

**TOWN OF FLORENCEVILLE-BRISTOL**  
**A BY-LAW RELATING TO SANITARY SEWERAGE SYSTEMS**  
**BY-LAW NO. 7**

A BY-LAW OF THE MUNICIPALITY OF FLORENCEVILLE-BRISTOL RELATING TO SANITARY SEWERAGE SYSTEMS PURSUANT TO SECTION 189 OF THE MUNICIPALITIES ACT OF NEW BRUNSWICK.

The Council of the Municipality of Florenceville-Bristol under authority vested in it by Section 189 of the *Municipalities Act*, R.S.N.B. 1973, c. M-22 enacts the following by-law:

**1. TITLE**

1.1. This by-law may be cited as the “Sanitary Sewerage Systems By-Law.”

**2. DEFINITIONS**

In this by-law, unless the context otherwise requires:

- 2.1. "BIOCHEMICAL OXYGEN DEMAND (BOD)" shall mean the quantity of oxygen used in the biochemical oxidation of organic matter in a specified time, at a specified temperature, and under specified conditions.
- 2.2. "BUILDING" shall mean the house, trailer, structure or property used for human occupation, and situated within the jurisdiction of the Town of Florenceville-Bristol.
- 2.3. "BUILDING DRAIN" shall mean the horizontal piping, including any vertical offset, that conducts sewage to the building sewer.
- 2.4. "BUILDING SEWER" shall mean a pipe that is connected to a building drain and begins one (1) meter outside a wall of a building and leads to the public sewer or other place of Disposal approved by the Municipality.
- 2.5. "CLERK" shall mean the clerk of the Town of Florenceville-Bristol.
- 2.6. "ENGINEER" shall mean the engineer, firm, company, association, corporation or group from time to time designated by the Municipality to oversee the implementation of this by-law, and the construction and maintenance of the sewer system within the Municipality's jurisdiction or his representative.
- 2.7. "INSPECTOR" shall mean the inspector from time to time designated by the Municipality to oversee the implementation of this by-law and the construction and maintenance of the sewerage system within the Municipality's jurisdiction.
- 2.8. "MUNICIPALITY" shall mean the Town of Florenceville-Bristol or a Person or Persons properly appointed by the Town of Florenceville-Bristol to administer this by-law.

- 2.9. "NATURAL OUTLET" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.
- 2.10. "NATURAL WATERCOURSE" shall mean a surface or underground watercourse created by natural agencies and conditions.
- 2.11. "OWNER" shall mean the beneficial Owner and where applicable means the Owner of the fee simple or if such property is held subject to a mortgage, it shall mean the Owner of the equity of redemption and if title shall be held in joint tenancy or in tenancy in common, it shall mean each of such Owners jointly and severally.
- 2.12. "PARTS PER MILLION (PPM)" shall mean the number of weight or volume units of a minor constituent present with each one million units of the major constituent of a solution or mixture.
- 2.13. "PERSON" shall mean any individual, firm, company, association, institution, society, corporation or group.
- 2.14. "pH" shall mean the logarithm of the hydrogen-ion concentration. The concentration is the weight of hydrogen ions, in grams, per litre of solution. Neutral water has a pH of 7 and hydrogen-ion concentration of  $10^{-7}$ .
- 2.15. "PRIVATE SEWER SYSTEM" means any private system for sewage disposal serving one lot of real property.
- 2.16. "PUBLIC SEWER" shall mean a common sewer controlled by the Municipality.
- 2.17. "USER UNIT" shall mean a unit as defined in SCHEDULE B USER UNIT TABLE of this by-law.
- 2.18. "UNPOLLUTED DRAINAGE" shall mean drainage which does not contain micro-organisms, chemicals, wastes or waste water in a concentration that exceeds the effluent criteria in effect.
- 2.19. "SANITARY SEWER" shall mean a sewer, which carries sewage and into which admission of storm, surface, and ground waters is specifically prohibited.
- 2.20. "SEWER" shall mean a pipe or conduit for carrying domestic wastewater, industrial wastewater, surface runoff or excess ground water either together or separately.
- 2.21. "SEWER SYSTEM" shall mean collectively all the property involved in the operation of the sewer utility and shall include land, piping and appurtenances, pumping stations, treatment works and general property.
- 2.22. "SHALL" is mandatory; "MAY" is permissive.

