

APPENDIX A

Proposed Changes to *The Sewer Service Bylaw, No. 5601*

Sewer Bylaw Reorganization and Revisions

Changes are proposed to reorganize the *The Sewer Service Bylaw, No. 5601* (Bylaw). The Bylaw has been altered many times, resulting in a repetition of some requirements in several sections and other requirements split between several sections. This has resulted in a Bylaw that is difficult for the public and Administration to follow, and in inconsistencies in terminology between sections. The proposed changes will not change the intent of the Bylaw, they will simply make the bylaw easier to work with.

Definitions

Definitions will be updated to reflect updated terminology and changes in the recommendations below.

Purpose

The purpose of this Bylaw is to:

- regulate the collection and disposal of wastewater, stormwater, and a variety of materials and to levy appropriate fees and penalties in relation to those substances;
- protect the public sewage works and its processes from damage, obstruction, toxic upset, or loss of efficiency;
- protect the City's employees and the public from exposure to hazardous conditions;
- control the flow and composition of releases of wastewater and substances to the public sewage works;
- provide for a system of rates, fees and charges for various types of use of the public sewage works; and
- provide for a system of permits or other permissions that facilitate the imposing of conditions on releases to the public sewage works.

Interpretation

Unless otherwise stipulated, any reference to a code or standard shall mean the most recent version of the code or standard having effect at the time at which it is applied.

General

Every owner or occupant of a premise within the city limits shall connect to the public sewage works unless the owner or occupant obtains prior written consent from the City Manager.

New Construction or Expansion of Industrial Commercial and Institutional (ICI) Activities

An owner or occupant who wishes to commence or expand an ICI activity which would change the flow, characteristic of wastewater discharge, or connections to the public sewage works shall, when applying for a mechanical permit in accordance with *The Building Bylaw*, provide the City with the anticipated wastewater characteristics, including:

- the wastewater characteristics as listed in the proposed bylaw schedules;
- the type of material to be processed or discharged;
- the proposed pre-treatment interceptors, flow equalizing or mixing facilities;
- the location of sampling manhole; and
- the monitoring equipment.

Obligation to Report

A person is required to report to the City any connections or equipment located on a premises that does not comply with the requirements of this Bylaw.

Requirements of Written Approvals or Agreements

A written approval or permit given by the City Manager, or an agreement entered into by the City Manager pursuant to this Bylaw, shall be available for inspection at the request of the City Manager.

Every person who relies on a written approval or permit issued pursuant to this Bylaw, has the onus of proving that he or she was the holder of a valid and subsisting approval or permit.

Obligations of Owner of Private Sewage Works

An owner or occupant who constructs or causes to be constructed a private sewage works shall:

- meet the requirements of the Water Security Agency;
- comply with applicable law;
- complete the works to the satisfaction of the City;
- allow the City to inspect the work at any stage of construction; and
- notify the City when the work is ready for final inspection and before any underground portions are covered.

The owner or occupant or person having a private sewage works shall, at his or her expense, operate and maintain the private sewage works in a sanitary manner, and in accordance with applicable law.

Wastewater

No person shall discharge or release wastewater to any location other than the public sewage works or private sewage works.

No person shall dispose of any substance into a plumbing system of a premises prior to connection of a plumbing system to either the public sewage works or a private sewage works.

Clear Water Waste

Where release of clear water waste into the public sewage works is necessary to avoid an adverse impact to human health, property or the environment, then the City Manager is authorized to approve development or applicable renovations to permit the release of clear water waste into the public sewage works.

Until such time as the storm sewer is available, the roof area shall be drained overland to City streets in accordance with a drainage plan approved by the City.

Foundation drainage and drainage from the roof area of an ICI building shall be drained into the storm sewer.

Access to Public sewage works

Where partial or total blockage of part of the sewer system is caused because a person failed to comply with the provisions of this Bylaw, the person shall, in addition to any penalty for infraction of the provisions hereof, be liable to the City for all costs of clearing such blockage.

