

VILLAGE OF CARMACKS
By-Law No. 160-07

A By-law for Council to provide municipal utilities, facilities and works.

Whereas, Section 265 of the Municipal Act being Chapter 154 of the Revised Statutes of the Yukon (2002) that Council may pass a By-law for the municipal purpose respecting municipal utilities, facilities and works.

Now therefore the Council of the Village of Carmacks, in open meeting duly assembled enacts as follows:

1. This By-law may be cited as the “Carmacks Sewer By-Law”
2. Where the provisions of this By-law conflict with the provisions of any other By-Law of the Village of Carmacks, this By-Law shall prevail.
3. In this By-Law and in the Schedules attached hereto, unless context otherwise requires:
 - a. “Council” means the Mayor and Councillors of the Village of Carmacks.
 - b. “Eduction service” means the utilization of eduction truck of vehicle for the removal of sewage from private septic tanks or holding tanks.
 - c. “Engineer” means a professional engineer registered with A.P.E.Y.
 - d. “Inspector” means the Yukon Government Plumbing inspector, Village staff, or authorized representative.
 - e. “Normal working hours” means the regular office hours as posted.
 - f. ‘Occupant” means any person who resides in or on the premises that receives benefit of sewer service.
 - g. “Owner” means an owner of real property and includes a person having any rights, title, or interest in real property.
 - h. “Premises” means any dwelling unit or commercial enterprise that has private service connected to the sewer main.
 - i. “Private Service” or “Building Sewer” as defined in the National Plumbing Code of Canada means that portion of sewer pipe located between the property line and the premises being serviced.
 - j. “Sewer main” means those pipes installed by the Village of Carmacks, in the streets, for the collection and disposal of sewage and waste water, but not storm water to which a sewer service may be connected.
 - k. “Sewer service” means the pipe used or intended to be used to conduct sewage and waste water, but not storm water, from the property line to a sewer main.
 - l. “Sewer utility” means the systems of sewage collection and disposal, owned and operated by the Village of Carmacks, including mains, intermediate mains, service pipes, valves and all accessories and appurtenances attached thereto.
 - m. “Staff” means an employee of the Village of Carmacks.
 - n. “Steamer service” means the utilization of a steamer owned and operated by the Government of Yukon for the cleaning or thawing of sewer services, septic tanks, holding tanks, culverts, etc.
 - o. “Village” means the Village of Carmacks
4. a. The Sewer utility shall be under the management and control of the Council.

- b. The Inspector shall exercise the powers and perform the duties with respect to the sewer utility conferred and placed upon him by this any other By-Law or by the National Plumbing Code of Canada. The staff may, with permission of the occupant, inspect the premises or perform any tests on piping or fixtures to determine compliance with this By-law. In the event that such occupant fails or refuses to give such permission, the supply of sewer service may be discontinued.
- 5.
 - a. Any owner who desires a private service connection shall apply in writing on the prescribed form in Schedule B, attached hereto, not less than 30 working days prior to requiring the service.
 - b. The cost of the service connection will be borne as follows:
 - i) by the Village from the property line to the sewer main.
 - ii) by the owner for the section defined as private service.
 - c. Unless Council otherwise approves, there shall be no more than one private service to any premises or site.
 - d. If a second service connection has been approved by the Council, the full cost of the service connection shall be at the owner's expense. This cost shall be payable before final connection is made.
 - e. All sewer connections must be made as required in Sections 11 and 12 of this By-law and under the supervision of the Inspector and after the permit for such connection has been obtained from the Village, on the prescribed form in Schedule "C" attached hereto.
- 6. No person shall operate, use, interfere with, tamper with, obstruct or impede access to the sewer utility or any portion thereof in any manner not expressly permitted by this By-law.
- 7.
 - a. Every premises used for the purpose of a commercial garage or a service station, or for the business of washing or lubrication of motor vehicles, shall provide a readily accessible sand trap and sump and where required by the National Plumbing Code of Canada, an oil sump for the collection of waste oil, at the expense of the owner.
 - b. Every premises used for the purpose of a restaurant, café or other food service outlet shall provide a readily accessible grease trap or interceptor at the expense of the owner.
 - c. In the premises provided with a sand trap, sump, grease trap or interceptor:
 - i) Under no circumstances shall a sump be used as a sand trap.
 - ii) Every sand trap shall be cleaned once a week or as deemed necessary by the staff.
 - iii) All oil, grease, solvents, gasoline, etc. which accumulate on the surface of the water in a sand trap, sump grease trap or interceptor shall be removed as necessary to ensure that such is not discharged into the sewer utility.

