

THE RURAL MUNICIPALITY OF WOODLANDS

BY-LAW NO. 2662/15

A by-law to provide for the operation and management of the wastewater systems within the Hamlet of Woodlands, the appointment of a utilities manager and the administration and enforcement of the permit system.

The Council of the Rural Municipality of Woodlands in meeting duly assembled at Woodlands, Manitoba enacts as a by-law the following:

Purpose

1. The purpose of this By-law is to establish the terms and conditions for the operation and management of the wastewater system within the Hamlet of Woodlands ("Woodlands") including
 - a. standards for the construction of owners' wastewater systems,
 - b. standards for the operation and maintenance of owners' wastewater systems,
 - c. procedures for changing and upgrading of existing owners' wastewater systems,
 - d. the issuance of permits for carrying out work to owners' wastewater systems, and
2. The Council wishes to appoint a utilities Manager and provide for a system of permits for the administration and enforcement of this By-law.
3. This By-law may be known as the Woodlands Wastewater By-law.

Interpretation

4. In this By-law,

"Municipality" means the Rural Municipality of Woodlands;

"owner" means a registered owner of land;

"premises" means a parcel of land, and includes any house or building on the parcel of land;

"standards" means the standards and specifications set out in **Schedule B** to this By-law;

"user" means, as the context requires, the applicant for sewer service, the occupant of a premises to which sewer services is or must be supplied, or the person to whom invoices are sent for sewer services supplied to a premises;

"owner's wastewater system" means that part of the wastewater system located on an owner's land including service lines and all associated connections including any part of the wastewater system located in the municipal right of way up to the sewer main line;

"wastewater system" means the system of infrastructure and works necessarily incidental to the collection of sewage by Woodlands and any part of the system within Woodlands;

Permit required

5. No person shall construct, alter, relocate, remove, repair or change a owner's wastewater system ("work") without first obtaining a wastewater permit as the case may be.
6. Section 5 does not apply to work that
 - a. is minor in nature,
 - b. does not change the operation of the owner's wastewater system, and
 - c. has a value of no more than \$350.00.

Despite not requiring a permit, the work must comply with this By-law.

7. Where a permit is required, no preparatory work, including excavation, may take place before the permit is obtained.

Application for permit

8. An application to the Municipality for a permit may be made by the owner or a person authorized in writing by the owner. The application must include:
 - a. a completed and signed application form;
 - b. information as to the location and intended purpose of the work;
 - c. a plan or plans showing the work;
 - d. plans and specifications of the proposed work in sufficient detail to show that the proposed work complies with the standards and this By-law;
 - e. the fee set out in **Schedule A**;
 - f. where the work relates to a new connection to the wastewater system, the wastewater connection fee set out in Schedule A.
9. Plans and specifications submitted with a permit application must bear the name of the person who prepared the plans.
10. Permit applications and the documents submitted with them become the property of the Municipality.
11. If the utilities Manager considers that the complexity of the work warrants it, the utilities Manager may require an applicant to submit such further information or reports as are necessary to consider the application. In this case the application is not complete until the requested documents have been submitted.
12. The utilities Manager may issue a permit to the applicant if based on the application and the information supplied it appears to the utilities Manager that the proposed work will not contravene the standards, this By-law, other by-laws of the Municipality, or provincial laws and regulations.
13. A permit is issued in the name of the owner, and where the applicant is not the owner, to the owner and the applicant jointly.
14. A permit may be issued subject to conditions. The holder of a permit and the owner must comply with this By-law and the conditions of the permit.
15. A holder of a permit may request the utilities Manager to approve alterations to plans. If in the opinion of the utilities Manager the nature and complexity of the

alterations warrant it, the utilities Manager may suspend the issued permit and require an additional fee for review and consideration of the alterations.