Such cost shall constitute a debt due to the City and may be added to the tax roll in such manner as permitted pursuant to section 333 of *The Cities Act*.

Release of Substances

No person shall discharge or release into a public sewage works any of the substances in the proposed schedules, except with written approval from the City Manager provided the substances released:

- will not have an adverse effect; and
- does not contain a substance that is above the approved concentration limit.

No person shall deposit, or cause or allow any Fats, Oils and Grease (FOG) interceptor residue to be deposited into the public sewage works, storm sewer, drainage ditches or surface water.

No wastewater is allowed to be disposed in the storm drain or onto asphalt or other areas around the site.

The owner or occupant of premises shall ensure that all wastewater does not exceed the concentration limits for grease.

In the event the concentration of grease for premises exceeds the limits set out in this Bylaw, then surcharge payments shall apply.

In the event that a person cannot comply, then such person shall enter into a pre-treatment plan agreement with the City prior to discharge or release of wastewater to the public sewage works, on such terms conditions or fees as the City Manager may determine.

Connections

A person making, altering, disconnecting or removing, or allowing the making, alteration, disconnection or removal of a connection to the public sewage works or storm sewer shall:

- obtain prior, written approval from the City Manager, on any terms and conditions the City Manager considers necessary, including compliance with all requirements of Bylaw, before making, altering, disconnecting or removing the connection; and
- not re-use a connection without obtaining prior written approval from the City Manager.

The owner or occupant shall pay to the City all costs of the installation, alteration, disconnection or removal of the connection before proceeding with the work.

Pre-Treatment

The City Manager may require an owner or occupant to do one or more of the following:

- install, operate, monitor and properly maintain in accordance with the manufacturer's specifications, at all times, a pre-treatment system that is located upstream of a monitoring access point on the owner or occupant's premises;
- enter into a wastewater agreement with the City of Regina; or
- allow access to the City Manager or Bylaw Enforcement Officer to the pre-treatment system for purpose of inspection, observation, monitoring, measuring, sampling or testing.

The City Manager may require information from a qualified person that carries on, alters, or expands, or proposes to carry on, or alter, or expand an activity that is connected to proposing to be connected to the storm sewer or public sewage works.

An owner or occupant of a pre-treatment system on a property shall adhere to the following:

- obtain and retain on the property any instruction manuals and specification manuals relating to the installation, operation, maintenance and cleaning of the device installed on the premises;
- maintain a record of the maintenance schedule for every pre-treatment device installed on site for a five year period, including the records for waste, grit or FOG residue disposal; and
- submit any records required above to the City Manager or Bylaw Enforcement Officer upon request of the City Manager.

Every owner or occupant of premises which uses or has used grease recycling containers on the property shall monitor, maintain, and operate, the container and ground surrounding the container in a manner that prevents spills.

The owner or occupant of premises shall ensure that all wastewater does not exceed the concentration limits for grease as set out in this Bylaw.

In the event the concentration of grease for premises exceeds the limits set out in this Bylaw, then surcharge payments shall apply.

No person shall deposit, or allow to be deposited into the public sewage works, storm sewers, drainage ditches or surface water any interceptor residue.

Food Service Establishments

Every person owning, operating or being in charge of a FSE, including vehicles, that prepare, process, or serve food or beverages shall:

- provide on the wastewater outlet of the premises a grease interceptor and on any piping system at the premises, that connects directly or indirectly to the City public sewage works.
- ensure the wastewater outlet on the property grease interceptor is in conformity with the requirements of *The Public Health Act*, and sized in accordance with the requirements set out in the National Plumbing Code of Canada and any regulations made thereunder;
- ensure the wastewater outlet on the property be sized, selected, located and installed in compliance with the most current requirements of the applicable Building Code.
- ensure the grease interceptors be accessible at all times, monitored, operated and maintained in an efficient working condition according to the manufacturer's recommendations and CSA B481; and

- ensure all grease interceptors shall be of sufficient capacity and appropriate designs to avoid becoming air bound, and perform the service for which they are provided based on the National Plumbing Code of Canada.

