



**Public Sewer Bylaw 3891, 1996
(With Amendments to May 13, 2024)**

Consolidated for Convenience Only

This consolidated is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and application of the bylaws of this subject.

Bylaw No. 4056 – Adopted October 12, 1999
Bylaw No. 4103 – Adopted November 28, 2000
Bylaw No. 4171 – Adopted October 28, 2002
Bylaw No. 4333 – Adopted December 11, 2006
Bylaw No. 4368 – Adopted July 23, 2007
Bylaw No. 4395 – Adopted January 14, 2008
Bylaw No. 4403 – Adopted February 25, 2008
Bylaw No. 4683 – Adopted March 13, 2017
Bylaw No. 4779 – Adopted April 26, 2021
Bylaw No. 4857, – Adopted March 11, 2024
Bylaw No. 4863 - Adopted May 13, 2024

THE CORPORATION OF THE DISTRICT OF OAK BAY

BYLAW NO. 3891

Consolidated for Convenience Only to March 11, 2024

(**amended by Bylaws No. 4056, 4103, 4171, 4333, 4368, 4395, 4403, 4683, 4779, and 4857)

A Bylaw for the administration and regulation of public sewers

The Municipal Council of The Corporation of the District of Oak Bay, in open meeting assembled, HEREBY ENACTS as follows:

DEFINITIONS/INTERPRETATION

1.

(1) In this Bylaw:

"Accessory structure" has the same meaning as it has in the Zoning Bylaw, 1986.

*(**Bylaw 4779, adopted April 26, 2021)*

"air" means the atmosphere but, except in a sewer (or a storm water management facility) or as the context may otherwise require, does not include the atmosphere inside a constructed enclosure that is not open to the weather;

"air contaminant" means any substance or odour whether gaseous, liquid, solid or a combination that is emitted into the air and that:

- (a) injures or is capable of injuring the health or safety of a person,
- (b) injures or is capable of injuring property or any life form,
- (c) interferes or is capable of interfering with visibility,
- (d) interferes or is capable of interfering with the normal conduct of business,
- (e) causes or is capable of causing material physical discomfort to a person, or
- (f) damages or is capable of damaging the environment;

"biomedical waste" means biomedical waste as defined in GUIDELINES FOR THE MANAGEMENT OF BIOMEDICAL WASTE established by the Canadian Council of Ministers of the Environment (CCME) and dated February 1992;

"BOD" means biochemical oxygen demand, being the quantity of oxygen utilized in the biochemical oxidation of organic substances under standard laboratory procedures in 5 days at 20 degrees Celsius expressed in milligrams per litre, as determined by the appropriate procedure in Standard Methods;

"COD" means chemical oxygen demand, being a measure of the oxygen equivalent of the organic matter content of a sample that is susceptible to oxidation by a strong chemical oxidant, as determined by the appropriate procedure in Standard Methods;

"colour" means the true colour unit of water from which turbidity has been removed, as determined by the appropriate procedure in Standard Methods;

"combined lateral" means a sewer lateral designed for the collection and transmission of uncontaminated water, wastewater, and storm water;

"combined sewer" means a sewer designed for the collection and transmission of uncontaminated water, wastewater, and storm water;

"composite sample" means a sample which is composed of equivalent portions of a specified number of grab samples collected manually or automatically at the same sampling point, at specified times or flow intervals during a specified sampling period;

"condensed water" means water which is produced through the process of condensation and includes condensate drainage from refrigeration equipment, air conditioning equipment and steam heating systems;

"connection" means that section of a public sewer to which the sewer lateral servicing a parcel of land is connected; (illustrated for convenience in Schedule "F")

"contaminant" means any substance, whether gaseous, liquid, or solid, whether dissolved or suspended, or any wastewater quality parameter that, when present above a certain concentration in wastewater:

- (a) injures or is capable of injuring the health or safety of a person,
- (b) injures or is capable of injuring property or any life form,
- (c) interferes or is capable of interfering with the proper operation of a sewer or storm water management facility,
- (d) causes or is capable of causing material physical discomfort to a person, or
- (e) damages or is capable of damaging the environment;

"Council" means the Municipal Council of The Corporation of the District of Oak Bay;

"discharge" means to directly or indirectly introduce a substance by spilling, disposing of, abandoning, depositing, leaking, seeping, pouring, draining, emptying, or by any other means;

"domestic waste" means sanitary waste and the water-carried wastes from drinking, culinary uses, washing, bathing, laundering or food processing, which is produced on a residential property;

"enactment" means any applicable act, regulation, bylaw, order, or authorization, by a federal, provincial, regional, municipal government or their authorized representatives;

"engineer" means the Director of Engineering for the Municipality or his designate;

"garbage" means solid wastes from the domestic or commercial preparation, cooking and dispensing of food and from the handling, storage and sale of produce;

"grab sample" means a sample of waste, water or storm water collected at a particular time and place;

"high volume discharge" means any discharge of non-domestic waste into a sewer in excess of 10 cubic metres per day or 300 cubic metres over any consecutive 30 day period but not including water from a pool;

"Humber Catchment Area" means the area of the Municipality identified as the Humber Catchment Area in Schedule "G" to this Bylaw;
(*Bylaw 4857, adopted March 11, 2024)

"main sewer" see **"Sewer"** (illustrated for convenience in Schedule "F")

"monitoring point" means an access point to a sewer or a lateral for the purpose of

- (a) measuring the rate of flow or volume of wastewater being discharged from a building or a structure,
- (b) collecting representative samples of wastewater being discharged from a building or a structure;

"Municipality" means The Corporation of The District of Oak Bay;

"non-domestic waste" means all waste except domestic waste, trucked liquid waste, sanitary waste, storm water, and uncontaminated water;

"oil and grease" means an organic substance or substances recoverable by procedures set out in Standard Methods or procedures authorized by the Engineer and includes, but is not limited to, hydrocarbons, esters, fats, oils, waxes, and high-molecular weight carboxylic acids;

"owner" means any person who is registered under the *Land Title Act* as the owner of land, or any other person who is in lawful possession of land or who is in lawful possession or occupancy of any buildings situated on the land;

"PCB" means any monochlorinated, dichlorinated, or polychlorinated biphenyl or any mixture that contains one or more of these;

"permission" means permission given by the Engineer or his duly authorized representative;

"pesticides" means pesticides regulated under the *Pesticide Control Act* of British Columbia;

"pH" means the expression of the acidity or basicity of a solution as defined and determined by the appropriate procedure described in STANDARD METHODS;

"pollution" means the presence in the environment of substances or contaminants that substantially alter or impair the usefulness of the environment;

"pool" means any water receptacle designed for decorative purposes or used for swimming or as a bath or hot tub designed to accommodate more than one bather at a time;

"premises" means any land or building, structure or all or any part thereof;

