



CITY OF PORT ALBERNI

Sewer Connection and Regulation Bylaw No. 3224

(with amendments to November 28, 2022)

Consolidated for convenience only

This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws of this subject.

This Bylaw has been consolidated for convenience only and includes amendments from:

Bylaw No. 3985 - adopted January 28, 1991 - Repealed by Bylaw No. 4054

Bylaw No. 4054 - adopted December 30, 1993

Bylaw No. 4425 - adopted October 12, 1999

Bylaw No. 4648 - adopted October 30, 2006

Bylaw No. 4682 - adopted December 11, 2007 - Repealed by Bylaw No. 4773

Bylaw No. 4717 - adopted April 27, 2009 - Repealed by Bylaw No. 4773

Bylaw No. 4773 - adopted June 13, 2011 - Repealed by Bylaw No. 4814

Bylaw No. 4814 - adopted April 22, 2013 - Repealed by Bylaw No. 4845

Bylaw No. 4845 - adopted June 23, 2014 - Repealed by Bylaw No. 4882

Bylaw No. 4882 - adopted July 27, 2015 - Repealed by Bylaw No. 4917

Bylaw No. 4917 - adopted July 25, 2016 - Repealed by Bylaw No. 4942

Bylaw No. 4942 - adopted July 10, 2017 - Repealed by Bylaw No. 4967

Bylaw No. 4967 - adopted July 9, 2018 - Repealed by Bylaw No. 4990

Bylaw No. 4990 - adopted June 24, 2019 - Repealed by Bylaw No. 5034

Bylaw No. 5034 - adopted August 9, 2021 – Repealed by Bylaw No. 5063

Bylaw No. 5063 - adopted November 28, 2022

CITY OF PORT ALBERNI

BYLAW NO. 3224

A BYLAW TO REGULATE THE USE OF PUBLIC AND PRIVATE SEWERS, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM.

WHEREAS the Council of the City of Port Alberni has constructed and maintains a sewerage system, and;

WHEREAS it is deemed necessary to provide for connections to the sewers.

NOW THEREFORE the Council of the City of Port Alberni in open meeting assembled enacts as follows:

1. Definitions

Unless the context specifically indicates otherwise, the meaning of the terms used in this bylaw shall be as follows:

- 101 “Approved” shall mean conforming with this bylaw and such designs, standard specifications, methods, and materials as adopted from time to time by the Engineer.
- 102 “BOD₅” (Biochemical Oxygen Demand) shall mean 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 parts per million by weight.
- 103 “Building drain” shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning three (3) feet outside the outer face of the building wall.
- 104 “Building sewer” shall mean that part of a drainage system outside a building commencing at a point three (3) feet from the outer face of the wall of the building and connecting the building drain to the public sewer or place of disposal of sewage.
- 105 “City” shall mean the City of Port Alberni.
- 106 “Council” shall mean the Council of the City.
- 107 “Engineer” shall mean the Engineer of the City of Port Alberni or such other person as the Council may by resolution appoint.
- 108 “Garbage” shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

- 109 "Health officer" shall mean the Medical Officer of Public Health for the City or any person to whom he may delegate a particular duty.
- 110 "Liquid Industrial wastes" shall mean the liquid wastes from industrial manufacturing process, trade, or business as distinct from sanitary sewage.

**Bylaw #4648 amendment added
110.1:**

- 110.1 "Meter" means a device connected to the waterworks system used to measure and indicate the volume of water passing through the device and shall include remote reading accessories and all other accessory materials required for the installation and operation of the Meter.
- 111 "Natural outlet" shall mean any outlet into a water course, pond, ditch, lake, or other body of surface or ground water.
- 112 "Owner" shall mean the registered owner of a property or the purchaser thereof who is entitled to occupy and enjoy the property.
- 113 "Person" shall mean any individual, firm, company, association, society, corporation, or group.
- 114 "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- 115 "Polluted water" shall mean drainage water or waste water which contains more than any of the following:
- (a) Ten parts per million by weight of fat, oil, or grease;
 - (b) Thirty parts per million by weight of suspended solids;
 - (c) Twenty parts per million by weight of BOD₅;
 - (d) A median confirmed stage coliform count of 2400 per hundred milliliters;
- or contains concentrations of such other substances which by themselves or in combination with other may be toxic or poisonous or otherwise detrimental to animal or vegetable life in the opinion of the Engineer. Notwithstanding this definition the constituent limitations of waste water discharges shall always be subject to the requirements of the provincial authorities having jurisdiction.
- 116 "Properly shredded garbage" shall mean the waste from the preparation, cooking, and dispensing of foods that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particles greater than one-half inch in any dimension.
- 117 "Public sewer" shall mean a sewer in which all owners of abutting properties have equal rights and is controlled by public authority.
- 118 "Sanitary sewer" shall mean a sewer which carries sewage and to which storm surface and ground waters are not intentionally admitted.

