse which may:
- (1) Result in a hazard to any person, animal, property or vegetation;

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- (2) Cause an Adverse Effect on the quality of the water in any storm sewer or watercourse;
 - (3) Result in storm water being released in contravention the *Yukon Waters Act* or *Yukon Waters Regulation* or the *Yukon Environment Act*;
 - (4) Originate from a commercial car wash;
 - (5) Has a temperature greater than 60 degrees Celsius;
 - (6) Has a pH less than 6.0 or greater than 9.0, except for rainwater;
 - (7) Contain wastewater;
 - (8) Contain super chlorinated water;
 - (9) Contain a Restricted Waste or Over Strength Matter as described in Schedules B and C, attached hereto and forming part of this bylaw;
 - (10) Originate from fire-fighting activities that may result in a hazard to any person, animal, property, or vegetation; or
 - (11) Originate from sub-surface water, storm water or clear-water waste from a remediation site, excavation or trench for which no storm sewer discharge permit has been issued.
75. Where a person requires or is releasing storm water that does not meet the requirements of sections 73 or 74 of this bylaw, they shall apply to the Designated Officer in the prescribed form and pay the designated fee for a storm sewer discharge permit. The Designated Officer will review the application and may either issue or refuse the permit. Conditions that may be placed on the permit include the requirement for pre-treatment to a specified level, testing and monitoring.
76. Where sampling is required, the sampling may be collected manually or by using an automatic sampling device and may contain additives for its preservation. For the purpose of compliance with the Permit to Discharge storm streams within premises may be sampled at the discretion of the Designated Officer.
77. All tests, measurements, analyses and examinations of the water or wastewater or its characteristics shall be carried out in accordance with Standard Methods and be performed by a laboratory accredited for analysis for the particular substances.
78. No person shall cause sediment discharge into the storm sewer system with TSS greater than allowed by Federal or Yukon Territorial Laws and Regulations.
79. Any new development area or construction site where storm water drainage discharges to a surface water body, including, but not limited to, the areas of Downtown, Marwell and Riverdale, up to 10,000 m² shall submit an Erosion and Sediment Control (ESC) plan to the City prior to commencement of construction if required by the Designated Officer. No construction shall occur until the plan has been approved by the Designated Officer.

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80. All new development areas or construction sites greater than 10,000 m² shall follow Standard Erosion and Sediment Control (ESC) practices and the developer shall utilise a computer or a mathematical model for storm sewer design as specified in the most recent City of Whitehorse Servicing Standards Manual.
81. No person pursuant to an approved Erosion and Sediment Control (ESC) Plan shall cause sediment laden water to be discharged to the storm sewer or Watercourse greater than the TSS amount specified in the approved ESC Plan.

UNAUTHORISED RELEASES

82. Any person who releases or permits the unauthorised release of any matter set out in sections 56, 57, 58, or 74 of this bylaw into the sanitary sewer system, storm sewer system or any water course, immediately after becoming aware of the release, shall notify the 24 hour Spill Response Line and the City and provide the following information:
- (1) Name of the person owning the matter released;
 - (2) Location of the release;
 - (3) Name of person reporting the release and telephone number where that person can be reached;
 - (4) Time of the release;
 - (5) Type of material released and any known associated hazards;
 - (6) Volume of the material release;
 - (7) Corrective action being taken or anticipated to be taken to control the release.
83. The person who released or permitted the unauthorised release shall, as soon as the person becomes aware or ought to have become aware of the release, take all reasonable measures to:
- (1) Confine, remedy and repair the effects of the released matter;
 - (2) Remove and dispose of the matter in such a manner as to effect the maximum protection to human life, health and the sanitary sewer system, storm sewer system or water course.
84. The person who released or permitted the release shall within fourteen (14) days following the unauthorised release submit to the City a written report that details the following:
- (1) Date and time of the release;
 - (2) Location of the point of the release;
 - (3) Duration of the release and the release date;
 - (4) Composition of the release showing with respect to each substance its concentration and total quantity, a description of the circumstances leading to the release;

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- (5) Steps or procedures which were taken to minimise, control or stop the release;
 - (6) A summary of the impairment, damage, or harm which occurred to any person, premises, private drainage system;
 - (7) Preventative actions being taken to ensure a similar release does not occur again;
 - (8) Copies of applicable release prevention and release response plans; and
 - (9) Any other information required by the City.
85. Any person observing a release of any matter set out in sections 56, 57, 58, or 74 of this bylaw into the sanitary sewer system, storm sewer system or any water course shall notify the City and provide as much information on the release as possible.

