

Municipality of the County of Colchester

Septic Waste Disposal By-law

TITLE

- 1 This By-law is made pursuant to Section 333 of the *Municipal Government Act*, S.N.S. 1998, c. 18 and may be cited as the Septic Waste Disposal By-law for the Municipality of the County of Colchester and shall apply to the Municipality of the County of Colchester.

INTERPRETATION

- 2 In this By-law the word “shall” is mandatory and not permissive. Words used in the present tense shall include the future. Words used in the singular shall include the plural except where otherwise indicated and words used in the plural shall include the singular.

DEFINITIONS

- 3 (a) COUNCIL means the Municipal Council of the Municipality of the County of Colchester.
- (b) MUNICIPAL ENGINEER means the Director of Public Works of the County of Colchester and his or her delegate(s).
- (c) DOMESTIC WASTE means waste derived principally from residential dwellings and excludes waste derived from commercial or industrial uses.
- (d) MUNICIPALITY means the Municipality of the County of the Colchester or the area contained within its municipal boundaries as the context requires.
- (e) PERSON means any individual, firm, company, association, society, corporation or group.
- (f) SANITARY SEWER means a sewer for the collection and transmission of domestic, commercial, and industrial wastewater or any of them and to which uncontaminated or cooling water, storm, surface and ground water are not intentionally admitted.
- (g) SEPTIC WASTE means the contents of septic tanks, holding tanks, or other private sewage disposal systems for domestic waste, which are not directly connected to a central sewage disposal system, and specifically excludes contents of portable privies, recreational vehicles or such other mobile waste units that may use chemicals that destroy or prohibit the growth of sludge micro organisms or cultures.
- (h) SEPTIC WASTE DISPOSAL COMPANY means a company registered under this by-law to collect septic waste and dispose of it at a Wastewater Treatment Plant.
- (i) SEPTIC WASTE DISPOSAL VEHICLE means a vehicle owned and operated by a septic waste disposal company and used for the purposes of transporting septic waste to a Wastewater Treatment Plant.

- (j) SEPTIC WASTE DISPOSAL SYSTEM means a system for wastewater treatment or disposal or both, including, but not limited to, septic tanks and disposal fields or pumpout tanks.
- (k) SEWERAGE SYSTEM means all pipes, mains, equipment, buildings and structures for collecting, pumping or treatment or wastewater and operated by the Municipality, but does not include a storm sewer.
- (l) SLUDGE means the semi-solid matter produced by the wastewater or sewage treatment process
- (m) WASTEWATER TREATMENT PLANT means a treatment plant owned by the Municipality and located in Colchester County, Nova Scotia.

ADMINISTRATION AND AUTHORITY

- 4(1) The Director of Public Works for the Municipality and his or her delegates may conduct inspections and take steps to administer and enforce this by-law or remedy a contravention of this by-law.

DISPOSAL

- 5(1) All septic waste originating within the Municipality may be disposed of at those wastewater treatment plants as Council may designate and set out in Schedule A.
- (2) Council may designate and set out in Schedule A which geographic areas or districts within the Municipality may dispose of their septic waste in a given wastewater treatment plant.

REGISTRATION

- 6(1) All persons disposing of septic waste at a wastewater treatment plant must be:
 - (a) registered with the Department of Environment and Labour, and;
 - (b) licensed with the Municipality as a septic waste disposal company on an annual basis.
- 6(2) Any person requiring a septic waste disposal company license under section 6(1)(b) shall make application to the Municipality on such form prescribed by the Municipality, on an annual basis, and pay the appropriate fee as listed in Schedule A.
- 6 (3) Any person discharging or causing to be discharged septic waste into a wastewater treatment plant shall comply with the following:
 - a) only domestic septic waste from a private septic waste system may be discharged to a wastewater treatment plant, unless other materials are specifically noted on the septic waste disposal company license; and,

- b) all septic waste shall comply to the limits specified in the Schedules attached to this by-law; and,
- c) the septic waste vehicle operator shall ensure no septic waste is deposited on the ground at the wastewater treatment plant.

TESTING

7(1) The contents of all septic waste disposal vehicles disposing of septic waste at a wastewater treatment plant may be subject to sampling, monitoring and analysis by the wastewater treatment plant operators at any time.

