

BYLAW NO. 1707 CONSOLIDATED
Okanagan Falls Special Service Area Sewerage Regulation Bylaw No.
1707, 1996

Bylaw No. 1929 adopted June 17, 1999 replaces Schedule B (schedule A)

Bylaw No. 1942 adopted July 15, 1999 replaces Schedule B (schedule A)

Bylaw No. 2304 adopted July 15, 2004 assorted changes; reference to Schedule A; add Schedule B

Bylaw No. 2321 adopted November 18, 2004 add new section 5(h).

Bylaw No. 2344 adopted May 19, 2005 replace Schedule B (should say schedule A)

Bylaw No. 2382 adopted April 20, 2006 replace Schedule A

Bylaw No. 2417 adopted April 19, 2007 replace Schedule A

Bylaw No. 2496 adopted October 8, 2009 removed previously added section 5(h) [ref. BL2321]

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 1707, 1996

A bylaw respecting the management of the sewerage system of Okanagan Falls Special Service Area within Electoral Area D of the Regional District of Okanagan-Similkameen and the charges to be made for sewerage services.

WHEREAS the Regional District of Okanagan-Similkameen owns and operates a sewerage system in Okanagan Falls Special Service Area within Electoral Area `D' of the Regional District of Okanagan-Similkameen;

AND WHEREAS it is deemed necessary and expedient that provisions be made for the regulation and management of the sewerage system of the Okanagan Falls Special Service Area within Electoral Area `D' of the Regional District of Okanagan-Similkameen and for terms and conditions upon which sewerage services may be provided and for a tariff of charges for such services;

NOW THEREFORE the Board of the Regional District of Okanagan-Similkameen in open meeting assembled **ENACTS** as follows:

1. DEFINITIONS AND INTERPRETATION

- (a) **"A.P.H.A."** means American Public Health Association.
- (b) **"B.O.D."** (denotes 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 degrees C, expressed in milligrams per litre, according to standard methods, A.P.H.A.
- (c) **"C.O.D."** (denotes chemical oxygen demand) means the quantity of oxygen utilized in the chemical oxidation of organic matter under standard laboratory procedure, expressed in milligrams per litre, according to standard methods, A.P.H.A.

1. **DEFINITIONS AND INTERPRETATION** - Continued

- (d) **"Collector"** means the Treasurer or other officer appointed to the position by the Regional District Board.
- (e) **"Dwelling unit"** means a suite operated as a housekeeping unit, used or intended to be used as a residence and usually containing cooking, eating, living, sleeping and sanitary facilities.
- (f) **"Garbage"** means solid wastes from the domestic and commercial preparation, cooking and dispensing of food and from handling, storage and sale of produce.
- (g) **"Industrial wastes"** means the liquid wastes from industrial manufacturing processes, trade, or business as distinct from domestic municipal sanitary sewage.
- (h) The **"Inspector"** shall mean the person appointed by the Regional Board to be in charge of the inspection of the sewerage system and any other person authorized by him to act as his assistant, deputy or agent.
- (i) **"Owner"** shall have the meaning assigned to it under the Municipal Act.
- (j) **"Permission"** means permission given by the Public Works Manager of the Regional District or his duly authorized representative.
- (k) **"Person"** shall include a firm, association, partnership, organization, trust company or corporation as well as any individual.
- (l) **"pH"** means the logarithm to the base 10 of the reciprocal of the weight of hydrogen ions in grams per litre of solution.
- (m) **"Properly comminuted garbage"** means the wastes from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than **6.0 mm** (1/4 inch) in any dimension.
- (n) **"Public sanitary sewer"** means a sewer which is controlled by the Regional District and which carries sewage, and to which storm, surface and ground waters are not intentionally admitted.¹

¹ Bylaw No. 2304 adopted July 14, 2004

1. **DEFINITIONS AND INTERPRETATION** - Continued

- (o) **"Public Works Manager"** means the Public Works Manager of the Regional District of Okanagan-Similkameen, from time to time, duly appointed by the Board, or his designated delegate.
- (p) **"Regional District"** means the Regional Board of the Regional District of Okanagan-Similkameen.
- (q) (deleted) ²
- (r) **"Sewer connection"** shall mean the sewer pipe and its integral appurtenances which are placed from the sewer main (and generally at right angles thereto) to the owner's property line.
- (s) **"Sewage treatment plant"** means any arrangement of devices and structures used for treating sewage.
- (t) **"Suspended solids"** means the solid matter according to participle size, expressed in milligrams per litre, in a liquid as determined according to standard methods, A.P.H.A.
- (u) **"Unpolluted water or liquids"** means any water or liquid containing none of the following:
 - (i) free or emulsified grease or oil;
 - (ii) acid or alkalies;
 - (iii) substances that may impart taste and odour or colours characteristics;
 - (iv) toxic or poisonous substances in suspension;
 - (v) colloidal state or solution;
 - (vi) odorous or otherwise obnoxious gases.

