



TOWN OF WINDSOR BYLAW # 11 SEWERS AND SEWAGE DISCHARGES BYLAW

11.01

In this Bylaw, all words take their meaning from ordinary usage as well as their definitions in dictionaries of the English language, except the following specially-defined words:

- (a) “Biochemical Oxygen Demand” (hereinafter abbreviated as “B.O.D.”) means the quantity of oxygen, expressed in milligrams per litre, utilized in the biochemical oxidation of organic matter contained in sewage, over a period of five (5) days at twenty degrees Centigrade (20), as determined in accordance with the latest edition of “Standards Methods”;
- (b) “Chemical Oxygen Demand” (hereinafter abbreviated as “C.O.D.”) means the measure of chemically decomposable materials in domestic or industrial sewage as represented by the oxygen utilized as determined in accordance with the latest edition of “Standards Methods”;
- (c) “Council” means Council of the Town of Windsor;
- (d) “Director” means the Director of Public Works of the Town, or any person appointed by the Director to act in his or her absence;
- (e) “pH” means the measure of the intensity of the acid or alkaline condition of a solution determined by the hydrogen ion activity of the solution in accordance with the latest edition of “Standards Methods”;
- (f) “private sewer system” means that portion of a sanitary or storm sewer system which is not owned by the Town;
- (g) “public sanitary sewer system” means that portion of a sanitary sewer system which is owned by the Town;
- (h) “public sewer system” means that portion of a sanitary or storm sewer system which is owned by the Town;
- (i) “public storm sewer system” means that portion of a storm sewer system which is owned by the Town;
- (j) “sanitary sewage” means any water-carried wastes from residential, commercial, institutional or industrial buildings or premises, but does not include storm water;
- (k) “sanitary sewer system” means a system of pipe conduits, trunk sewers, pumping stations and treatment plants designed to receive, carry and treat sanitary sewage;

- (l) “Standard Methods” means the procedures, with amendments applicable at the date of testing, as set out in a publication titled “Standard Methods for Examination of Water and Waste Water” which is published by the American Public Health Association, American Water Works Association and the Water Pollution Control Federation, or an equivalent procedure which has received the approval of the Department of Environment (N.S.);
- (m) “storm sewer system” means a system of pipes, conduits, catch pits, culverts, ditches, watercourses and retention ponds designed to receive, carry and control storm water as well as industrial cooling water or unpolluted process waters;
- (n) “storm water” means waters which originate as ground or surface runoff waters as a result of natural precipitation and which are unpolluted other than by contact with the natural environment;
- (o) “suspended solids” means the insoluble matter suspended in sanitary sewage which matter is separable by laboratory filtration in accordance with procedures and described in “Standards Methods”;
- (p) “Town” means the Town of Windsor.

PROHIBITIONS

- 11.02**
- (a) No person shall discharge, or cause or permit to be discharged, whether by means of a private sewer system or otherwise, any storm water or water which has been used in a temperature-controlling process such as solar heating or cooling of machinery, or any unpolluted process water, so as to allow it to enter any public sanitary sewer system.
 - (b) No person shall discharge, or cause or permit to be discharged, whether by means of a private sewer system or otherwise, any sanitary sewage so as to allow it to enter any public storm sewer system.
 - (c) No person shall injure, break or remove any portion of a public sewer system or any device installed in a public sewer system for the purpose of measuring, sampling or testing of sanitary sewage.
 - (d) No person shall obstruct, or cause or permit the obstruction of, the flow through any public sewer system.
 - (e) Any person who is the owner or occupier of property on which there is located a tree which roots have obstructed the flow through any public sewer system or caused damage to public sewer system shall be deemed to have violated Section 11.02 (d) and the Town may exercise such remedies or rights as set forth in Section 11.08, 11.09 and 11.10 of this Bylaw.

