

Town of Hampton

SEWAGE BY-LAW NO. 112-91

The Town of Hampton, under the authority vested in it by the Municipalities Act, enacts the following Sewage By-law No. 112-91

Interpretation1. Definitions

- a) "Backwater Valve" shall mean an approved device which prevents flow in a pipe from reversing.
- b) "Biochemical Oxygen Demand (B.O.D)" shall mean the quantity of oxygen utilized in the biochemical oxidation of matter in five (5) days at twenty (20) degrees celsius;
- c) "Colour" shall mean any dissolved solids that impart a visible hue to water;
- d) "Commission" shall mean the group of Commissioners of the Town Utilities Commission;
- e) "Council" shall mean the council of the Town of Hampton;
- f) "Dwelling Unit" shall mean a suite operated as a housekeeping unit used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities;
- g) "Engineer" shall mean the person, firm, corporation or their authorized representative appointed by the Town to act on its behalf.
- h) "Interceptor" shall mean a receptacle that is installed to prevent oil, grease, sand or other materials from passing into the sewer system;
- i) "Lateral" shall mean that portion of a sewer used to extend a sanitary sewer across a street, road or right-of-way to connect to a sanitary building sewer at the property line;
- j) "Manhole" shall mean a structure atop an opening in a gravity sanitary sewer to permit entry;
- k) "Matter" shall mean any solid, liquid or gas;
- l) "Natural Outlet" shall mean any outlet into a water course, pond, ditch, lake or other body of surface or ground water;
- m) "Owner" shall mean the beneficial owner and where applicable shall mean the owner of the fee simple or if such property is held subject to a mortgage, it shall mean the owners of the equity of redemption and if title is held in joint tenancy or in tenancy in common, it shall mean each of such owners jointly and severally.
- n) "Person" shall mean any individual, firm, company, association, institution, society, corporation or group;
- o) "pH" shall mean the logarithm to the base 10 of the reciprocal of the concentration of hydrogen ions in grams per litre of solution;
- p) "Phenolic Compounds" shall mean hydroxy derivatives of benzene;
- q) "Plumbing Fixture" shall mean a receptacle, appliance, apparatus or other device which receives liquid, water or wastewater; and/or discharges it;
- r) "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by the Town and shall include both sanitary and storm sewers;

- s) "Sanitary Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which collects wastewater from drainage pipes inside the walls of the building (including basement floor drain) and conveys it to the sanitary building sewer which begins one (1) metre outside the inner face of the building walls.
- t) "Sanitary Building Sewer" shall mean the extension of the sanitary building drain to the lateral.
- u) "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted;
- v) "Separator" shall mean tanks with capacity exceeding 2000 litres using density variations to separate insoluble petroleum from water, as regulated by the New Brunswick Department of the Environment;
- w) "Sewage" shall mean any liquid waste other than clear-water waste or storm water;
- x) "Sewage Works" shall mean all facilities owned by the Town of Hampton for collecting, treating and disposing of sewage;
- y) "Sewer" shall mean a pipe or conduit for carrying sewage;
- z) "Shall" is mandatory, "May" is permissive;
- aa) "Standard Methods" shall mean methods as described in "Standard Methods for the Examination of Wastewater";
- ab) "Storm Building Drain" shall mean that part of the lowest horizontal piping within a building which conducts water or storm water to a storm building sewer;
- ac) "Storm Building Sewer" shall mean the extension from the storm building drain to the storm sewer main or other discharge point;
- ad) "Storm Drainage System" shall mean a system of open ditches, with culverts or a storm sewer that carries storm water and surface water, street wash and other wash waters or drainage but excludes domestic wastewater and industrial wastes;
- ae) "Storm Sewer" shall mean a sewer that carries storm water and surface water, street wash and other wash waters or drainage, but excludes domestic wastewater and industrial wastes;
- af) "Storm Water" shall mean surface water from rain, snow or ice melting and running off from the surface of a drainage area;
- ag) "Suspended Solids" shall mean the quantity of material removed from wastewater in a laboratory test, as prescribed in "Standard Methods for the Examination of Wastewater" and referred to as non-filterable residue;
- ah) "Uncontaminated Water" shall mean water to which no matter has been added as a consequence of its use, or to modify its use, by any person;
- ai) "Town" shall mean the Town of Hampton;
- aj) "Wastewater" shall mean spent or used water which contains dissolved and suspended matter.

2. Use of Public Sewer

- a) 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 into the sanitary sewer system.
- b) 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.
- c) The owner of all houses, buildings or properties used for human occupancy, employment or recreational or other purposes situated within the Town and abutting on any street or right of way in which there is now located or may be located, a public sanitary sewer, is hereby required at his own expense to install suitable toilet facilities therein and to connect such facilities, and all other drainage facilities, directly with the public sanitary sewer in accordance with the provisions of this by-law, provided that such public sanitary sewer is within thirty (30) metres of his property line.
- d) If any owner fails to do anything required to be done by this section, then the Town may, after reasonable notice to the owner, take such action as it deems necessary to effect compliance with this section.