Unpolluted water or liquids shall contain not more than **30** parts per million each of suspended solids or biochemical oxygen demand.

1A. **APPLICATION**³

This bylaw applies in the Okanagan Falls Special Service Area established by Bylaw No. 1239.

² BL2304 adopted July 15, 2004

³ BL2304

2. RESPONSIBILITIES

- (a) The Collector of the Regional District shall be in charge of all sewerage rates and rents for all premises which are connected to the sewerage system, according to the provisions of the bylaw.
- (b) The Public Works Manager or Inspector shall have charge and control of the inspections of all properties and works in connection with the Okanagan Falls Special Service Area Sewerage System.
- (c) No person shall obstruct or prevent the Public Works Manager or Inspector or any person duly authorized by him from carrying out any or all of the provisions of this bylaw, nor shall any person refuse to grant the Public Works Manager or Inspector, or any person duly authorized by him, permission to inspect any sewerage works at any reasonable time.

3. PROHIBITIONS

- (a) No person other than Regional District personnel shall tap or make any connection whatsoever with any of the public or private sewer pipes forming part of the sewerage system.
- (b) No person or persons except the Public Works Manager or Inspector shall interfere in any way with any sewerage systems appurtenances.

4. CONDITIONS OF SERVICE

- (a) Each owner of premises shall be responsible for the repair and maintenance of all pipes and fixtures between the property line and his premises.
- (b) The Public Works Manager or Inspector is authorized to inspect all buildings and premises which are connected to the sewerage system. The Public Works Manager or Inspector shall also keep records and applications for services and full description of all works constructed.

5. **CONNECTION AND CONNECTION CHARGES**

- (a) The Regional District is hereby authorized to lay, install and construct sewer connections.
- (b) The owner for whom such sewer connections are to be laid shall, before any work is undertaken to construct a sewer connection or a private sewer service pipe on private property, make an application for sewer service to the Regional District in the form prescribed for that purpose by the Public Works Manager, and the application shall, if it is approved, constitute an agreement between the owner and the Regional District under which the owner undertakes to pay the sewer connection fee and the sewer user fees prescribed by this bylaw.⁴
- (c) All applicants for sewer connection shall state the use of the building for which the sewer is to be connected, together with legal description and location of the property or building to which the installation is to be made.
- (d) All applicants for sewer connection shall pay a connection fee of **TWO HUNDRED FIFTY DOLLARS (\$250.00)** at the time approval of the application to cover administrative and inspection costs.⁵
- (e) In default of any such owner making any such payment or payments as in such agreement made and provided, the Collector for the Regional District shall add such amount in default to the taxes of such lot or parcel of land on the Collector's Real Property Tax Roll and thereafter such amount shall be deemed to be taxes against the said property and shall be dealt with in the same manner as taxes against the said property would be dealt with under the provisions of the Municipal Act.
- (f) No person other than a licensed plumber or competent pipe layer authorized by the Regional District shall be employed or permitted to make any connection from a public sanitary sewer to a building.

4 BL2304

5 BL2304

5. **CONNECTION AND CONNECTION CHARGES** - Continued

- (g) The Public Works Manager may refuse an application for sewer service if the Okanagan Falls Wastewater Treatment Plant is, at the time the application is made, operating at or above the design capacity of the plant, and for that purpose
 - i. The design capacity of the plant is 760 cubic metres per day;
 - ii. The volume of sewage that is entering the plant shall be determined by monitoring the flow meter installed at Waste Water Treatment Plant RI force main, and the average volume that is entering the plant shall be calculated by averaging the greatest volumes monitored in each of the twelve months immediately preceding the month in which the application for sewer service is made;
 - iii. The monitored volumes used in the average volume calculation shall be adjusted. Upwards in respect of any application for sewer service that has been approved by the Public Works Manager if the building or structure in respect of which sewer service has been approved has not yet been connected to the sewer system and occupied on the date the volume in question was monitored;
 - iv. An adjustment under this section shall be based on the estimated daily sewage flows set out in Schedule B attached and forming part of this bylaw;
 - v. The plant is operating at or above its design capacity if the average volume of sewage entering the plant, adjusted in accordance with this section, is equal to or exceeds the design capacity.⁶