"prohibited waste" means , for sanitary and combined sewers, prohibited wastes as defined in Schedule "B", and for storm sewers and watercourses, prohibited wastes as defined in Schedule "D";

"public property" means a highway, road, roadway, street, public sidewalk, boulevard, lane, alley, or land controlled by the Municipality and includes a right of way;

"public sewer" see **"Sewer"** (illustrated for convenience in Schedule "F")

"radioactive materials" means radioactive materials as defined in the *Atomic Energy Control Act of Canada* and Regulations under that Act;

"Regional District" means the Capital Regional District;

"residential property" means a property which is used primarily for the purpose of residence by persons on a permanent, temporary or seasonal basis;

"right of way" means an acquired legal right for the specific use of land owned by others;

"Rutland Catchment Area" means the area of the Municipality identified as the Rutland Catchment Area in Schedule "H" to this Bylaw;
(*Bylaw 4857, adopted March 11, 2024)

"sanitary waste" means waste that contains human faeces, urine, blood or body fluids originating from sanitary conveniences or other sources;

"sanitary sewer lateral" means the section of sewer piping from the sanitary sewer connection to the building or structure it serves and is intended to receive only sewage; (illustrated for convenience in Schedule "F")

"sewage" means waste water from buildings, structures, lands and industrial establishments, together with such storm water that is not intentionally admitted;

"sewage facility" means works owned or otherwise under the control or jurisdiction of the Municipality that gathers, treats, transports, stores, utilizes or discharges waste;

"sewage treatment plant" means any arrangement of devices and structures used for treating sewage;

"sewer" means all pipes, conduits, drains, and other equipment and facilities, owned or otherwise under the control or jurisdiction of the Regional District, the Municipality or one or more municipalities, for collecting, pumping, and transporting waste-water and includes all such pipes, conduits, drains, and other equipment and facilities which connect with those of the Regional District, the Municipality or one or more municipalities, but which does not include a sewer lateral or a sewer connection; (illustrated for convenience in Schedule "F")

"sewer lateral" means the pipe or conduit that connects the public sewer to the building or structure it serves; (illustrated for convenience in Schedule "F")

"sewer main" see "sewer" (illustrated for convenience in Schedule "F")

"sharps" means hypodermic needles, hypodermic syringes, blades, broken glass, and any devices, instruments or other objects which have acute rigid corners, edges or protuberances;

"Special Waste" means Special Waste as defined in the *Waste Management Act of British Columbia* or any legislation that replaces the Waste Management Act;

"Special Waste Regulation" means the SPECIAL WASTE REGULATION enacted pursuant to the Waste Management Act or any legislation that replaces the *Waste Management Act*;

"Standard Methods" means the current or latest edition of STANDARD METHODS FOR THE EXAMINATION OF WATER AND WASTEWATER jointly prepared and published from time to time by the American Public Health Association, American Water Works Association, and the Water Environment Federation;

"storm sewer" means all pipes, conduits, drains, and other equipment and facilities for the collection and transmission of storm water or uncontaminated water; (illustrated for convenience in Schedule "F")

"storm sewer lateral" means the section of sewer piping from the storm sewer connection to the building or structure it serves and is intended to receive only storm water; (illustrated for convenience in Schedule "F")

"storm water" means water resulting from natural precipitation from the atmosphere and which is directed into a storm sewer, or a watercourse;

"storm water management facility" means an impoundment and appurtenant structures, connections and controls for containment, detention or retention of storm water and its delayed release at a controlled rate to a receiving storm sewer or water-course;

"structure" includes paved parking surfaces;

"Subdivision and Development Bylaw" means Bylaw 3578, being the *Subdivision and Development Bylaw, 1987* as amended, or its successor Bylaws as adopted by Council;

"suspended solids" means solids that either float on the surface of, or are in suspension in, water sewage or other liquids, and which are removable by laboratory filtering;

"trucked liquid waste" means any waste that is collected and transported from the site where the waste originated by means other than discharge to a sewer including, but not limited to, holding tank waste, septic tank waste, chemical toilet contents, oil and grease from interceptors or traps, and other sludges of organic or inorganic origin;

"uncontaminated water" means any water excluding storm water but including cooling water, condensed water and water from municipal waterworks or a private water supply to which no contaminant has been added as a consequence of its use, or to modify its use by any person;

"waste" means any substance whether gaseous, liquid or solid, that is or is intended to be discharged or discarded, directly or indirectly, to a sewer, storm sewer or storm water management facility;

"wastewater" means the composite of water and water-carried wastes from residential, commercial, industrial or institutional premises or any other source;

"wastewater quality parameter" means any parameter used to describe the quality of wastewater;

"water" includes surface water, ground water and ice;

"watercourse" means:

- (a) a river, stream, creek, waterway, lagoon, lake, spring, swamp, marsh or other natural body of fresh water, or
- (b) a canal, ditch, reservoir or other man-made surface feature designed to carry or hold water or storm water whether it contains or conveys water continuously or intermittently;

"waterworks" means any works owned or otherwise under the control or jurisdiction of the Regional District or one or more of its member municipalities or the Greater Victoria Water District or an Improvement District that collects, treats, transports, or stores drinking water;

"work order" means a written application for work to be undertaken by or through the Municipality, incorporating a commitment from the applicant to pay for the costs

of same, including but not limited to materials, labour, equipment, and engineering charges, substantially in the form annexed to this bylaw in Schedule “E”.

- (2) The Headings in this Bylaw and the contents of Schedule “F” annexed hereto are for the convenience of reference only and are not intended to interpret, define, or limit the scope, extent or intent of the provisions of this Bylaw.

REQUIREMENTS TO CONNECT TO PUBLIC SEWERS

2. (1) The owner of every building or structure from which domestic waste, non-domestic waste or storm water is being discharged or from which domestic waste, nondomestic waste or storm water may be discharged, is required to connect such building or structure to the public sewer, except:
- (a) An accessory building with a building area less than 10 m², or
 - (b) An accessory building with a building area in excess of 10 m² where, in the opinion of the Engineer it is unlikely that the roof drainage will cause a nuisance to neighbouring properties.
- (**Bylaw 4779, adopted April 26, 2021)*
- (2) Notwithstanding subsection (1), the owner of a building or structure constructed prior to the adoption of this bylaw and from which storm water is being discharged to a watercourse, may continue to discharge storm water to that watercourse, except:
- (a) where in the opinion of the Engineer, the continuance of the discharge to the watercourse will be in conflict with existing or proposed underground utilities, will have a deleterious effect upon the watercourse, or will create a hazard to life or constitute a public nuisance; or
 - (b) where a renovation, addition, or upgrading of the perimeter drains of the building or structure is undertaken and where a public storm sewer is available to receive the storm water discharge from the building or structure.
- (3) Where the Municipality has on its own initiative installed or is installing a new sewer main the purpose of which is to separate an existing combined sewer system into individual storm sewer and sanitary sewer systems an owner whose property was previously served by the said combined sewer and whose property was connected to the combined sewer by a combined lateral, shall be required to separate the combined lateral serving the property into individual storm sewer and sanitary sewer laterals and make the necessary connections to the public sewer when one of the following conditions are met:
- (a) An application is made to demolish the principal residence on the property to construct a new one, or
 - (b) An application is made for renovations to the property with a construction value of at least \$100,000.
- (**Bylaw 4779, adopted April 26, 2021)*
- (4) In the event of the owner failing to apply and pay all required fees for the necessary connection to the public sewer within sixty (60) days after being notified in writing by the Engineer to do so, without limiting any other recourse or remedy available to