3. (a) No person shall discharge or deposit or cause or permit the discharge or deposit into a sanitary building drain or any sanitary sewer matter of any type or at any temperature or in any quantity which may be or may become harmful to a sewer system, or which may interfere with the proper operation of a sewer system, or which may impair or interfere with any sewage treatment process, or which may be or may become a hazard to persons, animals or property, and without limiting the generality of the foregoing any of the following:

- i) Wastewater that may cause an offensive odour to emanate from a sewer system, and without limiting the generality of the foregoing, wastewater containing hydrogen sulphide, carbon disulphide, other reduced sulphur compounds, animes or ammonia in such quantity that an offensive odour could emanate from the sewer system;
- ii) Storm water, water from drainage of roofs or land, or from a water course, or uncontaminated water;
- iii) Effluent from geothermal heat extraction systems;
- iv) Wastewater at a temperature greater than 75 degrees Celsius;
- v) Wastewater having a pH less than 6.0 or greater than 10.5;
- vi) Explosive matter, gasoline, benzene, naptha, fuel oil, solvents or wastewater containing any of these in any quantity except as provided under Sections 3 and 4 of this by-law.
- vii) Wastewater containing more than 100 milligrams per litre of solvent extractable matter of animal or vegetable origin;
- viii) Wastewater containing more than 15 milligrams per litre of solvent extractable matter of mineral or synthetic origin;
- ix) Wastewater which consists of two of more separate liquid layers;
- x) Wastewater of which the biochemical oxygen demand exceeds 600 milligrams per litre;
- xi) Wastewater containing more than 500 milligrams per litre of suspended solids;

- xii) Wastewater containing any of the following matter in excess of the indicated concentrations:

<u>Matter</u>	<u>Expressed As</u>	<u>Concentration In Milligrams Per Litre</u>
Aluminum	Al	50
Arsenic	As	1.0
Barium	Ba	5.0
Cadmium	Cd	2.0
Chloride	Cl	1500.
Chromium	Cr	5.0
Copper	Cu	5.0
Cyanide	HCN	2.0
Fluoride	F	10
Iron	Fe	50
Lead	Pb	5.0
Mercury	Hg	0.1
Nickel	Ni	5.0
Phenolic Compounds		1.0
Phosphorus	P	100
Sulphate	SO ₄	1500
Sulphide	S	2.0
Tin	Sn	5.0
Zinc	Zn	5.0
Pesticides		0.0
Herbicides		0.0

- b) The Town may as it deems necessary set limits on other toxic or poisonous substances as may enter the sewer system at some time in the future and may alter the levels already established in this by-law.

4. When required by the New Brunswick Department of Environment, petroleum interceptors and separators shall be installed as follows:

- a) Petroleum interceptors and separators shall be installed so that the wastewater effluent discharges to the sanitary sewer system. Wastewater effluent from each device shall not display visible free-floating petroleum and total influent shall not exceed the maximum design flow for the unit.
- b) Petroleum interceptors shall be of obvious watertight construction with a secondary storage area to collect separated petroleum. A direct connection of any part of a petroleum interceptor and a waste oil storage system which will under any circumstances allow overflow or backflow of the waste oil to enter the interceptor shall not be permitted. Petroleum interceptors shall be designed for the particular installation by an engineer.
- c) Each and any separator shall be approved by the New Brunswick Department of the Environment

5. The discharge of contaminated water resulting from remediation efforts at petroleum leak or spill sites into the sanitary sewer system shall be only with the approval of the Town. Such water shall be the effluent from remedial methods approved by the New Brunswick Department of the Environment.

6. The discharge of the contents of a septic tank or any similar waste into the sanitary sewer system shall be only with the approval of the Town; and only at such points and under such conditions as the Town may specify.