PROHIBITIONS

- 8 (1) No person shall deposit, or cause to be deposited, in a wastewater treatment plant any septic waste or material that is:
- a) waste other than domestic waste;
 - b) a liquid or vapour having a temperature excess of sixty (60) degrees Celsius.
 - c) inflammable or explosive matter;
 - d) a quantity of matter capable of obstructing the flow in, or interfering with, the proper operation of a part of the sewerage system or treatment process;
 - e) septic waste that has any corrosive property that could be hazardous to structures, equipment or personnel;
 - f) septic waste of such quality that an offensive odour or foam could emanate from the wastewater treatment plant or that could cause a nuisance;
 - g) septic waste containing fish or animal offal or pathological or medical wastes;
 - h) septic waste containing animal fats, wax, grease or vegetable oil in liquid or solid form in concentrations exceeding levels that Council may establish and set out in Schedule B.
 - i) septic waste containing herbicides, pesticides, xenobiotics, polychlorinated biphenols or radioactive materials that are not approved for disposal in a sanitary sewer by the Atomic Energy Control Board of Canada;
 - j) septic waste containing any chemical that destroys or prohibits the growth of sludge micro organisms or cultures.
 - k) septic waste in concentrations of suspended solids that exceed the limit specified in attached Schedule B.

- l) septic waste that contains toxic substances in excess of the concentrations that Council may establish and set out in Schedule B.
- m) septic waste containing substances for which special treatment or disposal practices are required by any applicable enactments of Canada or the Province.
- n) ashes, cinders, garbage, sand, potters clay, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, cellulose or other solid or viscous substances capable of causing obstruction or other interference with the proper operation of the sludge disposal system.

and compliance with any limit may not be attainable simply by dilution.

QUANTITIES

- 9 (1) All septic waste disposals may be subject to measurement with a flow metre for the purposes of determining the quantity of septic waste contained in the disposal.

LIMITS PER SEPTIC WASTE DISPOSAL VEHICLE

- 10(1) Council may set limits for the amount, by litre, of septic waste allowable per disposal from a septic waste disposal vehicle, and those shall be set out in Schedule B.
- (2) If the amount of septic waste contained in the septic waste disposal vehicle exceeds the limits set by council through policy, the wastewater treatment plant has the right to refuse that septic waste disposal vehicle's disposal in total or in part.

LIMITS PER DAY

- 11(1) Council may set limits for the daily total amount of septic waste disposed of in the wastewater treatment plant and those limits shall be set out in Schedule B.
- (2) If the total amount of septic waste disposed of in one day in the wastewater treatment plant has reached the limits established by Council and set out in Schedule A, the wastewater treatment plant has the right to refuse any further septic waste disposal for the remainder of that day in total or in part.

REFUSAL BY WASTEWATER TREATMENT PLANT

- 12(1) Any employee of the Municipality shall have the authority to prohibit or discontinue a disposal of septic waste from a septic waste disposal vehicle. Such order shall be based on the employee's reasonable belief that a discharge may be in violation of the By-law.

DISPOSAL FORM

- 13(1) All drivers of septic waste disposal vehicles shall at the time of each disposal present a completed septic waste disposal form (Form A).
- (2) Any septic waste disposal vehicle may be refused by the wastewater treatment plant if the septic waste disposal form (Form A) is not completed.

- (3) The Municipality has the authority to audit the disposal forms including communicating with the property owner identified to verify the information contained on the disposal form.
- (4) Any septic waste disposal vehicle will be refused if the septic waste disposal form (Form A) is completed falsely and the license of the person who provided the false information shall be terminated in accordance with Section 16(3) of this By-law.

FEE PER LITRE OF SEPTIC WASTE

14(1) The septic waste disposal company will pay a fee per litre of septic waste disposed of in accordance with the fees set out in Schedule A and all septic waste disposal companies shall pay such fee within 45 days following the disposal of septic waste.

- (2) If a septic waste disposal company does not pay the fee per litre of septic waste as determined by council by policy within 45 days of receiving the disposal, the septic waste disposal company's license under this by-law shall be suspended for non-payment until the septic waste disposal company's account is paid in full.
- (3) Council may, by any means available to it under any municipal by-law or under the *Municipal Government Act*, S.N.S. 1998, c. 18, collect amounts owing and unpaid fees pursuant to this section.

BUSINESS HOURS

15(1) The Director of Public Works or his or her designate will determine the days and hours during which septic waste may be disposed of at the wastewater treatment plant.