Utilities Manager

16. The position of utilities Manager is established. Council may by resolution appoint one or more persons as utilities Manager.
17. The utilities Manager shall have all powers, duties, discretion and functions of a designated officer set out in the Municipal Act. The utilities Manager is authorized to carry out the powers, duties and functions of a designated officer under this By-law.
18. The utilities Manager must:
 - a. keep records of any applications and plans received, inspections and tests made, permits and orders issued, and all other reports and documents connected with the utilities Manager's functions; and
 - b. examine and process applications and plans received.
19. The utilities Manager shall have the power to:
 - a. administer, inspect and enforce this By-law;
 - b. order work to stop if a permit has not been obtained;
 - c. order work to stop until a condition is rectified, if in the utilities Manager's opinion,
 - i. work is not being carried out in compliance with the permit, plans submitted, a condition under which a permit was issued, the standards this By-law or any other by-law, or provincial laws or regulations, or
 - ii. there is an unsafe condition;
 - d. order work to be done to make the owner's wastewater system comply with the standards and this By-law;
 - e. revoke a permit if
 - i. it was issued in error,
 - ii. the applicant submitted false or misleading information,
 - iii. the work has not started within 6 months of the issuance of the permit,
 - iv. work is discontinued for a year,
 - v. a condition under which the permit was issued has not been met,
 - vi. there is unauthorized deviation from the approved plans, or
 - vii. the work does not comply with the standards and this By-law;
 - f. enter, inspect and be provided free and clear access to any premises to
 - i. administer and enforce this By-law,
 - ii. examine and inspect an owner's wastewater system,
 - iii. determine whether the requirements of this By-law are being complied with;

- g. disconnect an owner's wastewater system from the wastewater system if in the utility Manager's opinion at the owner's expense
 - i. any of the reasons for stopping work or revoking a permit exist as set out in this section,
 - ii. the owner's wastewater system does not comply with the standards or this By-law,
 - iii. the owner's wastewater system is not in a good repair or working order,
 - iv. there is any unsafe condition, or
 - v. a person has not complied with the utilities Manager's order;
- h. the power to discontinue the wastewater collection from the premises until such time as the requested access is provided and/or obtain a court order allowing the access where the owner, user or occupier does not provide the requested access;
- i. to take such action as is required to achieve compliance with this By-law.

Owner's responsibilities

- 20. The owner must ensure that the work complies with the current Manitoba Building/Plumbing Code, standards and this By-law, and any condition under which a permit was issued. The issuance of a permit and inspection by the Municipality do not relieve the owner of this responsibility.
- 21. The owner is liable for the cost of repairing damage to municipal property including roads, drains, and the wastewater system occurring in the course of or as a result of the work. If the holder of a permit is not the owner, the holder and the owner have this liability jointly and severally.
- 22. The owner must operate and maintain the owner's wastewater system in compliance with the standards and this By-law, including keeping it in good repair and working order.
- 23. All existing septic tanks must either be abandoned in place or physically removed. If the tank is abandoned in place the owner must pump out the tank, and clean and fill it with sand. If any contamination has occurred the Owner must contact the local area Provincial Health Inspector for direction and approval of the clean up procedures. The Owner must carry out and complete the cleanup work directed by and within the time set by the Provincial Health Inspector.
- 24. The owner must use Municipal approved contractors when working on Municipal infrastructure.

Municipality's responsibility

- 25. The Municipality may upon reasonable notice discontinue wastewater collection from the wastewater system at any time for construction, operation or maintenance.

Emergencies

- 26. The Municipality may, without notice, temporarily discontinue the wastewater collection from any premises where in its opinion its continuation may be dangerous, cause damage to persons or property, or construction, operation or maintenance works must be carried out on an urgent basis.

27. Where work must be done on an urgent basis to an owner's wastewater system and it is not practical to first apply for and obtain a permit, an owner may carry out such work as is necessary to address the urgent circumstances without a permit. The owner must apply for a permit for the work as soon as is practicable, and in any case by no later than 3-days from the carrying out of the work. If the work is not in compliance with this By-law, the utilities Manager may take the steps set out in Section 19.

Compensation

28. Should the Municipality deem that the repair to the owner's wastewater system within the municipal right of way to the sewer main line was not necessitated by any actions under the control of the owner of the property or any party occupying the property, the Municipality, at their discretion, may relieve the owner of the responsibility for said repairs.
29. An owner may apply to the Municipality requesting such compensation, providing the details of any damage, and a copy of the invoice showing the repairs completed.
30. The utilities Manager will be responsible for reviewing the application and related documents and providing a report to the Municipality.
31. Council will decide, in its sole discretion, if compensation may be paid, and the amount of compensation based on the owner's application and the utilities Manager's report.