No person shall allow the combined volume of solids and grease in the grease interceptor at any time to exceed 25% of the liquid capacity of the grease interceptor.

No person shall use or inject grease inhibitors, bacteria, chemical agents, enzymes, solvents, hot water or any other similar materials upstream of the grease interceptor to facilitate the passage of grease.

Every owner or occupant of premises of food service establishments shall maintain and submit to the City upon request, a written record for a period of up to five years of all maintenance, cleaning, and inspection of its entire grease interceptor(s) including the records of FOG residue disposal.

The owner or occupant of the premises shall produce the record required to the City Manager or Bylaw Enforcement Officer upon request. The owner or occupant of a mobile food vending unit shall maintain a logbook that:

- is in a form approved by the City Manager;
- is accurately completed;
- is signed by the operator of the mobile food vending unit; and
- contains the following information:
 - the name of the mobile food vending unit owner;
 - the name under which the mobile food vending unit operates;
 - for each disposal of wastewater, the date, time, location, approximate volume; and
 - the name of the service provider conducting the disposal.

Vehicle and equipment washing, repair and maintenance

A person owning or operating, premises where a discharge may contain oil, gasoline, and/ or grit shall:

- provide on the wastewater outlet of the premises, an oil, grease, chemical or grit interceptor and on any piping system at the premises that connects directly to the City public sewage works.
- ensure that the wastewater outlet on the property oil, grease, chemical or grit interceptor is in conformity with the requirements of *The Public Health Act* and sized

in accordance with the requirements set out in the National Plumbing Code of Canada and any regulations thereunder;

- ensure the wastewater outlet on the property be sized, selected, located and installed in compliance with the most current requirements of the applicable Building Code;
- monitor, operate and maintain such interceptor in working condition in accordance with the manufacturer's instructions and specifications for such interceptor; and
- ensure that discharges do not exceed the concentration limits set out in this Bylaw, or a surcharge payment, shall apply.

Dental Facilities

Every owner or occupant of premises where dental amalgam may be released into the public sewage works, shall install a dental amalgam separator on all fixtures that may release dental amalgam into the public sewage works.

The dental amalgam separator shall:

- be ISO 11143 certified or exceed ISO 11143 standards;
- be located at an easily accessible location on the upstream side of a monitoring access point either in or on the premises; and
- be monitored, operated, maintained and cleaned as required by the ISO 11143 and the manufacturer's instructions and regulations for such dental amalgam separator.

All documentation regarding monitoring, operation, maintenance, and cleaning of such dental amalgam separation shall be available for review upon request of the City Manager or Bylaw Enforcement Officer.

Every owner or operator of a dental facility shall maintain and submit to the City upon request, a written record of all maintenance, cleaning, and inspection of its entire amalgam separator(s) for a period of five years including the records of dental amalgam disposal.

Monitoring

All measurements, tests and analyses shall be determined in accordance with the "Standard Methods for the Examination of Water and Wastewater."

The owner or occupant of the premises shall provide one or more monitoring access points, designed and located in a location acceptable to the City Manager and shall provide direct access to the monitoring access point(s) for the purpose of inspection, observation, monitoring, measuring, sampling or testing.

Testing and Surcharges

The City may conduct sampling on any source of wastewater or stormwater connected to, or discharging into, releasing, or potentially connected to, discharging into or releasing into the public sewage works or the storm sewer.

The City may maintain a record of any analysis received as a result of sampling conducted.

Should any testing of wastewater disclose that the wastewater is not in compliance with this Bylaw, the City may take any action required to prevent a release of wastewater to the sewer system.

