

TOWN OF KIPLING

BYLAW NO. 4-2022



A Bylaw to provide Wastewater Management for Sanitary Sewer Service Connections within the Town of Kipling.

This Bylaw shall be known as the "Sump Pump and Surface Discharge Bylaw."

PREAMBLE

To avoid flooding and capacity problems with the periodic excessive discharge of domestic wastewater to the Town's Sanitary Sewage Works, measures are required to control extraneous water for the benefit of the users and the community.

Primary sources of extraneous water include foundation drainage (weeping tile) from building structures and precipitation discharges from the structures (roofs, etc.).

In addition to the control of inflow to the sanitary sewer service, prevention of basement flooding from backup in the sewer service connection can be assisted by the installation of backflow prevention devices.

WHEREAS, Section 8 of the Municipalities Act provides a municipality with the authority to pass bylaws respecting public utilities:

AND WHEREAS, it is deemed desirable to provide for the matters referred to above and to establish a standard for Wastewater Management for Sanitary Sewer Connections:

Now THEREFORE, the Council of the Town of Kipling, in the Province of Saskatchewan enacts as follows:

PART I - INTERPRETATION

1. This Bylaw shall be cited as the "Wastewater Management for Sanitary Sewer Service connections."
2. Application
 - (a) This Bylaw shall apply to all newly constructed structures including, but not limited to, residential dwellings, dwelling units, and commercial buildings within the Town of Kipling for which a development and/or building permit has been applied for after and including January 1st, 2015. It shall also apply to any existing structures whereby a sump pump or already exists, for foundations water drainage insofar a discharge system to surface must be constructed and in place

Certified a true copy of Bylaw No. 4-2022 adopted by resolution of the Council of the Town of Kipling, Saskatchewan on this 11th day of October, A.D. 2022

Paul G. [Signature]
Chief Administrative Officer



by December 31, 2023.

3. Definitions in this Bylaw:

(a) "Building Official" means the person appointed by Council to perform the duties of this bylaw or any other bylaw or resolution of council;

(b) "Clear Water Waste" means water that excludes domestic sanitary waste and may include:

- i. Precipitation or snow melt from a structures roof;
- ii. Groundwater, infiltrated surface water or storm water collected by a subsoil collection system such as weeping tile;
- iii. Non-contact cooling water;
- iv. Remediated groundwater;
- v. Impounded stormwater drainage or groundwater.

(c) "Council" means the municipal council of the Town of Kipling;

(d) "Owner" means a person who has any right, title, estate, or interest in land or improvements other than that of a mere occupant, tenant, or mortgagee;

(e) "Sump Pit and Surface Discharge System" means a system including sump, sump pump and related plumbing used to convey water collected by subsurface foundation drainage to the surface;

(f) "Town" means the Town of Kipling.

PART II – STANDARDS

4. Discharges

In general, the Town's sanitary sewage works shall be protected from extraneous flow by control of clear water waste into sanitary sewer connections.

4.1 Clear Water Waste

Discharge or releases of the following clear water waste into the sanitary sewer service connection are to be avoided:

- a) Storm water from precipitation or snow melt from roofs, impounded storm drainage impounded groundwater or clean cooling water.
- b) Building foundation drainage including discharge from weeping tile or other subsurface collectors unless installed prior to December 31, 2015 or otherwise approved by the Town.

4.2 Clear Water Waste Management

Clear water waste shall be discharged to the surface by the following:

- a) Roof drainage by eavestroughs and downspouts
 - That release water three metres away from the foundation wall;
 - That released water does not affect adjacent property, and
 - That does not cause excessive ponding or icing to Town property.
- b) Pumped weeping tile or foundation drainage
 - That is one metre or greater away from the foundation wall;
 - That does not affect adjacent property;
 - That does not cause excessive ponding or icing on Town property.
- c) The foregoing does not preclude storage and reuse of clear water waste for horticulture, decorative ponds and other ecologically beneficial purposes.

4.3 Exceptions

Notwithstanding Section 4.2 where release of clear water waste or weeping tile drainage into the sanitary sewer connection is necessary to avoid adverse impact to human health, property or the environment, the Town may approve the release, with or without specified conditions, to the sanitary sewer service connection.

5. Installation

5.1 Subsurface Clear Water Management:

- a) Supply and installation of a sump pit and surface discharge system shall be by a Journeyman Plumber in such a way as to comply with all Town bylaws/policies and other applicable regulatory authorities and codes.
- b) Costs associated with the installation will be the sole responsibility of the Owner.