the Municipality the Engineer may cause the Municipality, by its workers or others, to have the required work completed at the expense of such owner including but not limited to the fees set out in Schedule “A”, the invoice for which if unpaid on the 31st day of December next ensuing shall be added to and form part of the taxes payable in respect of the property served by the connection as taxes in arrears.

(**Bylaw 4333, adopted Dec. 11/06)

- (5) Notwithstanding the foregoing, an owner failing to apply and pay all required fees for connection of his building or structure to the public sewer within the aforesaid period of sixty (60) days shall still be liable for any penalties provided by this Bylaw.

(**Bylaw 4333, adopted Dec. 11/06)

- (6) Notice in writing required to be given by the Engineer pursuant to this Section shall be sufficiently given if sent by registered mail to the owner at the address as shown on the last revised assessment roll of the Municipality.

2.1 Notwithstanding Section 2(1), the Engineer may waive in whole or in part the requirement to connect to the public storm sewer system:

- (1) where after considering engineering parameters including but not necessarily limited to soil perviousness, lot size, proximity of buildings, and grade, all in the context of a report commissioned and submitted by the owner from a professional engineer or professional geoscientist with experience or training in geotechnical study and geohazard assessment, the Engineer is satisfied that storm water run-off from the non-connected buildings or lands can be absorbed or infiltrated on the parcel either naturally or through the installation and maintenance of a storm water management system without adversely affecting soil stability, redirecting storm water to other lands or other storm water collection systems, creating health issues associated with ponding of water, creating a nuisance for or potential for damage to any other property, or adversely affecting receiving water quality; or

- (2) where the land abuts the sea and

- (a) the Engineer is satisfied that direct discharge of storm water to the sea can be achieved without causing soil erosion or increasing the probability of land slippage;
- (b) the owner has obtained approval from the Province of British Columbia, including without limitation a lease, licence or other form of tenure or right to occupy Crown land, for any required works on the foreshore or the seabed;
- (c) the owner has obtained any and all approvals, endorsements, permits and certificates required by the Government of Canada with regard to fish-bearing waters;
- (d) the owner has obtained any and all permits required under the *Building and Plumbing Bylaw* of the Municipality;
- (e) the owner has obtained any and all approvals, endorsements, permits and certificates required under the *Environmental Management Act* and regulations thereunder, and any other applicable enactment, or successor enactment, of the Province of British Columbia;

- (f) the direct discharge of storm water to the sea does not conflict with any enactment of the Capital Regional District; and
 - (g) the principal use of the land is for non-residential purposes, with a total parcel area not less than 7,500 square metres.
- 2.2 The Engineer may grant a waiver pursuant to Section 2.1 subject to conditions designed to ensure that all of the criteria set out therein are met, with which every owner of the land subject to the waiver shall comply.
- 2.3 No owner of land subject to a waiver granted pursuant to Section 2.1 shall fail to keep in good repair and renew, rebuild or replace any system or works the construction or installation of which was required by the Engineer as a condition of the granting of such waiver, where required to maintain or restore compliance with all of the criteria set out in Section 2.1.
- 2.4 Without limitation, conditions imposed by the Engineer pursuant to Section 2.2 may include a requirement that the owner enter into a covenant in favour of the Municipality, to be registered against the title to the land, setting out the construction and maintenance requirements for the system or works described in Section 2.3 and indemnifying the Municipality against claims arising directly or indirectly out of a waiver granted pursuant to Section 2.1.

(**Bylaw No. 4368, adopted Jul. 23/07)
- 2.5 An owner seeking a waiver under section 2.1 shall submit an application to the engineering department and shall pay a fee as set out in Schedule “A”.

(**Bylaw 4857, adopted March 11, 2024)

DESIGN AND INSTALLATION

- 3. Pursuant to the provisions of this Bylaw, and subject to the authority of the Engineer under the *Subdivision and Development Bylaw*, all drainage and sewerage works provided by persons other than the Municipality shall be constructed and installed strictly in accordance with the *Subdivision and Development Bylaw* of the Municipality and shall comply with the relevant provisions of the current or latest editions of the British Columbia Plumbing Code or British Columbia Building Code as the case may require.

APPLICATION FOR SERVICE

- 4.
 - (1) Each connection to the public sewer shall be made only where, and in the manner authorized or ordered by the Municipality.
 - (2) Each application to connect to the public sewer shall be made to the Municipality by the owner or his authorized agent in the form prescribed by the Engineer.
 - (3) Such owner shall, on making application, pay to the Municipality the applicable connection fee as set out in Schedule “A” attached to and forming part of this Bylaw. If such connection is practicable, the Engineer shall, within ninety (90) days, weather permitting, provide and install a sewer connection for service to the applicant's property. If such connection is not practicable, the Engineer shall so

notify the applicant within sixty (60) days and the Municipality shall refund the charges or fees paid by the applicant.

- (4) It shall be the responsibility of the applicant for a sewer connection to provide the Municipality with accurate information as required by the application and to construct any building or structure or to locate therein any fixtures requiring discharge to a sewer connection at such elevation or provide such equipment or device as will permit their discharge into the municipal sewer.
- (5) Without derogating from the authority of the Engineer conferred by Section 6(1), a sewer connection will be installed at the location requested by the applicant wherever practicable. In the event that the applicant's preferred location is not practicable due to topographical features, boulevard trees or other plantings, utility poles, transformers, street light standards, surface improvements, or underground utilities, the Engineer shall designate the location of each service connection to each parcel of land or premises.

*(**Bylaw 4171, adopted Nov. 12/02)*

5. Notwithstanding Section 4(3),

- (1) Where, in the circumstances described in Section 2(3), the owner of a property served by a combined lateral has been required to separate such lateral into individual storm sewer and sanitary sewer laterals, the connection fee that would otherwise be payable by the owner for the work shall be waived.
- (2) Where an owner of property connected by way of a sewer lateral to a sewer main which the Municipality is in the process of replacing applies for the installation of a new connection from the property line to the main, the fee payable by the owner for the work shall be discounted by a factor equal to fifty percent (50%) of the amount calculated in accordance with Schedule "A" if all the following apply:
 - (a) the application is received by the Engineer within a time that allows the installation to be carried out concurrently with replacement of the sewer main in front of the property; and
 - (b) the Engineer deems there is a cost advantage to one or both of the owner or the Municipality in replacing the lateral at the same time as the main is being replaced.