SUSPENSION

- 16(1) Every septic waste disposal company or driver of a septic waste disposal vehicle who contravenes, or fails to comply with, any of the provisions of this By-law shall, on a first contravention or failure to comply, receive a temporary suspension of 30 days of their license.
- (2) Every septic waste disposal company or driver of a septic waste disposal vehicle who contravenes, or fails to comply with, any of the provisions of this by-law shall, on a second contravention or failure to comply, receive a temporary suspension of 90 days of their license.
- (3) Every septic waste disposal company or driver of a septic waste disposal vehicle who contravenes, or fails to comply with, any of the provisions of this By-law shall, on any contravention thereafter or subsequent failure to comply, be terminated and is prohibited from applying for a new license for a period of 12 months following the date of termination.

PENALTIES

- 17(1) Notwithstanding any other By-law of the Municipality, and in addition to section 16 of this By-law, any person who contravenes any provision of this By-law is punishable on

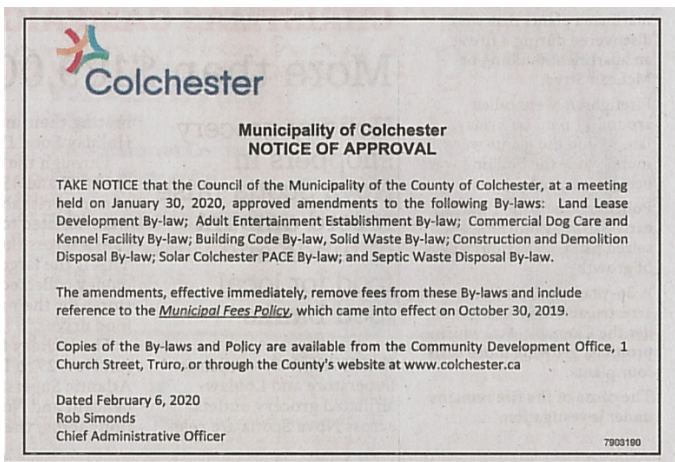
summary conviction by a fine of not less than \$100.00 and not more than \$5,000.00 and in default of payment to imprisonment of not more than 90 days.

- (2) Where an offence occurs under this By-law and continues for more than one day, the person is guilty of a separate offence for each day the offence continues.

THIS IS TO CERTIFY, that amendments to Chapter 11 – Septic Waste Disposal By-law, was duly approved at a duly called meeting of Municipal Council of the Municipality of the County of Colchester, duly convened and held on the 30th day of January, A.D. 2020.

GIVEN under the hand of the Municipal Clerk and under the corporate seal of said Municipality this 10th day of February, A.D. 2020.

Rob Simonds
Municipal Clerk



I, Rob Simonds, Municipal Clerk of the Municipality of the County of Colchester, do hereby certify that the adjacent Notice of Approval is a true copy of the Notice of Approval of Chapter 11 - Septic Waste Disposal By-law duly advertised in the Thursday, February 6, 2020, issue of the Truro News.

GIVEN under the hand of the Municipal Clerk and under the corporate seal of said Municipality this 10th day of February, A.D. 2020.

Rob Simonds
Municipal Clerk

*First Reading: October 30, 2019
Notice of Intent: January 9 and 16, 2020
Second Reading: January 30, 2020
Notice of Approval: February 6, 2020*

SCHEDULE A

1. Licensing Fee

- (1) The annual licensing fee for a septic waste company license is set out in the Municipal Fees Policy approved by Municipal Council.

2. Fee Per Litre

- (1) The fee for accepting Septage waste at the Tatamagouche Wastewater Treatment Plant is set out in the Municipal Fees Policy approved by Municipal Council .

3. Designated Treatment Plants and Service Area

- (1) The following are the Wastewater Treatment Plants that are able to accept septic waste discharge in accordance with this by-law:

- (i) Tatamagouche Wastewater Treatment Plant to receive septic waste collected from residences in the communities contained within the boundaries of District No. 7 of the Municipality of the County of Colchester described as follows:

- Bounded on the north by Adams Creek, the Basin, Tatamagouche Bay, Barrachois Harbour, Amet Sound and Brule Harbour.
- Bounded on the east by the County line.
- Bounded on the south by District 6 and the north boundary of Onslow Township.
- Bounded on the west by the west boundary of the Township of New Annan and the Cumberland County line.

SCHEDULE B

Guidelines for Tatamagouche Wastewater Treatment Facility ("Plant")

1. Daily Limits

- (1) The total daily volume of septage sludge received at the Plant is limited to 7500 litres with a solids content of 1.5%. The total daily amount of solids received at the Plant is limited to 112.5 kilograms.

2. Sludge Content

- (1) The solid content of sludge cannot exceed 4% regardless of volume to be dumped at the Plant.