

**SUMMER VILLAGE OF ISLAND LAKE SOUTH
BYLAW NO 99-16**

A BYLAW OF THE MUNICIPAL DISTRICT OF SUMMER VILLAGE OF ISLAND LAKE SOUTH, IN THE PROVINCE OF ALBERTA, PROVIDING FOR REGULATION OF THE TREATMENT AND MAINTENANCE OF PRIVATE SEWAGE DISPOSAL SYSTEMS

WHEREAS pursuant to Section 7 (a) of the *Municipal Government Act*, RSA 2000, c M-26, and amendments thereto, the Summer Village of Island Lake South (the "Municipal District") may pass Bylaws for the safety, health and welfare of people and the protection of people and property;

AND WHEREAS the *Safety Codes Act*, RSA 2000, c S- 1, provides that municipalities may be designated as accredited municipalities and as such are authorized to administer all or part of that Act with respect to any and all things, processes or activities to which that Act applies within the boundaries of the municipalities;

AND WHEREAS the Municipal District is designated as an accredited municipality and authorized to administer the *Safety Codes Act* with respect to, amongst other matters, Private Sewage Disposal Systems within its boundaries;

AND WHEREAS, the Council of the Municipal District, for the safety, health, welfare and protection of the residents and property, wishes to pass a by-law to regulate the treatment and disposal of sewage generated on property within the Municipal District;

NOW THEREFORE the Council of the Municipal District in the Province of Alberta, duly assembled, hereby enacts as follows:

1. TITLE

1.1 . This Bylaw may be cited as the "Private Sewage Disposal System Bylaw."

2. DEFINITIONS

2.1. In this Bylaw:

- (a) "Approved System" shall mean a private sewage treatment and disposal system which is installed and maintained in compliance with the provisions of the *Safety Codes Act* RSA 2000, c S-1, the Alberta Private Sewage Systems Standards of Practice 2009, and any regulations there under or amendments thereto;
- (b) "Contractor" shall mean a person or company certified in the Province of Alberta to install septic systems hired by an Owner to install a Private Sewage Disposal System;

- (c) "Commercial Purposes" shall mean the use of a property which services the resources, agricultural based businesses.
- (d) "Designated Officer" shall mean a designated office appointed by the Municipal District pursuant to the *Municipal Government Act* to carry out the powers, duties and functions of a designated officer under his Bylaw or any other Bylaw or Enactment;
- (e) "Effluent" shall mean the liquid discharged from any Private Sewage Disposal System component;
- (f) "Greywater" shall mean wastewater that does not include waste from toilets or urinals, effectively managed and treated in accordance with the Standard of Practice;
- (g) "Holding Tanks" shall mean a tank which meets or exceeds the requirements of the CSA-8 66 "Design, Material, and Manufacturing Requirements for Prefabricated Septic Tanks and Sewage Holding Tanks" and be designed to retain Wastewater or Effluent until transferred for treatment;
- (h) "Inspection Report" shall mean an Inspection Report provided by a Safety Codes Officer in accordance with the Uniform Quality Management Plan adopted by the Municipal District Council in accordance with this Bylaw;
- (i) "Lake" shall mean the body of water known as Island Lake, in Athabasca County, Alberta.
- (j) "Municipal District" shall mean the Municipal District of Summer Village of Island Lake South;
- (k) "*Municipal Government Act*" shall mean the *Municipal Government Act*, RSA 2000, c M-26 and any regulations there under or amendments thereto;
- (l) "Owner" shall mean the registered owner, occupant, or person responsible for a property within the boundaries of the Municipal District;
- (m) "Outhouse" shall mean a physical structure not attached to the principle dwelling, used for the purpose of sewage disposal whereby sewage is deposited into an earthen pit;
- (n) "Person" includes an individual, corporation, partnership, association, or any other legal entity;
- (o) "Private Sewage Disposal System (or Systems)" shall mean a system for the treatment and disposal of Wastewater that is not connected to a municipal sewage disposal system including on-site wastewater treatment systems as defined in the Standard of

Practice, septic tanks and the associated Treatment Fields, Holding Tanks, Outhouses, and Privies;

