

## REGIONAL DISTRICT OF BULKLEY-NECHAKO BYLAW NO. 978, 1997

A bylaw to regulate and permit sewage disposal systems.

WHEREAS Section 799(1)(e) of the Municipal Act states that a regional district may, by bylaw, establish and operate building inspection as an extended service;

AND WHEREAS Section 799(2)(e) of the Municipal Act states that when a regional district provides building inspection as a service, the provisions of Section 692 to 699 of the Municipal Act apply;

AND WHEREAS Section 694 of the Municipal Act allows a regional board, for the health, safety, and protection of persons and property, by bylaw, to regulate the installation, alteration and repair of plumbing, including septic tanks and sewer connections;

AND WHEREAS Section 694 of the Municipal Act allows a regional board, by bylaw, to require owners to obtain a valid permit before commencing and during the construction, installation, repair or alteration of plumbing, sewers, septic tanks and similar works;

AND WHEREAS the Regional District of Bulkley-Nechako (the "Regional District") provides building inspection pursuant to powers granted to Section 799 of the Municipal Act;

AND WHEREAS the Regional District wishes to regulate and require permits for the installation of sewage disposal systems in portions of District Lot 9292, Range 5, Cariboo District and District Lot 9295, Range 5, Cariboo District (Somerset Estates), located adjacent to Cluculz Lake;

NOW THEREFORE the Board of the Regional District of Bulkley-Nechako in open meeting enacts as follows:

### Title

1. This bylaw may be cited as "Cluculz Lake - Somerset Estates Sewage Disposal Bylaw No. 978, 1997."

### Application

2. This bylaw applies to those portions of District Lot 9292, Range 5, Cariboo District and District Lot 9295, Range 5, Cariboo District (Somerset Estates), located in Electoral Area "F", and as shown on Schedule A, attached hereto and forming part of this bylaw.

### Definitions

3. In this bylaw, unless context otherwise requires,  
  
"AGENT" means a person acting on behalf of the owner of land with written authorization from the owner;  
  
"APPLICATION FEE" is the fee payable for a sewage disposal permit as established under Section 5 of this bylaw;

"BUILDING CODE" means the British Columbia Building Code adopted pursuant to the Building Regulations of British Columbia (B.C. Regulation 192/87), as amended from time to time, and includes the B.C. Plumbing Code;

"BUILDING INSPECTOR" means a person appointed by the Regional Board as building inspector for the Regional District of Bulkley-Nechako or any other person appointed by the Regional District to administer this bylaw;

"COMMUNITY SEWAGE COLLECTION SYSTEM" means the septic tank effluent pumping (STEP) system of sewerage collection and disposal which serves the area shown on Schedule "A" and is regulated under a Waste Management Act permit;

"OWNER" means the registered owner of real property, his agent, a tenant for life under a registered life estate, the registered holder of the last registered agreement for sale, and the holder or occupier of Crown land or municipal land (other than the Crown or municipality);

"PLUMBING CODE" means the British Columbia Plumbing Code adopted pursuant to the Building Regulations of British Columbia (B.C. Regulation 192/87), as amended from time to time;

"SITE PLAN" means a plan showing the location of all present and proposed buildings, septic tanks and lines, watercourses, drinking water sources, water lines, and driveways;

"SEWAGE DISPOSAL SYSTEM" means a septic tank and all pipes, connections and other works to conduct waste from plumbing fixtures to a public sewerage;

"STOP WORK NOTICE" means a notice in writing, the form of which is set out in Schedule "E" of this bylaw, issued in accordance with this bylaw which requires the immediate suspension of all excavation, installation, construction, covering over and other work related to a sewage disposal system.

#### Use of Community Sewage System Required

4. The owner of every building used for human occupancy, employment, recreation, or other purpose located within the area shown on Schedule "A" shall, at his own expense, install a plumbing system therein and shall connect such system with the community sewage collection system in accordance with the B.C. Plumbing Code.