- 119 “Sewerage system” shall mean all facilities for collecting, pumping, treating and disposing of sewage.
- 120 “Sewage” shall mean water carried wastes from residences, business buildings, institutions and industrial establishments; excluding storm water. (See 125)
- 121 “Sewer” shall mean a pipe or conduit including manholes and other appurtenances, for carrying sewage.
- 122 “Sewer connection” shall mean that portion of the Building Sewer within a highway.
- 123 “Sewage treatment plant” shall mean any arrangement of devices and structures used for or intended to be used for treating sewage.
- 124 “Shall” is mandatory; “May” is permissive.
- 125 “Storm sewer or storm drain” shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.
- 126 “Combined sewer” shall mean a sewer which carries both sanitary and storm sewage.
- 127 “Storm water” shall mean surface and subsurface ground water, roof drainage, and all storm waters. In certain circumstances it may include cooling and waste waters in which the waste constituent is not of an organic nature.
- 128 “Suspended solids” shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.
- 129 “Watercourse” shall mean a channel in which a flow of water occurs either continuously or intermittently.
- 130 “Unpolluted” shall mean having constituents less than the specified limits of polluted waters.

2. Administration

This bylaw shall be administered by the Engineer.

**Bylaw #3985 amendment deleted
Section 3, renumbering subsequent
sections:**

3. Use of Public Sewers Required

- 301 No person shall place, deposit, cause or permit to be deposited any human or animal excrement, garbage or other objectionable waste in any manner that is unsanitary in the opinion of the Health officer upon public or private property within the City.
- 302 Except as permitted by this bylaw or the regulations of the provincial authority having jurisdiction, no person shall construct or maintain a privy, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
- 303 The owner of every house, building or property used for human occupancy, employment, recreation, or other purpose, situated within the City and abutting on any street, alley, or right-of-way which there is now or hereafter located, a public sewer of the City is hereby required to install at his expense suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this bylaw within three (3) months of notice by registered mail to do so, provided said public sewer is within 100 feet of the nearest property line.

**Bylaw #4054 amendment deleting the
words "Section 377 of":**

- 304 In the event that an owner or occupier who has been required to connect a building to a public sewer pursuant to Section 403 fails or neglects to connect the said building with the public sewer within three (3) months of the receipt of the said notice, the City may, by its workmen and others, have such work done at the expense of the owner. The City shall recover the expense of such work as provided in the "Municipal Act".
- 305 Notwithstanding the foregoing, failure on the part of an owner or occupier to connect a building with the public sewer within three (3) months of the receipt of the said notice shall constitute a violation of this bylaw.

**Bylaw #4054 amendment added new
Section 4.1:**

4.1 Use of Storm Sewers Required

- 406 The owner of every house, building or property used for human occupancy employment, recreation, or other purpose, situated within the City and abutting on any street, alley or right-of-way in which there is now or hereafter located a storm sewer of the City is hereby required to connect such facilities directly with the public storm sewer in accordance with the provisions of this bylaw within three (3) months of the notice by registered mail to do so, provided said storm sewer is within 100 feet of the nearest property line.

407 In the event that an owner who has been required to connect to a public storm sewer pursuant to Section 406 fails or neglects to connect the said building with the public storm sewer within three (3) months of the receipt of the said notice, the City may, by its workmen and others, have such work done at the expense of the owner. The City shall recover the expense of such work as provided in the "Municipal Act".

408 Notwithstanding the foregoing, failure on the part of an owner to connect a building with the public storm sewer within three (3) months of the receipt of the said notice shall constitute a violation of this bylaw.

5. Private Sewage Disposal

501 Where a public sewer is not available under Section 403, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this bylaw and the regulations of the provincial authority having jurisdiction.

502 At such time as a public sewer becomes available to a property served by a private sewage disposal system, the provisions of Section 403 shall then apply to the property and a direct connection shall be made to the public sewer in compliance with this bylaw and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material as hereinafter provided.

503 The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the City.

6. Building Sewers and Connections

601 No sewer connection shall be constructed on any road allowance, easement, or other public land except by the City or under a contract or agreement with the City.