- (h) Where an existing septic tank is no longer in use, the owner of the lot or parcel upon which the septic tank is situate, shall, within a reasonable time, remove the sludge or deposit in the said tank and shall thereupon fill the said tank with fresh earth, gravel or sand.

6. **BILLING AND PAYMENT**

- (a) Annual sewerage rates as invoiced by the Regional District on the basis of Schedule A attached to and forming part of this bylaw, are due and payable on presentation. A **10%** penalty will be charged if payment is not made within **thirty (30) days** after the billing date. Postmarks will not be accepted as evidence of payment.⁷

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7. MULTIPLE DWELLINGS

- (a) In the case of apartment houses, mobile homes, duplex houses or houses containing one or more suites, each dwelling unit within such structure shall be considered as a separate unit and shall be charged the appropriate rate shown in the schedule of rates.

8. PUBLIC HEALTH

- (a) The Health Inspector of the South Okanagan Health District shall be the authority to be consulted in all matters pertaining to public health resulting from the operation of the Okanagan Falls Special Area Sewerage.

9 OWNERSHIP OF SEWERAGE SYSTEM

- (a) All sewer pipes, connections, appurtenances or facilities required for sewerage collection to the owner's property line which are constructed, whether at the owner's expense or Regional District expense in present or future public highways or within Regional District right-of-way or property, shall be the property of the Regional District.

10. PROHIBITED WASTES

The following shall not be discharged or caused to be discharged into any pipe, main, conduit, manhole, street inlet, gutter or aperture leading to a public sanitary sewer:

- (a) any gasoline, benzene, naphtha, alcohols, solvents or other flammable or explosive liquid, solid or gas.
- (b) any solid or viscous substance capable of obstructing sewage flow or interfering with the operation of the sewage works or sewage treatment plant. These substances include but are not limited to ashes, cinders, sand, mud, straw, grass clippings, insoluble shavings, metal, glass, rags, feathers, tar, asphalt, creosote, plastics, wood, animal paunch contents, offal, blood, bones, meat trimmings and wastes, fish or fowl head, shrimp, crab or claim shells, entrails, lard, tallow, baking dough, chemical residues, cannery or winery waste, bulk solids, hair and fleshings, spent grant and hops, whole or ground paper dishes and cups, whole or ground plastic dishes or cups, whole or ground food and beverage containers, unground garbage, paid residues;

- (c) any noxious or malodorous gas or substance which either singly or by interaction with other wastes is capable of creating a public nuisance or hazard to life or preventing entry into a sewer or sewage treatment plant;
- (d) radioactive material, except within such limits as are permitted by the license issue by the Atomic Energy Control Board of Canada;
- (e) any material from a cesspool, septic tank or holding tank, except at authorized receiving stations;
- (f) storm water, unpolluted water or liquids, swimming pool water, perimeter drainage, floor drainage, roof drainage and cooling water.

11. RESTRICTED WASTES

Except as provided for by Section 13 hereof, waste shall not be discharged or permitted to be discharged into a public sanitary sewer when the waste has any of the following characteristics:

- (a) any water or waste having a C.O.D. of more than 600 milligrams per litre.
- (b) any water or waste having a B.O.D. of more than 500 milligrams per litre.
- (c) any garbage that has not been properly comminuted to 6.0 millimetres (1/4") or less in any dimension.
- (d) any liquid or vapour having a temperature higher than 65 degrees centigrade.
- (e) any water or waste which contains grease (including fats, waxes and oils as determined by the hexane extraction process according to standards methods, A.P.H.A.), with concentration in excess of **150** milligrams per litre of substances derived from petroleum sources, or which contains any substance which may solidify or become discernibly viscous at temperatures above 0 degrees centigrade.
- (f) any soluble waste or waste water having a pH lower than **5.5** or higher than **9.5**, or having any other corrosive property which reasonably could be hazardous to structures, equipment or personnel such as, but not limited to battery or plating acid and wastes, copper sulphate, chromium salts and compounds, or salt brine.
- (g) any water or waste having a suspended solids content of more than **600** milligrams per litre.

