

BYLAW 155-16

A BYLAW OF THE SUMMER VILLAGE OF WHITE SANDS TO REGULATE THE DISPOSAL OF SEWAGE AND WASTEWATER WITHIN THE SUMMER VILLAGE.

WHEREAS authority is granted under the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, as amended or replaced from time to time, to regulate and prohibit for Municipal purposes respecting the safety, health and welfare of people and property; and

WHEREAS authority is granted under the *Private Sewage Disposal Systems Regulation*, AR 229/97, as amended or replaced from time to time, that a municipality may make bylaws restricting the type of systems recognized in the Alberta Private Sewage Systems Standard of Practice in force that can be constructed or used in new installations of private sewage disposal systems.; and

WHEREAS there is a concern about the risk of contamination caused by private sewage systems and/or sewage holding tanks which are not constructed of reinforced pre-cast concrete; and

WHEREAS the Municipal Council of the Summer Village of White Sands deems it desirable to prohibit the disposal of sewage and waste water into the ground upon lands within the Summer Village;

NOW THEREFORE THE COUNCIL OF THE SUMMER VILLAGE OF WHITE SANDS ENACTS AS FOLLOWS:

1. In this bylaw,
 - a) "Council" means the Council of the Summer Village of White Sands.
 - b) "Owner" shall mean the person or persons registered as the owner or owners of a parcel of land within the Summer Village of White Sands.
 - c) "Sewage" is as defined in the current Private Sewage Disposal System Regulation.
 - d) "Sewage System" means a sewage system authorized by Section 5 of this Bylaw.
 - e) "Summer Village" means the Summer Village of White Sands.
2. Any Sewage System shall be installed and maintained in compliance with the provisions of the Alberta Safety Codes Act, R.S.A. 2000, c. S-1, the Alberta Private Sewage Systems Standard of Practice 2015, and the regulations thereunder as amended or repealed and replaced from time to time.
3. A Sewage System shall be installed and maintained on all those properties within the Summer Village of White Sands which are being used as permanent residences, cottages or for parking of recreational vehicles in excess of 21 days per year.
4. Notwithstanding Section 2 of this bylaw, a Sewage System shall be installed and maintained on all those properties within the Summer Village which have a Water System on them and or an outdoor privy.
5. Only Self-contained Sewage Systems will be permitted to be installed or replaced on parcels of land within all areas of the Summer Village of White Sands. Self-contained Sewage Systems include, connection to a municipal system, municipal/private co-op systems and private sewage holding tanks that are constructed of reinforced pre-cast concrete and meet applicable/relevant CAN/CSA standards, but do not include non-concrete self-contained sewage holding tanks, disposal fields, treatment mounds, pit privies, or any other Approved System for the disposal of sewage or waste water on a parcel of land which results in the disposal of sewage and/or waste water into the ground.

Bylaw 155-16

Page 2

6. A Bylaw Enforcement Officer or any designated officer of the Summer Village of White Sands shall, subject to compliance with the requirements of Sections 542 and 543 of the Municipal Government Act (Alberta) R.S.A. 2000, Chapter M-26, be entitled to enter any lands within the Summer Village for the purpose of carrying out an inspection to determine compliance with this bylaw.
7. When the designated officer finds that a sewage system has been installed in a manner that contravenes this bylaw, the officer may, by notice in writing, order the registered owner, the person in possession of the land or buildings, or the person responsible for the contravention to :
 - a) demolish, remove or replace the system or
 - b) take such other measures so that the installation conforms with this bylaw
8. Where a person fails or refuses to comply with an order directed to him under this bylaw within the time specified in the notice the designated officer may enter upon the land or building and take such action as is necessary to carry out the order.
9. When the designated officer carries out an order, the Council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned and that amount shall be collected in the same manner as taxes on land.
10. Any owner of a parcel of land which contravenes this bylaw is guilty of an offence and liable on conviction:
 - a) for the first offence, to a fine of \$500.00;
 - b) for the second offence, to a fine of \$1,000.00; and
 - c) for the third and each subsequent offence, to a fine of \$2,500.00;

and in addition to those fines, for each offence the owner of the parcel of land is additionally liable to a fine of \$100.00 per day for each day that the property remains in contravention of this bylaw.
11. Each separate provision of this Bylaw shall be deemed independent of all other provisions, and if any provisions of this Bylaw are declared invalid all other provisions shall remain valid and enforceable.
12. Bylaws No. 125-09, 124-09, 102-05, 101-05, 87-01, 84-99, 78, 72 & 57 are hereby repealed.

This bylaw shall come into force and effect on the date of its final reading.

READ a first time this 29th day of April, A.D. 2016.

READ a second time this 29th day of April, A.D. 2016.

READ a third time and finally passed this 29th day of April, A.D. 2016.

Mayor

CAO