#### Technical Specifications for On-Site Works

5. On each parcel served by the community sewage disposal system the property owner shall install a sewage disposal system to service the sewage requirements of any use to meet or exceed the technical specifications attached to this bylaw as Schedule "B".

#### Sewage Disposal Permit

6. (a) No person shall commence any excavation or other preparatory work for installation of a sewage disposal system unless the building inspector has issued a valid and subsisting Part 1 of the sewage disposal permit.
- (b) No person shall cover over and use a sewage disposal system unless the building inspector has issued a valid and subsisting Part 2 of the sewage disposal permit.

- (c) No person shall connect a sewage disposal system to any main line of a sewage disposal system operated by the Regional District of Bulkley-Nechako or its designate unless the building inspector has issued a valid and subsisting Part 3 of the sewage disposal permit.

#### Application Fee

7. Each applicant for a sewage disposal permit shall pay a non-refundable application fee of \$250.00 to the Regional District of Bulkley-Nechako at the time that application is made for a sewage disposal permit.

#### Site Plans

8. Every owner shall submit with his application for a sewage disposal permit a site plan of the property, showing the location of all present and proposed buildings, septic tanks and lines, watercourses, drinking water sources, water lines, and driveways.

#### Plan Certification

9. Subject to the qualifications set out below, the building inspector is authorized to require any person applying for a sewage disposal permit to provide the Regional District with a certification by a professional land surveyor, registered to practice within the Province of British Columbia, that the site plan complies with the Building Code, this bylaw and other applicable enactments.
10. The building inspector may require that the sewage disposal system be designed and certified by a professional engineer, registered to practice within the Province of British Columbia, where he considers that certification is warranted on the basis of the site conditions, the size of the disposal system, or the complexity of the sewage disposal system.
11. Where the Building Inspector requires certification under Section 10, he shall cause to be mailed to the owner a notice of compliance in the form of notice as shown on Schedule "D" which is attached hereto and forming part of this bylaw.

#### Soil Tests

12. The building inspector may require the owner to deliver to the building inspector the results of any test, whether of soil, fill, materials or otherwise, which the building inspector considers necessary to determine whether the sewage disposal system will conform with the requirements of this bylaw and other enactments.

#### Removal of Soil

13. When required by the building inspector, an owner shall uncover and replace at his own expense any work that has been covered contrary to this bylaw or an order of the building inspector.

#### Refusal of a Sewage Disposal Permit

14. The building inspector may refuse to issue a sewage disposal permit if:
- (a) the application fee is not paid;
  - (b) a site plan is not submitted with the permit application;
  - (c) a certified site plan or engineer's certificate is not submitted when the building inspector requires it;
  - (d) the information submitted in the application or the site plan or certified site plan is incorrect;
  - (e) the information submitted in the application or the site plan or the certified site plan is inadequate for the building inspector to determine if there is compliance with all applicable enactments;
  - (f) issuance of the sewage disposal permit may, in the opinion of the Building Inspector, result in damage to the community sewage collection system;
  - (g) issuance of the sewage disposal permit would be prohibited by or contrary to this bylaw or another bylaw, act or regulation.

#### Tests

15. The building inspector may revoke or refuse to issue a sewage disposal permit where the results of tests authorized under the Building Code or this bylaw or another regulation of the Regional District prove that materials, devices, construction methods, structural assemblies or foundation conditions do not provide the level of performance required by the Building Code or this bylaw.

#### Issuance of a Permit

16. Where:
- (a) there is no ground for refusal of a sewage disposal permit pursuant to Section 14 of this bylaw;
  - (b) an application in the correct form has been made for a sewage disposal permit;
  - (c) the application fee has been paid;
  - (d) the site plans or certified site plans have been submitted;
  - (e) all tests required by the building inspector have been conducted to the building inspector's satisfaction; and
  - (f) the sewage disposal system would conform with this bylaw and all other bylaws, the Building Code and other applicable enactments,

the building inspector shall issue a sewage disposal permit.