Remedies

32. The Municipality may repair any and all blockages in the service lines. An owner who is responsible for the blockage is responsible for the Municipality's costs of repair. The Municipality shall invoice the owner for the costs. If the owner fails to pay the Municipality within the time provided, the costs are a debt owing to the Municipality and may be collected in the same manner as a tax may be collected or enforced under the Municipal Act.
33. In the event that the Municipality completes work or carries out maintenance that is the responsibility of an owner under this By-law, the owner is responsible for the Municipality's costs of carrying out the work. The Municipality shall invoice the owner for the costs. If the owner fails to pay the Municipality within the time provided, the costs are a debt owing to the Municipality and may be collected in the same manner as a tax may be collected or enforced under the Municipal Act.

Review

34. An owner, applicant or holder of a permit may request Council to review a decision or order of the utilities Manager by giving written notice to the Chief Administrative Officer within 14 days of receiving the decision or order.
35. Upon receiving a request for review, the Chief Administrative Officer must set a date and time for the review by Council, and notify the person of the date of the review.
36. Council will convene the review at the time and place set out in the notice. The person who made the request may appear in person or by counsel. After reviewing the decision or order, Council may confirm, vary, substitute or cancel the decision or order.

Offence and costs

37. A person who contravenes this By-law or a condition of a permit, including an owner on whose land a contravention takes place, is guilty of an offence and is liable to:

- a. a fine of not more than \$1000;
 - b. a penalty equal to the Municipality's cost of enforcement; and
 - c. in the case of a contravention of Section 5, a penalty equal to double the permit fee.
38. The following amounts may be collected and enforced by the Municipality in the same manner as a tax may be collected or enforced under the Municipal Act:
- a. a fine or penalty imposed on conviction;
 - b. the cost of repairing damage to municipal property that occurs in the course of work;
 - c. the cost of an action taken by the utilities Manager or the Municipality to administer or enforce this By-law under the Municipal Act.

User's obligations

39. A user of the wastewater system must comply with the terms of this By-law in the same manner as an owner. The user and the owner are jointly responsible for complying with the terms of this By-law.

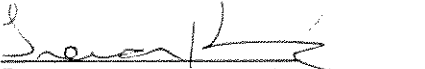
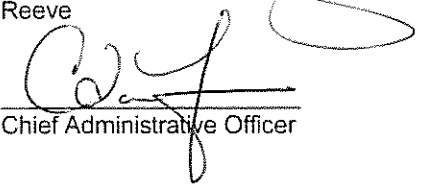
Transitional

40. By-Law No. 2628/13 be repealed.
41. Permits, orders and decisions made under the repealed by-laws remain in effect, unless revoked or changed under this By-law.
42. An application for a permit made under the repealed by-laws but not granted continue under this By-law and shall be treated as being made under this By-law.
43. An owner of an existing owner's wastewater system who does not, on the date of the coming into force of this By-law, comply with the standards and this By-law as a result of
- a. weeping tiles discharging into the owner's wastewater system on the premises or
- must ensure the owner's wastewater system meets the standards outlined this By-law by no later than **December 31, 2015 or within 90 days of the transfer of the owner's land.**
44. In order to confirm compliance with respect to the discharging of weeping tiles an owner must complete a permit. There is no fee attached to this permit.

Mandatory connections

45. Within the area serviced by the wastewater system, if an existing owner's wastewater system is not connected to the wastewater system, the owner must:
- a. connect the owner's wastewater system to the wastewater system, and
 - b. take the owner's wastewater system out of service and decommission it.

DONE AND PASSED, in Manitoba this 1st day of December, 2015.


Reeve

Chief Administrative Officer

READ A FIRST TIME this 10th day of November, 2015.

READ A SECOND TIME this 10th day of November, 2015.

READ A THIRD TIME this 1st day of December, 2015.

SCHEDULE A

All works must be inspected by the Utility Manager prior to any backfilling on private or municipal property. A minimum of 24 hours notice shall be given to the Municipality prior to inspection of any work.

