

THE CITY OF SPRUCE GROVE

BYLAW C-1107-20

MUNICIPAL UTILITY SERVICES BYLAW AMENDMENT

WHEREAS, pursuant to the *Municipal Government Act*, RSA 2000, cM-26, and amendments thereto, a council has the power to enact bylaws for the purpose of operating public utilities;

AND WHEREAS, pursuant to the *Municipal Government Act*, RSA 2000, cM-26, and amendments thereto, a council has the power to amend enacted bylaws,

AND WHEREAS, the City of Spruce Grove wishes to amend Bylaw C-866-14;

NOW THEREFORE, the Council for the City of Spruce Grove, duly assembled hereby enacts as follows:

1. Bylaw C-866-14 is amended as follows:

1.1. By deleting in strikethrough in section 1.1. and replacing it with the following in bold:

This bylaw is called the “Municipal Utility Services Bylaw,” and is composed of ~~six~~ **seven** parts.

1.2. By adding the following new subsection after subsection 1.1(d):

d.1 Part V Stormwater Utility

1.3. By deleting in strikethrough subsections 1.1(e) and (f) and replacing it with the following in bold:

e. Part ~~V~~**VI** Solid Waste Management Utility

f. Part ~~VI~~**VII** Enforcement

1.4. By adding the following new section before subsection 3.1(a):

a.0 “Animal Waste” means all forms of waste from animals or the treatment of animals, and includes animal carcasses or parts.

1.5. By adding the following new subsection after subsection 3.1(c):

- c.1 “Biomedical Waste” means medical waste that requires proper handling and disposal because of environmental, aesthetic, health or safety concerns and includes, but is not limited to:
- (i) human anatomical waste;
 - (ii) infectious human waste;
 - (iii) infectious Animal Waste;
 - (iv) microbiological waste;
 - (v) blood and body fluid waste; and
 - (vi) medical sharps, such as needles, syringes, blades, or other clinical or laboratory materials capable of causing punctures or cuts.
- 1.6. By adding in subsection 3.1(j) the following in bold:
- j. “Customer” means a person who has entered into a service account with the City for the supply of utility services, or who is owner or occupant of any property connected to or provided with a utility **and stormwater utility.**
- 1.7. By adding the following new subsection after subsection 3.1(n):
- n.1 “Foundation Drainage” means water collected beneath the surface of the ground by a foundation drain or weeping tile.
- 1.8. By adding the following new subsection after subsection 3.1(o):
- o.1 “General Medical Waste” means non-hazardous medical waste and includes, but is not limited to, soiled dressings, sponges, surgery drapes, lavage tubes, casts, catheters, disposable pads, disposable gloves, specimen containers, lab coats and aprons, tubing’s, filters, towels and disposable sheets, but excludes Biomedical Waste.
- 1.9. By adding in subsection 3.1(t) the following in bold:
- t. “Interceptor” means a receptacle that is installed to prevent oil, grease, sand or other material from entering the City’s sewerage system **and storm sewer system.**

1.10. By adding the following new subsection after subsection 3.1(v):

v.1 “Negative Impact” means impairment of or damage to, or the ability to cause impairment to:

- (i) the storm sewer system;
- (ii) human health or safety;
- (iii) property; or
- (iv) the environment.

1.11. By adding the following new subsection after subsection 3.1(bb):

bb.1 “Prohibited Material” means any substance that may directly or indirectly obstruct the flow of Stormwater within the Storm Sewer System or may have a Negative Impact and includes but is not limited to:

- (i) soil, sediment, waste or other solid matter;
- (ii) fecal matter or Animal Waste;
- (iii) chlorine and chloramines;
- (iv) cooking oils and greases;
- (v) gasoline, motor oil, transmission fluid, and antifreeze;
- (vi) solvents;
- (vii) paint;
- (viii) hydrovac waste;
- (ix) cement or concrete wastes;
- (x) sawdust, wood, fibreboard or construction material;
- (xi) yard waste;

- (xii) pesticides, herbicides, insecticides or fungicides except chemicals contained in Stormwater emanating from trees or vegetation treated in accordance with any Federal or Provincial legislation;
- (xiii) Biomedical Waste or General Medical Waste;
- (xiv) Hazardous Waste;
- (xv) Industrial Waste;
- (xvi) soaps or detergents;
- (xvii) any substance or combination of substances that emits an odour; and
- (xviii) aquatic fauna and flora not authorized by the City.

