

**MUNICIPALITY OF THE DISTRICT OF ARGYLE**  
**BY-LAW # 37**  
**WEDGEPORT WASTEWATER MANAGEMENT DISTRICT**

**TITLE**

1. This by-law is titled the “Wedgeport Wastewater Management District By-Law”.

**PURPOSE**

2. The purpose of this by-law is to regulate, manage and improve the design, construction, installation and operation of residential on-site sewer systems to protect the environment and the interests of the public as it relates to public health and safety.
3. This By-law shall apply to all properties and property home owners within the physical boundaries of the Wedgeport Wastewater Management zone as defined herein.

**DEFINITIONS**

4. In this by-law:
  - a. **“CAO”** means the Chief Administrative Officer of the Municipality;
  - b. **“Charges”** means the installation and maintenance charges;
  - c. **“Committee”** means the “Wedgeport Wastewater Management Committee appointed by Council;
  - d. **“Council”** means the Council for the Municipality;
  - e. **“Director of Public Works”** means the Director of Public Works for the Municipality;
  - f. **“Design Engineer”** means the engineering firm engaged by the Municipality to plan and provide detail tender specifications for the replacement of on-site sewer systems. tank replacement;
  - g. **“Home owner”** means an owner of real property within the WWMD who has registered his/her system as a Municipal Wastewater System;
  - h. **“Municipality”** means the Municipality of the District of Argyle;
  - i. **“Municipal System”** or “Municipal Wastewater Management System” means a wastewater management system within the WWMD which has been registered and replaced by the Home Owner pursuant to this By-law;
  - j. **“On-site Sewage Disposal System”** means a system for disposing of sewage that is not directly connected to a central sewage collection and treatment system or a municipal system;
  - k. **“Regulations”** means the On-Site Sewer Disposal System Regulations pursuant to the Nova Scotia Environment Act, the On-Site Sewage Disposal Systems Technical Guidelines published by the Nova Scotia Department of Environment, and such further regulations as enacted by the Department of Environment, and such further regulations as enacted from time to time by the Governor in Council with respect to wastewater management, and the By-laws of the Municipality;

- l. **“Septic Project”** means the Municipality’s Wedgeport Wastewater Management Project to upgrade certain private sewage systems within the WWMD as set out herein;
- m. **“Sewage disposal system”** means a private on-site sewage disposal system including any treatment component, within the WWMD, but does not include a Municipal System;
- n. **“Wastewater Management District (WWMD)”** means an area established by a Municipality within which it has powers to manage all wastewater disposal systems, both public and private (i.e. individual on-site sewage disposal systems).

#### **WEDGEPORT WASTEWATER MANAGEMENT DISTRICT**

5. The Municipality hereby establishes the Wedgeport Wastewater Management District, hereafter referred to as the WWMD, which boundaries are shown on the mapping in Schedule “A”, attached hereto.
6. The WWMD is established pursuant to section 342 of the Municipal Government Act, S.N.S.1998, C.18, as amended.

#### **WASTEWATER MANAGEMENT COMMITTEE**

7. Council shall appoint a Wastewater Management Committee to review and report on the management and operation of the WWMD.
8. Council may refer to the Committee questions related to proposed wastewater management systems, upgrades and improvements.
9. The Committee shall review installation and maintenance charges under this By-law and provide a report on same with recommendations to Council.
10. The Director of Public Works shall oversee, supervise and administer the Septic Project.
11. The Director of Public Works will report on the Septic Project to the CAO and to the Committee.
12. The Committee will conduct a comprehensive review of the Septic Project and changes thereunder and make recommendations to Council at the completion of the project.

#### **WASTEWATER SYSTEM**

13. Wastewater management within the WWMD may be by means of clustered sewer systems serving more than one residence, a public sewer, or individual on-site sewer systems, or by means of a combination of the foregoing, or by other systems, as determined and approved by Council by resolution and from time to time.
14. Council may determine and order by resolution and without requirement of any petition of affected home owners, improvements or replacements to existing wastewater systems within the WWMD, and such work, including but not limited to excavation, as may be necessary to carry out such improvements and replacements.