602 No unauthorized person shall uncover, make any connections with, or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining written permission from the Engineer.

Bylaw #4054 amendment replacing Section 603:

603 The Council, under the Bylaw entitled "Fees and Charges Bylaw" will establish and impose upon the owners of real property a connection charge to defray the cost of laying connecting pipes from the public sanitary sewers to land on which buildings or structures are situate or will be situate and from the public storm sewers to land required to be drained. An owner or his duly authorized agent shall apply for a sewer or storm sewer connection and at the time of application shall pay to the City a connection charge in accordance with the then current bylaw of Council determining such charge. A connection charge shall provide only for a sewer connection extending from the public storm sewer to the applicant's property line. All costs and expenses incidental to the installation and connection of the building sewer within the property of the applicant shall be borne by the owner.

**Bylaw #4054 amendment deleting the
words "Section 377 of":**

- 604 In the event that a person fails to pay the connection charge or in the event that the City connects a building to a public sewer under the provisions of Section 404, the sewer connection charge as determined under Section 603 shall be collected from the owner as provided in the "Municipal Act".
- 605 The Engineer may refuse to approve any connection and direct the same not be made where, in his opinion, the public sewer is incapable of handling the additional load which would be cause thereby with the resultant danger of the sewer overflowing and flooding the applicant's or other property or, the sewage proposed to be discharged into the public sewer will be any way injurious thereto and impair the efficiency thereof or, such sewage does not comply with the limitations and provisions contained in this bylaw or, the length of the connection is excessive.
- 606 Upon receipt of the application to connect to the public sewer and of the fees required under Section 603 and upon approval of the application the City shall cause to be laid (unless already laid) a sewer connection extending from the public sewer to the applicant's property line.
- 607 Existing sewer connections may be used with regard to new buildings only when they are found, on examination and test by the City, to be completely satisfactory.
- 608 After a building has been connected to the public sewer all sewage from that building shall be discharged through the building sewer, and no person shall cause or permit such sewage to be drained, discharged, or disposed of in any other manner.

7. Use of Public Sewers

- 701 No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, foundation drains, sumps, or other collectors of surface or ground water, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.
- 702 Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated to accept storm waters, or to a natural outlet approved by the Engineer. Industrial cooling water or other unpolluted process waters may be discharged, on approval of the Engineer, to a storm sewer or natural outlet which in the opinion of the Engineer has sufficient capacity to receive such discharge.
- 703 Private conveyance systems designed to discharge industrial cooling waters, basement ground water, roof runoff or other unpolluted waters, shall be constructed or located in such a manner that will prohibit, in the opinion of the Engineer, the intentional or unintentional use of the sanitary sewer as a means of disposal.
- 704 No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:
- (a) Any gasoline, benzene, naptha, fuel oil, or other flammable or explosive liquid, solid, or gas.

- (b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/1 as CN in the wastes as discharged to the public sewer.
- (c) Any waters or wastes having a pH lower than (5.5) or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- (d) Solid or viscous substance in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, shells, and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
- (e) Any sludge from or deposit in a septic tank. When any building has been previously served by a septic tank(s), the owner shall forthwith discontinue their use and shall remove the sludge and deposits, and either dismantle or remove the tank (s) or backfill such tanks with sand or gravel within three (3) months after the date of the sewer connection.

705 No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely, in the opinion of the Engineer, that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Engineer will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. Substances prohibited are:

- (a) Any liquid or vapour having a temperature higher than one hundred fifty (150) degrees Fahrenheit (sixty-five (65) degrees Centigrade).
- (b) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) milligrams per liter or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees Fahrenheit (0 and sixty-five (65) degrees Centigrade).
- (c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Engineer.
- (d) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- (e) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite

sewage at the sewage treatment works exceeds the limits established by the Engineer for such materials.

- (f) Any waters or wastes containing phenols or other taste – or odour-producing substances, in such concentrations exceeding limits which may be established by the Engineer as necessary, after treatment of the composite sewage, to meet the requirements of the provincial authorities having jurisdiction for such discharge to the receiving waters.
- (g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Engineer in compliance with applicable provincial or federal authorities having jurisdiction.
- (h) Any waters or wastes having a pH in excess of (9.5).
- (i) Materials which exert or cause:
 - (1) Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues), or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulphate).
 - (2) Excessive discolouration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - (3) BOD₅ in excess of 300 parts per million when tested according to Section 710, or chemical oxygen demand in excess of 400 parts per million, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - (4) Any waters, sewage or wastes containing more than 500 parts per million by weight of suspended solids except properly ground garbage permitted under subsection (c).
 - (5) Unusual concentration of wastes.
- (j) Waters or wastes containing substances which, by themselves or in combination with others, are not amenable to treatment or reduction by the sewage treatment process employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of the provincial authorities having jurisdiction over discharge to the receiving waters.
- (k) Unusual volumes of sewage as determined by the Engineer.

