

CITY OF MERRITT

BYLAW 2393

A BYLAW RESPECTING THE SANITARY SEWER SYSTEM OF THE CITY OF MERRITT

The Municipal Council for the City of Merritt in open meeting assembled, enacts as follows:

Citation

1. This Bylaw shall be cited as the "City of Merritt Sanitary Sewer Bylaw No. 2393, 2025".

Repeal

2. The City of Merritt Sanitary Sewer Bylaw No. 2182, 2015, and all amendments thereto, is hereby repealed.

Definitions

3. In this Bylaw, unless the context otherwise requires:

"Accessible" means having access thereto, but which may first require removal of an access panel, door or similar obstruction.

"B.O.D.₅" (denoting biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20° Centigrade, expressed in milligrams per liter.

"Building Inspector" means the person appointed as such from time to time by the City and any person delegated to assist him in carrying out his duties under this Bylaw.

"Building Sewer Service" means that portion of pipe and appurtenances from the property line up to and including all portions of the sanitary sewage collection system within any given building.

"City" means the City of Merritt.

"Commercial" means all buildings other than residential.

"Customer" means the registered owner or occupier of the property.

"Director of Finance and Human Resources" means the officer assigned responsibility for financial administration or their designate.

"Director of Public Works and Engineering Services" means the person holding the position of Director of Public Works and Engineering Services for the City, or a person appointed to act in their place.

"Family" means an individual, or two (2) or more persons closely related by blood, marriage, adoption or foster parenthood, sharing one dwelling, or three (3) or less unrelated persons, sharing the same dwelling.

"Farm Animal" means a domesticated animal normally raised for food, milk, or as a beast of burden, and without limiting the generality of the foregoing, includes cattle, horses, swine, sheep, goats, mules, donkeys and oxen.

"Fees and Charges Bylaw" means the City of Merritt Fees and Charges Bylaw No. 2386, 2024, as amended or replaced from time to time.

"Garbage" means solid wastes from the preparation, cooking and dispensing of food or from the handling, storage and sale of produce.

"Industrial Waste" means liquid wastes from industrial processes or operations.

"Natural Outlet" means any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

"Person" means any individual, firm, company, association, society, corporation, group or municipality.

"pH" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution and denotes alkalinity or acidity.

"Properly Shredded Garbage" means garbage that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in the City sewer mains. In no case shall these particles be greater than six (6) mm in any dimension.

"Residential" means all single-family dwellings, duplexes, row housing and apartments.

"Sanitary Sewer Main" means any sewer which carries sewage and to which storm, surface or ground waters are not intentionally admitted.

"Sewer Service" means a pipe connecting a sanitary sewer main to a building sewer service at the property line of a parcel of land.

"Sanitary Sewer System" means all facilities for collecting, pumping, treating and disposing of sewage.

"Sewage or Wastewater" means a combination of the water carried wastes from residential and commercial buildings, together with such ground water, surface and storm waters as may be present.

"Sewage Treatment Plant" means any arrangement of devices and structures used for treating sewage.

"Sewer" means a pipe or conduit for carrying sewage.

"Standard Methods" means the methods and procedures set out in the latest edition of "Standard Methods for the Examination of Waste and Wastewater" published by the American Public Health Association, American Waterworks Association and the Water Pollution Control Federation.

"Suspended solids" means solids that either floats on the surface of, or is in suspension in water, sewage or other liquids and which are removable by laboratory filtering.