## **PRIVATE ON-SITE SEWAGE DISPOSAL SYSTEMS**

15. The Municipality shall be responsible to provide the maintenance services required to systems registered under the Septic Project to ensure proper maintenance in accordance with the Regulations and with the conditions of any approval issued on behalf of the Minister with respect to the said system.
16. Sewage disposal systems are required to be designed and installed in compliance with the Environment Act and the On-site Sewage Disposal System Regulations and with the conditions of any approval issued pursuant to same.
17. Every Home Owner of a sewage disposal system located within the WWMD may apply to register under the Septic Project to have that system replaced and upgraded to a Municipal System. Only on-site sewage disposal systems that do not meet provincial regulations, or are nearing end of useful life shall be considered for replacement under the Septic Project. Replacements shall be recommended by the design engineer.
18. The Septic Project shall run for a term of 5 years, unless extended by resolution of council.
19. Initial registrations shall be voluntary and are subject to the financial constraints of the project as established by Council by Resolution from time to time.
20. The Municipality may require a Home Owner to register a property for the Sewer Project if it can be determined that the failure of the on-site system is contaminating other properties.
21. Registration is by application form provided by the Municipality and is subject to the Septic Project terms and conditions and fees set out in the **Wedgeport Septic Project: Sewer Capital Levies and Operating Policy**, which forms part of this document.

## **MUNICIPAL RESPONSIBILITY FOR MUNICIPAL SYSTEMS**

22. The Municipality will retain ownership of the Municipal System, along with associated piping and other equipment required to install the Municipal System, excluding any equipment and piping on the interior of the residential or commercial building serviced by the Municipal System.
23. The Municipality will undertake the ongoing maintenance, repair and replacement of the Municipal Systems in accordance with the Nova Scotia On-Site Sewage Disposal System Regulations, including the portions of the Municipal System located on public lands, as well as those portions located on private land excluding the influent sewage pipe from the building exterior to the septic tank as described in Section 22.

## **HOME OWNER RESPONSIBILITY FOR MUNICIPAL SYSTEMS**

24. The Home Owner will be responsible for providing and maintaining clear access to authorized Municipal personnel for on-going inspections, maintenance, repair and component replacement to those portions of the Municipal System located on the Home owner's property.

25. The Home Owner will be responsible for maintaining the plumbing system in the building served by the building service connection such that no portion of the Municipal System is compromised, damaged or disrupted in any way.
26. The Home Owner shall be responsible to pay the electrical power consumption charges for any septic pump component on the Municipal System located on the Home owner's property, which charge will be to the Home owner's electric bill.
27. The Home Owner will be responsible to maintain the electrical power supply and distribution system in the building served by the building service connection such that septic tank pump operation is not compromised.
28. The Home Owner will not disrupt, relocate, modify, remove, damage or destroy any portion of the Municipal Wastewater System, whether located on public or on private property, without written permission of the Municipal Engineer and/or the Director of Public Works.
29. Discharge of wastewater into the Municipal Wastewater System with respect to contents and volume will be subject to the requirements of individual system design as recommended by the design Engineer and/or the Municipal Engineer, and of approvals pursuant to the Regulations.

#### **GENERAL**

30. Nothing herein shall relieve any property home owner of the Municipality from the Department of Environment requirements or of obligations under other By-Laws of the Municipality with respect to wastewater management.
31. The Municipality, its agents or employees may enter onto any registered property within the WWMD for purposes of inspection, repair, upgrade or replacement of private or municipal wastewater systems.
32. The costs of any work carried out by the Municipality pursuant to this By-Law with respect to a particular property may be charged against the home owners of the subject property in accordance with the Municipal Government Act.
33. Charges under the Septic Project shall be fixed for the term of the Septic Project.

#### **LIEN**

34. Any costs, fees, charges imposed pursuant to this By-Law, shall constitute a first lien on the subject property in favor of the Municipality, and may be collected in the same manner as taxes.

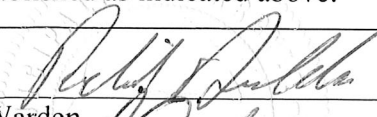
#### **PENALTIES**

Any person found to be violating any provision of this By-law shall be subject to prosecution and on conviction to a penalty not exceeding One Thousand Dollars.

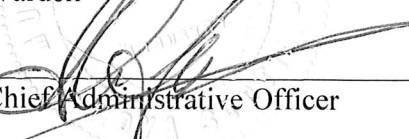
**Chief Administrative Officer's Annotation for Official By-Law Book**

Date of First Reading	November 8, 2016
Date of Advertisement of Notice of Intent to Consider	November 21, 2016
Date of Second Reading	December 13, 2016
Date of Advertisement of Passage of By-Law	December 27, 2016
Date of Mailing to Minister a Certified Copy of By-Law	January 17, 2017
Effective Date of By-Law	December 27, 2016

I certify that this Wedgeport Wastewater Management By-Law #37 was adopted by Council and published as indicated above.