- 2.23. "STORM SEWER" shall mean a pipe or conduit for carrying storm water, surface water and excess ground water but excludes domestic wastewater and industrial wastes.
- 2.24. "SUSPENDED SOLIDS (SS)" shall mean solids that either float on the surface of, or are in suspension in, water, waste water or other liquids, and which are largely removable by laboratory filtering.
- 2.25. "WASTE WATER" shall mean a combination of the water carried wastes from residences, business buildings, institutions, and industrial establishments.

### **3. BUILDING SEWERS**

- 3.1. The owner of all houses, buildings or properties used for human occupancy, employment or recreation or other purposes situated within the jurisdiction of the Municipality and abutting on any street or right of way in which there is now located or may be located, a public sanitary sewer, is hereby required at his own expense to install suitable toilet facilities therein and to connect such facilities directly with the sanitary sewer in accordance with the provisions of this by-law, provided that such sanitary sewer is within forty-five metres of the property line and not more than seventy-five metres from the building to be serviced.

Where it is jointly established by the owner, Municipality and Provincial Department of Health that a particular building does not require toilet facilities, the owner of such building shall be exempted from installing such facilities and from connecting to the public sewer as outlined above.

The Municipality may adopt a schedule setting out the time during which all property owners, within specified areas, shall be required to connect a building sewer from any dwelling or building drain to the public sewer and shall give the property owners at least two (2) months calendar notice by advertisement or in writing of such time limit.

- 3.2. Where the owner fails to comply with Section 3.1 such owner shall pay a rate equal to what the rate would be if the building sewer had been installed and shall be subject to such other penalties as set down by the Municipality from time to time through its by-laws or by resolution.
- 3.3. Any person wishing or who is required to connect a building sewer from any dwelling or building to the public sewer, shall submit to the Municipality and "Application for Building Sewer" on the form contained in Schedule "A" annexed to this by-law. Such application to be accompanied by a fee as laid down by the Municipality from time to time through its by-laws or by resolution.
- 3.4. Upon being satisfied that the application is in order, the Municipality shall grant a permit to the applicant upon such terms and conditions, as the Municipality deems necessary.

- 3.5. No person shall install a building sewer, or uncover, make any connections with openings into, use, alter or disturb any public sewer unless a permit covering such work has been issued pursuant to this by-law. All work outlined herein shall be done by a qualified and experienced tradesman.
- 3.6. Where an owner connects a building sewer to the public sewer and provides an opening of the building sewer that will be below the level of the street above the public sewer, such owner will install a backwater valve between the connection of the building sewer and the public sewer and such outlets, which are below street level. When any existing building sewer has outlets which are below the level of the street above the public sewer to which it connects, and such outlets remain below the said street level, the owner shall at his own expense have installed a back water valve in the building sewer between the connection with the public sewer and any outlet below street level. Any person who fails to install such a back water valve within the time allotted by the Municipality for installation of such a valve shall be subject to such penalties as set down by the Municipality from time to time through its by-laws and/or resolutions.
- 3.7. The cost of installing a building sewer between a building and the public sewer and of repairing or resurfacing any street or sidewalk shall be paid by the person applying for the permit and such person shall indemnify the Municipality from any loss, damage or costs that may directly or indirectly be occasioned by the installation of the building sewer.
- 3.8. At the time of application, the property owner shall pay as a deposit to the Town of Florenceville-Bristol the sum of \$600.00 which will be held until such repairs, as outlined in Section 3.7 herein, are completed to the satisfaction of the Director of Public Works for the Town of Florenceville-Bristol. Any portion of the \$600.00 deposit not needed to complete repairs shall be returned to the property owner and any costs over and above the \$600.00 deposit shall be added to the property owner's sewer account.
- 3.9. Lots within the municipality where connection to sanitary sewer system will not involve excavation resulting in repairs as outlined in Section 3.7 are not required to pay the \$600.00 deposit.
- 3.10. The size, shape, alignment, materials of construction of a building sewer and methods to be used in excavating, placing of the pipe, jointing, testing, back filling and site repairs shall be subject to the supervision and approval of the Municipality or its agent. The Municipality shall provide a copy of "Guidelines for Installation of a Building Sewer" (Schedule D) with each permit issued. No building sewer shall be covered until it is inspected and approved by the Municipality or its agent.
- 3.11. If the Person installing a building sewer or his agent covers over any building sewer before it has been inspected and the Sewer Inspector's Report (Schedule C) completed, the Municipality may open the same for purpose of inspection and the cost of so doing shall be recoverable from the owner of the same in the same manner as rates payable hereunder.