11. **RESTRICTED WASTES** - Continued

- (h) any water or waste containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process or to constitute a hazard to humans or animals, or to create any hazard to the receiving waters, or to effluent of the sewage treatment plant.

Without limiting the generality of this section, the concentration of the following toxic substances at the point of discharge to a public sanitary sewer shall not exceed:

ARSENIC	.5	milligrams per litre
CADMIUM	.05	milligrams per litre
CHROMIUM (total)	1.0	milligrams per litre
COPPER	1.0	milligrams per litre
CYANIDE	1.0	milligrams per litre
IRON	3.0	milligrams per litre
LEAD	.5	milligrams per litre
MANGANESE	.5	milligrams per litre
MERCURY	.006	milligrams per litre
NICKEL	1.0	milligrams per litre
PHENOLS & CRESOLS	1.0	milligrams per litre
ZINC	4.0	milligrams per litre

- (i) any material which exerts or causes:
 - (i) unusual concentrations of insert suspended solids, such as but not limited to fuller's earth, lime slurries, or lime residences;
 - (ii) unusual concentrations of dissolved solids such as but not limited to sodium chloride, calcium chloride or sodium sulphate;
 - (iii) excessive discolouration such as but not limited to dye wastes or vegetable tanning solutions.
- (j) any water or waste that will, by itself or with other water or wastes in the sewer system, release obnoxious gases; or develop colour of undesirable intensity; or form suspended solids in objectionable concentration; or create any other conditions deleterious to structures or treatment processes; or

11. **RESTRICTED WASTES** - Continued

- (k) water or wastes 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 cannot meet the requirement of any other agency having jurisdiction over discharges to the receiving waters.

12. **SAMPLING AND ANALYSIS**

- (a) All properties discharging industrial wastes shall have installed on the service connection a suitable control manhole for the inspection and sampling of the discharged wastes. The manhole shall be accessible and safely located and be constructed in accordance with plans approved by the Public Works Manager and 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.
- (b) All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Waste Water", published by the American Public Health Association.
- (c) Sampling shall be carried out by customarily accepted methods. Normally the analyses will be performed on samples composited by volume. Values for pH will be determined from samples composited over a short period of time.
- (d) The Public Works Manager or Inspector may, at any reasonable time, enter upon any lot or parcel of land or any building or structure situate thereon in order to ascertain whether the provisions of this bylaw are being observed and particularly, but without limiting the generality of the foregoing, to inspect, observe, measure, sample and test the quantity and quality of wastes being discharged into any public sanitary sewer.

13. **SEWER USE CONTRACT**

- (a) The discharge of sewage that would otherwise be restricted by this bylaw may be permitted under the terms of a Sewer Use Contract with the Regional District to such an extent and under such conditions as may be established by the Public Works Manager or Inspector.

13. **SEWER USE CONTRACT** - Continued

- (b) No person shall be deemed to violate this bylaw by discharging or permitting to be discharged into a sanitary sewer wastes which exceed the limits stated in Section 11 if the person discharging is in possession of a Sewer Use Contract as provided in Section 13, and if the wastes discharged are in accordance with the Contract.

14. **PENALTIES**

- (a) Any person or persons tampering with or interfering with or in any way injuring any part of the Regional District's sewerage system or interfering in any manner with the operation and distribution thereof, except under and with the permission in writing of the Public Works Manager, shall, on summary conviction thereof before the property authority, be liable to a penalty of not less than **FIFTY DOLLARS (\$50.00)** and not more than **ONE THOUSAND DOLLARS (\$1,000.00)** for each offence, together with costs.

15. **CITATION**

This bylaw may be cited for all purposes as "**The Okanagan Falls Special Service Area Sewerage Regulation Bylaw No. 1707, 1996**".

16. **REPEAL**

Bylaw 1287, 1992 is hereby repealed.

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READ A FIRST TIME this 15th day of August , 1996.

READ A SECOND TIME this 15th day of August , 1996.

READ A THIRD TIME this 15th day of August , 1996.

RECONSIDERED, AND FINALLY ADOPTED this 12th day of December , 1996.