- iv) Stirring up of the liquid in any of the traps or sumps, or turning a hose into any of the purpose of forcing out sand, mud, oil, gasoline or grease is prohibited.
 - v) The staff may inspect any sand trap, sump, grease trap or interceptor during normal working hours.
 - d. Only normal household or commercial sewage shall be discharged into the sewer utility. Any person found discharging hazardous material into the sewage utility shall be responsible for all damages resulting from that discharge.
- 8.
 - a. Any person complaining of a failure of interruption of a sewer service, the investigation of which necessitates the excavation of a street, shall prior to such excavation of a street, sign a work order on the form prescribed in Schedule " D" attached hereto. In the event that such failure or interruption was caused by defect in the private service, or was a result of misuse or negligence on the part of the owner or occupant as designated in Schedule A, shall pay the costs attached hereto.
 - b. The cost of thawing or cleaning any obstruction in a service shall be borne as follows:
 - i) By the owner if the sewer or private service is frozen or obstructed due to grease, dirt or improper use of the fixtures with the premises, or as a result of misuse or negligence on the occupant, or for any other reason not related to failure of interruption of the sewer utility, as determined by Council.
 - ii) By the Village if the sewer service or private service is frozen or obstructed as a result of failure, malfunction or interruption of the sewer utility as determined by Council.
- 9.
 - a. The provision of sewer service to every premise shall at all times be subject to the terms and conditions set out in this By-law and the charges designated in Schedule " A" attached hereto.
 - b. Sewer charges as designated in Schedule " A " attached hereto, shall remain in effect until the services have been discontinued at the written request of the owner or have been terminated by the Village in accordance with this by-law. On application to have sewer discontinued or if services are terminated, the Village shall disconnect the service as soon as reasonably practicable and the owner shall pay all of the rates and charges hereto until the time of disconnect, including the cost of reconnection, as designated in Schedule " A " attached hereto.
 - c. All applications for the connections or requests for termination of services shall allow a minimum of 15 working days before such application or request is to become effective.
 - d. If a building is deemed to be unoccupiable by the proper authority and upon written request by the owner, the sewer charges may be waived at the discretion of Council. This is subject to the building remaining unoccupyable and eventual demolition.
- 10.
 - a.. There shall be paid a sewage charge as set forth in Schedule "A" attached hereto, by all owners whose premises are connected with or required to be connected with the sewer service.
 - b. All accounts, including interim accounts for sewer shall be due and payable within 30 days of the statement.
 - c. A separate account shall be rendered in respect of each sewer service.

- d. Where any service charge or rate is designated by reference to a certain time, the charge for the lesser period of time shall be calculated on a proportionate basis.
 - e. Notice in writing must be given to the Village within 30 working days prior to any changes which are made to the premises which would increase or decrease the usage of the sewer service.
 - f. The owner shall be liable for all rates and fees payable under this by-law with respect to the property, and the Village may make the balance of any account in arrears, over 60 days, together with a penalty of 10% of such arrears, a charge against the real property to which the sewer service was supplied, to be recovered in a manner as other real taxes on real property.
 - g. The sewer service to any owner or occupant who fails to pay his account within 90 days after the due date may be disconnected without notice.
11. The following conditions shall be met by every private sanitary sewer connection to the sewer utility:
- a. Materials:
 - i) all service connection pipe and fittings shall be PVC SDR-35 hi density polyethylene (HDPE) ASTM or AWWA approved or heavier with working stress of 5000kPA.
 - ii) Pipe size shall conform to the size of the existing sewer service and shall be a minimum of 4 inches in diameter.
 - iii) Pipe and fittings shall be joined according to the manufacturer's specifications and shall be water tight.
 - iv) Bedding material shall be clean sand with a maximum rock size of three quarters of inch.
 - v) Backfill for the pipe zone shall be material from the excavated materials and free of large lumps, frozen material, stones, rocks and roots.
 - vi) All pipes shall be insulated with a minimum thickness of 2 inches of rigid insulation. It is recommended that pre-formed insulation with a polyethylene coating be used. Pre-formed half shells may be used and wrapped with a polyken # 900 tape or equivalent.
 - vvi) All connection and fittings must conform to the NATIONAL PLUMBING CODE OF CANADA
 - b. Workmanship:
 - i) Service connections shall be installed at right angles to the property line where ever possible.
 - ii) Pipe should be laid in a straight line where ever possible. If deflections are required, proper elbows or sweeps shall be used.
 - iii) Cleanouts are required on 4 inch diameter pipe if the service connection is over 50 feet in length or if it turns 135 degrees or more. Cleanouts must be installed to provide Roding in the direction of the flow.
 - iv) The trench shall be excavated in accordance with the Yukon Occupational Health & Safety Regulations.
 - v) Pipe must be sand bedded and compacted to a minimum of 6 inches over the top of the pipe. The back fill must be compacted in 6 inch lifts from 95% to 98 % standard proctor

density. Compaction to ground surface is required in all traveled areas.

- vi) Excavation in road surface areas shall be properly restored to its original condition.
 - vii) Private sewer services shall be installed at a uniform grade of not less than (1% per foot) between the sewer main and the premise.
 - viii) Connections to the main shall be made between the 10-11 o'clock or 2-3 o'clock positions. The hole shall be neat, trimmed and made with the proper tools. All chips and broken pieces are to be removed from the main.
 - ix) If a service connection is to be connected to an insulated main, the insulation around the main is to be completely removed to accommodate the saddle. After installation, the saddle and bared main shall be covered with pre-formed half sections of insulation. All joints shall be taped.
 - x) Before installing any pipe, it should be checked to ensure that no defects, cracks or foreign material exist in the pipe.
 - xi) Pipe shall be joined as recommended by the manufacturer.
 - xii) All service connections must comply with the National Plumbing Code of Canada.
12. The owner or occupant of any premises that applies for sewer service shall pay to the Village a Security Deposit as provided in Schedule "A " attached hereto.
13. a. Every person who contravenes any provision of this By-law is guilty of an offence and liable to a minimum fine of \$ 150.00 for each violation. Upon summary conviction. Everyday which any violation continues shall be deemed to be a separate violation and,
- b. Any person contravening any provision of this By-law shall be liable to the Village of Carmacks for any expense, loss, or damage occasioned to the Village by reason of such violation.
14. By-Law # 2 known as Sewer By-Law for Carmacks Local Improvement District and all amendments is hereby repealed.

This By-Law shall come into full force and effect on final passing thereof.

Read a first and second time this day of 2007.

Read a third time and finally passed this day of 2007.

Mayor Elaine Wyatt

Cory Bellmore, CAO