7. a) No person shall discharge or deposit or cause or permit the discharge or deposit into a drainage ditch, a building storm drain or any storm sewer, matter of any type or at any temperature or in any quantity which may interfere with the proper operation of a storm sewer, or which may obstruct a storm sewer or the flow therein, or which may be or may become a hazard to persons, animals or property, or which may impair the quality of the water in any well, lake, river, pond, spring, stream, reservoir or other water or watercourse and without limiting the generality of the foregoing any of the following:
- i) Water at a temperature greater than 75 degrees Celsius;
 - ii) Water having a pH less than 6.0 or greater than 9.5;
 - iii) Explosive matter, gasoline, benzene, naptha, fuel oil, solvents or water containing any of these in any quantity;
 - iv) Water containing more than 15 milligrams per litre of solvent extractable matter;
 - v) Water which consists of two or more separate liquid layers;
 - vi) Water containing colour or coloured matter, which water would require a dilution in excess of four (4) parts of distilled water to one (1) part of such water to produce a mixture the colour of which is not distinguishable from that of distilled water.
 - vii) Water of which the biochemical oxygen demand exceeds 15 milligrams per litre;
 - viii) Water containing more than 15 milligrams per litre of suspended solids;
 - ix) Water containing any matter which will not pass through a screen having openings not larger than 3.35 millimetres square;
 - x) Water that may cause an offensive odour to emanate from a storm sewer, and without limiting the generality of the foregoing, water containing hydrogen sulphide, carbon disulphide, other reduced sulphur compounds, animes or ammonia in such quantity that an offensive odour could emanate from the storm sewer;
 - xi) Effluent from petroleum interceptors or separators.
 - xii) Effluent from geothermal heat extraction systems.
 - xiii) Water containing any of the following matter in excess of the indicated concentrations:

<u>Matter</u>	<u>Expressed As</u>	<u>Concentration In Milligrams Per Litre</u>
Arsenic	As	1.0
Barium	Ba	0.1
Cadmium	Cd	0.1
Chromium	Cr	1.0
Copper	Cu	1.0
Cyanide	HCN	0.1
Lead	Pb	1.0
Mercury	Hg	0.001
Nickel	Ni	1.0
Phenolic compounds		0.02
Tin	Sn	1.0
Zinc	Zn	1.0
Pesticides		0.0
Herbicides		0.0

- b) The Town may as it deems necessary set limits on other toxic or poisonous substances as may enter storm drainage systems at some time in the future and may alter the levels already established in this by-law.
8. Except as otherwise specifically provided in this by-law, all tests, measurements, analyses and examinations of water or wastewater, its characteristics or contents shall be carried out in accordance with Standard Methods. Sampling methods, location, times, durations, and frequencies are to be determined on an individual basis by the Town.

9. Application for Service

- a) All costs and expense incident to the installation and connection of the sanitary building sewer and/or storm building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the sanitary building sewer and/or storm building sewer.
- b) No unauthorized person shall uncover, make any connection with or openings into, use, alter or disturb any public sewer without first having obtained a written permit from the Commission.
- c) Any permit granted under this by-law may be suspended or revoked by the Commission, if in the opinion of the Commission, the sewage facility approved by such permit is not being installed or maintained in compliance with the provisions of this by-law or the conditions upon which such permit was issued.
- d) All subdivisions to be approved from the date hereof and located in areas required by the Zoning By-law to be serviced by sanitary sewers shall include a sanitary sewer system and storm drainage system on the plans therefore, and no building permit shall be issued for buildings in such subdivisions or for buildings in subdivisions which have formerly been approved by the Town Planning Commission and subdivision of lands effected by registration of a plan of subdivision prior to the Town planning requirements in the Town, and prior to approving such subdivision or issuing such building permit, the owner shall satisfy the Town Planning Commission and Building Inspector that sewage service and facilities and storm drainage systems have been adequately provided for to the satisfaction of the Council and further provided that if a property to be developed in a subdivision shall have one of its boundaries within, or a boundary of other undeveloped lands of which the proposed development is a portion shall be within, three hundred feet of an existing public sewer, then such owner shall pay all costs incurred in constructing a sanitary sewer collection system and/or storm drainage system and connecting same to the public sewer system including any costs incurred by the Town in approving such work and the owner shall undertake by the agreement of the Council to convey such system to the Town after construction and when such system is operating to the satisfaction of the Council.
- e) Properties planned for subdivision which are located outside areas required to be serviced by sanitary sewers shall require construction of a private sewage treatment system or other facilities capable of meeting all Provincial Government Regulations prior to issue of a building permit.
- f) Any person authorized by the Commission or by the Town shall have the right to enter upon any property in the Town for the purpose of inspecting, observing or supervising the installation or maintenance of any sewage facility situated on such property.