- (p) "Privy" shall mean a physical structure, not attached to the principle dwelling, used for the purpose of sewage disposal whereby sewage is deposited in a water tight holding tank with a capacity of at least 175 liters and is installed and maintained in compliance with the Municipal District's Land Use Bylaw No. 03-2012;
 - (q) "Residential Purposes" shall mean the use of a property as a home, residence or place, where an individual(s) inhabit a for more than twenty-one (21) consecutive days per year;
 - (r) "*Safety Codes Act*" shall mean the *Safety Codes Act*, RSA 2000, c S-1, and any regulations there under or amendments thereto;
 - (s) "Safety Codes Officer" shall mean a person appointed pursuant to the provisions of the *Safety Codes Act* and authorized to perform any of all of the duties of a Safety Codes Officer under the *Safety Codes Act*;
 - (t) "Sewage" shall mean the composite of liquid and water carried wastes associated with the use of water for drinking, cooking, cleaning, washing, hygiene, sanitation, or other domestic purposes and includes greywater but does not include liquid waste from industrial processes;
 - (u) "Standard of Practice" shall mean the Alberta Private Sewage Systems Standard of Practice 2009 and any regulations there under or amendments thereto;
 - (v) "Treatment Field" means a system of effluent dispersal and treatment by distributing effluent within trenches containing void spaces that are covered with soil and as further defined in the Standard of Practice;
 - (w) "Uniform Quality Management Plan" means the Joint Uniform Quality Management Plan prepared by the Safety Codes Council and adopted by the Municipal District and any amendments thereto;
22. Nothing in this Bylaw relieves any Person from complying with any Enactment or any requirements of any permit, order of license.
23. Where any conflict exists between this Bylaw and any Provincial or Federal Law or regulation, the Law or regulation prevails.

3. GENERAL SYSTEM REQUIREMENTS

- 3.1. On or before December 31, 2018, each Owner of a Private Sewage Disposal System shall ensure that an approved Private Sewage Disposal System whether used for residential, recreational or commercial purposes:
 - (a) is installed;
 - (b) is maintained;
 - (c) is operated within the design parameters of the system; and
 - (d) effectively treats the wastewater;
- 3.2. The Contractor is responsible to ensure that:
 - (a) the site has been sufficiently investigated and the design has considered and addressed all pertinent factors to achieve a functional system; and
 - (b) testing and commission of the system is undertaken to ensure it complies with the Standard of Practice.
- 3.3. Prior to putting the Private Sewage Disposal System into operation, an operations and maintenance manual, alongside a copy of this bylaw, shall be made available to the owner detailing:
 - (a) the capacity of system design;
 - (b) the principles of operation;
 - (c) the construction details including a site plan showing the specific as-built location and area occupied by treatment components;
 - (d) pump capacity requirements, control settings, float elevations and dosing volumes as applicable;
 - (e) all operating and maintenance requirements; and
 - (f) instructions to manage an alarm condition.

4. PERMITS

- 4.1. Prior to initiation of installation or modification of a Private Sewage Disposal System all required permits must be obtained.
- 4.2. Contractors who install a Private Sewage Disposal System must provide the approved permit to the owner.
- 4.3. Clean and concise plans showing distances and setbacks shall be submitted with permit applications.
- 4.4. The design of new Private Sewage Disposal Systems must include additional fixtures or high capacity fixtures in the design and be of suitable size to manage and maintain the excess flow.

5. INSPECTIONS

- 5.1. All new and replacement Private Sewage Disposal Systems must be inspected by a Safety Codes Officer. Said systems must be accessible and left in a state such that a Safety Codes Officer can complete an inspection prior to the system being covered up.
- 5.2. All new and replacement Private Sewage Disposal Systems require written approval from a Safety Codes Officer prior to the system being covered up.
- 5.3. All new and replacement Private Sewage Disposal Systems covered prior to an inspection shall be uncovered to a standard sufficient for the system to be inspected by a Safety Codes Officer.
- 5.4. Following an inspection, the Safety Codes Officer shall immediately issue an Inspection Report to the Owner and to the Municipal District.
- 5.5. If the Inspection Report issued indicates any failure to comply with the Standard of Practice, the Owner or Contractor, must, within 30 days of the date of issue of the Inspection Report:
 - (a) remove the Private Sewage Disposal System in a manner that will not cause any contamination or create an unsafe condition;
 - (b) repair the Private Sewage Disposal System to comply with the Standard of Practice; and
 - (c) have the Private Sewage Disposal System re-inspected by a Safety Codes Officer.

- 5.6. A Designated Officer or a Safety Codes Officer shall, subject to compliance with the requirements of Section 542 and 543 of the *Municipal Government Act* be entitled to enter any lands within the Municipal District for the purpose of carrying out an inspection to verify compliance with this bylaw.

6. PRIVIES AND OTHER PRIVATE SEWAGE SYSTEMS

6.1.

- (a) All Privies shall be equipped with water-tight Holding Tanks that are properly ventilated and shall comply with the Standard of Practice including setback distances; and
- (b) No new Outhouse facilities are permitted to be installed, and existing Outhouse facilities must be removed if the structure is located less than ten feet above the height of the Lake 's high water level.