706 If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 705 and which, in the judgment of the Engineer may have a deleterious effect on the sewage works, processes, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Engineer may:

- (a) Reject the wastes;
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers;
- (c) Require control over the quantities and rates of discharge; and/or
- (d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges.

If the Engineer permits the pretreatment or equalization of waste flows, the design, installation, and operation of the plants and equipment shall be subject to the review

and approval of the Engineer and subject to the requirements of all applicable codes, ordinances, and laws.

- 707 Grease, oil, sand interceptors or settling chambers shall be provided when, in the opinion of the Engineer, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, excessive solids or other harmful ingredients; except that such interceptors or settling chambers shall not be required for private living quarters or dwelling units. All interceptors and chambers shall be of a type and capacity approved by the Engineer, shall be located such as to be readily and easily accessible for cleaning and inspection, and shall be maintained by the owner at his expense.
- 708 Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.
- 709 When required by the Engineer the owner of any property served by a building sewer which connects an industrial building, apartment building of more than 12 suites, shopping center, or any other establishments which may discharge wastes of unusual quantity or quality, shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Engineer. The manhole, metering and other appurtenances, 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.
- 710 All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in the bylaw shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property.
- 711 No statement contained in this section shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefore, by the industrial concern.

**Bylaw #4425 amendment added new
Section 7A: Bylaw #5063 Replaces
Section 7A02**

7A. Fish Processing Facilities

- 7A01 Fish processing facilities, as a specific class of user of the Sewerage System, shall be subject to the regulations specified in this Section.

7A02 Liquid Industrial Wastes discharged from fish processing facilities into the City's Sewerage System will be subject to user charges set out in Table 1 below. These charges are in addition to the usual charges associated with any connection to and use of the City's Sewerage System:

Table 1 Special User Charges for Fish Processing Facilities		
Quality Indicator	Concentration	Fee
a) Biochemical Oxygen Demand (BOD5)	0 - 0.69 tonne per day	No Charge
	0.7 - 1.6 tonne per day	\$395 per tonne
	over 1.6 tonne per day	Not Permitted
(b) Total Suspended Solids (TSS)	0 - 1.1 tonne per day	No Charge
	1.2 - 2.6 tonne per day	\$210 per tonne
	Over 2.6 tonne per day	Not Permitted

7A03 The maximum permitted Liquid Industrial Wastes volume that any fish processing facility may discharge to the City's Sewerage System is 2290 m³ per day, or as otherwise approved by the City Engineer based on the hydraulic and treatment capacity of the Sewerage System.

7A04 The charges cited in Table 1 above shall be calculated in accordance with the following formula:

User Charge =

- (i) *Quantity* of Liquid Industrial Wastes multiplied by (x)
- (ii) *Concentration* of the Quality Indicator in the Liquid Industrial Wastes multiplied by (x)
- (iii) each of the applicable *Charges* for the Concentration of the Quality Indicator(s) in the Liquid Industrial Wastes as specified in Table 1 above.

7A05 The *Quantity* shall be equal to the daily water consumption as measured by a water meter approved by the City Engineer and installed at a location approved by the City Engineer.

7A06 The *Concentration* of the Quality Indicator will be determined through lab analysis of samples of Liquid Industrial Wastes from the fish processing plant. Each owner or occupier of a fish processing facility shall supply a sample of effluent each day to a certified testing lab approved by the City Engineer. The sample shall be taken at a discharge location approved by the City Engineer.

7A07 The City reserves the right to take its own samples of Liquid Industrial Wastes and if a discrepancy in the testing lab results occurs, the *Concentrations* of the City's samples shall be used to calculate the user fees.

7A08 All tests, measurements, analysis and examination of Liquid Industrial Wastes shall be carried out at the cost of the owner or occupier of the fish processing plant where the discharge occurs.