- 3.12. Once the building sewer has been installed and approved by the Municipality, that portion of the building sewer which lies on public property or right of way shall be deemed to belong to the Municipality while that portion of the building sewer which lies on private property shall be deemed to belong to the owner.
- 3.13. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged into the building sewer.

For purpose of the initial installation of the system or any extensions of the system, any such pumps required will be supplied by the agent contracted to install the system and such pumps will become the property of the homeowner who will be responsible for maintenance, repairs and operating costs. The Town will supply, for existing systems if available, the homeowner with a spare pump, which may be used during the time when the homeowner's pump is being repaired.

- 3.14. Existing building sewers and/or collection systems, which are found on examination and test by the Municipality or its agent to be of acceptable standard and conform to this by-law, may be incorporated into the system administered by the Municipality. If existing building sewers and/or collection systems are found not to be of acceptable standard and conform to this by-law, they shall be replaced in accordance with provisions of this by-law.
- 3.15. Not more than one building shall be serviced from each building sewer unless a special permit is obtained from the Municipality.
- 3.16. The Municipality may refuse to permit a building sewer connection to any building.
- 3.17. The owner of a building shall at his expense, repair, unplug and maintain in good working order the building sewer which services such building including repairing, unplugging and maintaining in good working order that portion of the building sewer which is on public property and deemed to belong to the Municipality.

The owner shall make all arrangements for and pay all costs associated with maintaining the building sewer in good working order including the repair or resurfacing of any street or sidewalk and shall indemnify the Municipality from any loss or damage that may directly or indirectly be occasioned by such repair, unplugging or maintenance.

- 3.18. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof run-off or sub-surface drainage to any sanitary sewer.
- 3.19. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural watercourse.

- 3.20. No unauthorized person shall uncover, make any connection with or openings into, use alter or disturb any public sewer without having obtained a written permit from the Municipality.
- 3.21. Any permit granted under this by-law may be suspended or revoked by the Municipality, if in the opinion of the Municipality, the sewage facility approved by such permit is not being installed or maintained in compliance with provisions of this by-law or the conditions upon which such permit was issued.
- 3.22. Authorized Municipality representatives bearing proper credentials and identification, with permission from the owner and having given prior notice shall be permitted to enter upon any lands or premises served by a Municipality Sewer for the purpose of observation, inspection, measurements, sampling and testing to ascertain if the provisions of this by-law are being contravened.
- 3.23. Whenever the Municipality considers it necessary, it may require any person who is the owner of land used for industrial or commercial purposes and which is connected to the sanitary sewer system of the Municipality to provide grease, oil, sand or other interceptors of a type and capacity required to ensure that levels of contaminants do not exceed the levels as set down by the Municipality.