1.12. By adding in subsection 3.1(mm) the following in bold:

- mm. “Sewer Mains” means those pipes installed by or for the City and located above, on or underneath a road or easement, for the collection of sewage **and stormwater**.

1.13. By adding the following new subsections after subsection 3.1(oo):

- oo.1 “Storm Sewer” or “Storm Sewer System” means the works provided for the acceptance, collection, transmission, storage, treatment and disposal of stormwater, or any one or more of them, as well as any related services, not limited to surface runoff and service connections.
- oo.2 “Stormwater” means surface runoff and uncontaminated water when discharged to the storm sewer system from foundation, roof and underground drains, weeping tile, and groundwater.
- oo.3 “Stormwater Management Facility” means any storm sewer, ditch, culvert, catch basin, manhole, channel, inlet, outfall, main, pond, or depression created to divert or collect and manage stormwater quantity and/or quality on public or private property.
- oo.4 “Stormwater Utility Fee” means the fee charged to property owners to manage the storm sewer system.

- oo.5 “Stormwater Utility” means the provision of storm sewer services including acceptance, collection, transmission, storage, treatment and disposal of stormwater.
 - oo.6 “Surface Runoff” means rain water, melted snow and ice that flows over the ground surface.
- 1.14. By adding the following new subsection after subsection 3.1(vv):
- vv.1 “Yard Waste” means waste from gardening or horticultural activities and includes, but is not limited to, grass, leaves, plants, tree and hedge clippings and sod.
- 1.15. By adding a new section 7 as follows:

7. PART V – STORMWATER UTILITY

7.1. Releases to Storm Sewer System

- a. No person shall release or allow or cause to be released any hazardous waste into the storm sewer system.
- b. No person shall release or allow or cause to be released any Prohibited Material into the Storm Sewer System except as permitted in subsection 7.1(c).
- c. The following may be released into the Storm Sewer System unless the release could cause a Negative Impact:
 - (i) foundation drainage;
 - (ii) water from a tank, pond, reservoir or other containment device or structure that does not include chlorine, chloramine or chemical agents used for maintenance (sanitizer, algae control and acidic/alkaline balance);
 - (iii) water resulting from extinguishing fires and street cleaning;

- (iv) materials used for snow and ice control; or
 - (v) a discharge to the storm sewer system which has been approved in writing by the City.
- d. Any person who releases or allows or causes a release into the storm sewer system any matter contrary to the provisions of this bylaw shall:
- (i) notify the City immediately upon becoming aware of the release;
 - (ii) provide the City with information respecting the release, to the satisfaction of the City;
 - (iii) be liable for all cost incurred by the City for containment, sampling, testing, removing, clean-up, disposal, and any other related activity and environmental damages including fish kill.

7.2. Prohibition of Dilution

- a. No Person shall release or allow or cause to be released any material into the Storm Sewer System that has been diluted in order to achieve compliance with this Bylaw.

7.3. Storm Sewer Regulations

- a. Stormwater must not be diverted, or used for any purpose without express written permission by the City.
 - (i) Approval from the City is not required for the use of stormwater captured by one or more barrels located above ground and intended for outdoor use.
- b. No person shall wade, swim, boat, fish, skate or carry on other recreational activities on or in a stormwater management facility except as permitted by the City.
- c. No person shall obstruct any drain, ditch, culvert or watercourse in the City.