SPILLS

86. In the event of a fuel, oil or other contaminant spill to a wastewater utility and/or storm sewer utility, the person responsible or the person having the charge, management and the control of the spill shall immediately notify and provide any requested information with regard to the spill to:
- (1) 9-1-1 emergency if there is an immediate danger to human health or safety;
 - (2) the 24-hour Yukon Spill Report Line 867-667-7244 if there is no immediate danger;
 - (3) the owner of the premises where the release occurred; and
 - (4) any other person who the person reporting knows or ought to know may be directly affected by the release.
87. The person responsible for the spill and the person having charge, management and control of the spill shall do everything reasonably possible to contain the spill, protect health and safety of citizens, minimize damage to property and protect the environment.
88. City staff may assist with actions to contain, clean up, or stop the flow of the spilled product. However, the City may invoice the persons responsible for the spill to recover costs as a result of the spill. The persons responsible for the spill shall pay any and all costs invoiced by the City.
89. The person who released or permitted the release shall provide a detailed report on the spill to the City of Whitehorse, within five working days after the spill, containing the following information:
- (1) Location where the spill occurred;
 - (2) Name and telephone number of the person who reported the spill and the location and time where they can be contacted;

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- (3) Date and time of the spill;
- (4) Material spilled;
- (5) Characteristics and composition of material spilled;
- (6) Volume of material spilled;
- (7) Duration of the spill event;
- (8) Work completed and any work still in progress in the mitigation of the spill;
- (9) Preventive actions being taken to ensure a similar spill does not occur again; and
- (10) Copies of applicable spill prevention and spill response plans.

CITY OF WHITEHORSE SPILL CONTINGENCY PLAN

90. The purpose of the City of Whitehorse Spill Contingency Plan is to provide a plan of action for the most probable spill events reported to the City of Whitehorse within City of Whitehorse boundaries. The plan outlines the procedures for responding to spills in a way that will minimize potential hazards, environmental damage and clean-up costs and defines the responsibilities of key response personnel. The plan also provides additional requirements in the event of a sewage spill. The plan has been prepared to provide easy access to all the information needed in dealing with a spill.

REPAIR OF SERVICE FAILURE OR INTERRUPTION ASSISTANCE PROGRAM

91. Consumers shall have a duty of care to maintain and use the sanitary sewer service or storm sewer service in the manner in which they were designed to be used.
92. Any consumer experiencing a service failure or interruption of the sanitary sewer service or storm sewer service shall report the matter to the Water and Waste Services as soon as possible. No cost of service failure shall be considered as the responsibility of the City until the failure is reported to Water and Waste Services.
93. Consumers having a service failure or interruption of the sanitary sewer service or storm sewer service, the investigation and/or repair of which necessitates excavation of the City right-of-way shall, prior to taking any action, advise the City, and/or sign a work order with the City if required by the Designated Officer.
94. Where the exact location of the problem cannot be determined to be either within the City right-of-way or on private property, the owner shall sign a work order agreeing to cover costs should the failure be the owner's responsibility, and the City will undertake to determine the cause and location of the problem. The responsibility for the cost of repairs shall be as outlined in section 97 of this bylaw.
95. The owner shall undertake repair work for service failure or interruption of the

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sanitary sewer service or storm sewer service on the owner's property from the property line to the foundation line where the fault has been determined to be the responsibility of the consumer or owner. The responsibility of repairs shall be as outlined in section 97 of this bylaw. The City does not normally undertake repair work on private property but may do so if the property owner, cannot arrange for a plumber or other qualified contractor to undertake the repairs. The owner shall be required to sign a work order with the City, agreeing to the repair and assuming the costs of the repairs deemed necessary by the City.

