

## THE CORPORATION OF THE TOWN OF HANOVER

### BY-LAW NUMBER NO. 2618-08

A by-law to regulate the use of public and private sewers and drains, private sewage disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer systems; and providing penalties for violations thereof; in the Corporation of the Town of Hanover.

**WHEREAS** Section 11 (1) & (3) of the Municipal Act 2001, S.O. 2001, c. 25, as amended, states Councils may pass by-laws to provide any service or thing the municipality considers necessary or desirable for the public, and by-laws for waste management and public utilities;

**AND WHEREAS** it is deemed expedient by the Town of Hanover to pass a by-law requiring the owners of all buildings in the municipality to connect such buildings to the public sewer system;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF HANOVER ENACTS AS FOLLOWS:**

#### 1. DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of the terms used in the by-law shall be as follows:

- a) "Sewage Works" shall mean all facilities for collecting, pumping, treating and disposing of sewage.
- b) "Director" shall mean the Director of Public Works of the Corporation of the Town of Hanover, or his authorized Deputy, agent or representative.
- c) "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface and storm waters as may be present.
- d) "Sewer" shall mean a pipe or conduit for carrying sewage.
- e) "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights and is controlled by public authority.
- f) "Sanitary Sewer" shall mean a sewer which carries sewage to which storm, surface and ground waters are not intentionally admitted.
- g) "Storm Sewer" or "Storm Drain" shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wasters.
- h) "Wastewater Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.
- i) "Industrial Wastes" shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.
- j) "Garbage" shall mean solid wastes from the preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.
- k) "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer.
- l) "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.
- m) "B.O.D." (denoting Bio-chemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation organic matter under standard laboratory procedure in 5 days at 20 C., expressed in milligrams per litre.
- n) "pH" shall mean the logarithm of the receprocal of the weight of hydrogenions in grams per litre of solution.
- o) "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, expressed in milligrams per litre.

- p) "Natural Outlet" shall mean any outlet into a watercourse, pond ditch, lake or other body of surface or ground water.
- q) "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.
- r) "Person" shall mean any individual, farm, company, association, society, corporation or group.
- s) "Shall" is mandatory: "May" is permissive.
- t) "Health Officer" shall mean the Medical Officer of Health, or his authorized Deputy, agent, or representative.

## **2. USE OF PUBLIC REQUIRED**

- a) It shall be unlawful for any person to place, deposit, or permit to be deposited in an unsanitary manner upon public or private property within the Corporation of the Town of Hanover or in any area under the jurisdiction of the said Town, any human or animal excrement, garbage, or other objectionable waste.
- b) It shall be unlawful to discharge to any natural outlet within the Town of Hanover, or in any area under the jurisdiction of said Town, any sanitary sewage, industrial wastes, or any polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this By-law.
- c) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
- d) The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purpose, situated within the Corporation of the Town of Hanover and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the Corporation of the Town of Hanover, 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 this by-law, within three (3) years after date of official notice to do so, provided that said public sewer is installed to the property line. Failure to do so will result in the ratepayer being charged two (2) times the yearly flat rate for sewage.
- e) If the owner fails to make a connection required by notice within the three (3) year period, the Municipality may make the connection at the expense of the owner and for this purpose may enter into and upon the property of the owner.
- f) The cost of making such connection shall be a lien or charge as municipal taxes upon the land in respect of which the connection was made, shall be added to the Collector's Roll by the Clerk of the Municipality and shall be collected in the same manner as overdue taxes and shall bear interest from the date the first demand for payment is made at the same rates as overdue taxes.

## **3. PRIVATE SEWAGE DISPOSAL**

- a) Where a public sanitary or combined sewer is not available under the provisions of Section 2 (d), the building sewer shall be connected to a private sewage disposal system complying with the requirements of the Health Officer.
- b) At such time as a public sewer becomes available to a property served by a private sewage disposal system, if notice has been given as provided in Section 2(d), a direct connection shall be made to the public sewer in compliance with this by-law, and any septic tanks, cess-pools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material, at the owner's expense.
- c) The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the Town of Hanover.