- 7A09 Billing for the aforesaid charges and fees set out in Table 1 and section 7A08 shall be bi-monthly or at such time as may be deemed necessary by the City Engineer. Should the charges and fees remain unpaid after the 31st day of December in the year incurred, they shall be entered upon the tax roll as taxes in arrears against the property so served.
- 7A10 Where the charges and fees imposed by this section are unpaid for ninety (90) days past the date of billing, the City Engineer may cause the premise's connection to the City's Sewer System to be discontinued, provided however that sewer service shall not be discontinued until notice in writing has been given to the owners or persons responsible for payment, giving forty-eight (48) hours notice of such discontinuance."

**Bylaw #4648 amendment added new
section 7.1:**

7.1 Rates and Customer Service Charges

- 7.1 a) Every Owner of Premises connected to the City sewerage system shall pay in addition to all other rates and charges for the use of the sewerage system the amounts specified in Schedule "A" of this Bylaw. The rates enumerated in Schedule "A" hereto are hereby imposed and levied by the City, and all such rates shall be due and payable on the date specified in Schedule "A" and shall form a charge on the lands and improvements to or upon which the connection to the sewerage system is made.
- b) The Rates for the City sewerage system as specified shall be applied commencing:
- i. in the case of new construction, on the date that the City issues the Meter to a private installer or the date that City staff install the Meter, and
 - ii. in the case of previously metered Premises, from the date of the application for turn on or, where service has been discontinued, from the date as determined by the Director of Finance.
- c) Where more than one Meter serves any Owner's Premises, sewer volumes will be billed on the aggregate consumption from all meters with the respective applicable rates and charges prescribed in Schedule "A" to this Bylaw.
- d) When a Meter reading is postponed until the next billing period, the rate to be charged shall:
- i. for the billing period for which no reading is taken, be calculated on the average Water Consumption in the previous two (2) billing periods.
 - ii. for the billing period following that in which no reading was taken be calculated on the total actual Water Consumption in the two (2) billing periods, as read on the Meter, minus the estimated Water Consumption utilized in (i) above.
 - iii. if a Water Consumption estimate is not possible using the methods prescribed in (i) and (ii) above, then the Director of Finance shall estimate the Water Consumption for the billing period in a similar manner as described in Subsection 7.1(f) of this Bylaw.

- e) Where the Engineer determines that a Meter fails to register or to properly indicate the quantity of water used or consumed, or where breakage of a Meter occurs on private property, the Director of Finance shall estimate the Water Consumption and shall render an account to the Owner.
- f) Where any account is rendered pursuant to Subsection 7.1(d)(iii), the Director of Finance, in estimating the account, shall consider previous billing periods when such Meter was registering correctly, seasonal variations, changes in occupancy, and any other factors which, in the opinion of the Director of Finance, may affect the Water Consumption.
- g) No complaint of an error in any account for sewer rates or charges shall be considered and no adjustment of any such error shall be made after a period of one (1) year has elapsed since the end of the period for which such rates or charges were made. After termination of this period all such rates and charges shall be deemed to have been properly and correctly made.
- h) A penalty equal to 5 % of the unpaid balance of the "Amount Due" noted on the period Utility Billing invoice (less any subsequent payments), shall be charged to the customer account thirty-one (31) days following the "Payment Due Date" noted on the period Utility Billing invoice.
- i) If the rates and charges imposed during any one calendar year remain unpaid after the thirty-first day of December in that year, they shall be entered upon the tax roll as taxes in arrears against the property so served.
- j) Non-receipt of an invoice or account will not be recognized as a valid excuse for failure to pay the rates when due.

8. Protection from Damage

- 801 No unauthorized person shall maliciously, wilfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is part of the sewage works, or drainage system.

9. Power and Authority of Inspectors

- 901 The Engineer and/or other duly authorized employees of the City bearing proper credentials and identification, shall be permitted to enter at reasonable times upon all properties or into any building, structure, plant, or place of business for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of the bylaw. If such inspection discloses a failure, omission or neglect to clean out sumps, or discloses any defect in the location, construction, design, or maintenance of any of the sewerage system or any connection therefrom to the public sewer, or discloses the connection of roof drains, surface water drains, or drains of unpolluted waste waters to the public sewer, the person making such inspection shall in writing notify the said owner, proprietor or occupier to rectify the cause of complaint. Such notice shall specify a time limit to rectify the cause of complaint.