  
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 Warden

Jan. 17, 2017  
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 Date

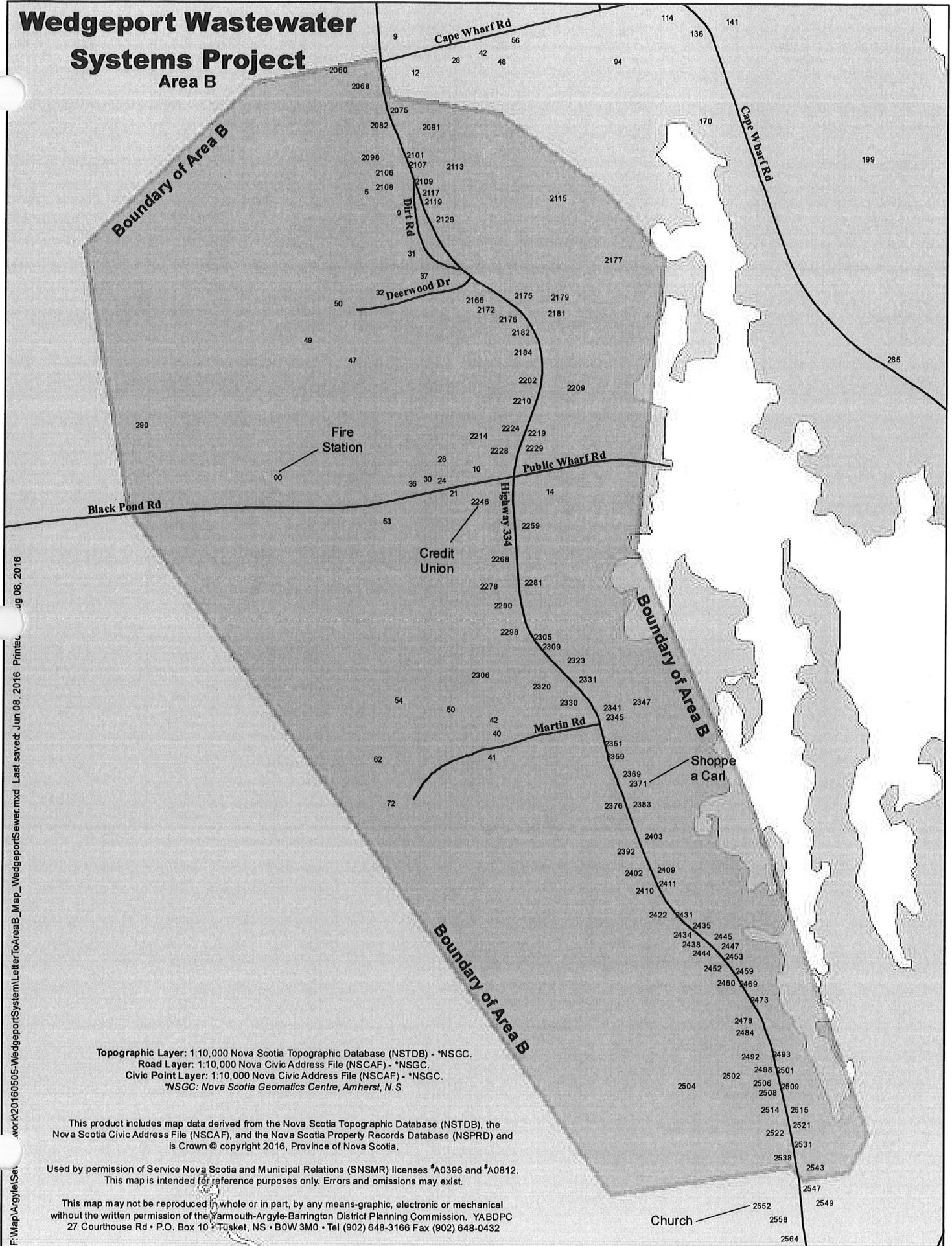
  
 \_\_\_\_\_  
 Chief Administrative Officer

Jan 17, 2017  
 \_\_\_\_\_  
 Date

SCHEDULE "A"

# Wedgeport Wastewater Systems Project

## Area B



Topographic Layer: 1:10,000 Nova Scotia Topographic Database (NSTDB) - \*NSGC.  
Road Layer: 1:10,000 Nova Civic Address File (NSCAF) - \*NSGC.  
Civic Point Layer: 1:10,000 Nova Civic Address File (NSCAF) - \*NSGC.  
\*NSGC: Nova Scotia Geomatics Centre, Amherst, N.S.

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