#### Lapsing of a Permit

17. Every sewage disposal permit is issued on the condition that work proceeds continuously, that no excavation be left in an unsightly or dangerous condition, and that all work be completed within six months of the issuance of the sewage disposal permit, at which time the sewage disposal permit shall lapse.

#### Revocation of Permit

18. The building inspector may revoke a sewage disposal permit, by delivering a notice to the property owner, where:
- (a) there is a contravention of any term or condition in any part of the sewage disposal permit;
  - (b) there is a contravention of the building code;
  - (c) the sewage disposal permit was issued on the basis of incorrect information supplied by the owner.

#### Entry on Real Property

19. The building inspector, his designate, or any other person appointed by the Regional District of Bulkley-Nechako may enter any land, building or premises at any reasonable time for the purpose of ascertaining whether the bylaw is being observed.

#### Stop Work Notice

20. Where any sewage system, or portion thereof:
- (a) contravenes the Building Code, this bylaw or any other bylaw of the Regional District, or any other applicable enactment;
  - (b) contravenes the specifications of the site plan or certified site plan submitted with the application for the sewage disposal permit; or
  - (c) is being constructed without a sewage disposal permit having been issued by the building inspector,

the building inspector, his designate, or any other person appointed by the Regional District to administer this bylaw may issue a stop work notice by causing it to be posted on the property or attached to any structure on the property.

21. So long as any stop work notice is in effect, no person shall do any work on the sewage disposal system in contravention of the notice.

#### Documents on Site

22. Every property owner shall, during construction of a sewage disposal system:
- (a) post a copy of the sewage disposal permit on the property in a conspicuous place; and
  - (b) keep a copy of the site plan or certified site plan on the property.

### Inspections

23. Every property owner shall give at least seven business days notice to the Building Inspector to obtain an inspection or approval of the following work:
- (a) after completion of all excavation required for the sewage disposal system; and
  - (b) after installation but before the covering over of the septic tank and other works associated with the sewage disposal system.

### Duties of the Building Inspector

24. (a) The Building Inspector shall keep records of any application received, permits and orders issued, inspections and tests made, and shall retain copies of all papers and documents connected with the administration of this bylaw, all for at least seven years.
- (b) The Building Inspector shall not act and shall not be deemed to have acted in the capacity of an engineering or architectural consultant.

### Prohibition

25. Every person commits an offence contrary to the provisions of this bylaw who:
- (a) starts or authorizes any construction related to a sewage disposal system unless the building inspector has issued to him a valid sewage disposal permit;
  - (b) does any work which is at variance with the description, plans and specifications contained in the site plan or certified site plan;
  - (c) obstructs the entry of the building inspector or other person authorized by this bylaw to administer or enforce this bylaw;
  - (d) reverses, alters, defaces, covers, removes, or in any way tampers with a stop work notice affixed in accordance with this bylaw;
  - (e) uses a sewage disposal system contrary to the terms of the sewage disposal permit;
  - (f) continues work on a sewage disposal system following the posting of a stop work notice;
  - (g) submits false or misleading information in connection with an application for a sewage disposal permit; or
  - (h) contravenes any provision of this bylaw.

### Penalties

26. (a) Any person who contravenes any of the provisions of this bylaw is punishable in accordance with the Offense Act.
- (b) Each day a violation is caused or allowed to continue constitutes a separate offence.

Severability

27. If any section, subsection, paragraph, subparagraph, sentence, or clause of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.

Schedules

29. Schedules "A" through "E" inclusive are attached hereto and form part of this bylaw.

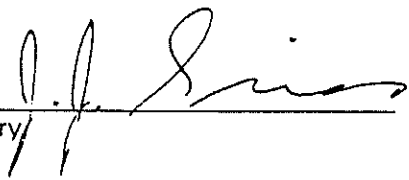
READ A FIRST TIME this 22nd day of May, 1997

READ A SECOND TIME this 22nd day of May, 1997

READ A THIRD TIME this 22nd day of May, 1997

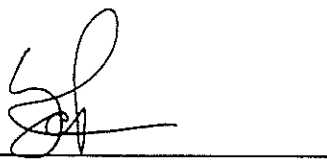
I hereby certify that the foregoing is a true and correct copy of "Cluculz Lake - Somerset Estates Sewage Disposal Bylaw No. 978, 1997".