*(**Bylaw 4171, adopted Nov. 12/02)*

*(**Bylaw 4857, adopted March 11, 2024)*

- (3) If an owner of property in the Humber Catchment Area or Rutland Catchment Area makes an application to connect to the public sewer, and the Municipality has on its own initiative installed or is installing a new sewer main, the purpose of which is to separate an existing combined sewer system into individual storm sewer and sanitary sewer systems, and has replaced or is replacing the portion of the combined lateral for a property on Municipal property with separate laterals,

the connection fee that would otherwise be payable by the owner for the work shall be waived.

(**Bylaw 4857, adopted March 11, 2024)

INSTALLATION OF SEWERS

6. (1) The Engineer shall determine the location, size and depth of each sewer connection or sewer lateral on public property.
- (2) Whenever possible, the connection to the public sewer shall be installed at a gradient and elevation that will allow gravity flow of sewage or storm water from the building to the main sewer.
- (3) When, in the opinion of the Engineer, problems may occur because of the surcharging of the public sewer, the Engineer may refuse an application and the provisions of the *Subdivision and Development Bylaw* shall apply.
- (4) The connecting of a sanitary sewer lateral or a storm sewer lateral into a public sewer shall conform to the requirements of the current or latest editions of the Building and Plumbing Codes or other applicable rules and regulations of the Municipality. All such connections or laterals shall be made gas-tight and water-tight and be verified by proper testing in accordance with Standard Methods. Any deviation from the prescribed procedures and materials must be approved by the Engineer before installation.
- (5) The Engineer may require a user of sewer services to provide information needed to determine compliance with this Bylaw. These requirements may include:
 - (a) sewage or storm water discharge peak rate and volume over a specified time period;
 - (b) chemical analysis of sewage;
 - (c) Information on raw materials, processes and products affecting sewage volume and quality;
 - (d) quantity and disposition of specific liquid, sludge, oil, solvent or other materials important to sewer use control;
 - (e) a plot plan of sewer laterals on the user's property showing details of sewage pre-treatment facilities; or
 - (f) details of systems to prevent and control the losses of materials through spills to the public sewer.
- (6) When the Engineer has reasonable grounds to believe that Restricted Waste or Prohibited Waste may be discharged to a public sewer, he may require the owner of a property to install monitoring points to facilitate monitoring of discharges as specified in this bylaw.

MAINTENANCE OF SEWER LATERALS/SEWER CONNECTIONS

7. (1) The owner of a property served by a public sewer shall be responsible for the cost of servicing, clearing, rodding, removing blockages or tree roots, or maintaining in any way the sewer lateral or sewer connection that serves the property including any portion of the sewer lateral or sewer connection which is upon, under or over public property with the exception, however, that in the event that such portion of the sewer lateral or sewer connection has become blocked solely due to the intrusion of municipal boulevard tree roots, and without relieving the property owner from responsibility for scheduling and bearing the cost of preventive maintenance, the Municipality shall, upon application, either
- (a) reimburse the owner for the cost reasonably incurred by him, supported by receipts at prevailing local rates, of clearing the blockage; or, at the Municipality's option,
 - (b) clear the blockage at its cost using its own or contracted labour and equipment,

where the source of the blockage has been confirmed to the satisfaction of the Engineer, and provided that such portion of the sewer lateral is otherwise in serviceable condition and does not exhibit age-related deterioration to the point that it requires repair or replacement.

- (2) The owner of a property served by a public sewer shall be responsible for the cost of repair or replacement by the Municipality of the portion of the sewer lateral which is upon, under or over public property, such cost to be calculated in accordance with Schedule "A".

*(**Bylaw 4171, adopted Nov. 12/02)*

8. (1) Where the owner of a property served by a public sewer commits to the payment of the associated costs through the signing of a work order substantially in the form set out in Schedule "E", the Engineer may cause the investigation of a sewer connection or the portion of the sewer lateral which is upon, under or over public property with a view to assessing its condition. If such investigation reveals that the source of the problem which triggered the request for investigation lies not with any portion of the sewer lateral, but with the sewer main or the point of connection of the lateral thereto, and has not been caused by the discharge of any prohibited or restricted waste (as defined in Schedules "B", "C" and "D") from the owner's property, then the Engineer shall release the owner from the obligation created by the work order.
- (2) Notwithstanding Section 7(2) and subject to Section 8(6), where the Engineer determines that the replacement or repair of the portion of the sewer lateral which is upon, under or over public property is required as a result of the deterioration of the said portion of the sewer lateral, and where the owner of the property served by the same applies for such repair or replacement, the fee to be paid by the owner shall be given by the value of the term "OC" represented in the formula:

$$OC = F[A - 5] \div 30]$$

Where

A = the age in years of the portion of the sewer lateral which is upon, under or over public property, “years” being the number of 12 month consecutive periods having elapsed since installation, rounded down to the nearest integer value;

F = the fee for the work calculated in accordance with Schedule “A”; and

(A – 5) is deemed to equal

- (a) zero if its arithmetic value is less than zero; and
- (b) thirty (30) if its arithmetic value is greater than thirty (30);

provided also that the Engineer’s corroborating determination with regard to the need for repair or replacement is required only where the value of (A – 5) is less than thirty (30).

- (3) The age of the portion of the sewer lateral which is upon, under or over public property shall be determined in accordance with the records of the Municipality. In the event that no records exist which confirm the age of the said portion of the sewer lateral, it shall be deemed to be equal to the age of the building served by it.
- (4) Notwithstanding any other part of this Bylaw, the owner of a property served by a public sewer is responsible for the full cost of repair or replacement by the Municipality of the sewer connection, clean-out fixture or the portion of the sewer lateral which is upon, under or over public property, such cost to be calculated in accordance with Schedule “A”, where the repair or replacement is required as a result of a blockage or damage which has occurred as a result of a condition existing on the owner’s property, an improper connection at the property line, or the discharge of a prohibited or restricted waste (as defined in Schedules “B”, “C” and “D”) from the owner’s property.
- (5) Notwithstanding Section 7(2), but subject to Section 8(7), where the owner of a property served by a public sewer makes application for replacement of the portion of the sewer lateral which is upon, under or over public property, and where
 - (a) the said portion of the sewer lateral is subject to penetration and obstruction by municipal boulevard tree roots to the extent that, in the assessment of the Engineer based on his review of the relevant evidence, regular root cutting at intervals of one (1) year or less is required to prevent blockages and keep the lateral in serviceable condition;
 - (b) the placement of the said portion of the sewer lateral is such that it cannot be removed and replaced in the same location without either removing or, in the assessment of the Manager of Parks Services based on advice from a certified arborist, seriously endangering the health of a proximate municipal boulevard tree;
 - (c) the Engineer declines to replace the said portion of the sewer lateral in its original location, and
 - (d) the relocation of the said portion of the sewer lateral would require that the