96. Upon completion of repair work completed by City staff, the Designated Officer shall determine total costs and assign them to the City or the customer as described in section 97 of this bylaw. Should surface restoration not be possible until the following construction season, the calculation of total cost shall use the cost of surface restoration as estimated by the Designated Officer.
97. Responsibility for the cost of repair for any service failure or interruption in the sanitary sewer service or storm sewer service are to be as follows:
 - (1) The consumer shall be responsible for all costs resulting from blockage, breakage, damage, and or failure between the sanitary sewer or storm sewer main and the property line that is caused by any action, inaction, misuse or negligence on the part of the consumer as determined by the Designated Officer.
 - (2) The consumer shall be responsible for all costs resulting from blockage, breakage, damage, and or failure between the property line and the foundation line of the building.
 - (3) The City shall be responsible for all costs resulting from blockage, breakage, damage, and/or failure between the sanitary sewer or storm sewer main and the property line that was not a result of any action, inaction, misuse or negligence on the part of the consumer as determined by the Designated Officer.
 - (4) The consumer shall be responsible for all costs resulting from a freezing of the sewer service from the sewer main to the foundation line of the building if the freeze up is not a result of a frozen sewer main or an interruption of the sewer main as determined by the Designated Officer.
 - (5) The City shall be responsible for all costs resulting from a freezing of the sewer service from the sewer main to the foundation line of the building if the freeze up is a result of a sewer main failure, freezing, or blockage as determined by the Designated Officer.
 - (6) The City shall be responsible for all costs resulting from a freezing of the sewer service from the sewer main to the property line if the consumer has taken every effort and every method has been employed to ensure that freeze protection methods have been applied as described in sections 39 to 43 of this bylaw. It shall be up to the Designated Officer to determine if every effort and method has been employed.

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PAYMENT OF ACCOUNTS

98. There shall be paid for all water supplied, sewage collected or service rendered the amounts set out in the Fees and Charges Bylaw. Schedule A contains a list of items for which a fee is chargeable.
99. Where municipal water or sewer services have been provided and are available for connection to private services, the minimum charge for water and/or sewer service as set out in the Fees and Charges Bylaw shall be paid by all consumers whose property is occupied for a purpose requiring the provision of sanitary facilities, whether or not a private water or sewer service connection has actually been made.
100. All accounts for water and sewer service shall be due and payable when rendered.
101. A separate account shall be rendered in respect of each water and sewer service or as directed by the Designated Officer.
102. Where any service charge is designated by reference to an hourly, daily or weekly rate, the charge for a lesser period of time shall be calculated on a proportionate basis.
103. Should an account remain unpaid for a period of 60 days, the water may be shut off following 14 days further written notice. The water supply to any such person shall not be restored until such person has paid the outstanding balance of the account including penalty to the satisfaction of the Designated Officer and has paid to the City the fee for reinstatement of service as designated in the Fees and Charges Bylaw.
104. The registered owner of real property within the City shall be liable for all rates and fees chargeable or payable under this bylaw, and for any costs associated with the City having to undertake the repair of unsatisfactory work completed on the owner's behalf by private contractors with respect to that property. The City may make the balance of any account in arrears over 60 days, or any repair of unsatisfactory work, a charge against the real property to which utilities were supplied, as a special tax to be recovered in like manner as other City taxes on real property.
105. A fee may be charged as designated in the most recent Fees and Charges Bylaw, where a City employee is required to make an additional visit or visits to a property for any of the following reasons
 - (1) where an owner or consumer refuses access to a premises for a City employee to install, repair, inspect, or test any other equipment in relation to the sewer or storm system;
 - (2) where a City employee attends at a premises for a scheduled appointment to perform any of the functions set out in subsection 105(1), and the owner or consumer is not present at the scheduled time to provide access to the premise; or

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- (3) Where a City employee attends premises to perform any of the functions set out in subsection 105(1) and is unable to proceed based on unsafe conditions or the inadequacy of access to the premises.

PENALTIES

106. Any Person who commits an offence under this bylaw is, in addition to any other punishment, liable on summary conviction to:
 - (1) A voluntary fine under section 20 of the *Summary Convictions Act*, issued in respect of an offence specified in Schedule D attached hereto and forming part of this bylaw, or
 - (2) a fine not exceeding ten thousand dollars (\$10,000.00) or to imprisonment for one year or both where proceedings are commenced pursuant to the summary convictions provisions of the *Criminal Code of Canada*; or
 - (3) a fine not exceeding five hundred dollars (\$500.00) or to imprisonment for six months or both where proceedings are commenced pursuant to section 9(1) of the *Summary Convictions Act* of the Yukon.
107. The fine imposed against any person who commits an offence under this bylaw shall increase for second and subsequent offences.
108. The registered owner of real property within the City shall be liable for fines ordered by a court of competent jurisdiction to be paid on account of contraventions of this bylaw occurring on or in relation to their real property. The City may make such fines a charge against the real property on or in relation to which a contravention of this bylaw occurred, as a special tax to be recovered in like manner as other City taxes on real property.
109. The City may, in its discretion, terminate the supply of water to a person who contravenes any provision of this bylaw. Water service may be shut off by the City after 14 days written notice of the contravention and proposed termination of service has been given by the City to the offending person, and the said contravention has not within the 14 days been rectified. The Water service shall remain shut off until the contravention has been corrected to the satisfaction of the Designated Officer and the person has paid the specified reconnect fee.
110. The invalidity of any section, clause, sentence or provision of this bylaw shall not affect the validity of any other part of this bylaw which can be given effect without such invalid part or parts.