Secretary

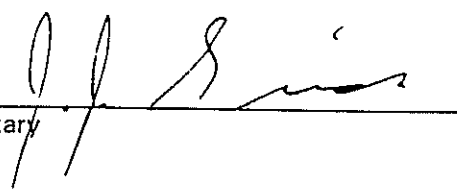


RECONSIDERED AND FINALLY ADOPTED this 21<sup>st</sup> day of August, 1997

Chairperson



Secretary



## SCHEDULE "B"

### REGIONAL DISTRICT OF BULKLEY- NECHAKO CLUCULZ LAKE - SOMERSET ESTATES SEWAGE DISPOSAL BYLAW NO. 978, 1997

#### TECHNICAL SPECIFICATIONS FOR ON-SITE WORKS

1. Septic tanks for use on private property for connection to a public sewer shall:
  - (a) be CSA approved;
  - (b) have a minimum of 4,546 litre (1,000 gallon) liquid capacity;
  - (c) be water tight;
  - (d) be constructed of sulphate resistant concrete;
  - (e) have two compartments with the first compartment being a minimum of 2,730 litre (600 gallon) liquid capacity (this may include two individual septic tanks where each septic tank is utilized as a separate compartment);
  - (f) be designed, constructed, and installed to withstand the imposed loading to which it will be subjected from its depth of bury, in accordance with good engineering practice;
  - (g) provide access for each compartment with each access having minimum internal opening dimension of 50 cm (20 inches) and they shall be constructed of concrete and be provided with concrete covers, including handles;
  - (h) be located to provide a minimum fall of .4 cm (1/8 inch) per 30 cm (1 ft.) in the building drain and building sewer to the septic tank;
  - (i) be located not less than
    - (i) 15m (50 ft.) from a source of domestic water;
    - (ii) 1m (3 ft.) from a parcel boundary;
    - (iii) 1m (3 ft.) from a building;
    - (iv) 3m (10 ft.) from a domestic water line;
  - (j) be located a minimum depth of 1.22 m (4 ft.) below the surface of the ground;
  - (k) be located not more than 15 m (49.2 ft.) from a driveway, so as to be readily accessible by a pump truck;
  - (l) be equipped with an audible and visible high level alarm which is easily visible from the road;
  - (m) in addition to the above requirements, meet or exceed the specifications and layout of piping, valves and connections as noted in the diagram below:





2. The effluent pump, to be supplied by the property owner for installation in the septic tank as shown in the diagram above, shall be a Myers P101 1 horsepower pump or a Hydromatic SKHD 1.5 horsepower pump, or an equivalent pump having the following or equivalent standards:

- a volute and motor housing constructed of cast iron;
- an oil cooled and lubricated motor;
- carbon and ceramic faced mechanical shaft seals;
- and a minimum head capacity of 120 feet, at a flow rate of 5.0 US gpm.

For pumps, other than those noted above, having a head capacity greater than 120 feet, at a flow rate of 5.0 US gpm, the Building Inspector may require certification from a professional engineer that the pump will not cause damage to the main collection system.

3. All connections to curb stop should use Ford type compression fittings, or fittings of equivalent design.

SCHEDULE "C"

Regional District of Bulkley - Nechako  
Cluculz Lake - Somerset Estates Sewage Disposal  
Bylaw No. 978, 1997

APPLICATION FOR A SEWAGE DISPOSAL PERMIT

Name of Applicant: \_\_\_\_\_  
(The "Applicant")

Applicants's Status: \_\_\_\_\_  
(property owner, contractor, architect, etc.)