owner, in order to make connection to the public sewer, re-route a portion of the sewer lateral located on his own property,

then the charge to the owner calculated in accordance with Schedule “A” for installing in a different location a new sewer lateral from the sewer main to the property line shall be reduced by the cost that the Municipality would have otherwise incurred to remove and dispose of the boulevard tree, reinstate and make good the boulevard to the standard prevailing in the block, and purchase and plant a replacement tree, as estimated by the Manager of Parks Services using the costing methods employed by the Municipality for like projects, with such cost estimate to include charges for labour, equipment, supplies, rentals and contracted work, and provided always that the credit to the applicant shall not exceed the fee calculated in accordance with Schedule “A”.

- (6) Notwithstanding Section 7(2), but subject to Section 8(7), where the portion of the sewer lateral which is upon, under or over public property has deteriorated to the point where it cannot be made usable through the use of any available pipe clearing or rodding equipment and methods, and where such deterioration is attributable principally to structural damage caused by boulevard tree roots, such assessments to be made by the Engineer based on his review of the pertinent evidence, then the fee calculated in accordance with Schedule “A” shall be waived for the owner of the property applying for replacement or repair of such sewer lateral.
- (7) In the event of the construction of a new principal building, or the reconstruction of an existing principal building from its foundation upward, on a parcel of land connected by way of a sewer lateral to a sewer main, the owner shall apply and pay the fee calculated in accordance with Schedule “A” for the replacement of the portion of any existing sewer lateral upon, under or over public property which is:
 - (a) constructed of unjointed clay tile, jointed clay tile which is ungasketed, or a tar-based composite; or
 - (b) in a significantly deteriorated condition as determined by the Engineer based on his examination of the relevant evidence.

*(**Bylaw 4171, adopted Nov. 12/02)*

- (8) In the event of the construction of a new principal building, or the reconstruction of an existing principal building from its foundation upward, on a parcel of land connected by way of a sewer lateral to a sewer main, where the owner intends to reuse the existing sewer lateral, they may do so upon application to the Engineer provided that the conditions of section 8(7) do not apply. The application is to include CCTV video of the condition of the lateral, and the results of a dye test showing that the property is not cross-connected. If the sewer lateral does not already have an inspection chamber, an owner applying to re-use their sewer lateral must have an inspection chamber installed.

*(**Bylaw 4779, adopted April 26, 2021)*

DISCHARGES TO SANITARY SEWERS

9. (1) No person shall discharge into any sanitary sewer
 - (a) any Prohibited Waste, as described in Schedule “B”;
 - (b) any Restricted Waste, as described in Schedule “C” unless that person has obtained written permission from the Engineer;
 - (c) any high volume discharge unless that person has obtained written permission from the Engineer;
 - (d) any uncontaminated water in a volume greater than 2.0 cubic metres per day without prior written permission from the Engineer;
 - (e) any storm water without prior written authorization from the Engineer.

DISCHARGES TO COMBINED SEWERS

10. (1) No person shall discharge into any combined sewer
 - (a) any Prohibited Waste, as described in Schedule “B”;
 - (b) any Restricted Waste, as described in Schedule “C” unless that person has obtained written permission from the Engineer;
 - (c) any High Volume Discharge unless that person has obtained written permission from the Engineer;
11. (1) If any Restricted Waste as described in Schedule “C” is discharged or is proposed to be discharged to the public sewers and which, in the judgement of the Engineer, may have a deleterious effect upon the sewage facilities, processes, or equipment or which may otherwise create a hazard to life or constitute a public nuisance, the Engineer may:
 - (a) reject the Restricted Waste;
 - (b) require pre-treatment to an acceptable condition prior to the discharge into the public sewers;
 - (c) require control over the quantities and rates of discharge; and/or
 - (d) require payment to cover the added cost of handling and treating the non-domestic waste not covered by existing taxes or sewer charges.
- (2) When considering the above alternatives, the Engineer shall give consideration to the economic impact of each alternative on the discharger. If the Engineer permits the pre-treatment or equalization of waste flows, the design and installation of the plans and equipment shall be subject to review and approval by the Engineer.

- (3) Grease, oil and sand interceptors shall be provided when, in the opinion of the Engineer, they are necessary for the proper handling of non domestic waste containing floatable grease in excessive amounts, as specified in Schedule "C", or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Engineer, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured materials and shall maintain records of the dates and means of disposal, which are subject to review by the Engineer. Any removal and hauling of the collected materials not performed by the owner's personnel must be performed by currently licenced waste disposal firms.

12. MONITORING OF DISCHARGES

- (1) The Engineer may require that a person who is discharging any waste other than domestic sewage into a sewer shall, at his or her expense, install one or more monitoring points suitable for inspection, flow monitoring, and sample collection at locations determined by the Engineer, to be constructed in accordance with plans approved by the Engineer and maintained in good working order by the person.
- (2) A monitoring point required under subsection 12(1) shall be installed in a manner so as not to be affected by any discharge of domestic waste from a premises, unless otherwise authorized by the Engineer.
- (3) A monitoring point required under subsection 12(1) shall, for the purposes of enforcing this bylaw, be deemed to be the point or points at which a discharge into a sewer or sewage facility is made.
- (4) In the absence of a monitoring point under subsection 12(1), the point of discharge into a sewer or sewage facility shall, for the purposes of enforcing this bylaw, be the location determined by the Engineer where access can be had to the waste for the purpose of sampling.
- (5) Where a person is required to install a monitoring point under subsection 12(1), and the person cannot comply with such requirement within 60 days of being notified of the requirement by the Engineer the person shall, within 60 days of the notice being issued by the Engineer, inform the Engineer of his or her inability to install the monitoring point and the District may install or cause to be installed the monitoring point at the person's expense.
- (6) The owner of a premises shall ensure that all monitoring points, flow measuring devices including water meters, are accessible for inspection by the Engineer at all times.
- (7) The Engineer may require that a person who is discharging waste into a sewer undertake, at that person's expense, sampling and analysis of the waste discharged.
- (8) All sampling and analysis required by an Engineer shall be carried out in accordance with methods and procedures specified in Standard Methods or in a manner specified by the Engineer.

- (9) Samples which have been collected as the result of a requirement of the Engineer shall be analyzed by an independent agency or by a laboratory authorized by the Engineer.