- 6.2. A recreational vehicle, trailer or other temporary residence used for residential purposes for 21 or more consecutive days per year shall:

- (a) be directly connected to an approved System, not including a Privy; or
- (b) be moved offsite to utilize an approved sewage dump station as needed; or
- (c) be pumped out by an approved sewage hauling operator with the Owner retaining receipts which shall be produced at the request of a Safety Codes Officer or Designated Officer.

- 6.3. Temporary Work Camps shall be inspected and have documentation of an Approved System in accordance with the Standard of Practice.

- 6.4. If a Private Sewage Disposal System is deemed by the Municipal District to be in an Environmentally Sensitive area, the Municipal District or a Designated Officer, or the Safety Codes Officer may request additional conditions be met.

7. FAILURES

- 1 If a failure of the Private Sewage Disposal System is confirmed through field inspection by a Safety Codes Officer or a Designated Officer or an Owner, the Owner shall immediately:

- (a) cease use of the system;

- (b) maintain and submit records of disposal of waste water to the Municipal District until the Private Sewage Disposal System is replaced or repaired; and
- (c) comply with any written request of the Municipality or a Safety Codes officer within a 30-day period.

7.2 Notwithstanding section 7.1 hereof, the Owner may provide a written request to the Designated Officer for an extension of time to address any non-compliance issues as identified in a field inspection and the Designated Officer may approve or refuse the request.

8. MAINTENANCE

- 8.1. The maintenance guideline found in Appendix A shall be followed for all Private Sewage Disposal Systems.
- 8.2. A new Private Sewage Disposal System shall utilize only the Holding Tank portion if the initial start-up date will be after October 1st and before May 1st.
- 8.3. Where additional fixtures or high capacity fixtures are installed, the system shall have the capacity to manage the additional load which those fixtures may generate.

9. ENFORCEMENT

- 91. Any Owner or Contractor 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;
 - (c) for the third offence and each subsequent offence, to a maximum fine of \$5,000.00.
- 92. If a Designated Officer or a Safety Codes Officer or the Municipal District believes that a Person has committed an offence pursuant to this Bylaw, the *Safety Codes Act* or any regulation there under, the Designated Officer or Safety Codes Officer may commence proceedings against that Person by:
 - (a) issuing an order pursuant to the provisions of the *Safety Codes Act*;
 - (b) issuing an order pursuant to the provisions of the *Municipal Government Act*;
 - (c) As provided by Section 549 of the *Municipal Government Act*, the Municipal District may take whatever action or measures that are necessary to remedy a contravention of this bylaw following issue of a written order pursuant to the provisions of the *Municipal Government Act*.

- 93. Any costs and expenses of an action or measure taken by the Municipal District to remedy a contravention are an amount owing to the Municipality by the person who contravened this bylaw.
- 94. The Municipal District may add any unpaid costs and expenses and costs to the tax roll of a parcel of land if the parcel's owner contravened this bylaw and the contravention occurred on the parcel.
- 95. No provision under this Bylaw, nor any action taken pursuant to any provision of this Bylaw, shall restrict, limit, prevent or preclude the Municipal District from pursuing any other remedy in relation to a Premises provided by any other law in the Province of Alberta.

EFFECTIVE DATE

This Bylaw comes into force and effect on the date upon final passing thereof.

READ A FIRST TIME ON THIS DAY OF 2017

READ A SECOND TIME ON THIS DAY OF 2017

READ A THIRD AND FINAL TIME, WITH UNANIMOUS CONSENT OF ALL
 COUNCILLORS THIS DAY OF 2017

 Mayor

 CAO

APPENDIX A

MAINTENANCE GUIDELINES

Municipal District of Summer Village of Island Lake South	
Use of System	Minimize water use
	Avoid materials that do not break down easily such as tissue, vegetable scraps, paints, oils, medicines, etc.
	Restrict use of in-sink garbage disposals
	Keep fixtures in good repair
Maintenance of All Systems	Wastewaters not included in the system design should not be put into the system includingweeping tile drains, hot tubs, iron filter, reverse osmosis systems
	Have the holding tank checked annually to determine how often the holding tanks need to be pumped out
	Pump Out the holding tank to remove scum and sludge as needed
	Direct downspouts and surface water flow away from the system including holding tanks
Disposal Field and Mound Maintenance	Keep heavy vehicles and traffic off the system
	Maintain adequate vegetation cover and keep the grass trimmed
	Practice water conservation to avoid overloading the system
General	Consider the design of a system and the usage, especially with an older system