Applicant's Address: \_\_\_\_\_  
\_\_\_\_\_ Telephone No. \_\_\_\_\_

Property Owner: \_\_\_\_\_  
(The "Owner")

Owner's Address: \_\_\_\_\_  
\_\_\_\_\_ Telephone No. \_\_\_\_\_

Address or Location  
of Property: \_\_\_\_\_

Legal Description: \_\_\_\_\_  
(The "Property")

Intended Use of  
Building to be  
Serviced: \_\_\_\_\_

Zoning of Property: \_\_\_\_\_

The Owner hereby applies to the Regional District of Bulkley-Nechako (the "Regional District") for permission to excavate for, install, cover, use, repair, and maintain a sewage disposal system on the Property (the "Sewage Disposal System") and connect it to the community sewage collection system.

In consideration of issuance of a Sewage Disposal Permit to the Owner, the Owner agrees that the terms and conditions set out on the following pages form part of this Sewage Disposal Permit and the Owner agrees to comply fully with and be bound by those terms and conditions.

THE OWNER HAS READ AND UNDERSTOOD THE TERMS AND CONDITIONS AND AGREES THAT THEY WILL BE OBSERVED BY THE OWNER, HIS EMPLOYEES, SERVANTS, AGENTS, LICENSEES AND INVITEES.

The Applicant warrants and represents that he has the power, authority, and capacity to enter into this agreement on behalf of the Owner and to bind the Owner with his signature.

The Applicant and the Owner agree to release, indemnify, and save harmless the Regional District of Bulkley - Nechako from and against any claims, liability, costs, and other harm which any person may have due to the issuance of this permit, including any loss resulting from the Applicant not having the authority to enter into this agreement on behalf of the Owner.

Dated this \_\_\_\_\_ day of \_\_\_\_\_

*(If Owner or Applicant is an individual)*

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(print name)

*(If Owner is a corporation or society)*

The Common Seal of the Owner was hereunto affixed in the presence of:

\_\_\_\_\_  
(signature)

ON BEHALF OF

\_\_\_\_\_  
(name of Owner)

Checklist

Fee Received: \_\_\_\_\_  
Site Plans Received: \_\_\_\_\_  
Certification of Site Plans Required: Yes \_\_\_\_\_ No \_\_\_\_\_  
Compliance with Zoning: \_\_\_\_\_

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PART 1 - PERMISSION TO EXCAVATE AND INSTALL

IN RELIANCE ON THE APPLICATION COMPLETED BY THE OWNER ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ THIS PERMIT IS HEREBY ISSUED AS OF THE \_\_\_\_\_ DAY OF \_\_\_\_\_, PERMITTING THE OWNER TO EXCAVATE AND INSTALL A SEWAGE DISPOSAL SYSTEM SUBJECT TO THE TERMS AND CONDITIONS ATTACHED AND ANY SPECIAL REMARKS NOTED HERE:

The Owner may not cover over any septic tank or other portions of the sewage disposal system until Part 2 of this permit is issued.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

REGIONAL DISTRICT OF BULKLEY - NECHAKO

\_\_\_\_\_  
(signature of Building Inspector)

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PART 2 - PERMISSION TO COVER AND USE

IN RELIANCE ON THE APPLICATION COMPLETED BY THE OWNER ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ THIS PERMIT IS HEREBY ISSUED AS OF THE \_\_\_\_\_ DAY OF \_\_\_\_\_, PERMITTING THE OWNER TO COVER OVER AND USE THE SEWAGE DISPOSAL SYSTEM SUBJECT TO THE TERMS AND CONDITIONS ATTACHED AND SUBJECT TO ANY SPECIAL REMARKS NOTED HERE:

The Owner may not connect the sewage disposal system to any main line of a sewage collection system until Part 3 of this permit is issued.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

REGIONAL DISTRICT OF BULKLEY - NECHAKO

\_\_\_\_\_  
(signature of Building Inspector)

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PART 3 - PERMISSION TO CONNECT TO MAIN SYSTEM

IN RELIANCE ON THE APPLICATION COMPLETED BY THE OWNER ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, THIS PERMIT IS HEREBY ISSUED AS OF THE \_\_\_\_\_ DAY OF \_\_\_\_\_, PERMITTING THE OWNER TO CONNECT HIS SEWAGE DISPOSAL SYSTEM TO THE MAIN LINE OF THE REGIONAL DISTRICT'S SEWAGE DISPOSAL SYSTEM SUBJECT TO THE TERMS AND CONDITIONS ATTACHED AND SUBJECT TO ANY SPECIAL REMARKS NOTED HERE:

The Owner shall notify the Building Inspector at least 7 days before connection of the sewage disposal system to the main line.