DISCHARGES TO STORM SEWERS AND WATERCOURSES

13. (1) No person shall discharge or allow or cause to be discharged into a storm sewer or watercourse any domestic waste, non domestic waste , trucked liquid waste or prohibited waste as set out in Schedule “D”.
- (2) Notwithstanding the prohibition contained in subsection 13(1), a person may discharge into a storm sewer or watercourse water resulting from domestic activities customarily incidental to a residential use of land including:
 - (a) water resulting from natural precipitation, and drainage of such water;
 - (b) water resulting from garden and lawn maintenance, non-commercial car washing, building washing and driveway washing; and
 - (c) uncontaminated water.
- (3) Notwithstanding the prohibition contained in subsection (2), a person may discharge into a storm sewer or watercourse water resulting from non-domestic activities as follows:
 - (a) street and hydrant flushing;
 - (b) water main flushing; and
 - (c) fire fighting activities.

PROHIBITIONS

14. (1) It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the Municipality, or in any area under the jurisdiction of the said Municipality, any human or animal excrement, garbage or objectionable waste.
- (2) No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the sewer system.
- (3) No person shall make any connection whatsoever to the sewer or in any way tamper with the sewer or sewer connection without first obtaining permission from the Engineer.
- (4) (a) No person shall connect or allow to remain connected any sanitary sewer lateral or combined lateral to any public storm sewer or to any storm sewer connection.

*(**Bylaw 4333, adopted Dec. 11/06)*

- (b) No person shall connect or allow to remain connected any storm sewer lateral or combined lateral to any public sanitary sewer or sanitary sewer connection.
*(**Bylaw 4333, adopted Dec. 11/06)*
- (c) In the event of an owner failing to disconnect a connection of the type described in paragraph (a) or (b) within ninety (90) days after being notified in writing by the Engineer to do so, without limiting any other recourse or remedy available to the Municipality the Engineer may cause the Municipality, by its workers or others, to have the required work completed at the expense of such owner including but not limited to the fees set out in Schedule “A”, the invoice for which if unpaid on the 31st day of December next ensuing shall be added to and form part of the taxes payable in respect of the property served by the connection as taxes in arrears.
*(**Bylaw 4333, adopted Dec. 11/06)*
- (d) For the purpose of paragraph (c), “disconnect” includes applying and paying all required fees for the necessary connection from the storm sewer lateral to the public storm sewer, or from the sanitary sewer lateral to the public sanitary sewer, as the case may be, along with any work on private property required to separate storm water flows from sewage flows, with the provisions of Sections 2 and 4 to apply mutatis mutandis to the connection portion of the required work.
*(**Bylaw 4333, adopted Dec. 11/06)*
- (e) For the purpose of this subsection, a requirement that sewage or storm water be pumped in order to create a functional connection to the public sanitary sewer or storm sewer, as the case may be, shall not be deemed to render the required connection “not practicable” within the meaning of Section 4(3), and the installation of a pump for that purpose shall constitute part of the work required to be undertaken by and at the cost of the owner in order to effect the required disconnection.
*(**Bylaw 4333, adopted Dec. 11/06)*
- (f) Notwithstanding the foregoing, an owner failing to disconnect his building or structure sewer lateral from the public sewer pursuant to this Section within the aforesaid period of ninety (90) days shall still be liable for any penalties provided by this Bylaw.
*(**Bylaw 4333, adopted Dec. 11/06)*
- (g) Notice in writing required to be given by the Engineer pursuant to this Section shall be sufficiently given if sent by registered mail to the owner at the address as shown on the last revised assessment roll of the Municipality.
*(**Bylaw 4333, adopted Dec. 11/06)*
- (h) Paragraph (d) notwithstanding, where the elimination of a storm water lateral-to-sanitary sewer main connection made prior to 1990 requires the pumping of storm water from a parcel into the storm sewer main, the connection fee set out in Schedule “A” shall be reduced by one-half for the new connection to the storm sewer main, provided that the elimination of the

storm water lateral-to sanitary sewer main connection is completed before June 30, 2008 or the end of the period specified in a notice from the Engineer pursuant to paragraph (c), whichever comes first.

*(**Bylaw 4333, adopted Dec. 11/06)*

*(**Bylaw 4395, adopted Jan. 14/08)*

- (5) Where any public sewer is laid in private property in respect of which the Municipality holds a right of way for sewer purposes, no person shall connect to, or disturb, such sewer except by direction of, and with permission of, the Engineer.
- (6) No person shall connect or attempt to connect or allow to be connected or allow to remain connected any real property to the sanitary sewer or storm sewer system otherwise than in accordance with the provisions of this Bylaw.

ENFORCEMENT

- 15. Should any person who is required by the provisions of this Bylaw to do any matter or thing be in default of it being done by that person, such matter or thing may be done at the expense of the person in default and the Council may recover the expense thereof, with costs in like manner as municipal taxes.

INSPECTION

- 16. The Engineer or a bylaw enforcement officer may enter at all reasonable times, on any property that is subject to this Bylaw to ascertain whether the regulations of this Bylaw are being observed or the requirements of this Bylaw are being met.

PENALTIES

- 17. Any 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 to do or refrains from doing any act or thing required to be done by the provisions of this Bylaw, shall be guilty of an offence and shall be liable, upon conviction, to a fine of not less than Two Hundred (\$200.00), not more than Two Thousand Dollars (\$2,000.00) or to a term of imprisonment not exceeding six (6) months or to both, for each offence; and each day during which any violation, contravention or breach shall continue shall be deemed a separate offence.

GENERAL

- 18.
 - (1) No person shall hinder or prevent the Engineer, a person authorized by the Engineer, or a bylaw enforcement officer from entering any premises or from carrying out his or her duties with respect to the administration of this Bylaw.
 - (2) Nothing in this Bylaw shall be interpreted as relieving a person discharging waste from complying with Federal, Provincial and local government enactments governing the discharge of storm water into storm sewers and watercourses, and in the event of a conflict between the provisions of this Bylaw and a Federal or Provincial enactment, the provisions of the Federal or Provincial enactment shall prevail.

- (3) In this Bylaw words importing the male gender include the female gender and either includes the neuter and vice versa, and words importing the singular number include the plural number and vice versa.
- (4) Schedules A, B, C, D and E annexed to this Bylaw shall be deemed to be integral parts of this Bylaw.
- (5) If any provision of this Bylaw is found to be invalid by a court of competent jurisdiction it may be severed from the Bylaw.

REPEALS

19. The following Bylaws are hereby repealed except insofar as they repeal any other Bylaw:

Bylaw No. 3391, "Public Sewer Bylaw, ";
Bylaw No. 3533, "Public Sewer Bylaw Amendment Bylaw", 1986";
Bylaw No. 3744, "Public Sewer Bylaw Amendment Bylaw", 1993".

