



THE CORPORATION OF THE TOWNSHIP OF ST. CLAIR
BY-LAW No. 59 of 2018

**A BY-LAW TO PROVIDE REGULATION FOR THE INSTALLATION
AND CONNECTION OF BUILDING SEWERS TO THE PUBLIC SEWER
SYSTEM FOR ST. CLAIR TOWNSHIP**

WHEREAS under section 11 of the Municipal Act 2001 a municipality may pass by-laws respecting matters regarding health, safety and well-being of persons and services and things that the municipality is authorized to provide as necessary or desirable to the public;

AND WHEREAS under section 11 of the Municipal Act 2001 a municipality may pass by-laws respecting matters within the sphere of jurisdiction of waste management, public utilities, and drainage and flood control, except storm sewers;

**NOW THEREFORE THE COUNCIL OF THE COPORATION OF THE
TOWNSHIP OF ST. CLAIR ENACTS AS FOLLOWS:**

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Part 1 – Definitions

In this by-law:

“building” means a structure supplied with water and sewer by the Township of St. Clair.

“Building Code Act” means the Building Code Act, 1992, S.O. 1992, c.23, as amended from time to time.

“building inspector” means an inspector of the County of Lambton.

“building sewer” means part of the drainage piping outside a building or structure, that connects a building drain to the sewer lateral connection and that commences three feet from the outer face of the wall of the building or other structure

“contractor” means a person, partnership, or corporation who contracts to undertake the execution of work commissioned by the Owner or the Municipality to install or maintain sewer mains and sewer lateral connections.

“inspection” means,

- a) an audit,
- b) physical, visual or other examination,
- c) survey,
- d) test, or
- e) inquiry.

“land” means all real property, including buildings or any part of any building and all structures, machinery and fixtures erected or placed upon, in, over, under or affixed to land and in the case of utility service providers and the Township of St. Clair, all buildings or any part of any building erected or placed upon, in, over, under or affixed to land but shall not include machinery whether fixed or not, nor the foundation on which it rests, works structures other than buildings, substructures, poles, towers, lines, nor any of the things exempted from taxation, nor to any easement or the right, use or occupation or other interest in land not owned by utility service providers or the Township of St. Clair.

“Municipal Act” means the Municipal Act, 2001, S.O. 2001, c.25, as amended from time to time.

“Municipality” means the Township of St. Clair.

“Ontario Building Code” means the Ontario Building Code, O. Reg. 332/12, as amended from time to time.

“Owner” means any person, including a corporation, who is the registered Owner of the premises under consideration including a trustee in whom land is vested, a committee of the estate of a mentally incompetent person, an executor, an administrator or a guardian.

“person” means an individual, association, partnership, corporation, municipality, Provincial or Federal agency, or any agent or employee thereof.

“premises” means any house, tenement, building, lot, or part of a lot, or both, in through, or past which sewer lines run.

“Provincial Offences Act” means the Provincial Offences Act, R.S.O. 1990, c.P.33, as amended from time to time.

“service” means the piping between the plumbing and the sewer line and includes the trench in which such piping lies;

“sewer lateral connection” means the extension from the building sewer to the public sewer main or other place of disposal

“sewer line” means a sewer or drainage system constructed, purchased or otherwise acquired by the Corporation and maintained as a public sewer or drain;

Part 2 – Establishing a Sanitary Connection

2.1 Sanitary connections – responsibilities

The Owner of a premises is responsible for the installation, repair or removal of any private sanitary connection from the property line to the building including the inspection wye with riser and capped at ground level. The Municipality is responsible for the installation, repair or removal of the sewer lateral extending from after the inspection wye to the public sewer main.

After construction and installation of the building sewer from the building and the sewer lateral connection to the public sewer main, the owner shall be responsible for the satisfactory operation, cleaning, repairing, replacement and maintenance of the connection from the property line to the building.

2.2 Sanitary Service Connection Permit

The Owner shall obtain a Sanitary Service Connection Permit prior to the installation of a private sanitary sewer service.

2.3 Process for a permit

Application for Lot Servicing forms shall be available from the Municipality and are to be submitted to the Municipality along with any plans or drawings detailing the proposed connection, any other supporting information and required fees as stipulated in the application form. The Municipality shall review the proposed connection and shall impose any condition that is deemed advisable and appropriate to ensure the integrity and safety of the sanitary sewer system. Any conditions imposed will be identified in writing forming part of the approved permit and said conditions shall be complied with.

2.4 Inspection

The Building Inspector of the County of Lambton will inspect the installation of all building sewers from the building to the property line and the connection of the building sewer to the sewer lateral connection. Illegal connections made to the public sewers will not be permitted as set out in this bylaw. Any new building sewer lateral or sewer lateral connection shall be inspected by the County of Lambton Building Inspector before it is backfilled.

Township staff will inspect the construction and installation of all sewer lateral connection from the property line to the main sewer.

