

# **TOWN OF MAHONE BAY**

## **Chapter # 07**

### **SEWER CONNECTION BYLAW**

**1. In this By-law, unless the context otherwise requires, the expression:**

- (a) "Town" means the "Town" of "Mahone Bay" or the area contained within its municipal boundaries as the context requires;
- (b) "Combined Sewer" means a sewer that is intended to conduct wastewater and stormwater;
- (c) "Council" means the "Town" Council of the Town of Mahone Bay;
- (d) "Engineer" means the Engineer for "Town" and includes the Superintendent of Works'
- (e) "Person" shall mean 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 groundwater are not intentionally admitted;
- (g) "Sewer" means a pipe, conduit, drain, open channel, or ditch used for the collection and transmission of wastewater, stormwater, or uncontaminated process or cooling water;
- (h) "Sewerage System" means all pipes, mains, equipment, buildings and structures for collecting, pumping or treatment of wastewater and operated by the "Town", but does not include a storm sewer;
- (i) "Storm Sewer" means a sewer and all related structures designed exclusively for the collection and transmission of uncontaminated water, stormwater, drainage from land or from any watercourse or any of them;

2. (a) No person shall connect any private sewer or building sewer to a municipal sewer without first obtaining permission therefor from the Town.  
  
(b) No connection to a municipal sewer shall be made except under the supervision of the Town.  
  
(c) No connection shall be covered until it has been inspected and approved by the the Town.
3. Every person connecting to a sewerage system shall construct the connection according to requirements of the Canadian Building and Plumbing Codes.
4. No person shall connect any storm sewer to any sanitary sewer.
5. (a) The owner of a building, the nearest part of which is not more than one hundred feet from any portion of a municipal sewer shall be required at the owners expense to construct a building sewer therefrom and connect the same to the said municipal sewer; provided, however, Council may exempt therefrom any such building as appears to it:
  - (i) to be adequately served with existing storm drainage and on-site sewage disposal systems;
  - (ii) would not be adequately served by connection to the municipal sewerage system.  
(b) The Council shall not require an owner to connect to a municipal sewer until service from said sewer has been available to the property for Two Years.
6. Where a building has been connected to the municipal sewerage system or the Council has ordered a building to be so connected, the Council may by resolution order the owners of outhouses and septic tanks to remove such outhouses and to destroy or fill such septic tanks.
7. Except as otherwise provided herein, any person who contravenes any section of the By-law is liable on conviction to a Penalty of not less than \$100.00 and not more than \$1,000.00 and in default of payment to imprisonment for a term of not more than three (3) months.
8. All costs associated with the initial installation and connection of a building sewer connection to the municipal sewage system, whether in a street, highway or easements, including the costs of any necessary permits, are the sole responsibility of the owner.

**9.** All costs associated with the maintenance, repair or replacement of a building sewer connection from the property line to the building, including the costs of any necessary permits, are the sole responsibility of the owner.

**10.** All costs associated with the maintenance, repair or replacement of a building sewer connection from the property line to the municipal sewage system that being the portion of the line deemed in a street or highway, are the sole responsibility of the Town.

**11.** The location of the street or highway shall be as determined by the Director of Operations. If the property owner disputes the location of the street or highway, it shall be the responsibility of the property owner to provide to the Town a legal survey stamped by a surveyor licensed in the Province of Nova Scotia showing the street side boundary of the property.

**12.** All previous Sewer Connection Bylaws of the Town and amendments thereto, are hereby repealed.

**13.** This bylaw is effective upon publication.

\_\_\_\_\_  
C Joe Feeney, Mayor

\_\_\_\_\_  
James A Wentzell, CAO/Clerk

This is to certify that the foregoing is a true copy of a bylaw passed at a duly convened meeting of the Council of the Town of Mahone Bay, held the 24<sup>th</sup> day of March 2009.

Given upon the hand of the Mayor and Chief Administrative Officer and the seal of the Town of Mahone Bay this 1<sup>st</sup> day of May, 2009.

FIRST READING:	March 10, 2009
“NOTICE OF INTENT” PUBLICATION:	March 17, 2009
SECOND READING:	March 26, 2009
MINISTERIAL APPROVAL:	N/A
DATE OF PUBLISHING:	April 07, 2009
FORWARDED TO THE MINISTER:	May 01, 2009
FORWARDED TO TOWN WEBSITE:	N/A