PROHIBITION OF EFFLUENT STRENGTH

- 11.03** No person shall discharge, or cause or permit the discharge, in to any part of a public sewer system, the following:
- (a) sanitary sewage of a temperature in excess of sixty-five degrees Celsius (65 C) (150 F);

- (b) any flammable or explosive matter such as, but not limited to, gasoline, benzene, naphtha, fuel oil or acetone;
- (c) any quantity of matter capable of obstructing the flow in, or interfering with the proper operation of, any part of a sanitary or storm sewer system such as, but not limited to, ashes, unground garbage, sand, gravel, straw, mud, shavings, metal, glass, rags, feathers, plastic, wood or cellulose;
- (d) sanitary sewage have a pH of less than five and one-half (5.5) or greater than ten and one-half (10.5) or having any other corrosive characteristic which renders it hazardous to a public sewer system or to personnel having to work with the public sewer system such as, but not limited to, battery plating wastes, battery acid wastes, copper sulphate, chromium salts, chromium compounds or brine;
- (e) sanitary sewage which emits an offensive odour or foam or which otherwise causes a nuisance, such as, but not limited to, sanitary sewage containing hydrogen sulphide, n-Butyl-Mercaptan, carbon disulphide, ammonia, trichloroethylene, sulphur dioxide, formaldehyde, chlorine, bromine or peridine;
- (f) sanitary sewage containing fish, animal or human offal or containing pathologic wastes;
- (g) sanitary sewage in which the concentration of any of fats, wax, grease, mineral or vegetable oil in liquid or solid form exceeds one hundred (100) milligrams per litre in the case of sanitary sewage of animal or vegetable origin, or exceeds fifteen (15) milligrams per litre in the case of sanitary sewage of mineral origin;
- (h) sanitary sewage containing herbicides, pesticides, xenobiotics, including polychlorinated biphenols (PCB's), or radioactive materials;
- (i) sanitary sewage which results in an unacceptable level of discolouration such as, but not limited to, dye wastes or tanning solutions;
- (j) sanitary sewage in which the concentration of suspended solids exceeds three hundred (300) milligrams per litre;
- (k) sanitary sewage in which the concentration of B.O.D.5 exceeds three hundred (300) milligrams per litre;
- (l) sanitary sewage in which the concentration of the chemical oxygen demand (C.O.D.) exceeds one thousand (1,000) milligrams per litre;
- (m) sanitary sewage in which the concentration of any of the substances listed in the tables below exceeds the allowable concentration, expressed in milligrams per litre;

<u>Substance</u>	<u>Allowable Concentration</u>
Aluminium	50.0
Antimony	5.0
Arsenic	1.0
Barium	5.0
Bismuth	5.0
Cadmium	1.0
Chloride	1500.0
Chromium	5.0
Cobalt	5.0
Copper	2.0
Cyanide	2.0
Fluorides	10.0
Iron	10.0
Lead	2.0
Manganese	5.0
Mercury	0.1
Molybdenum	5.0
Nickel	2.0
Phenol	1.0
Phosphorous	10.0
Selenium	5.0
Silver	1.0
Sulphate	1500.0
Tin	5.0
Titanium	5.0
Vanadium	5.0
Zinc	2.0

- (n) sanitary sewage consisting of the contents of septic tanks or holding tanks, wastes from marine vessels or vehicles or sludge from a sewage treatment plant;
- (o) sanitary sewage containing substances for which special treatment or disposal practices are required by provincial or federal legislation.

EFFLUENT VOLUME

11.04 No person shall be allowed to hook up to the public sewer system, nor shall any person be allowed to expand its use of the system so as to discharge, or cause or permit to be discharged, into any public sanitary sewage system an average daily volume of sanitary sewage exceeding 87,500 imperial gallons. Such average daily volume is to be calculated over any period of five (5) consecutive days as selected by the Director.

11.05 Any commercial, industrial or institutional operation wishing to be connected to the public sanitary sewer system shall, if in the opinion of the Director the discharge of sanitary sewage from the operation may possibly violate Clause 11.04 above, be required to include in any sewer connection permit application information concerning the use of the property occupied or owned by the applicant as well as a true estimate of the average daily volume of sanitary

sewage, in imperial gallons, expected to be discharged into the public sanitary sewer system.

- 11.06** No commercial, industrial or institutional operation shall be permitted to hook into the public sanitary system if the estimate of average daily volume, calculated pursuant to Clause 11.04, exceeds, or is expected to exceed 87,500 imperial gallons per day. In such circumstances, the commercial, industrial or institutional operation shall be permitted to hook into the public sanitary sewer system only if an agreement is entered into with the Town.
- 11.07** An interceptor or interceptors, for fat, grease, oil, or sand or any combination of them, shall be provided by the property owner when such is necessary for the proper handling of any matter which is to be discharged into a public sewer system and any such interceptor shall be of a type and capacity approved by the Director and shall be located so as to be readily accessible for cleaning by the property owner and for inspection by the Director or an agent or employee of the Town qualified to act on behalf of the Director.

