

BYLAW NO.1541

Consolidation of a bylaw of the City of Medicine Hat regulating the use of Public and Private Sewers and Drains and the Disposal of Sewage and the Discharge of Waters and Waste into the Medicine Hat Sewer System.

WHEREAS the City of Medicine Hat has constructed and now maintains a sewerage system consisting of storm and sanitary sewers and a sewage treatment lagoon system, and,

WHEREAS it is deemed just and proper to levy a sewerage service charge on all persons occupying property connected with the sewerage system of the City to assist with the costs of constructing and maintaining the system including the cost of treatment and disposal of sewage.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CITY OF MEDICINE HAT DULY ASSEMBLED ENACTS AS FOLLOWS:

PART I DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this bylaw shall be as follows;

101. B.O.D. (Denoting "BIOCHEMICAL OXYGEN DEMAND") - shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in parts per million by weight.
102. BUILDING DRAIN - shall mean that part of the lowest horizontal piping which receives the discharge from soil waste or other drainage pipes within a building and conducts it to the building sewer beginning 3 feet outside the building wall.
103. BUILDING SEWER - shall mean that part of a drainage system outside a building commencing at a point 3 feet from the outer face of the wall of the building and connecting the building drain to the public sewer or place of disposal of sewage.
104. CITY ENGINEER - shall mean the City Engineer of the City of Medicine Hat or his authorized deputy, agent or representative.
105. COMBINED SEWER - shall mean a sewer receiving both surface run-off and sewage.
- 105.1 DWELLING UNIT - shall mean self-contained premises occupied or intended to be occupied as a separate place of residence, including, but not limited to a single family home, mobile home, townhouse, apartment or condominium and premises within a duplex, triplex or fourplex.
106. GARBAGE - shall mean solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.
107. GREASE - shall mean material recovered as grease using the method set out in the latest edition of "Standard Methods" of the American Public Health Association.

Amended by:
Bylaw 3083
Mar. 18, 1997

108. HEALTH OFFICER - shall mean the Medical Officer of the Medicine Hat Health Unit, or any person to whom he may delegate a particular duty.
109. HIGHWAY - shall mean any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage of vehicles but does not include a place declared by the Lieutenant Governor in Council not to be a highway.
110. INDUSTRIAL WASTES - shall mean liquid wastes from industrial processes.
111. NATURAL OUTLET - shall mean any outlet into a water course, pond, ditch or lake, or other body of surface or ground water.
- 111.1 NON-RESIDENTIAL PROPERTY - shall mean any property other than residential property.
112. OWNER - shall mean the registered owner of a property or the purchaser thereof who is entitled to occupy and enjoy the property.
113. PERSON - shall mean any individual, firm, company, association, society, corporation or group.
114. pH - shall mean the logarithm of the reciprocal of the weight of hydrogen ions in moles per liter of solution and denotes alkalinity or acidity.
115. PROPERLY SHREDDED GARBAGE - shall mean the waste from the preparation, cooking or dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particles greater than quarter inch in any dimension.
- 115.1 RESIDENTIAL PROPERTY - shall mean property consisting of one or more dwelling units.
116. SANITARY SEWER - shall mean a sewer which carries sewage and to which storm and surface waters are not admitted.
117. SEWAGE WORKS - shall mean all facilities for collecting, pumping, treating and disposing of sewage.
118. SEWAGE - shall mean a combination of the water carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground waters as may be present.
119. SEWER - shall mean a pipe or conduit for carrying sewage.
120. SEWAGE TREATMENT PLANT - shall mean any arrangement used for treating sewage, and without restricting the generality of the foregoing shall include a sewage lagoon disposal system.
121. STORM SEWER OR STORM DRAIN - shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.
122. SUSPENDED SOLIDS - shall mean solids that either float on the surface of, or are in suspension in, water, sewage or other liquids and which are removable by laboratory filtering.

Amended by:
Bylaw 3083
Mar. 18, 1997

Amended by:
Bylaw 3083
Mar. 18, 1997

123. WATER COURSE - shall mean a channel in which a flow of water occurs, either continuously, or intermittently.

Amended by:
Bylaw 2832
Jan. 18, 1993

In this Bylaw when quantities are expressed in both metric and Imperial units, the conversion factor used is $1 \text{ m}^3 = 219.97$ Imperial Gallons.