GENERAL INTERPRETATIONS

111. Wherever the singular or the masculine is used in this bylaw, the same shall be deemed to include the plural or the feminine or the body politic or corporate where the context or the bylaw requires.

BYLAW SHALL PREVAIL

112. Where the provisions of this bylaw conflict with the provisions of any other bylaw of the City, the bylaw with the more stringent provisions shall prevail.

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REPEAL

113. Bylaw 2000-25 including all amendments thereto, is hereby repealed.

COMING INTO FORCE

114. This bylaw shall come into full force and effect upon the final passing thereof.

FIRST and SECOND READING: November 25, 2013

THIRD READING and ADOPTION: December 9, 2013

ORIGINAL DOCUMENT SIGNED BY:

"Dan Curtis"

Dan Curtis, Mayor

"Mike Stevely"

Mike Stevely, Acting City Clerk

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SCHEDULE "A"

LIST OF FEES

The following is a list of items for which fees will be levied in accordance with the rates specified in the Fees and Charges Bylaw:

1. Monthly flat rate for sewer and water for each single family dwelling, duplex, multiple family unit or semi-detached dwelling.
2. Monthly flat rate for sewer and water for the first suite or dwelling unit in a single family dwelling or on a single lot.
3. Monthly flat rate for sewer and water for the second suite or dwelling unit in a single family dwelling or on a single lot.
4. Monthly flat rate for sewer and water for the third suite or dwelling unit in a single family dwelling or on a single lot.
5. Monthly flat rate for sewer and water for the fourth dwelling unit in a single family dwelling or on a single lot.
6. Metered rate for sewer and water per 1000 imperial gallons above minimum charge.
7. Metered rate for sewer and water per cubic meter above minimum.
8. Minimum metered rate for sewer and water.
9. Minimum rate for sewer for each single family dwelling, duplex, multiple family unit or semi-detached dwelling.
10. Inspection fee – new installations, during regular hours.
11. Inspection fee – new installations, outside regular hours.
12. Inspection fee – new installations, short notice cancellations, or no show.
13. Service calls – work required or requested by owner.
14. Utility Service installation work – during normal business hours.
15. Utility Service installation work – after normal business hours.
16. Shut off and/or turn on after normal business hours.
17. Shut off and/or turn on during normal business hours.
18. Turn on for reinstatement after shut-off for non-payment during normal business hours.
19. Flat rate per truck load of sewage dumped at the City sewage dumping station.
20. Annual eductor dumping permit.
21. Sewerage dumping discharge fee.
22. Evaluation of restricted wastes or over strength matter.

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23. Over strength B.O.D. surcharge.
24. Over strength oil and grease surcharge.
25. Over strength total suspended solids surcharge.

NOTES ON FEES

Every owner or consumer who is not being charged on the basis of metered water shall be charged in accordance with the Flat Rate Schedule.

Every owner or consumer whose consumption of water is being measured by a water meter and who is being charged on the basis of that consumption shall pay for water supplied to him the aggregate of amounts determined by the metered rate schedule. However, in no case shall the total charge as calculated on a metered basis be less than that which would be paid on the basis of the minimum monthly flat rate charge.

For the purpose of this List of Fees, normal business hours shall be 7:00 a.m. to 5:30 p.m., Monday through Friday, except for statutory holidays. Work completed outside of these times shall be subject to overtime charges.

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SCHEDULE "B"

RESTRICTED WASTES

The following are designated as Restricted Wastes when present in wastewater, storm water or sub-surface water being released to the sanitary sewerage system at a concentration in excess of the levels set out below.