PROVIDED that such repeals shall not affect any offence committed, or penalty or punishment incurred, under such repealed Bylaws or any one of them, and any such penalty or punishment may be imposed as if this Bylaw had not been passed.

20. This Bylaw may be cited as the "Public Sewer Bylaw No. 3891, 1996"
(**Bylaw 4863, Adopted May 13/24)

READ a first, second and third time by the Municipal Council on February 26, 1996.

ADOPTED and FINALLY PASSED by the Municipal Council on March 11, 1996.

"Original signed by"
Mayor

"Original signed by"
Municipal Clerk

Sealed with the Seal of The Corporation of the
District of Oak Bay.

SCHEDULE "A"

FEES AND PERMITS

1. (1) For installing or replacing the portion of a sewer lateral which is located upon, under or over public property, including a connection to a sewer main located in a municipal right of way:
 - (a) For a connection to a sewer main via a lateral consisting of a single 100mm diameter pipe of length not exceeding ten (10) metres and related joints and fittings: \$6,550.00.

*(**Bylaw 4683, adopted Mar. 13/17)*
*(**Bylaw 4863, adopted May. 13/24)*
 - (b) For a connection to two (2) sewer mains via laterals consisting of two (2) 100 mm diameter pipes of length not exceeding ten (10) metres and related joints and fittings, installed in the same trench at the same time: \$10,250.00.

*(**Bylaw 4683, adopted Mar. 13/17)*
*(**Bylaw 4863, adopted Mar. 13/24)*
 - (c) Costs for traffic control, Hydrovac, an engineering consultant, and additional concrete will be assessed with each sewer connection. These costs will be collected in addition to the bylaw fee. On completion of the work, any unused contingency fees collected will be refunded.

*(**Bylaw 4683, adopted Mar. 13/17)*
 - (d) Where an existing sewer connection to the main will not be reused, a capping fee of \$2,000.00 will be charged.

*(**Bylaw 4683, adopted Mar. 13/17)*
 - (e) For a connection to a sewer main via a lateral:
 - (i) consisting of a pipe of diameter greater than 100 mm and related joints and fittings;
 - (ii) consisting of a pipe of length greater than ten (10) metres and related joints and fittings;
 - (iii) laid at a depth which requires trenching to a depth greater than 2.3 metres; or
 - (iv) consisting of a lateral to be installed through the “pipe bursting” process,
- the fee payable shall be equal to either:
- (iv) the charge set out in paragraph (a) or (b), whichever is applicable; or
 - (v) the Engineer’s estimate of the cost of the work, such estimate to include charges for labour external and internal, equipment

charges external and internal, materials, fittings, supplies, rentals, consulting, contracted work and engineering costs external and internal, and all costs of excavation and reinstatement, whichever is greater.

*(**Bylaw 4333, adopted Dec. 11/06)*

*(**Bylaw 4683, adopted Mar. 13/17)*

*(**Bylaw 4857, adopted March 11, 2024)*

- (2) For the repair of the sewer connection at the main, or for the repair or installation of a clean-out fixture, in the circumstances described in Section 8(4) of the main body of this Bylaw, the fee payable shall be equal to the Engineer's estimate of the cost of the work, such estimate to include charges for labour external and internal, equipment charges external and internal, materials, fittings, supplies, rentals, consulting, contracted work and engineering costs external and internal, and all costs of excavation and reinstatement.

*(**Bylaw 4333, adopted Dec. 11/06)*

- (3) All fees must be paid in advance.

- (4) Fees based on a cost estimated in accordance with 1(1)(c) or 1(2) of this Schedule are, on completion of the work, subject to refund of any unused rock blasting contingency.

- (5) A request by an owner for maintenance or examination of the portion of a sewer lateral which is located upon, under or over public property, or the sewer connection at the main, will be carried out only after the owner of the property served by the said lateral or connection has signed a work order substantially in the form set out in Schedule "E" committing the owner to payment of all costs incurred by the Municipality for examination or maintenance including without limitation labour external and internal, equipment charges external and internal, materials, fittings, supplies, rentals, consulting, contracted work and engineering costs external and internal, and all costs of excavation and reinstatement, except as otherwise provided in this Bylaw.

*(**Bylaw 4171, adopted Nov. 12/02)*

*(**Bylaw 4333, adopted Dec. 11/06)*

2. For an application for an owner for a waiver of the requirement to connect to the public sewer: \$1,000.

*(**Bylaw 4857, adopted March 11, 2024)*

SCHEDULE "B"

SANITARY SEWERS AND COMBINED SEWERS

PROHIBITED WASTE

Prohibited Waste means:

1. Special Waste

Special Waste as defined by the WASTE MANAGEMENT ACT OF BRITISH COLUMBIA and its Regulations or any legislation that replaces the WASTE MANAGEMENT ACT.

2. Air Contaminant Waste

Any waste which, by itself or in combination with another substance, is capable of creating, causing or introducing an air contaminant, causing air pollution outside any sanitary sewer or sewage facility or is capable of creating, causing or introducing an air contaminant within any sanitary sewer or sewage facility which would prevent safe entry by authorized personnel.

3. Flammable or Explosive Waste

Any waste, which by itself or in combination with another substance, is capable of causing or contributing to an explosion or supporting combustion in any sanitary sewer or sewage facility including but not limited to, gasoline, naphtha, propane, diesel, fuel oil, kerosene or alcohol.

4. Obstructive Waste

Any waste which by itself or in combination with another substance, is capable of obstructing the flow of, or interfering with, the operation or performance of any sanitary sewer or sewage facility including, but not limited to earth, sand, sweepings, gardening or agricultural waste, ash, chemicals, paint, metal, glass, sharps, rags, cloth, tar, asphalt, cement based products, plastic, wood, waste portions of animals, fish or fowl and solidified fat.

5. Corrosive Waste

Any waste with corrosive properties which, by itself or in combination with any other substance, may cause damage to any sanitary sewer or sewage facility or which may prevent safe entry by authorized personnel.

6. High Temperature Waste

- (a) Any waste which, by itself or in combination with another substance, will create heat in amounts which will interfere with the operation and maintenance of a sanitary sewer or sewage facility or with the treatment of waste in a sewage facility;
- (b) Any waste which will raise the temperature of waste entering any sewage facility to 40 degrees Celsius or more;
- (c) Any non-domestic waste with a temperature of 65 degrees Celsius or more.

7. Biomedical Waste

Any of the following categories of Biomedical Waste: human anatomical waste, animal waste, untreated microbiological waste, waste sharps and untreated human blood and body fluids listed in "Risk Group 4" as defined in "Laboratory Biosafety Guidelines", published by Health and Welfare Canada and dated 1990.