PART II USE OF PUBLIC SEWERS REQUIRED

201. No persons shall place, deposit or permit to be deposited in any manner that which is unsanitary in the opinion of the Health Officer upon public or private property within the City of Medicine Hat or in any area under the jurisdiction of the City, any human or animal excrement, garbage or other objectionable waste.
202. No person shall discharge to any natural outlet within the City of Medicine Hat or to any area under the jurisdiction of the said City, any sanitary sewage, industrial waste, or other polluted waters except where suitable pre-treatment has been approved in accordance with the subsequent provisions of this bylaw.
203. The owner of every house, building or property used for human occupancy, employment, recreation, or other purpose, situated within the City and abutting on any highway, or right-of-way, in which there is now or hereafter located, a public sanitary or combined sewer of the City, is hereby required at his expense to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of the City Plumbing bylaw within sixty days after the date of notice from the Health Officer to do so.

PART III PRIVATE SEWAGE DISPOSAL

301. Where a public sanitary sewer or combined sewer is not available under the provisions of section 203, the Building Sewer shall be connected to a private sewage disposal system complying with the provisions of this bylaw, the City Plumbing Requirements and the regulations of the Provincial Board of Health.
302. At such time as a public sewer becomes available to a property served by a private sewage disposal system, the provisions of section 203 shall then apply to the property and a direct connection shall be made to the public sewer in compliance with this bylaw and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material.
303. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times at no expense to the City.
304. No statement contained in this bylaw shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.

PART IV
BUILDING SEWERS AND CONNECTIONS

401. No authorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenances thereof.
402. All building sewers when approved shall be constructed by municipal forces from the public sewer to the property line. Any person desiring to connect his premises with any sanitary, combined or storm sewer, shall sign and file with the City a written application on a City form for a permit to make such connection.
403. All building sewers on private property shall be constructed by the owner to the requirements of this bylaw and of the City Plumbing Bylaw No. 1148, dated 1956, as amended. Permits for constructing such building sewers must be obtained from the City Plumbing Inspector and applications for such permission shall be made on approved forms furnished by the City. The permit applications shall be supplemented by any plans, specifications or other information considered pertinent to the judgment of the City Engineer.
404. The City shall maintain the sewer from the main to the property line at the expense of the City; from the property line to the building connection, shall be maintained by the property owner at his expense.
405. When any sewer connection is abandoned, the owner or his agent shall effectively block up the connection at a suitable location within his property so as to prevent sewage backing up into the soil, or dirt from being washed into the sewer.

PART V
USE OF PUBLIC SEWERS

501. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof run-off, sub-surface drainage, cooling water or unpolluted industrial water to any sanitary sewer provided that the City Engineer may on application authorize such discharge where exceptional conditions prevent compliance with the foregoing provisions.
502. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated, as storm sewers or to a natural outlet approved by the Engineer.
503. No persons shall discharge or cause or permit to be discharged any of the following described waters or wastes to any storm and/or sanitary sewer;
 - (1) any liquid or vapour having a temperature higher than 170 degrees F.
 - (2) any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquids, solvent or gas.
 - (3) any ashes, cinders, sand, potters clay, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood or other solid or viscous substance capable of causing obstruction to the flow of sewers or other interference with the proper operation of the sewage works.
 - (4)
 - (a) Any paunch manure or intestinal contents from horses, cattle, sheep or swine;
 - (b) All animal hooves, toenails, or bone scraps;
 - (c) Animals intestines or stomach casings;

- (d) Bones;
 - (e) Hog bristles;
 - (f) Hides or parts thereof;
 - (g) Animal fat or flesh in particles larger than will pass through a 1/4 inch screen;
 - (h) Horse, cattle, sheep or swine manure;
 - (i) Poultry entrails, heads, feet, feathers, or eggshells;
 - (j) Fleshings and hair resulting from tanning operations.
- (5) Any waters or wastes having pH lower than 5.5 or higher than 9.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, biological sewage treatment processes, and personnel of the sewage works.
- (6) Any waters or wastes containing a toxic poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constituting a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.
- (7) Any noxious or malodorous gas or substance capable of creating a public nuisance.
504. Grease, oil and sand interceptors shall be provided on private property for all garages, gasoline service stations and vehicle and equipment washing establishments; interceptors will be required for other types of businesses where they are necessary for the proper handling of liquid waste containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity as to conform to standards specified in sections 11-17-25 to 11-17-31, inclusive, of the Provincial Plumbing and Drainage Regulations and shall be so located as to be readily and easily accessible for cleaning and inspection. Where installed, all grease, sand and oil interceptors shall be maintained by the owner at his expense in continuously efficient operation at all times.
505. In case any blockage, either wholly or in part, of said sewage system is caused by reason of failure, omission or neglect to comply strictly with the foregoing provisions, the owner, proprietor or occupant concerned therein shall, in addition to any penalty for infraction of the provisions hereof, be liable to the City for all costs of clearing such blockage.
506. If a person discharges industrial waste or sewage into the City sewage system exceeding any of the following characteristics and limits:
- (1) a five day B.O.D. greater than seven hundred parts per million by weight, or,
 - (2) containing more than four hundred parts per million by weight of suspended solids, or,
 - (3) containing more than one hundred parts per million by weight of fat, oil or grease either singly or in combination,
- then such person shall pay a charge computed as set out in section 701(c) of this bylaw.
- Provided that, notwithstanding the foregoing, the City Engineer may require that the sewage or industrial waste discharged by any person into the City