10. Connection to Public Sewer System

- a) Any person who is required to connect a building sewer line from any dwelling or building drain to the public sewer, shall submit to the Commission an application in a form prescribed by the Council and shall pay such fee as may be established from time to time.
- b) The size, shape, alignment, materials or construction of a building sewer line and methods to be used in excavating, placing of the pipe, joining, testing and backfilling the trench shall be as specified in the Town of Hampton Specifications For Developers and shall be subject to the supervision and approval of the Commission or its agent. The diameter of the pipe installed on residential properties shall be not less than one hundred (100) millimetres; and the pipe installed on Commercial, Institutional, and Industrial properties shall not be less than one hundred fifty (150) millimetres in diameter. The slope shall be not less than one (1%) percent.
- c) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any sanitary building drain is too low to permit gravity flow to the sanitary sewer, sanitary sewage carried by such sanitary building drain shall be lifted by an approved means and discharged to the sanitary building sewer.
- d) Existing sanitary building sewers may be used when they are found on examination and test by the Commission, or its authorized agent, to be of acceptable standard, and conform to other sections of this by-law.
- e) All costs and expense incident to the extension of the sanitary building sewer to the property line shall be borne by the property owner and shall be owned and maintained by him. Streets, sidewalks, parkway or any other public property disturbed in the course of this work shall be restored to the satisfaction of the Commission.
- f) All costs and expense incident to the installation of the lateral shall be borne by the property owner. Lateral installation may be done by the owner under supervision of an agent of the Commission.

11. Notification of Inspection and Connection

The owner or his agent shall notify the Commission or its agent when the lateral and/or building sewer is to be installed. The lateral and/or building sewer are to be left uncovered until the inspection has been made. Any work covered over without an inspection being made shall be uncovered at the owner's expense.

12. Backwater Valves

- a) Backwater valves shall be installed on building drains inside foundation walls on all new building construction regardless of foundation elevation with roadway and installed in accordance with good trade practices.
- b) Where an existing lateral has outlets in the building which it services that are below the level of the street, the property owner shall, at his expense, install a backwater valve in the building drain within thirty (30) days of being so directed by the Town.

- c) A person who fails to install a backwater valve as required by this section shall be guilty of an offence, and upon conviction shall be liable on summary conviction to a fine of not less than Twenty-five and not more than One Hundred Dollars (\$100.00) for each day the offence continues and in default of payment to imprisonment in accordance with section 31(3) of the Summary Conviction Act.
- d) The Town shall not be liable for damages to buildings and owners which results from improper installation or maintenance of a backwater valve.
- e) Any person connecting a storm building drain into the storm sewer system shall install a backwater valve on the storm building drain.

13. Maintenance and Blockage

- a) The main line of the sanitary sewer system shall be maintained and operated by the Town.
- b) Any blockage within a sanitary building sewer or lateral with exception of a blockage caused by a minus grade or ruptured lateral, shall be the responsibility of the owner.
- c) If a blockage referred to in subsection b), on examination by the agent of the Town or the Engineer, is caused by a minus grade or rupture on the lateral, the cost of the repairs will be the responsibility of the Town.

14. Service Charge

- a) The annual cost of financing, operating and maintaining the sewage works shall be raised by a service charge.
- b) The service charge shall be levied on the owner annually and shall be based upon the attached Schedule "A" as adopted by the Commission and charged at a rate as established annually by the Commission.
- c) Every rate and charge for sewage services is due and payable on the date the billing is mailed.
- d) Where an amount is paid for sewage services, such amount is to be applied first in payment of arrears.
- e) The net amount will be the amount payable only if the bill is paid within 30 days after the date of rendering the bill, which date shall be clearly shown on the bill.
- f) Interest shall be payable on all accounts remaining unpaid after thirty days of rendering at a rate to be established by the Commission from time to time, such rate of interest to be set forth on the invoice.

15. Indemnity

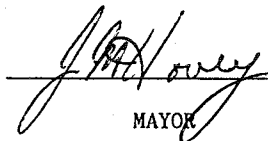
- a) No person shall have any cause of action against the Town, whether arising in tort or contract or otherwise for loss or damage of whatsoever nature or kind, which may be occasioned by the Town in pursuance of the powers conferred by this by-law except where such damage has been caused by the wilful neglect of the Town.
- b) The Owner shall indemnify and save harmless the Town from any claim whether arising in tort or contract or otherwise for loss or damage of whatsoever nature or kind, which may be occasioned by the Town in pursuance of the powers conferred by this by-law.

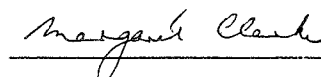
16. Penalties

- a) Any person found violating any provisions of this by-law or who suffers or permits any act or thing to be done in contravention or violation of any provision thereof, or neglects or fails to do any act or thing herein required, is liable on summary conviction, to a fine of not less than Twenty-five (\$25.00) dollars and not more than One hundred (\$100.00) dollars for each day the offence continues, or in default of payment to imprisonment for a term not exceeding thirty (30) days.
- b) Notwithstanding, and in addition to the provisions of Section 16 (a), any person with a sewage service charge more than two (2) years in arrears, shall be liable to any and all costs of collection.

17. By-law No. 27 enacted on June 12th, 1979, and all amendments thereto are hereby repealed.

Read First Time: *December 13/91*
Read Second Time: *December 13/91*
Read Third Time and Enacted: *Jan 14/92*


MAYOR


CLERK