2.5 Approved Construction

No person shall make any connection into the Municipality's sewer lateral connection without first having obtained a permit from the Municipality.

Only the Municipality works department or approved contractors will construct all work permitted in this bylaw from the property line to the public sewer main.

Part 3 – Sanitary Sewer Connection Requirements

3.1 Connection Requirements

No connection shall be made to the Municipality's public sewer main, except as follows:

- a) Each dwelling including each half of semi-detached dwellings must have a separate building sewer, except with the written approval of the Township Director of Public Works and further except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear of the building through an adjoining alley, courtyard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.
- b) An inspection wye, complete with a riser capped at ground level shall be installed in the sewer lateral at the property line. The riser cap shall be metal to which conventional metal detectors will respond.
- c) All connections from the public sewer main to the property line shall be as per St Clair Township Engineering Standards for Design and Construction.
- d) All connections from the property line to the building shall be materials, permits and inspections as per the Ontario Building Code
- e) No person shall cause or permit the discharge or any storm water including surface water, roof drainage downspouts, foundation drains or sump pumps to the sanitary sewer.
- f) No connection shall be made to the Municipality's public sewer main or sewer lateral connection until a permit has been issued.

- g) All labour and materials necessary for the connection of a sewer lateral to the property line shall be arranged by the Municipality and paid for by the property owner for the dwelling which is to be provided with the sanitary service where no sewer lateral connection exists.
- h) All labour and materials necessary for the said connection from the public sewer main to the property line shall be paid in full in advance of the installation by a lump sum charges set out by the Municipality.
- i) In the event the actual cost of the installation of such sanitary connection for a severance the person applying for such installation shall forthwith after completion of such installation pay to the Municipality the balance of such cost.
- j) A connection shall be made to the public sewer main in compliance with this bylaw and any septic tanks, cesspools and similar private sewage disposal facilities shall be cleaned, filled, removed or destroyed in accordance with requirements of the Lambton Public Health Unit or County of Lambton.

Part 4 – Disconnection of Sewer Connection Requirements

4.1 Disconnection Requirements

(1) Where wastewater that:

- (a) is hazardous or creates an immediate danger to any person;
- (b) endangers or interferes with the operation of any Wastewater Collection System;
or
- (c) causes or is capable of causing an adverse effect;

is discharged to any public sewer main, the Municipality shall, in addition to any other remedy available, disconnect, plug or seal off the sewer lateral connection discharging the unacceptable wastewater into the public sewer main or take such other action as is necessary to prevent such wastewater from entering the public sewer main.

(2) The wastewater referred to in subsection 4.1(1), above, may be prevented from being discharged into the public sewer main until evidence satisfactory to the Municipality has been produced to assure that no further discharge of hazardous wastewater will be discharged to the public sewer main.

(3) Actions taken pursuant to subsection 4.1(1) by the Municipality may be taken at the expense of the owner and/or occupier of the premises from which the hazardous wastewater was discharged, and the said owner and/or occupier shall forthwith reimburse the Municipality for all such costs incurred upon demand.

Part 5 – Backwater Valve

5.1 Sanitary Backwater Valve in New Construction

All new builds shall comply with the Municipality Sanitary Backwater Valve in New Construction Policy approved by Council and amended from time to time.

5.2 Sanitary Backwater Valve in Existing Buildings

Refer to the Municipality Sanitary Backwater Valve in Existing Buildings Policy approved by Council and amended from time to time.

Part 6 - Prohibitions

6.1 Prohibitions under this by-law

No person shall:

- a) contravene any provision of this by-law or any order or notice issued pursuant to this by-law;
- b) hinder or interrupt, or cause or procure to be hindered or interrupted, the Municipality or any of its officers, contractors, agents, servants or workers, in the exercise of any of the power conferred by this by-law;

Part 7 - Enforcement

7.1 Fine - for contravention

Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to any penalty as provided in the *Provincial Offences Act*.

7.2 Offence - additional

The levying and payment of any fines shall not relieve a person from the necessity of paying any fees, charges or costs from which he or she is liable under this bylaw.

Part 8 - General

8.1 Applicable Laws

All work and materials performed on the sewer system shall comply with all applicable federal, provincial and municipal laws, by-laws, acts, regulations, statutes, health and safety policies and procedures, as amended.

8.2 Short Title

The short title of this by-law shall be the St. Clair Township Sewer Installation and Connection By-Law.

8.3 Repeal

The following by-laws are hereby repealed:

1. Township of Moore By-Law Number 82 of 1975.
2. Township of Moore By-Law Number 78 of 1977.

8.4 Effective Date

This by-law shall come into force and effect on the date of the final passing thereof.

Read a **FIRST, SECOND AND THIRD** time and finally **PASSED** on October 9, 2018.


Clerk Jeff Baranek


Mayor Steve Arnold