Sewage system shall not exceed the characteristics and limits specified in subsections (1), (2), (3) of this section, or such greater limits as the City Engineer may specify if in his opinion such limitation is necessary in view of the load capacity of the City sewage treatment facilities. Any person so restricted may appeal the limits established by the City Engineer to Council who shall hear the appellant and the City Engineer or the Council or agent of either, together with such other technical or expert witnesses as the Council shall deem appropriate.

507. No person shall discharge or cause to be discharged into any sewer within, or entering, the City sewers, waste waters, domestic sewage, commercial sewage, industrial or factory waste in a greater volume than one hundred thousand (100,000) cubic feet per month without obtaining a license so to do from the City Engineer in the manner provided, but no such license shall be given by the City Engineer, until:
- (a) such a person has made application in writing for permission to discharge industrial or factory waste or sewage into a sewer within, or entering, the City system; and
 - (b) such applicant shall have given the chemical and physical analysis, quantity and rate of discharge or sewage to be so discharged, and any other detailed information that is required, including all pertinent information relating to any proposed pre-treatment before discharge, and
 - (c) the application has been formally approved in writing.
508. Where preliminary treatment facilities are provided for any industrial waste or sewage, they shall be maintained continuously in satisfactory and effective operation by the applicant at his own expense.
509. The owner of any premises discharging industrial waste, shall at his expense install a suitable control manhole in the sewer connection to facilitate observation, sampling and measurement of the waste. Such manhole, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the City Engineer. The manhole shall be installed by the applicant at his own expense and shall be maintained by him so as to be safe and accessible at all times.
510. All measurements, tests and analysis of the characteristics of industrial waste, sewage, or water to which reference is made in this bylaw shall be determined in accordance with the "Standard Method for the Examination of Water and Sewage" of the American Public Health Association, and shall be determined at the control manhole provided for in section 509 of this bylaw, or upon suitable samples taken at said manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the common sewer to the point at which the sewer connection of the licensee enters.
511. No statement contained in this bylaw shall be construed as preventing any special agreement or arrangement, for a period not exceeding one year, between the City and any existing industrial concern, whereby industrial wastes exceeding the limits set forth in section 506 will be accepted under the conditions specified in the above special agreement or arrangement. Provided that any such agreement or arrangement can be entered into only

with a person already carrying on the business in Medicine Hat for which the agreement is contemplated, and that any such agreement shall terminate not later than one year following the date on which this bylaw comes into effect, and further provided that no such agreement shall permit any rebate of the sewerage service charge described in section 701 of this bylaw except as compensation for the installation by a person of sewage pre-treatment facilities.

PART VI
POWER AND AUTHORITY OF INSPECTOR

601. The City Engineer and any authorized employees of the City shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this bylaw. If such inspection discloses any failure, omission or neglect to clean out such sumps, or discloses any defect in the location, construction, design or maintenance of any of the sewer system or any connection there from the City system, the person making such inspection shall in writing notify the said owner, proprietor or occupier to rectify the cause of complaint.

PART VII
SEWER SERVICE CHARGE

Amended by:
Bylaw 3083
Mar. 18, 1997

701. All persons owning or occupying property connected with the sewage system of the City shall pay a monthly sewerage charge as follows:

- (a.1) In the case of residential property connected to the sewage system and served by City water:

(i) The sewerage charge is \$30.27 per dwelling unit/month.

(ii) Without limiting the generality of the foregoing, where the owners or occupants of dwelling units within a building containing more than one dwelling unit are not billed directly for sewage service, the person receiving monthly utility bills for the building in which the dwelling units are located will pay \$30.27 per dwelling unit/month multiplied by the number of dwelling units in the building.

- (a.2) In the case of non-residential property connected to the sewage system and served by City water:

(i) Subject to clause (ii), the sewerage charge shall be \$1.0394/cubic metre (equivalent to \$4.7253/thousand imperial gallons) of water consumed, to be billed with the water bill, if the waste or sewage discharged is within the limits set out in 506.