General

4. The City is authorized to establish, maintain and operate a Sanitary Sewer System and such system shall be under the control and inspection of the Director of Public Works and Engineering Services.
5. Any owner of property up to two hectares in area within the City on which there is located a residential or commercial building and which abuts on any City right-of-way or easement in which there is now or hereafter located a sanitary sewer main of the City, is hereby required to be connected directly to the City sanitary sewer at the owner's expense, in accordance with the British Columbia Plumbing Code and this Bylaw within thirty days after notice from the City.
6. Should the owner fail to connect their premises to the City's Sanitary Sewer System within the time specified, the Director of Public Works and Engineering Services may order the required connection to be made by the City Public Works Crew or others in accordance with this Bylaw. All costs resulting from the said connection shall become due and payable by the owner. If the costs are not paid prior to the end of the calendar year, the amounts outstanding will be transferred to the property tax account as arrears.
7. When any sanitary sewer connection is abandoned, the customer or their authorized agent shall effectively cap such connection at the property line. Failure to do so within thirty days after such abandonment shall be construed as authorization for the City to enter upon the property and so block such connection at the expense of the owner.

8. When any sanitary sewer connection is abandoned, and there is no expectation of use in the future, the City shall terminate such connection at the sewer main, at the expense of the owner.
9. No person, except the duly authorized agents of the City, shall tap, uncover, or make any connections to, use, alter or disturb any sanitary sewer main without permission in advance by the Director of Public Works and Engineering Services.
10. No person shall block, either wholly or in part of, any portion of the City Sanitary Sewer System by failure, omission or neglect to comply with the provisions of this Bylaw, and where such blockage occurs, the customer concerned shall, in addition to any penalty for infraction of this Bylaw, be liable to the City for all costs of clearing such blockage and for any other costs which the City may be held liable because of such blockage.
11. Where it is found that blockage or damage has been caused by trees or shrubs to any part of the Sanitary Sewer System, the owner of the property on which the trees are situated shall be charged for all expenses incurred in clearing or repairing same.
12. Any person duly authorized by the Director of Public Works and Engineering Services shall be permitted to enter upon all property for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this Bylaw. If such inspection discloses any failure to comply with the provisions of this Bylaw, the Director of Public Works and Engineering Services shall notify the customer to rectify the said failure and in case of non-compliance, the permit to operate or occupy the premises shall be cancelled until proper alterations have been made.
13. Any rents, rates, expenses as per sections 6, 7, 8, 10, 11 and 31 of this Bylaw and charges shall become part of the utility billings, and failing payment, shall be applied to the annual property tax notice for collection.
14. No person shall discharge into any natural outlet any sanitary sewage, industrial waste, or other polluted waters without first obtaining a permit from applicable Provincial/Federal authorities.
15. No person shall discharge or cause to be discharged any storm water, surface water, ground water or cooling water into the City Sanitary Sewer System. Notwithstanding the above, the Director of Public Works and Engineering Services may upon application, authorize discharge of pre-existing cooling water where exceptional conditions may require doing so.
16. No person shall discharge or cause to be discharged grease, oil or sediment into the Sanitary Sewer System. Therefore, approved grease, oil and sediment interceptors shall be provided by the customer on private property for all of, but not limited to, the following: restaurants, garages, gasoline service stations, bulk plants, washing establishments, and carpet cleaners. Approved interceptors shall also be required for any other commercial development when in the opinion of the Director of Public Works and Engineering Services excessive amounts of grease, oil or sediment are being discharged into the City sewage works. All approved

interceptors shall be of a type and capacity approved by the Director of Public Works and Engineering Services and shall be readily accessible for cleaning or inspection. The customer shall be responsible for continuous efficient operation, at their expense, of all approved interceptors.