#### **4. PROHIBITIONS**

- 4.1. No Person shall discharge, cause to be discharged, or continue to discharge, any storm water, ground water, roof run-off, sub-surface drainage, or cooling water or unpolluted industrial water into any sanitary sewer.
- 4.2. No Person shall discharge waste water any where except into a public sewer, or a private sewer system.
- 4.3. No Person shall drain or deposit anything in any public sewer main, or in any pipe leading thereto, which would be liable to impair or obstruct any such sewer, nor willfully damage any sewer pipe or any part of the sewer system. Including but not limited to the following:
- 4.3.1. Matter having a temperature in excess of 65 degrees Celsius.
- 4.3.2. Matter which may contain any fat, oil or grease of more than 100 parts per million by weight (ppm), of animal or vegetable origin or 15 parts per million by weight of petroleum origin or lubricants of synthetic origin.
- 4.3.3. Gasoline, benzene, naphtha, fuel oil, acetone, solvents or other inflammable or explosive matter.
- 4.3.4. Ashes, cinders, garbage, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, cellulose, paunch, manure or other solids of a type or quantity capable

of causing an obstruction to the flow in sewers or other interference with the proper operation of the sewage works.

- 4.3.5. Matter having a pH lower than 6.0 or higher than 9.5.
- 4.3.6. Any liquid matter containing suspended solids exceeding 350 milligrams per litre.
- 4.3.7. Matter that may cause the death of or injury to any person or capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- 4.3.8. Hydrogen sulphide, carbon bisulphide, ammonia, trichloroethylene and other halogen substituted hydrocarbons, sulphur dioxide, formaldehyde, chlorine, bromine, pyridine, or any other matter that has or may cause offensive odors or is capable of creating a public nuisance or hazard.
- 4.3.9. Any matter in which the BOD exceeds 300 ppm.
- 4.3.10. Animal waste, such as hair, wool or fur, feathers, intestines or stomach casings, paunch, manure or intestinal contents, hides or parts thereof, hooves, horns, bones and fleshing.
- 4.3.11. Matter containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process or which constitutes a hazard to humans or animals. The Municipality may as it deems necessary set limits on other toxic or poisonous substances as may enter the sewage system at some time in the future and may alter the levels already established in this by-law. Waste considered to be toxic or poisonous shall include but not be limited to waste containing metals or chemicals such as cyanide, chromium, phenols and copper whose concentrations are more than:

Aluminum as Al	50 mg/l
Arsenic as As	1.0 mg/l
Barium as Ba	5.0 mg/l
Cadmium as Cd	2.0 mg/l
Chloride as Cl	1500 mg/l
Chromium as Cr	5.0 mg/l
Copper as Cu	5.0 mg/l
Cyanide as HCN	1.0 mg/l
Fluoride as F	10 mg/l
Iron as Fe	50 mg/l
Lead as Pb	5.0 mg/l
Mercury as Hg	0.1 mg/l
Nickel as Ni	5.0 mg/l
Phenolic compounds	1.0 mg/l
Phosphorus as P	100 mg/l
Sulphate as SO <sub>4</sub>	1500 mg/l

Sulphide as S	2.0 mg/l
Tin as Sn	5.0 mg/l
Zinc as Zn	5.0 mg/l
Pesticides	0.0 mg/l
Herbicides	0.0 mg/l

## 5. RATES

- 5.1. The cost of financing, operating and maintaining the sewer system shall be raised by a user service charge (as adopted by resolution of Council), for each User Unit as set out in the User Unit Table (Schedule B), and levied twice a year or as set forth by the Municipality and proportionately if the Owner is connected to the sewer system during the calendar year.
- 5.2. Omission to deliver any notice shall in no way affect the liability of any person to pay the user service charge, and if such charge remains unpaid for a one-month period it shall become a charge on the land serviced by the sewer system.
- 5.3. The amount due is payable by the owner of the property to the Municipality and shall be paid by the end of the calendar month next following the date that the bill is mailed to such Owner and shall be payable whether or not the bill is received by the Owner. If the account is not paid in full, the amount owing to the Municipality shall bear interest at a rate as laid down by the Municipality from time to time through its by-laws or by resolution.
- 5.4. The Municipality shall mail invoices for sewage rates twice a year and such invoice shall show the amount of the account still unpaid with interest to the end of the month in which such invoice is mailed.
- 5.5. After ten (10) days notice in writing has been given to the owner who is in arrears, which notice may be given by registered mail, addressed to the owner, postage prepaid, and without prejudice, the Municipality may:
  - 5.5.1. Sue in the name of the Municipality by an action for debts;
  - 5.5.2. Proceed under the Garnishee Act;
  - 5.5.3. Proceed in any court of competent jurisdiction to enforce the special lien or charge created by the Municipalities Act on land to or with respect to which sewage services are supplied;
  - 5.5.4. Cut off the user service provided to such owner and may discontinue such service until such time as the account including arrears and the entire cost of disconnecting and re-connecting the service has been paid in full by the owner.