B1: CONTAMINANTS

Biochemical oxygen demand (BOD)	1000.00 mg/L
Chemical oxygen demand (COD)	2000.00 mg/L
Oil and grease	400.00 mg/L
Total suspended solids (TSS)	1000.00 mg/L
Total nitrogen (TKN)	250.00 mg/L

B2: INORGANIC CONSTITUENTS

Aluminum	50.00 mg/L
Antimony	5.00 mg/L
Arsenic	1.00 mg/L
Bismuth	5.00 mg/L
Boron	30.00 mg/L
Cadmium, Total	0.10 mg/L
Chlorine, Total	5.00 mg/L
Chromium, Total	2.80 mg/L
Copper	1.00 mg/L
Cobalt, Total	5.00 mg/L
Cyanide, Total	1.20 mg/L
Fluoride	10.00 mg/L
Lead, Total	0.70 mg/L
Manganese	5.00 mg/L
Mercury	0.01 mg/L
Molybdenum, Total	5.00 mg/L
Nickel, Total	2.00 mg/L
Iron	5.00 mg/L
Phosphorus, Total	10.00 mg/L
Selenium, Total	0.80 mg/L
Silver, Total	0.40 mg/L
Sulfate	1500.00 mg/L
Sulfide (as H ₂ S)	1.00 mg/L
Thallium	0.50 mg/L
Tin	5.00 mg/L
Titanium	5.00 mg/L
Vanadium	5.00 mg/L
Zinc, Total	2.00 mg/L

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B3: ORGANIC COMPOUNDS

Benzene	0.01 mg/l,
Ethylbenzene	0.06 mg/L
Toluene,	0.02 mg/l
Xylenes, Total	0.30 mg/L
B.E.T.X (benzene, ethyl, toluene, xylene)	1.00 mg/L
Dichlorobenzene (1,2-)	0.05 mg/L
Dichlorobenzene (1,4)	0.08 mg/L
Hexachlorobenzene	0.0001 mg/L
Methyl chloride (dichloromethane)	0.09 mg/L
Carbon tetrachloride	0.20 mg/L
Chloroform	0.04 mg/L
Hydrocarbons	50.00 mg/L
Pathological waste	any amount
PCB (chlorobiphenyls)	0.004 mg/L
Phenols, Total	0.10 mg/L
Tetrachloroethane (1,1,2,2 -)	0.06 mg/L
Tetrachloroethylene	0.06 mg/L

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SCHEDULE "C"

OVER STRENGTH MATTER

The following are designated as over strength matter and are subject to a surcharge when present in waste water, storm water or sub-surface water being released to the sanitary sewerage system at a concentration in excess of the levels set out below.

Biochemical oxygen demand (BOD)	300 mg/L
Chemical oxygen demand (COD)	600 mg/L
Oil and grease - animal and vegetable	100 mg/L
Oil and grease – mineral and synthetic/hydrocarbon	15 mg/L
Phosphorous, Total	10 mg/L
Total suspended solids (TSS)	300 mg/L
Total nitrogen (TKN)	50 mg/L
pH	below 5.5, or above 10.5
Temperature	above 60 Degrees Celsius

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SCHEDULE "D"

LIST OF VOLUNTARY FINES

<u>Authority</u>	<u>Ticket Description of Offence</u>	<u>Penalty</u>
Section 8 (1)	Use, obstruct or impede access to the City utility	\$250.00
Section 8 (2)	Drill, cut, connect, join, excavate, bury, disturb or otherwise interfere with the City utility	\$500.00
Section 8 (3)	Enter into any City utility	\$500.00
Section 8 (4)	Alter, remove, or destroy any facilities or sites specifically designed to store storm water	Actual cost of repair + \$500.00
Section 8 (5)	Alter, remove, or destroy pre-treatment facilities or spill containment facilities required by the Designated Officer	Actual cost of repair + \$500.00
Section 9	Cause, permit or allow the release of water clear water waste so that it runs to waste	\$250.00
Section 10	Discharge to sanitary sewer without permit	\$500.00
Section 11	Discharge to storm sewer without permit	\$500.00
Section 33-36	Grease interceptors not installed or maintained	\$500.00
Section 37-38	Amalgam interceptors not installed or maintained	\$500.00
Section 55 - 58	Unauthorized discharge to sanitary sewer	\$500.00
Section 61	Unauthorized connection to sanitary sewer	\$500.00
Section 62	Diluting wastewater for discharge	\$250.00
Section 70	Discharging hauled wastewater without eductor dumping permit	\$500.00
Section 71-72	Discharging in contravention of eductor dumping permit	\$500.00
Section 73-74	Unauthorized discharge to storm sewer	\$500.00
Section 78	Discharge with TSS Greater than allowed by Federal or Yukon regulations	\$500.00
Section 79	Developments up to 10,000 m ² failing to submit or follow an ESC Plan	Immediate work stop + \$500.00
Section 81	Unauthorised discharge to storm sewer with TSS greater than amount specified in ESC Plan	\$500.00
Section 82	Failure to report an unauthorised release	\$500.00
Section 85	Failure to report a spill	\$500.00