A1. Permit Fee:

New Connection	\$150.00
Repair or Maintenance	\$ 60.00

Permit fee shall include administration costs and initial inspection costs only. Call-backs resulting from delays caused by the property owner or his/her contractor shall be charged at an hourly rate.

Hourly Call Back Rate (call backs)	\$ 125.00
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A2. Hook-up fees

Hook-up fee for connection to main lines service where lines are laid to the property line

..... \$400.00

A3. New Subdivisions – Per Lot Infrastructure Fee

Developers of new subdivisions within the Village of Woodlands are subject to a per lot infrastructure fee.....\$2,000.00/per lot

All sewer hook-ups that have to cross roads which are gravel, concrete, or asphalt or anything other than dirt must be pushed in from below street at wastewater line elevation, at the homeowners or developers expense.

A4. Installation of Sewer for New Connection from the Main Line to the Property Line (includes hook-up fee):

- a) \$10,500.00 for each new connection payable to the Municipality at the time permit is issued. Upon receipt of actual costs, the Municipality will refund or invoice the property owner the difference.

SCHEDULE B

Being a Schedule of the Municipality, respecting engineering specifications governing the Woodlands Wastewater (gravity sewer) Utility.

INTERPRETATION

B1. In this Schedule.

"engineer" means an engineer of record as approved by the Municipality to interrupt, inspect and advise the Municipality in all matters in respect to this schedule;

"excavated bedding material" means clay, silt, sand or gravelly sand excavated from the trench which is free from stones and hard lumps of earth larger than 10 mm in diameter. If the material excavated from the trench does not conform to this clause use bedding sand;

"common backfill material" means material selected from trench excavation or other source, unfrozen and free from cinders, ashes, sods, refuse, stones or lumps exceeding 150 mm in diameter or other deleterious materials;

"bedding sand" means sand used for bedding shall be dry, unfrozen, fine granular material all of which passes through a 9.5 mm sieve, and not more than 8% of which passes through a 75 um sieve.

Equipment and Work Covered By Schedule B

B2.1 Provides engineering specifications for the supply and installation of service lines, service connection from either:

- a. the building to an existing line near property line, or
- b. from a building to a mainline.

B2.2 All new buildings must connect to the sewer system.

Standards and Regulations

B3.1 All other items not specifically listed to meet the standards specified herein.

B3.2 Complete all works in accordance with applicable Workplace, Health and Safety Standards. All Contractors completing underground works must be registered with Workplace, Health and Safety and obtain required permits prior to excavations.

B3.3 Complete work in accordance with safety precautions and programs required for the Work or the Contractor's compliance with the applicable Construction Safety Legislation, other regulations or good construction practice or for the acts or omissions of the Contractor, his Subcontractors, any manufacturer, fabricator, supplier or distributor, or their agents, employees, or other persons performing any of the Work. All of these matters will be the responsibility of the Contractor.

B3.4 All works must be inspected by the Utility Manager prior to any backfilling on private or municipal property. A minimum of 24 hours notice is required.

Service Lines

B4.1 Each premises connecting to the sewer service must connect to the service line located on Public Property near the property line. The ownership of all such connections shall vest in the Municipality.

B4.2 Each service line must service only one occupied building.

B4.3 Use bedding sand around all saddle clamps and pipes. Use excavated bedding material around all pipe for a minimum thickness of 200 mm above the pipe.

- B4.4 Each user obtaining a service connection must provide record drawings after construction is completed showing the location of all buried works and the location measured to permanent references such as buildings, Hydro poles, etc.
- B4.5 All service lines crossing under driveways in an open cut trench must be insulated.

Hydraulic Loading

- B5.1 All grey water and sewage generated by each building connected sewer system shall be discharged directly into the service line leading to mainline. At no time shall grey water or sewage effluent be discharged on or into the ground.
- B5.2 Natural run-off, including but not limited to, drain water, snow melt and weeping tile water shall not be discharged into the wastewater collection system.
- B5.3 Each premises that is connected to the sewer system and has a weeping tile system to collect runoff water around the building foundation shall discharge such weeping tile water directly to the subject property and not to the sewer service line.