(ii) The minimum sewerage charge is \$30.27 per month.

Amended by:
Bylaw 4079
Dec. 20, 2011

Amended by:
Bylaw 4024
Dec.21, 2010

Amended by:
Bylaw 4079
Dec. 20, 2011

- (b) In the case of property connected to the City sewerage system served in whole or in part with water from sources other than the City, when the industrial waste or sewage is within the limits set out in

section 506, the charge to be at the rate of \$1.0394 per cubic metre (equivalent to \$4.7253 per thousand Imperial gallons) of water discharged. The occupant of any property served by a water source other than the City shall, at his own expense, install and maintain an approved type meter upon which the service charge shall thereupon be determined.

Amended by:
Bylaw 4079
Dec. 20, 2011

- (c) A person, whether using City water or not, whose sewage discharge exceeds any or all of the limits set out in section 506 shall be charged at $N \times \$1.0394$ per cubic metre (equivalent to \$4.7253 per thousand Imperial gallons) of water consumed where N is determined by the following formula:

$$N = 1 \text{ plus } \frac{x}{2100} \text{ plus } \frac{y}{1200} \text{ plus } \frac{z}{300}$$

Amended by:
Bylaw 2832
Jan. 18, 1993

X is the difference between the actual B.O.D. in parts per million and the allowable B.O.D. in parts per million. Y is the difference between the actual suspended solids in parts per million and the allowable suspended solids in parts per million. Z is the difference between the actual fat, oil or grease in parts per million and the allowable fat, oil or grease in parts per million.

Amended by:
Bylaw 4024
Dec. 21, 2010

The minimum charge shall remain at \$0.9660 per cubic metre (equivalent to \$4.3915 per thousand Imperial gallons) of water consumed. To determine the rate to be charged each month, the City will run tests of the sewage being discharged into its sewer system by each industry at varying times during the year and the charges will be based on an average of the readings of such tests. The tests to be taken will be in accordance with standard tests defined in section 510.

702. Notwithstanding the provisions of section 701, of this bylaw, the City Council, on the recommendation of the City Engineer, shall have the right to make special agreements on terms fixed by the Council with certain industries or others to whom large quantities of water are sold but whose uses of such water do not involve the return of comparable amounts of sewage to the sanitary sewer.

PART VIII
PENALTIES

801. (1) If the owner or occupier of any building which, under the provisions of this bylaw, is required to be connected with the water main or common sewer, or both, shall neglect or refuse to commence the work necessary to cause such building to be so connected in accordance with the provisions of this bylaw for the period of sixty (60) days after notice in writing, which has been given to him personally or to some adult person at the building required to be connected, by the Health Officer or his authorized agent, or to prosecute the work without delay or to the satisfaction of the City, then such person, shall on summary conviction, be liable to a penalty not exceeding twenty five (\$25.00) Dollars, exclusive of costs, for each and every day such default is continued.
- (2) The person giving notice above provided for, shall also post up a copy of such notice on the front door or some other conspicuous part

of the building referred to in the notice. Any person tearing down or defacing the copy so posted up shall be guilty of an infraction of this bylaw.

Amended by:
Bylaw 2832
Jan. 18, 1993

802. Repealed.

Amended by:
Bylaw 2832
Jan. 18, 1993

803. Except in a case where section 801 applies, a person who contravenes a provision of this Bylaw is guilty of an offence and liable upon summary conviction to pay a fine of not less than \$250.00 for the first offence and not less than \$1,000.00 for a second or subsequent offence, or to be imprisoned for a period of not less than five days and not more than six months in default of payment of the fine.

PART IX
GENERAL

901. In case of any dispute as to the proper charge to which any property is subject by reason of the provisions herein contained, the matter shall first be referred to the City Engineer and where the dispute is not then settled to the satisfaction of a property owner, such owner may refer the matter to City Council. Final appeal may then be made in the manner provided for in the Arbitration Act of the Province of Alberta.

This bylaw shall come into effect the first day of June, 1970.

READ A FIRST TIME in Open Council this 2nd day of February, A.D. 1970.

READ A SECOND AND THIRD TIME AND FINALLY PASSED in Open Council this 2nd day of March, A.D. 1970.

I HEREBY CERTIFY THAT this is a true and correct copy of Bylaw No. 1541 consolidated pursuant to section 69 of the *Municipal Government Act* to incorporate all subsequent amendments thereto, printed under the authority vested in me by the said section 69 and by City of Medicine Hat Bylaw No. 1957.

CERTIFIED THIS _____ DAY OF _____, 20____.

BETTY KOCH
ACTING CITY CLERK
CITY OF MEDICINE HAT