

SUMMER VILLAGE OF WEST BAPTISTE

BYLAW 90/2009

BEING A BYLAW TO CONTROL AND REGULATE THE TREATMENT AND MANAGEMENT OF SEWAGE IN THE SUMMER VILLAGE OF WEST BAPTISTE.

WHEREAS, the Council of the Summer Village of West Baptiste may pass bylaws for municipal purposes respecting the safety, health, welfare and the protection of people and property; and

WHEREAS, the Council of the Summer Village of West Baptiste recognizes that non-conforming private sewage systems, including the use of outdoor privies, may adversely affect the quality and safety of both groundwater and Baptiste Lake, and cause a risk to the safety, health and welfare of residents and properties within the community; and

WHEREAS article 1.1.3.1 of the Alberta Private Sewage Systems Standard of Practice states the objectives of a private sewage system, which is consistent with all previous versions of standards and regulations whether explicitly stated or not, are that (a) risks to health are not created, (b) the impact on ground and surface waters is minimized, and (c) the environment is not harmed; and

WHEREAS article 2.1.2.2 of the Alberta Private Sewage Systems Standard of Practice states it is the owner's responsibility to ensure that the system (a) is maintained, (b) is operated within the design parameters of the system, and (c) effectively treats the wastewater; and

WHEREAS the ongoing operation and management of existing private sewage systems is not regulated under the Safety Codes Act; and

WHEREAS, the Council of the Summer Village of West Baptiste wishes to pass a bylaw to regulate the ongoing operation and management of private sewage systems within the Summer Village on terms set out in this bylaw;

NOW THEREFORE, THE Municipal Council of the Summer Village of West Baptiste, in Council, duly assembled, enacts as follows:

Definitions:

In this bylaw:

1. "approved system" means a private sewage system which is regulated by and complies with the Alberta Private Sewage Disposal Systems Regulation, operates within the design

- parameters of the system, and effectively treats or manages the wastewater generated by the facility served;
2. “Sewage compliance document” means a document verifying that an inspection conducted on a private sewage system shows that the private sewage system meets the standards for an approved system that is;
 - a. signed by a person certified as a private sewage installer under the Safety Codes Act, R.S.A., 2000 C. S-1 and that has also been approved by the Summer Village, or
 - b. signed by a safety codes officer.
 3. “owner” shall mean the person or persons registered as the owner or owners of a parcel of land within the Summer Village of West Baptiste;
 4. “private sewage system” means an approved system for the treatment or management of sewage as set out in the Private Sewage Disposal Systems Regulation;
 5. “privy” means a small building having a toilet pedestal, or bench with a hole or holes through which human excretion falls into an excavated pit or waterproof vault which is regulated under the Private Sewage Disposal Systems Regulation;
 6. “Holding tank” means an approved tank used to retain sewage or sewage effluent until transferred into mobile equipment for disposal in a provincially approved manner elsewhere.
 7. “Sewage” means human excreta, or the water-carried wastes from bathing, laundering, dishwashing, or food processing.
 8. “Wastewater” (see Sewage)

Requirements:

1. An *approved system* shall be installed and maintained on all sewage-producing properties within the Summer Village of West Baptiste.
2. *Wastewater* from a recreational vehicle, trailer or other temporary residence used for residential purposes shall be disposed of in an approved system or hauled to a provincially approved location for disposal and treatment.
3. Upon any development or re-development of a property the owner shall provide the Summer Village with a *sewage compliance document* before proceeding with development.
4. Stop orders in accordance with the Municipal Government Act may be issued for non-compliance with this bylaw.
5. The Summer Village may request a *sewage compliance document* be developed and provided to the Summer Village for an operating private sewage system at any time the Summer Village deems it necessary to verify that the private sewage system complies with this bylaw.
6. At such time as a municipal sewage system becomes available to a property a connection shall be made to the municipal sewer. All private septic tanks, cesspools or similar wastewater disposal systems shall be abandoned in a provincially approved manner.
7. A bylaw enforcement officer of the Summer Village of West Baptiste shall, subject to compliance with the requirements of Sections 542 and 543 of the Municipal Government

Act (Alberta) R.S.A., 2000, M-26, be entitled to enter any lands within the Summer Village for the purpose of carrying out an inspection to verify compliance with this bylaw.

8. The private sewage system inspection conducted for issuance of the *sewage compliance document* shall be carried out in accordance with policy set out by the Summer Village regarding the operation of private sewage systems.

Penalties:

1. Any owner of a parcel of land which contravenes this Bylaw is guilty of an offence and liable:
 - (a) for the first offence, to a maximum fine of \$500.00;
 - (b) for the second offence, to a maximum fine of \$1,000.00 and
 - (c) for the third and each subsequent offence, to a maximum fine of \$2,500.00

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Paramountcy (Overriding Principles)

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1. If there is any discrepancy between this bylaw and another enactment or regulation under a statute of Alberta, the other enactment or regulation prevails over this bylaw.

THIS BYLAW SHALL COME INTO FORCE AND EFFECT ON THE DATE OF ITS FINAL READING.

READ A FIRST TIME THIS ___16th___ DAY OF _____May_____2009

READ A SECOND TIME as amended THIS ___10th___ DAY OF __July_2014.

READ A THIRD AND FINAL TIME THIS __16__ DAY OF
__October_____ 2014.

Mayor

Municipal Administrator