Sewer Rates

17. Rates, rents and charges shall hereby be imposed upon the owners of real property situated both inside and outside the corporate limits of the City for the use of the City Sanitary Sewer System.
18. All rates, rents and charges to be paid by customers for the use of the City Sanitary Sewer System shall be those set out in the City of Merritt Fees and Charges Bylaw.
19. With the exception of residential properties, one-fourth ($\frac{1}{4}$) of the annual rates as set out in the Fees and Charges Bylaw, shall be due and payable quarterly in each and every year. Annual rates for residential properties as set out in the Fees and Charges Bylaw, shall be billed semi-annually with the first bill issued at the end of April and the second invoice at the end of October. All Sewer Rates are due and payable thirty days from the invoice date. Invoices paid within thirty days will receive a ten percent discount. Outstanding payments at the end of the year shall be transferred to arrears property taxes in accordance with the Community Charter.
20. Non-receipt of a utility bill will not exempt the customer from payment for the service received.
21. Any customer paying rates, rents and charges for use of the City Sanitary Sewer System shall be liable for same until they have given notice in writing to the City, by way of an application for a water turn-off, of their desire to discontinue the use thereof. Any service supplied for a portion of a month shall be charged as if it were a full month.
22. No person shall knowingly withhold information about the use of their premise that could affect utility rates, rents and charges. It is the responsibility of the owner to notify the City in writing when any changes or modifications are made to ~~his~~ their premises that may affect ~~his~~ their utility billings. Failure to provide the said notification will constitute a violation of this Bylaw. It shall be lawful for the City to bill and collect from the owner the additional rates, rents and charges resulting from the changes or modifications made to their premise from the time they were determined to be instituted.
23. The Director of Finance and Human Resources is responsible for interpretation of the Sanitary Sewer Rates and Charges Schedule, and any person who feels that he has been unjustly charged or incorrectly billed for the service may appeal directly to the City Chief Administrative Officer.

Sewer Service Connections

24. All building sewer services shall be constructed and maintained by the customer at their expense, to the requirements of this Bylaw and those of the British Columbia Plumbing Code. Permit applications for such construction must be made to the City Building Department on the appropriate form provided. Such application shall be supplemented by any plans, specifications or other information considered pertinent by the City Building Department. No occupancy can occur until all permits have been approved and the necessary requirements adhered to.
25. Application for sewer service shall be made in writing by the customer, in the general format required by the City, and the following shall apply:
 - a) The application shall provide the legal description or civic address of the property to be served, the requested size, service location and all other information that may be required in order that the correct rates, rents and charges can be applied.
 - b) Upon receipt of such application, and provided a City sanitary sewer main is laid the full length of one of the customer's property lines, the City will tap the main and lay a service pipe to the nearest boundary of the applicant's property and for such connection the City shall be entitled to demand and receive from the applicant, in advance, such rates and charges as outlined in the Fees and Charges Bylaw.
26. The City may require the diameter of the sewer service connection be determined by a design engineer, but the determination is subject to the approval by the Director of Public Works and Engineering Services, and in no case shall the diameter be less than 100 mm.
27. Where application for sewer service has been made in accordance with this Bylaw and it is found that no sanitary sewer main extends the full length of a property line the applicant may have the option to:
 - a) providing an extension is approved by the Director of Public Works and Engineering Services, pay for such extra sewer main or sewer service which is required; or,
 - b) accept a full return of monies paid at time-of-service application.
28. Where a specific size of sewer service has been requested, and where the City cannot or will not readily supply such service, the applicant may have the option of:
 - a) accepting the size of sewer service as determined by the City;
 - b) paying the appropriate cost of upgrading the City's sanitary sewer mains to meet the specific requests; or,
 - c) accepting a full return of monies paid at time of application.
29. The City shall be responsible for maintenance of the sewer service from connection at property line to the City's sanitary sewer main unless due to customer abuse. Any service pipe contents that block the flow of sewage, or breakage caused by roots, shall be considered abuse unless a result of backup from the main. The customer shall be responsible for maintenance of the sewer service on their property, from the connection at property line to their buildings.

Specifications

30. All specifications for pipe, connections, and appurtenances for sanitary sewer connections from property line to the building shall conform to the British Columbia Plumbing Code, as a minimum. If requirements of this Bylaw are more stringent than the British Columbia Plumbing Code, the requirements of this Bylaw shall prevail.