- d. Any Person who causes damage to or interferes with the Storm Sewer System shall be guilty of an offence, and shall be liable to the City for all costs incurred by the City in making repairs or taking remedial action.

7.4. Connections

- a. No person shall install, alter or remove, or permit installation, alteration or removal of any service connection to the storm sewer system without written approval of the City.
- b. Applications for the installation, alteration or removal of a service connection shall be made in writing to the City.
- c. The City may approve the installation, alteration or removal of a service connection upon such terms and conditions as the City considers necessary and the payment in advance of the cost or estimated cost of the installation, alteration or removal of the service connection.
- d. The installation, alteration or removal of a service connection shall be carried out at the expense of the applicant.
- e. No person shall reuse a service connection that has been discontinued, altered or removed without first obtaining the written consent of the City.
- f. Where the use of a service connection is discontinued, the owner of the property which was serviced by such service connection shall immediately notify the City in writing.

7.5. Disconnections

- a. The City may, in addition to any other remedy available, disconnect or seal off the property from the storm sewer system or take such other action as is necessary

to prevent a discharge of stormwater from entering the storm sewer system where the discharge:

- (i) contains a prohibited material;
 - (ii) creates an immediate danger to any person;
 - (iii) interferes with or endangers the operation of the storm sewer system; or
 - (iv) may otherwise cause or result in a Negative Impact.
- b. Where the City has taken action pursuant to subsection 7.5(a), such action may be maintained or continued until evidence satisfactory to the City has been produced to assure that no further harmful discharge will be made.
- c. Where the City has taken action pursuant to subsection 7.5(a), the City may, by notice in writing, advise the owner or occupier of the property from which the discharge was emanating, of the cost of taking such action and the owner or occupier shall forthwith reimburse the City for all such costs which were incurred.

7.6. Proper Use of Storm Sewer System

- a. The owner assumes full responsibility for the proper use of the service connection and storm sewer system provided by the City.
- b. The owner must maintain the condition, suitability and safety of any stormwater management facility on the owner's property or on the property the owner controls but does not own.
- c. The owner shall be liable for any loss, damage, expense, charge, cost or other liability of any kind, whether to the City, its agents or employees, City property or otherwise, arising directly or indirectly by reason of:

- (i) the routine use of the storm sewer system;
- (ii) the owner's improper or negligent use of the storm sewer system; or
- (iii) the negligent acts or omissions or willful acts or omissions of the owner or any person permitted on the owner's property.

7.7. Deterioration of the Drainage Systems

- a. If there is significant deterioration to the Storm Sewer System, beyond reasonable projections, remediation costs will be considered as non-routine.

7.8. Interceptors

- a. Any owner of a property on which the City has directed that an Interceptor be installed, or a practice be implemented in order to control or reduce the amount of surface runoff or improve water quality or infiltration, must:
 - (i) keep the Interceptor in good working condition at all times;
 - (ii) service the Interceptor often enough so that it does not become overloaded;
 - (iii) ensure the practice operates efficiently and effectively at all times; and
 - (iv) keep maintenance record for a minimum of two years and provide such maintenance record to the City upon request.
- b. No person shall release any prohibited material from an interceptor or implementation of a practice, into the storm sewer system.

7.9. Stormwater Utility Fee

- a. The stormwater utility fee is charged to property owners in accordance with the Fees and Charges Bylaw.

1.16. By renumbering the remaining sections accordingly.

1.17. By renaming the following headings by deleting in strikethrough and replacing in bold:

PART ~~VI~~ SOLID WASTE MANAGEMENT UTILITY
PART ~~VII~~ ENFORCEMENT

2. This bylaw shall come into force and effect when it receives third reading and is duly signed.

First Reading Carried 24 February, 2020.

Second Reading Carried _____, 20__.

Third Reading Carried _____, 20__.

Date Signed _____, 20__.

Mayor

City Clerk