**6. INDEMNITY**

6.1. No Person shall have any cause of action against the Municipality, or its servants or agents for any claims for damages of whatsoever nature or kind, which may be caused at anytime to any Person or property arising from the construction, maintenance or operation of the sanitary sewer system, except damage caused by the deliberate act or misfeasance of the Municipality servants or agents.

**7. ENFORCEMENT**

7.1. A Person who violates any provision of this by-law or who suffers or permits any act or thing to be done in contravention or violation of any provision thereof, or neglects or fails to do any act or thing herein required, is liable on summary conviction, to a fine of not less than one hundred (\$100.00) dollars and not more than one thousand (\$1,000.00) dollars for each day the offence continues, or in default of payment to imprisonment for a term not exceeding thirty (30) days.

**8. GENERAL**

8.1. Except as hereinafter provided, no person shall construct or maintain within the area under the jurisdiction of the Municipality, any privy, privy vault, septic tank, cesspool or any other facility intended or used for the disposal of sewage.

8.2. The Municipality may grant upon such conditions as it deems necessary or advisable a permit for the installation and maintenance of a private sewer system or a central sewer system to any applicant whose property is, in the opinion of the Municipality, not so located as to be readily accessible to the public sewage system, provided the applicant has met all requirements of all applicable laws, governmental regulations and orders of the Province of New Brunswick.

8.3. Upon completion of the sanitary building sewer connection and approval thereof, the Owner of a property formerly served by septic tank, cesspool, privy or private sewage disposal system on the property shall cause such septic tank, cesspool, privy or private sewage disposal system to be abandoned and filled with suitable material.

READ FIRST TIME: September 8, 2009

READ SECOND TIME: September 8, 2009

READ THIRD TIME AND ENACTED THIS 13 DAY OF October, 2009.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

**TOWN OF FLORENCEVILLE-BRISTOL**

**APPLICATION FOR BUILDING SEWER**

**SCHEDULE A**

Application to:

Uncover, make any connections with openings into, use, alter or disturb the public sewer under the jurisdiction of the Town of Florenceville-Bristol.

I, \_\_\_\_\_ of \_\_\_\_\_ hereby apply to  
\_\_\_\_\_ a building sewer to the public sewer.

Location of lot (street name) \_\_\_\_\_

Type of Building \_\_\_\_\_

Proposed Date of Required Hook Up \_\_\_\_\_

I am aware that with approval of this application by the Town that I become responsible for all direct or indirect costs which may result from any work performed under the issued permit, and furthermore, if the installation procedures do not meet the approval of the Town, the issued permit may be revoked without notice.

Date \_\_\_\_\_

Signature of Applicant \_\_\_\_\_

Deposit Received \_\_\_\_\_

Date Inspected \_\_\_\_\_

Approved \_\_\_\_\_

Date Deposit Returned \_\_\_\_\_

Signature of Inspector \_\_\_\_\_

# TOWN OF FLORENCEVILLE-BRISTOL

## USER UNIT TABLE

### SCHEDULE B

Single Residence	1 unit
Cottage, Guest Cottage or Cabin	1 unit
Mobile Home	1 unit
Apartments	1 unit per apartment in building
Boarding House	1 unit per every four boarders or fraction thereof
Schools	1 unit per every 10 pupils and staff or fraction thereof
Senior Citizens Home	1 unit per every 5 beds or fraction thereof
Employees and Personnel in offices, retail stores, finances, banks, garages, supermarket, drug store, senior citizens homes, warehouse, etc.	1 unit per every 10 employees or fraction thereof
Church	1 unit
Club or Tavern	2 units
Restaurant (non-licensed)	3 units
Restaurant (licensed)	4 units
Take-out	1 unit
Canteen	1 unit
Barber Shop or Beauty Salon	1 unit
Service Station	1 unit
Car Wash	3 units