## **4. BUILDING AND CONNECTIONS**

- a) No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without the prior written approval of the Corporation of the Town of Hanover.
- b) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks,

parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town. Any person making any excavation or trench shall comply with the provisions of the Occupational Health and Safety Act for Construction Projects.

- c) An authorized person shall be a plumber or drainman who has been properly licensed as a plumber or drainman under the By-laws of the Corporation of the Town of Hanover and who has specific authority from the Town to carry out the work in hand.

## **5. USE OF PUBLIC**

- 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 process waters to any sanitary sewer.
- b) Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated storm sewers, or to a natural outlet approved by the Director of Public Works. Industrial cooling water or unpolluted process waters may be discharged upon approval of the Director of Public Works, to a storm sewer or natural outlet. No other waste or drainage shall be permitted to be discharged into any storm sewer.
- c) Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:
  - 1. Any liquid or vapor having a temperature higher than 150 F.
  - 2. Any water or waste which may contain more than 100 milligrams per litre of fat, oil or grease of animal or vegetable origin.
  - 3. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
  - 4. Any garbage whether shredded or not.
  - 5. Ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage tanks.
  - 6. Any waters or wastes having a pH lower than 5.5 or higher than 10.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
  - 7. Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.
  - 8. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense *is* required to handle such materials at the sewage treatment plant.
  - 9. Any noxious or malodorous gas or substance capable of creating a public nuisance.
- d) Grease, oil, and sand interceptors shall be provided at the expense of the owner when, in the opinion of the Chief Building Official they are necessary for the proper handling of liquid wastes 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 approved by the Chief Building Official, and shall be located as to be readily and easily accessible for cleaning and inspection. Grease and oil interceptors shall be constructed of impervious materials capable of standing abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which when bolted in place shall be gas tight and watertight.
- e) Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.
- f) The admission into the public sewers of any waters or wastes having:
  - 1. a five day biochemical Oxygen Demand greater than 360 milligrams per litre, or
  - 2. containing more than 250 milligrams per litre of suspended solids, or
  - 3. containing any quantity of substances having the characteristics described in Section 5 (c).

Where necessary in the opinion of the Director of Public Works, the owner shall provide at his expense, such preliminary treatments as may be necessary to:

1. reduce the Biochemical Oxygen Demand to 360 milligrams per litre and the suspended solids to 250 milligrams per litre, or
2. reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 5 (c) or,
3. control the quantities and rates of discharge of such waters or wastes.

Plans, specifications, and any other pertinent information related to proposed preliminary treatment facilities shall be submitted for the approval of the Director of Public Works and no construction of such facilities shall be commenced until said approvals are obtained in writing.

- g) Where preliminary treatment facilities are provided for any waters or wastes they shall be maintained continuously in effective operation, by the owner, at his expense to the satisfaction of the Corporation of the Town of Hanover.
- h) When required by the Director of Public Works, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Director of Public Works. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.
- i) All measurements, tests and analysis of the characteristics of water and wastes to which reference is made in Sections 5 (c) and 5 (f) shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage", and shall be determined at the control manhole provided for in Section 5 (h) or upon suitable samples taken at said control 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 public sewer to the point at which the building sewer is connected.
- j) No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Corporation of the Town of Hanover and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment, subject to payment therefore by the industrial concern.

## **6. PROTECTION FROM DAMAGE**

- a) No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the municipal sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

## **7. POWERS AND AUTHORITY OF INSPECTORS**

- a) The Director of Public Works and other duly authorized employees and/or agents of the Corporation of the Town of Hanover bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurements, sampling, testing, in accordance with the provisions of this by-law.

## **8. PENALTIES**

- a) Any person found to be violating any provision of this By-law except Section 6(a) shall be served by the Corporation of the Town of Hanover with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- b) Any person violating any of the provisions of this by-law shall become liable to the Town of Hanover for any expense, loss or damage incurred by the Town of Hanover by reason of such violation.

9. This By-law comes into force and effect on the date of the final passing thereof, and rescinds and repeals By-law No. 958-64 in its entirety.

**READ a FIRST, SECOND and THIRD TIME and FINALLY PASSED** this 15th day of September, 2008.

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Kathi Maskell, Mayor

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Mike Dunlop, CAO/Clerk