

DISTRICT OF PORT HARDY

BYLAW NO. 05-2000

A BYLAW OF THE DISTRICT OF PORT HARDY TO REGULATE THE CONNECTION OF STORM DRAINS

WHEREAS pursuant to the power vested in the Municipal Council under the *Municipal Act*, the Corporation of the District of Port Hardy has or will cause to be constructed works for the discharge of storm water;

AND WHEREAS pursuant to Section 540 of the *Municipal Act*, the Council may by bylaw impose a connection charge on owners of real property that requires lands, buildings or structures to be drained and discharged into community drainage lines;

NOW THEREFORE, the Council of the District of Port Hardy, in open meeting assembled, ENACTS as follows:

1. TITLE

This bylaw may be cited as the "Storm Drain Connection Regulation Bylaw No. 05-2000".

2. DEFINITION

In this bylaw, unless the context otherwise requires:

BUILDING DRAIN means the pipe installed inside the property lines of the property concerned.

STORM DRAIN CONNECTION means the connection at the property line of the building drain pipe to the storm drain lead.

STORM DRAIN MAIN OR COMMON DRAIN means any part of the drainage system installed in municipal property or easement designed to take two or more storm drain connections to carry storm water.

STORM DRAIN LEAD means the pipe extending from the main drain to the property line of the property being served or about to be served, or where the main drain is located in an easement through the property, it shall mean the lead taken from the main to feed the adjacent property.

STORM DRAINAGE means all drainage works and all appurtenances thereto, including storm mains, service connections, and drainage outfalls laid within any highway, municipal right-of-way or easement.

STORM WATER means waters resulting from a period of natural precipitation resulting in surface run-off and sub-surface percolation, not to include sewage or industrial waste.

CORPORATION means the Corporation of the District of Port Hardy.

COUNCIL means the Council of the Corporation of the District of Port Hardy.

BYLAW 05-2000
REGULATION OF THE CONNECTION OF STORM DRAINS

DIRECTOR means the Director of Operational Services or his designate means the person so designated by the Council to carry out the provisions of this bylaw.

INSPECTOR means a Building Inspector of the Corporation, duly appointed by Council.

OWNER shall have the meaning assigned to it under the Municipal Act.

PERSON shall include a firm, association, partnership, organization, trust company, or corporation, as well as any individual.

3. That the owner of every parcel of real property to which a service connection can be or has been made and upon which a building or structure is situated, shall connect to such building or structure to the storm drain lead upon receiving notice from Public Works Foreman.
4. That in the event any owner failing to make the required connection within sixty (60) days of being notified by the Corporation to do so, the Director of Operational Services, his designate, by his work men or others, may have the work done at the owner's expense, and such expense is hereby declared to be a charge for work or services done, and the provisions of Section 540 of the Municipal Act shall apply thereto.
5. That notwithstanding the foregoing, any owner failing to make the required connection within the aforesaid period of sixty (60) days, shall be liable to penalties provided in this bylaw.
6. That no person shall connect any building to a storm drain connection until he has completed an application for connection.
7. That at such time as the application is executed, the applicant shall pay a connection fee in accordance with the current District of Port Hardy User Rates Bylaw.
8. That no person shall connect any drains or outlets until such connection has been approved by the Inspector.
9. That no permit for the connected be issued if in the opinion of the Director or his designate the drainage system is incapable of adequately serving the said parcel of land.
10. Upon completion of the installation and construction of a building drain and before it has been back filled, the Inspector shall be informed that the installation and construction is complete, and thereupon the Inspector shall forthwith make an inspection of the work.
11. All such work shall be left uncovered and convenient for examination until inspected and approved by the Inspector in writing.
12. Materials and workmanship which, in the opinion of the Inspector, are defective or otherwise not in accordance with the provisions of this, or any other relevant bylaw, shall be removed and replaced by the owner at the direction of the Inspector.
13. That all building drains be constructed in accordance with the specifications contained in the British Columbia Plumbing Code and National Building Code.

- 14.** Slope of Connection:
- a) The building drain shall be laid to an even slope of not less than 2% in the direction of the flow in all cases up to 150 mm lines and not less than 1% in the case of 200 mm lines, provided that in exceptional circumstances a slope of 1% may be approved if installed under the direction of the Inspector.
 - b) The pipe shall be laid not less than 0.5 meters below the finished surface of the ground as measured to the top of the pipe.
 - c) The pipe shall be laid concentric to each adjacent pipe and the joints shall be flush, even and free of any internal obstruction.
 - d) Where couplings are provided by the manufacturer as in the case of asbestos cement, or plastic pipes, the coupling shall be installed in accordance with the manufacturer's specification.
 - e) Bell and spigot pipe shall be laid with the spigot end facing the direction of the flow.
 - f) Where the building drain connection is laid over filled ground or in ground which may be subject to settling, the Inspector may require that cast iron soil pipe, or other suitable materials be used.
 - g) The pipe shall not bear on any plank, timber, rock or other unyielding object, nor shall any such object be placed against the pipe in back filling.
 - h) Where the building drain is laid near any shrub or tree whose roots may penetrate the pipe joints, the Inspector may require that special joint material be used.
 - i) The building drain shall have a 150 mm bed of sand prior to being installed and shall be covered with a layer of sand not less than 300 mm thick over top of pipe. Select site material may be used if prior approval is obtained from the Inspector.
- 15.** No person shall maliciously, wilfully or negligently break, damage, destroy, uncover, deface or tamper with any public drain or appurtenances thereto.
- 16.** That the owner of any building connected to the drainage system shall, at all reasonable times, all the Director or his designate, or any person under his authority, to enter into and upon the premises for the purpose of:
- a) Ascertaining whether the provisions of the bylaw are being adhered to.
 - b) Determining the size, depth, location and condition of any drain, and all connections made and utilized therewith.
 - c) Determining the location, method and place of discharge of roof and surface drains.
 - d) Inspecting, observing, measuring, sampling and testing the quantity of storm water being discharged into any public drain, natural outlet or watercourse.

17. Every person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw, or who neglects or refrains from doing anything required to be done by any provisions of this bylaw, shall be guilty of an offence and shall be liable, on conviction, to the penalties set out in the Offence Act and amendment thereto.

18. REPEAL

That upon reconsideration and finally being passed by the Municipal Council, Bylaw No. 921, 1996 is hereby repealed in its entirety and all amendments thereto are hereby repealed.

READ A FIRST TIME ON THE 26th DAY OF JANUARY, 2000

READ A SECOND TIME ON THE 26th DAY OF JANUARY, 2000

READ A THIRD TIME ON THE 26th DAY OF JANUARY, 2000

RECONSIDERED AND FINALLY PASSED BY THE MUNICIPAL COUNCIL ON THE 9th DAY OF FEBRUARY, 2000.

DEPUTY ADMINISTRATOR

MAYOR