- 902 While performing the necessary work on private properties referred to in Section 901 of this Article, the Engineer or duly authorized employees of the City shall observe all safety rules applicable to the premises established by the owner and the owner shall be held harmless for injury or death to the City employees and the City shall indemnify the owner against loss or damage to its property by City employees, and against liability, claims and demands for personal injury or property damage asserted against the owner and arising from the inspection or gauging and sampling operation, except as such may be caused by negligence or failure on the part of the owner to maintain safe conditions as required in Section 709.

10. Enforcement and Penalties

- 1001 Any person contravening or committing any breach of or committing any offence against any of the provision 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 or who refuses, omits or neglects to fulfil, observe, carry out or perform any duty, obligation, matter or thing whatsoever by this bylaw prescribed or imposed or required to be done is liable, on summary conviction, to a fine not exceeding five hundred dollars (\$500.00) or to a term of imprisonment not exceeding six (6) months, or both; and each day during which any violation, contravention or breach shall continue shall be deemed a separate offence.
- 1002 Any person violating any of the provisions of this bylaw shall become liable to the City for any expense, loss or damage occasioned the City by reason of such violation.

11. Validity

- 1101 Bylaws numbered 554 and 1038 are hereby repealed.
- 1102 The invalidity of any section, clause, sentence, or provision of this bylaw shall not affect the validity of any other part of this bylaw which can be given effect without such invalid part or parts.
- 1103 This bylaw shall be in full force and effect and be binding on all persons on and from the 22nd day of July, 1974.

12. Short Title

- 1201 This bylaw may be known and cited for all purposes as "Sewer Connection and Regulation Bylaw".

PASSED by the City Council this 8th day of July, 1974.

**RECONSIDERED AND FINALLY ADOPTED by the City Council the 22nd day of July,
1974.**

Mayor

Clerk

Bylaw #4917 deletes Schedule "A" and replaces with the following Schedule "A". Bylaw #4942 deletes schedule "A" and replaces with the following Schedule "A". Bylaw #4967 deletes schedule "A" and replaces the following Schedule "A". Bylaw #4990 deletes schedule "A" and replaces the following Schedule "A". Bylaw #5063 deletes Schedule "A" and replaces with the following Schedule "A".

BYLAW NO. 5063

CITY OF PORT ALBERNI SEWER CONNECTION AND REGULATION BYLAW SCHEDULE "A" TO BYLAW NO. 3224

METERED CONSUMPTION RATES AND BILLING

1. Rates for City Sewerage System

1.1. Rates for Sewer User Consumption

Rates for connection to the City Sewerage System for all users are based on water consumption in of cubic metres (m³). One cubic metre is 1,000 litres. Sewer user consumption rates are as follows:

Customer Category	Description	Volume Rate
Residential	Service to a single family dwelling unit is billed at the residential unit rate	\$0.45 per m ³
Non-Residential (low volume)	Service that is not to a single family dwelling and that is consuming less than 35,000 cubic meters of water per year is billed for sewer at the non-residential low use rate	\$0.63 per m ³
Non-Residential (high volume)	Service that is not to a single family dwelling and that is consuming more than 35,000 cubic meters of water per year is billed for sewer at the non-residential high rate	\$0.56 per m ³

1.1. Fixed System Charge

Fixed System Charges are calculated monthly based on the size of water meter.

Meter Size (millimetres)	Meter Size (inches)	Monthly Charge
16	5/8	\$ 21.28
19	3/4	\$ 21.28
25	1	\$ 21.28
38	1 1/2	\$ 44.34
50	2	\$ 44.34
75	3	\$124.15
100	4	\$124.15
150	6	\$124.15
200	8	\$124.15
250	10	\$266.05

2. Billing Period

Unless otherwise determined by resolution of Council, meters shall be read and the Water Consumption and Fixed System Charge determined at least three times a year and the resulting charges shall be due and payable on the date stated as the "Due Date".

**CITY OF PORT ALBERNI
SEWER CONNECTION AND REGULATION BYLAW
SCHEDULE "B" TO BYLAW NO. 3224**

CUSTOMER SERVICE CHARGES

Bylaw #4773 amendment Schedule B,
Bylaw #4814 repeals Bylaw #4773
Bylaw #4845 repeals Bylaw #4814
Bylaw 4882 repeals Bylaw #4845
Bylaw #4917 amendment Schedule B
Bylaw #4942 amendment Schedule B
Bylaw #4967 amendment Schedule B
Bylaw #4990 amendment Schedule B
Bylaw #5034 amendment Schedule B
Bylaw #5063 amendment Schedule B

1. Septage Dump Fee

A charge of \$170.00 per load shall be charged for dumping of septage by tanker trucks.