Any person who releases, or discharges, or allows a release or discharge of a substance into the public sewage works in contravention of this Bylaw shall take all reasonable measures to immediately notify the 306-777-7000 telephone number if there is any damage or immediate danger to any one or more of the following:

- human health or safety;
- property;
- the environment; or
- the public sewage works system.

Wastewater Surcharge

The wastewater surcharge shall be determined in cents per cubic metre of wastewater discharged into the public sewage works, and shall be calculated in accordance with the formula described in this Bylaw.

A surcharge rate shall remain in effect for no less than 4 months, or until subsequent testing determines different values.

Where the concentration of contaminants in the wastewater is determined from wastewater sampled from a monitoring access point that serves more than one premises, and each of the premises is individually metered, the surcharge rate will be applied to the utility bill of each of the premises.

Inspections

A person shall not obstruct, or attempt to obstruct, in any manner, the City Manager or Bylaw Enforcement Officer in the exercise of their powers or duties as authorized or required by this Bylaw.

The City Manager may do either, or both of the following:

- take any action required to prevent a release from entering the public sewage works, including shutting off, disconnecting or sealing off the wastewater line at the premises from which the release is made; and/or
- continue any action taken under subsection (a) until the owner or occupant of the premises produces sufficient evidence, as may be required by the City Manager, that a release having an adverse effect will not be made to the public sewage works from the premises.

An owner or occupant of a premises from which a release having an adverse effect enters the public sewage works is responsible for all costs associated with the City Manager's actions.

The City Manager may shut off, disconnect or seal off the wastewater line at the property line of premises and continue to refuse to provide wastewater services to the premises if any one or more of the following occurs:

- the owner or occupant of the premises provides false information in an application for a connection;
- the owner or occupant of the premises refuses to allow the installation of an effluent meter, or other equipment that the City Manager requires to be installed;
- the owner or occupant of the premises fails to comply with a term or condition of a wastewater agreement, or other written approval issued pursuant to this Bylaw;
- an unsafe condition exists; or
- the owner or occupant refuses access for sampling.

Any person who releases, discharges, allows a release or allows a discharge of a substance into the public sewage works in contravention of this Bylaw shall take all reasonable measures to immediately notify the 306-777-7000 telephone number. Failure to do so may result in one or more of the following:

- shutting off, disconnecting or sealing off the wastewater line to the premises to which wastewater services are provided;
- bringing an action against the person in a court of competent jurisdiction; and/or
- entering the unpaid account on the tax roll of the premises, in such a manner permitted pursuant to section 333 of *The Cities Act*.

Offences

Any person who contravenes any provision of this Bylaw is guilty of an offence.

In addition, a person is guilty of an offence pursuant to this Bylaw if the person does any one or more of the following:

- contravenes a requirement of the City Manager or Bylaw Enforcement Officer;
- contravenes a requirement or condition of a written approval or permit given by the City Manager or Bylaw Enforcement Officer; and/or
- contravenes a requirement or condition of an agreement entered into by the City Manager or Bylaw Enforcement Officer with the person.

Every person who relies on a written approval or permit issued pursuant to this Bylaw has the onus of proving that they were the holder of a valid and subsisting approval or permit.

Penalties

Any person who contravenes any provision of this Bylaw is guilty of an offence punishable upon summary conviction and is liable:

- in the case of an individual, to a fine not exceeding \$10,000; and
- in the case of a corporation, to a fine not exceeding \$25,000; and
- in the case of a continuing offense, to a maximum daily fine of not more than \$2,500 for each day or part of a day which the offence continues.

If a corporation commits an offense described in this Bylaw, any officer or director of the corporation who directed, authorized, or assented to, acquiesced in or participated in the commission of the offence is guilty of the offence and liable on summary conviction to the penalties in the case of individuals, whether or not the corporation has been prosecuted or convicted.

Liability for Fees

The levying and payment of any fine or the imprisonment for any period provided in this Bylaw shall not relieve a person from the necessity of paying any fees, charges or costs for which that person is liable under the provisions of this Bylaw or any other bylaw.