- a) Pipe Material - sanitary sewer service connections shall be PVC type DR28 or DR35 sewer pipe manufactured to ASTM D3034 and certified by Canadian Standards Association to CSA B182.2, or Plastic Building Sewer Pipe manufactured to CAN/CSA B182.1-M. All pipe markings shall be turned up and visible to the Building Inspector.
- b) Pipe Sizes - All sanitary sewer connections from the property line to the building shall be a minimum of 100 mm in diameter. Pipes shall be sized according to the British Columbia Plumbing Code (section A-4.10)
- c) Clean-Out - A clean-out with a minimum diameter of 100 mm shall be located at the building. The clean-out shall be located such as to prevent surface or ground water entering the sewer connection.
- d) Testing - All connections shall be tested utilizing a water test or low pressure (3-1/2 lb.) air test, prior to acceptance by the Building Inspector.
- e) Backfill - For trenches in areas not subjected to vehicle loading and outside of ditchlines, approved native material may be used as backfill, if approved by the Building Inspector. For trenches in areas subjected to vehicle loading or where native material is not approved, backfill shall be sand or crushed rock free of clay lumps, organic and other deleterious material. Through areas of high groundwater and/or unstable soil conditions a geotechnical report, by a qualified professional, is required detailing backfill requirements.
- f) Grade - Minimum pipe grades shall be as follows:

| PIPE DIAMETER(mm) | MINIMUM GRADE(%) |
|-------------------|------------------|
| 100 | 2.00 |
| 150 | 0.60 |
| 200 | 0.40 |
| 250 | 0.28 |
| 300 | 0.22 |

- g) Depth of cover - Minimum depth of cover shall be 1 metre. In cases where grade prohibits 1 metre depth of cover, the connection shall be protected with 50 mm of Styrofoam along the length of pipe having less than 1 metre of cover. In no case is less than 500 mm of cover allowed.
- h) Fittings - Fittings at the building and at the property line shall be approved by the Building Inspector. PVC connection pipe and fitting joints shall be integral bell and single elastomeric gasket or solvent welded to ASTM D3212 and ASSTM F477. Normal pipe laying length joint to joint shall be 4.0 metres for DR pipe and 3.0 metres for Plastic Building Sewer Pipe.

31. Where it is found that damage has been caused by misuse or abuse by any person to any part of the City sewer system, or that cleanouts are not readily accessible, the customer must repair such damage or accessibility within the time period specified by the Director of Public Works and Engineering Services. Failure to make the necessary changes within the time specified will

result in the City carrying out the work at the owner's expense. If the said cost is not paid within ninety (90) days, it will be added to, and become part of the utility billings.

32. Each single family dwelling, each dwelling unit of a semi-detached duplex, and each dwelling unit in a row house project with separate titles shall have an individual sewer service.

Private Sewage Disposal

33. No person shall construct or maintain any septic tank, cesspool or other facility intended or used for the disposal of sewage without approval in writing from the Building Inspector and Ministry of Health or Ministry of the Environment as applicable.
34. All customers using private sewage disposal systems shall operate and maintain such facilities in a sanitary manner at all times at their own expense.
35. At such time that the City Sanitary Sewer System becomes available to property serviced by a private sewage disposal system, the conditions of Sections 5. and 6. of this Bylaw shall apply. Any septic tank, cesspool or similar facility shall then be abandoned and filled with sand or suitable material as approved by the Building Inspector.
36. No provision contained in this Bylaw shall be construed to interfere with any additional requirements that may be required by Provincial/ Federal Government authorities.

Effluent Quality

37. Without changing the generality of the foregoing statements, no person shall discharge or cause or permit to be discharged any of the following into any portion of the City Sanitary Sewer System without obtaining approval from the City to do so:
- a) any sewage or industrial waste in a volume greater than 3000 m³ per month;
 - b) any liquid or vapor having a temperature higher than 50°C;
 - c) any flammable or explosive material;
 - d) any garbage which is not properly shredded to six (6.0) mm or less in any dimension;
 - e) any metal, plastic, wood or other solid or viscous substance capable of causing obstruction or interference with the proper operation of the City Sanitary Sewer System or treatment process;
 - f) any excrement from farm animals;
 - g) any waste material from the processing of any animal or portions thereof;
 - h) any noxious or malodorous gas or substance capable of creating a public nuisance;
 - i) any sewage or industrial waste having a pH limit less than six (6.0) or greater than nine and a half (9.5);
 - j) any radioactive material;
 - k) any sewage or industrial waste containing any of the following materials in excess of the indicated concentrations:

| | |
|---------------------|----------|
| B.O.O. ₅ | 300 mg/L |
|---------------------|----------|

| | |
|---|-----------|
| suspended solids | 400 mg/L |
| total sulfide expressed as H ₂ | 5 mg/L |
| phenolic compounds | 2 mg/L |
| oil and grease | 50 mg/L |
| total cyanide expressed as HCN | 0.2 mg/L |
| total copper expressed as Cu | 1.0 mg/L |
| total chromium expressed as Cr | 1.0 mg/L |
| total nickel expressed as Ni | 1.0 mg/L |
| total lead expressed as Pb | 1.0 mg/L |
| total zinc expressed as Zn | 1.0 mg/L |
| total cadmium expressed as Cd | .05 mg/L |
| total phosphorus expressed as P | 15. mg/L |
| total arsenic | 0.5 mg/L |
| total mercury | .006 mg/L |
| total silver | 1.0 mg/L |

- l) any water or waste containing a toxic or poisonous substance capable of constituting a hazard to humans or animals, or any water or waste containing substances in such concentrations that are not amenable to treatment or reduction by the sewage treatment process employed, or are amenable to treatment only to such a degree that the sewage treatment plant effluent and sludge cannot meet the requirements of any other agency having jurisdiction over discharges to the receiving waters.
- m) any special waste.
- n) any substance that when concentrated in sewage treatment plant effluent disposal basins or lagoons, or in sludge, could result in a contaminated site.

38. In order to determine that all quality criteria is met the Director of Public Works and Engineering Services may require information related to the quantity and rate of discharge, details of the chemical and physical analysis of the discharge, any proposed pretreatment, or any other detailed information the Director of Public Works and Engineering Services may require.

39. The Director of Public Works and Engineering Services has the authority to set or regulate at any time, conditions particular to an approval to discharge, including the requirement to provide a control structure, regular or sporadic sampling and pretreatment facilities. When required by the Director of Public Works and Engineering Services, an owner shall at their expense, install and maintain a control structure connected to allow observation, sampling and measurement of the sewage or wastewater, suitable to the Director of Public Works and Engineering Services. Such structure shall at all times be safe and accessible to authorized City personnel.

40. Any measurements, tests or analyses of sewage or industrial waste which are required under provisions within this Bylaw be determined, shall be at the owner's expense in accordance with standard methods. All samples for testing shall be taken from the control structure provided for that purpose, or where no structure exists, the nearest downstream manhole in the City sewage works shall be deemed to be the control structure.

- 41. Any person making application shall, at their expense, provide pretreatment facilities that may be necessary to make the sewage or industrial waste acceptable to the standard methods set out in this Bylaw. Where pretreatment facilities are provided they shall be maintained continuously in a satisfactory and effective manner by the applicant at no expense to the City.
- 42. In cases where no pretreatment can be provided and with the approval of the Director of Public Works and Engineering Services, a special agreement can be made between the City and the person concerned whereby industrial waste of an unusual strength or nature may be accepted by the City for treatment, subject to payment by the party concerned for such service.

Severance

- 43. If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, this decision shall not affect the validity of the remaining portions of this Bylaw.

Penalties

- 44. Every person who violates any of the provisions of this Bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this Bylaw, who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, is guilty of an offence against this Bylaw and liable to the penalties hereby imposed. Each day that a violation continues to exist shall constitute a separate offence.
- 45. Every person who commits an offence under this Bylaw is liable on summary conviction to a fine not exceeding Ten Thousand Dollars (\$10,000.00).

READ A FIRST TIME this _____ day of _____, 202X

READ A SECOND TIME this _____ day of _____, 202X

READ A THIRD TIME this _____ day of _____, 202X

ADOPTED this _____ day of _____, 202X

Michael Goetz
Mayor

Linda Brick
Corporate Officer