Sewer Products and Procedures

- B6.1 Pipe: Underground sewer service line pipe shall be Type PSM Poly (Vinyl Chloride); to ASTM D3034 with a locked-in gasket and integral bell system SDR 35 or equal. Size to be **100 mm or 150 or equal**. Minimum slope of PVC service line pipe to be 1.0% for 100 mm diameter piping and 0.5% for 150mm diameter, ensure there are no dips that allow water ponding. For a change in direction use bends of 45 degree or less. Provide a minimum of 150mm of sand below the pipe and 300mm above the pipe. Hand place bedding and backfill material in uniform layers not exceeding 150 mm thick to minimum 300 mm over top of pipe. Dumping of material directly on top of pipe is not permitted.
- B6.2 Connection at main to be no closer than 1m to a joint to adjacent service connection.
- B6.3 Service connections to sewer mains; Use a prefabricated PVC tee, service saddle and all stainless steel clamps. Drill around type hole with sharp clean edges the maximum diameter allowed by the saddle in use. Ensure cuttings and plug (core) from drilling the hole does not fall into the pipe. Provide a minimum of 150mm of sand below the saddle clamp and 300 mm above the saddle clamp.
- B6.4 Service connections to piping at property line: expose piping near property line and determine elevation and location. For new buildings calculate the available grade by using the lowest required service line invert elevation at the building and the pipe at the property line. Compare available grade to minimum grades. If available grade is less than minimum grade contact the municipality for further direction.

If the proposed service line invert elevation at the house is higher than that obtained using minimum grades set elevation of service line at house as required. Determine line and available grade between service line invert at house and service line invert at property line. Set grade stakes to utilize available grade which is a higher grade than minimum. Install pipe to grade.

Works on Public Property

- B7.1 Minimum pipe depth under roadways to be minimum 2.5 m or that allowed using minimum pipe grade from the main.
- B7.2 Minimum pipe depth 2.7 m in driveway areas and **must be insulated if under driveways**.

- B7.3 Tunnel (push or bore) all service lines under all roads. If pushing or boring cannot be completed due to site specific circumstances obtain approval from Municipality or Manitoba Infrastructure and Transportation for open cut excavation. As a minimum neatly cut road surface, minimize trench width, salvage and replace existing gravel, compact all backfill and provide an additional 300 mm granular top thickness above that which was existing. All restoration works must include restoring the surface back to its original condition.
- B7.6 Provide and maintain all necessary watchmen, barriers, fences, warning lights and signs and take all necessary precautions for the protection and safety of workmen and the public. Clearly mark all excavations or obstructions between sunset and sunrise with warning flares or lights.
- B7.7 Restore public property to condition existing prior to excavation.

Granular Base Material

- B8.1 Salvage existing gravel on roads and driveways by stripping, stockpiling and replacing after construction. Replace existing gravel to existing thickness prior to construction plus 300 mm.
- B8.2 Use the gravel described below when granular base material for driveways and roads. The granular base material shall consist of sound, hard crushed rock or crushed gravel and shall be free from organic or soft material which would disintegrate through decay or weathering. The granular base material to be supplied by the contractor shall be well graded throughout and shall conform to the following Class B grading requirements: NOTE: department of Highways Class A may be used in place of Class B below.

Passing 1 ½" square opening	100%
Passing No. 4 sieve	35-75%
Passing No. 10 sieve	25-65%
Passing No. 40 sieve	15-35%
Passing No. 200 sieve	6-18%
Crushed particles	35% minimum

- B8.3 Refrain from hauling aggregate and any other materials to and from the project when ground or atmospheric conditions will cause the roads or highway to be damaged by loaded trucks.

Insulation

- B9.1 Use rigid insulation where the contractor deviates from the specified depth and approval has been obtained by the Municipality. Rigid insulation installed in the trench and over waste water tanks shall conform to CGSB41-GP-14A type 4 extruded polystyrene foam as manufactured by Dow Chemical (blue in color) or approved equal with a compressive strength of 240 kPa. Municipality to advise on insulation thickness and width upon site specific circumstances.