Chairman

Deputy Secretary

REVIEWED BY: D. Gold

DG/sje

August 6, 1996

SCHEDULE A⁸
Okanagan Falls Sanitary
Sewer - User Rates

(The following rates do not apply if the owner is in possession of a Sewer Use Contract of Section 13 of this bylaw.)

Category	Estimated Usage (m ³ /Day)	Annual Billing
Single family dwelling, duplex or townhouse per single family unit	2.00	\$148.55
Apartment - per dwelling unit.....	1.5	111.40
Mobile home parks - per mobile home	1.5	111.40
Motel - per unit.....	0.5	37.15
Hotel - per unit	0.5	37.15
Restaurant	4.5	334.20
Licensed lounge/pub.....	4.5	334.20
Laundromat - per washer	0.9	65.35
Service Station.....	1.25	93.60
Coin operated car wash	7.5	557.00
Stores, banks, small businesses, office buildings, (20 people or less, washroom facilities, major water use)	1.25	93.60
Supermarket	3.0	224.30
Theatre	1.25	93.60
Churches, community halls & Drop-in centres	1.25	93.60
Library.....	1.25	93.60
Schools per classroom.....	1.25	93.60
Hospital - per bed.....	1.00	75.75
Industrial Plants (20 employees or less, washroom facilities, major water use)	1.25	93.60
Curling rink.....	2.00	148.55
Sani-dump - per station.....		37.15
Campgrounds - per site/pad.....		37.15
- per washroom facility		37.15

⁸ Bylaw No. 2417, adopted April 19, 2007

SCHEDULE B⁹
Estimated Minimum Daily Sewage Flows
in Litres [Imperial Gallons]

Type of facility	Estimated Minimum Daily Sewage
Apartments & condominiums (having one common entrance)	750 for 1 bedroom unit [165] 1 022 for 2 bedroom unit [225] 1 136 for 3 bedroom unit [250]
Houses, duplexes (all other residential units)	1 136 for 1 an d 2 bedrooms [250] 1 363 for 3 bedrooms [300] 1 704 for 4 bedrooms [375] 2 045 for 5 bedrooms [450] 2 500 for 6 bedrooms [550]
Mobile home parks	1 136 per space [250]
Hospitals with laundry	1 136 per bed [250]
Hospitals without laundry	681 per bed [150]
Institutions, work camps, rest homes, residential schools	227 per bed [50]
Nursing homes	681 per bed [150]
Motels/hotels	318 per unit [70] 454 per housekeeping unit [100]
Campsites	454 per unit [100] 681 per unit (year round operation) [150]
Theatre/drive-in (food service is limited to single service containers)	22 per car space [5]

⁹ Bylaw No. 2304 adopted July 15, 2004

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Fixed seat assembly (theatres, churches)	9 per seat [2]
Restaurants, dining rooms, dining lounges	97 per m ² of dining area [2 per sq. ft. of dining area]
Banquet and meeting rooms	16 per m ² of floor area [.35 per sq. ft. of floor area]
Beer parlours, cabarets, neighbourhood pubs	145 per m ² of customer seating area [3 per sq. ft. of customer seating]
Swimming pools	22 per person, based on design bathing load as stated ⁽¹⁾ [5]
Summer camps	160 per bed [35]
Office buildings	90 per worker [20]
Factories, with showers	90 per worker per shift [20]
Factories, without showers	45 per worker per shift [10]
Schools, primary and elementary	68 per student [15]
Schools, high	90 per student [20]
Service stations	568 per single hose pump [125] 1136 per double hose pump [250]
Shopping centres (exclude cafes and laundries)	0.7 per m ² of enclosed sales area [0.15 per sq. ft. of enclosed sales area]
Laundry	1 591 per laundry machine [350]

NOTE:

(1) Design bathing load is calculated as

$$\frac{D}{2.5[27]} + \frac{S}{0.93[10]}$$

where

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D = area of pool in square metres where the pool depth is more than 1.5 m [5 ft.] deep,
and

S = area of pool in square metres where the water depth is less than 1.5 m [5 ft.] deep.

(2) The estimated daily sewage flows for facilities not mentioned in this table may be determined by the public works manager.

(3) The above table gives minimum estimated daily sewage flows. The public works manager may increase these estimated flows if circumstances warrant this in any specific application.