The Owner shall provide the Building Inspector with three copies of the "as built" Site Plan and "as built" plans showing the layout of piping, valves, and connections before connection of the sewage disposal system to the main line.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

REGIONAL DISTRICT OF BULKLEY - NECHAKO

\_\_\_\_\_  
(signature of Building Inspector)

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TERMS AND CONDITIONS OF SEWAGE DISPOSAL PERMIT

Application Fee

1. The Owner shall pay an application fee of one hundred dollars (\$250) to the Regional District of Bulkley - Nechako for the Sewage Disposal Permit at the time of applying for the Permit (the "Application Fee"). The Application Fee is non-refundable.

Duration of the Permit

2. Each part of this Permit is valid as of the date of issuance noted above and expires six months after the date of issuance.

Compliance

3. The Owner must construct, install, use, maintain and repair the Sewage Disposal System in compliance with all applicable laws and regulations, including the Regional District's Sewage Disposal Bylaw and other bylaws adopted by the Regional District from time to time.

#### Location of Septic Tanks

4. An Owner shall not install a septic tank less than:
  - (a) one metre from the property boundary;
  - (b) one metre from a residential building on the property;
  - (c) three metres from a domestic water pipe line; or
  - (d) fifteen metres from a source of domestic water.

#### Site Plans

5. The owner shall submit with each application for a Sewage Disposal Permit a site plan of the Property showing locations of buildings, septic tanks and lines, watercourses, all drinking water sources, and water lines (the "Site Plan").

#### Engineered Plans

6. Where the Regional District Building Inspector considers that engineered plans are necessary due to site conditions on the Property, the size of the Sewage Disposal System, or the complexity of the Sewage Disposal System, the Building Inspector may require the Owner to have a professional engineer certify that the Site Plan complies with the B.C. Building Code, Regional District bylaws and other applicable rules and regulations (the "Engineered Plans").

#### Reliance on Certified Plans

7. Where Engineered Plans are required and received, the Regional District hereby notifies the Owner that it is relying on the certification of the professional engineer that the Site Plans comply with the current B.C. Building Code, Regional District bylaws and other applicable rules and regulations.

#### Revocation of Permit

8. The Regional District may revoke the Sewage Disposal Permit at any time, without payment of damages, costs or compensation to the Owner, if the Owner does not comply with the terms and conditions of this permit and with any applicable rules and regulations.

#### Governing Law

9. This Permit shall be governed by and construed in accordance with the laws of the Province of British Columbia and the Owner agrees to submit to the jurisdiction of the courts of British Columbia.

#### Enurement

10. This Permit shall enure to the benefit of and be binding on the Owner and the Owners respective heirs, executors, administrators, successors, assigns and transferees.





SCHEDULE "E"

Regional District of Bulkley - Nechako  
Cluculz Lake - Somerset Estates Sewage Disposal  
Bylaw No. 978, 1997

# STOP WORK NOTICE

Regarding Building or  
Work Located at:

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Notice is hereby given that pursuant to Regional District of Bulkley - Nechako Bylaw No. 978, 1997 all further work is prohibited, unless authorized in writing by the Building Inspector.

Dated: \_\_\_\_\_

Reason: \_\_\_\_\_

Signed: \_\_\_\_\_

(On behalf of the Regional District of Bulkley-Nechako)

IT IS UNLAWFUL FOR ANY PERSON TO ALTER  
OR REMOVE THIS NOTICE