**SCHEDULE B- USER UNIT TABLE (cont'd)**

Auto Body Shop	1 unit
Laundromat	1 unit per every 2 washers or fraction thereof
Hotels	1 unit per every 3 bedrooms or fraction thereof
Motels	1 unit per every 4 motel units
RV/Camp Ground	1 unit per every 3 trailer sites or fraction thereof And/or 1 unit per every 6 tent sites of fraction thereof
Funeral Home	2 units
Recreation Centres	1 unit
Bakery	2 units
Civic Centre	4 units
Municipal Buildings	1 unit

**TOWN OF FLORENCEVILLE-BRISTOL**

**SEWER INSPECTOR'S REPORT**

**SCHEDULE C**

**LOCATION  
OF SANITARY BUILDING SEWER  
AND  
LAND TITLE OUTFALL**

Property Owner: \_\_\_\_\_

Date: \_\_\_\_\_

Street & No.: \_\_\_\_\_

Inspector: \_\_\_\_\_

Sketch of Building, Street, Property, North Point and Location of Building Sewer

I hereby certify the location of the Sanitary Building Sewer and land title outfall for this building as shown on the above sketch.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Signature of Inspector



**SCHEDULE C (cont'd)**

c) Backfill: (i) Gravel  
(ii) Original Material

d) Rock Blasting: (i) Yes  
(ii) No

e) Pavement or Sidewalk Repairs Required:  
(i) Yes  
(ii) No

f) Grade Per 10 M of building sewer: \_\_\_\_\_

g) Compaction of Bedding: (i) Yes  
(ii) No

Check to see that no land tile or roof drains are connected into sewer.

Length of building sewer: \_\_\_\_\_

Length of Downstream Manhole: \_\_\_\_\_

Date Installed: \_\_\_\_\_

Date Approved: \_\_\_\_\_

Signed by Inspector: \_\_\_\_\_

**TOWN OF FLORENCEVILLE-BRISTOL**  
**GUIDELINES FOR INSTALLATION OF A BUILDING SEWER**  
**SCHEDULE D**

**1. Materials**

Unless otherwise approved by the Town, materials to be used in the installation of a building sewer shall meet the following specifications.

1.1 Polyvinyl Chloride 1120 Pipe and Fittings

ASTM D-1784 and ASTM D-3034 with a DR of 35. The bell will be an integral and homogeneous part of the pipe barrel. The pipe shall be marked to show the manufacturer and class.

1.2 Rubber Gasket Joints

Shall be a water tight joint, with the gasket recommended by the manufacturer unless otherwise indicated.

1.3 Flexible Couplings

Shall be as manufactured by Fernco Joint Sealer Co. or approved equal.

1.4 Tees and Fittings

To be constructed in plant, using materials of a quality specified for the main lines and appurtenances.

1.5 Saddles

a) All saddles on concrete pipe shall be Crowle, Daigle or approved equal complete with gasket and stainless steel bands.

b) All saddles on polyvinyl chloride pipe shall be of an approved type complete with gasket and stainless steel bands.

## 2. CONSTRUCTION METHODS

All pipe and appurtenances shall be installed in strict accordance with the manufacturer's instructions and in accordance with this guideline.

The pipe trench shall be excavated and backfilled as indicated in Figure 1.

Figure 1

Under roadways, driveways and when directed, bedding and backfill shall be made with approved granular material compacted as directed.

Connection to the sewer main shall be made with an approved saddle, tee or manhole. All pipe shall be laid with the bell end upgrade and the bell and spigot shall be free of dirt before jointing. The minimum grade for a building sewer shall be one percent (1%).

The connection between the building sewer and building drain shall be made using an approved flexible coupling.

If the building sewer is not connected to the building drain at the time it is installed, the end of the installed building sewer shall be plugged with a watertight cap or plug. The plugged end shall be marked by a 50mm x 100mm timber extending from the plugged end of the building sewer to a minimum of 600mm above the ground surface.