SEWERS GENERAL

- 11.08** The Town Council shall have the power and authority to lay out, excavate, dig, make, build, maintain, repair and approve all such drains, sewers and water courses as the Council deems necessary or expedient.
- 11.09** The drains or laterals connecting private property and the houses of other buildings located thereon to a public sewer system shall be constructed and maintained at the expense of the private property owner and the said property owner shall be responsible for all construction and maintenance costs from the point of connection to the Town's public sewer system to the private property and the houses or other buildings located thereon.
- 11.10** All drains or laterals referred to in Section 11.09 herein shall be laid out in such form and such direction of such size, with such grade and with such traps and strainers as the Town Council shall order and shall be constructed and maintained under the direction and supervision of the Director of Public Works for the Town.
- 11.11** All drains or laterals connecting private property with a public sewer system shall be well and sufficiently trapping so as to prevent any sewer backup or any escape or noxious vapours or unpleasant smells from the sewer lateral into or on the premises of the private property owner and the owner of any private property now connected by a drain or lateral with the public sewer system and which is not presently properly equipped with the necessary traps and strainers shall upon being notified in writing by the Director of Public Works proceed to install all necessary traps, strainers and backwater valves as directed. In the case the private property owner neglects or fails to comply with the directions of the Director of Public Works then in that event the Town Council may exercise the rights and remedies as provided for in this Bylaw.
- 11.12** a) Where any private property or any house or other building located on private property is now connected with or shall hereafter be connected by a drain or lateral into a public sewer system and, in the opinion of the Town Council the drain or lateral has not been constructed in a proper

fashion in that the alignment, grade, construction materials, size, or it has not been constructed in conformity with any regulations or Bylaws made by the Town Council or not in accordance with the direction of the Director of Public Works or any other person appointed by the Town Council then the Council may order the said drain or lateral be taken up and rebuilt or repaired.

- (b) Where any private property or any house or other building located on private property is now connected with or shall hereafter be connected by a drain or lateral into a public sewer system and such drain or lateral shall become or be out of repair, stopped up, or defective, the Town Council may order the said drain or lateral to be taken up and rebuilt or repaired.
- (c) In the event the private property owner neglects or fails to comply with the directions given pursuant to the immediately preceding clauses 11.12 (a) and 11.12 (b) then in that event the Town Council may exercise the rights and remedies set forth in this Bylaw.

11.13 This Bylaw shall be applicable to that portion of the public sewer system which is governed by an agreement between the Municipality of the District of West Hants and the Town of Windsor being dated the ____ day of October, A.D., 1978.

VIOLATIONS

11.14 Any person who violates any provision of this Bylaw is guilty of an offence and liable, upon conviction, to a penalty of not more than One Thousand Dollars (\$1000.00) and not less than One Hundred Dollars (\$100.00), and in default of payment thereof, to imprisonment for a period not to exceed ninety (90) days and of not less than ten (10) days.

- 11.15**
- (1) In the case of an alleged contravention of the provisions of this Bylaw, and in addition to any other legal remedy available, Council may direct the Engineer to prepare a written notice to be personally served on the person responsible for the discharge and personally served on the owner of the property from which the discharge originates if such owner is different than the person responsible, directing that the person responsible do whatever is necessary, and is indicated in the notice, to rectify the alleged contravention, within ten (10) days of service or its equivalent under subsection (3) hereof.
 - (2) In default of the carrying out of the remedy as indicated in the notice within the prescribed time, Council may direct the Engineer to cause the required work to be carried out at the expense of the owner of the property from which the discharge originates and may direct the clerk to recover such expenses, plus costs, from the owner as a private debt.
 - (3) Where it is impractical for any reason to personally serve a notice referred to in subsection (1), the notice may be served by taking such steps as a Judge of the Supreme Court of Nova Scotia, by order, prescribes to bring the Notice to the attention of the person to be served.
 - (4) Where the Notice has been served, or steps taken under subsection (3), and the person fails to remedy the condition described in the notice within

ten (10) days after service, or its equivalent under subsection (3), has been accomplished, every day during which the violation continues after expiration of the ten (10) day period shall be deemed a fresh offence.

11.16

Notwithstanding all of the above, an alternative remedy, in the case of an alleged contravention of the provisions of this Bylaw, open to Council is to direct the Clerk to initiate an action in the Supreme Court of Nova Scotia for the obtaining of a Court Order in the nature of an injunction directing the person responsible for the offending discharge to limit or to cease entirely such discharge into the public sewer system on the basis of nuisance.