5.2 Sanitary Sewer Service Backflow Protection

- a) Where deemed necessary or required by the Town, backflow prevention devices shall be installed at the building sanitary drain.
- b) Backflow prevention devices or shut-off valves shall be suitable for sewage application. Backflow prevention devices should be installed with an inspection and access ports. Trap requirements are to follow plumbing and drainage requirements.

PART III - ENFORCEMENT

6. The administration and enforcement of this bylaw is hereby delegated to the Building Official or the Bylaw Enforcement Officer or a Representative appointed by the Council.

PART IV - OFFENCES AND PENALTIES

7. Any person in violation of a provision of this Bylaw shall be guilty of an offence and shall be liable upon summary conviction to a fine of not less than \$500.00 but not exceeding:
 - (a) \$10,000.00 in the case of an individual; or
 - (b) \$25,000.00 in the case of a corporation.

PART V - SEVERABILITY

8. If a court of competent jurisdiction should declare any section or part of a section of this Bylaw to be invalid, such section or part of a section shall not be construed as having persuaded or influenced the Council to pass the remainder of the Bylaw, and it is hereby declared that the remainder of the Bylaw shall be valid and shall remain in force and effect.

PART VI - VOLUNTARY PAYMENT CLAUSE

1. Where a Building Official or Administrator believes that an Owner has contravened any provision of this Bylaw, he or she may serve upon such person:
 - a) By mail or registered mail;
 - b) By Facsimile;
 - c) By personal service on the person; or
 - d) By leaving the Bylaw Violation Notice at the last known address of the person, a Bylaw Violation Notice.

2. (1) An offender who has been served with a "Bylaw Violation Notice" and who wishes to plead guilty may deliver:
 - (a) the Bylaw Violation Notice; and
 - (b) an amount equal to the specified penalty sum for the offence, to a place indicated on the Bylaw Violation Notice on or before the date specified on the Bylaw Violation Notice.

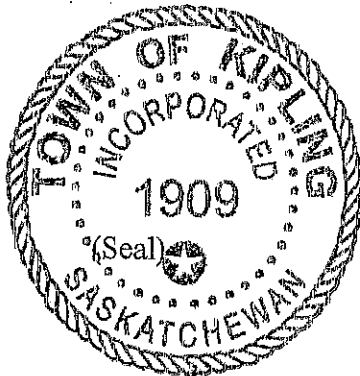
- (2) The recording by the Administrator or Bylaw Enforcement Officer of the Municipality of receipt of payment of a specified penalty sum under subsection (1) constitutes:
 - (a) an acceptance of a guilty plea; and
 - (b) the conviction and the imposition of a fine in the amount of the specified penalty sum.

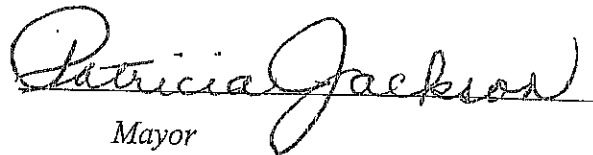
- (3) If a payment of the specified penalty sum is made by cheque and the cheque is dishonoured:
 - (a) the conviction continues but the fine remains outstanding whether or not the plea is signed in the manner provided for on the summons or offence notice; and


- (b) the Administrator or Bylaw Enforcement Officer shall give written notice to the offender that the cheque has been dishonoured, the conviction continues and the fine remains outstanding.
- (4) Where written notice has been sent pursuant to clause (3)(b) to an offender who had been served with the written notice, the fine will be considered to be in default 15 days after the notice was sent.
3. (a) Where an offender fails to make payment of the amount specified in the "Bylaw Violation Notice" on or before the date indicated on the Bylaw Violation Notice, a Bylaw Enforcement Officer or peace officer or other authorized person shall issue or cause to be issued a Summons and the offender shall be liable to prosecution of the alleged contravention in accordance with the *General Penalty, Enforcement and Voluntary Payment of Fines Bylaw* of the Town of Kipling or *The Summary Offences Procedures Act* of the Province of Saskatchewan, as the case may be.
- (b) Nothing in this section shall be construed to prevent any person from exercising his or her right to defend a charge of contravention of this Bylaw.

PART VI - EFFECTIVE DATE

9. This Bylaw shall come into force and take effect upon third reading thereof.




Mayor


Chief Administrative Officer