8. PCBs, Pesticides

Any waste containing PCBs or pesticides.

9. Miscellaneous Wastes

Any waste , other than sanitary waste, which by itself or in combination with another substance:

- (a) constitutes or may constitute a health or safety hazard to any person;
- (b) may interfere with any sewage treatment process;
- (c) may cause a discharge from a sewage facility to contravene any requirements by or under any B.C. Waste Management Discharge Permit or any other act, law or regulation governing the quality of the discharge, or may cause the discharge to result in a hazard to people, animals, property, or vegetation.

SCHEDULE "C"

SANITARY SEWERS AND COMBINED SEWERS RESTRICTED WASTES

In this Schedule, Restricted Waste means:

1. **Specified Waste**

Any waste which, at the point of discharge into a sewer, contains any contaminant at a concentration in excess of the limits set out below. All concentrations are expressed as total concentrations which includes all forms of the contaminant, whether dissolved or undissolved. The concentration limits apply to both grab and composite samples. Contaminant definitions and methods of analysis are outlined in Standard Methods or methods specified by the Engineer.

Any of the contaminants listed below in tables (a), (b) or (c) that are present in a waste at dissolved concentrations in excess of the Special Waste Regulation Leachate Quality Criteria will qualify that waste, regardless of the sampling method used, as a Special Waste.

(a) CONVENTIONAL CONTAMINANTS [mg/L]	
Biochemical Oxygen Demand (BOD)	300
Chemical Oxygen Demand (COD)	600
Oil and Grease*	100
Suspended Solids	350

Note: *Total oil and grease includes Petroleum Hydrocarbons (see table (b))

(b) ORGANIC CONTAMINANTS [mg/L]	
Benzene, Ethyl Benzene, Toluene, Xylenes (BETX)	1
Chlorinated Phenols	0.05
Polycyclic Aromatic Hydrocarbons (PAH)	0.05
Phenols	1
Petroleum Hydrocarbons	15

(c) INORGANIC CONTAMINANTS [mg/L]	
Arsenic (As)	0.2
Cadmium (Cd)	0.1
Chromium (Cr)	5
Cobalt (Co)	5
Copper (Cu)	1
Cyanide (CN)	1
Iron (Fe)	50
Lead (Pb)	0.5
Manganese (Mn)	5
Mercury (Hg)	0.05
Molybdenum (Mo)	5
Nickel (Ni)	1
Silver (Ag)	2
Sulphate (SO ₄)	1500
Sulphide (S)	1
Zinc (Zn)	3

2. **Food Waste**

Any non-domestic waste from cooking and handling of food that, at the point of discharge into a sewer, contains particles larger than 0.5 centimetres in any dimension.

3 **Radioactive Waste**

Any waste containing radioactive materials that, at the point of discharge into a sewer, exceeds radioactivity limitations as established by the Atomic Energy Control Board of Canada.

4. **pH Waste**

Any non-domestic waste which, at the point of discharge into a sewer, has a pH lower than 5.5 or higher than 11.0, as determined by either a grab or a composite sample.

5. **Dyes and Colouring Material**

Dyes or colouring materials which may pass through a sewage facility and discolour the effluent from a sewage facility except where the dye is used by the District, or one or more of its municipalities, as a tracer.

SCHEDULE "D"

STORM SEWERS
PROHIBITED WASTE

Prohibited Waste means:

1. Special Waste

Special Waste as defined by the WASTE MANAGEMENT ACT OF BRITISH COLUMBIA and its Regulations or any legislation that replaces the WASTE MANAGEMENT ACT.

2. Biomedical Waste

Any of the following categories of Biomedical Waste: human anatomical waste, animal waste, untreated microbiological waste, waste sharps and untreated human blood and body fluids listed in "Risk Group 4" as defined in "Laboratory Biosafety Guidelines", published by Health and Welfare Canada and dated 1990.

3. Air Contaminant Waste

Any waste which, by itself or in combination with another substance, is capable of creating, causing or introducing an air contaminant, causing air pollution outside any storm sewer or storm water management facility or is capable of creating, causing or introducing an air contaminant within any storm sewer or storm water management facility which would prevent safe entry by authorized personnel.

4. Flammable or Explosive Waste

Any waste, which by itself or in combination with another substance, is capable of causing or contributing to an explosion or supporting combustion in any storm sewer, watercourse or storm water management facility, including but not limited to, gasoline, naphtha, propane, diesel, fuel oil, kerosene or alcohol.

5. Obstructive Waste

Any waste which by itself or in combination with another substance is capable of obstructing the flow of, or interfering with, the operation, performance or flow of any storm sewer, watercourse or storm water management facility, including but not limited to, earth, sand, sweepings, gardening or agricultural waste, ash, chemicals, paint, metal, glass, sharps, rags, cloth, tar, asphalt, cement-based products, plastic, wood, waste portions of animals, fish or fowl and solidified fat.

6. Corrosive Waste

Any waste with corrosive properties which, by itself or in combination with any other substance, may cause damage to any storm sewer or storm water management facility or which may prevent safe entry by authorized personnel.

7. High Temperature Waste



(a) Any waste which, by itself or in combination with another substance, will create heat in amounts which will interfere with the operation and maintenance of a storm sewer or storm water management facility;

(b) Any waste which will raise the temperature of waste discharged by a storm sewer, watercourse or storm water management facility by 2 degrees Celsius or more;

(c) Any waste with a temperature of 40 degrees Celsius or more at the point of discharge.

8. PCBs, Pesticides

Any waste containing PCBs or pesticides.

9. Pool Water

Any water from a pool containing residual chlorine or chloramine.

10. Radioactive Waste

Any waste containing radioactive materials that, prior to the point of discharge into a storm sewer or watercourse, exceeds radioactivity limitations as established by the Atomic Energy Control Board of Canada.

11. pH Waste

Any waste which, prior to the point of discharge into a storm sewer or watercourse, has a pH lower than 6.0 or higher than 9.0 as determined by either a grab sample or composite sample.

12. Dyes and Colouring Material

Dyes or colouring materials which produce in a grab sample or composite sample a colour value greater than or equal to 50 true colour units, or that causes discolouration of water to such an extent that the colour cannot be determined by the visual comparison method as set out in Standard Methods, except where the dye is used by a municipality or regional district as a tracer.

13. Miscellaneous Wastes

Any waste which by itself or in combination with another substance:

- (a) constitutes or may constitute a health or safety hazard to any person;
- (b) causes pollution in any storm sewer, watercourse or storm water management facility.

14. Disinfectant Process Water

Any water from a waterworks containing residual chlorine or chloramine remaining from the disinfection of the waterworks or any part of the waterworks, but does not include water containing chlorine or chloramine ordinarily added to a supply of potable water by a municipality, the Regional District, the Greater Victoria Water District or an Improvement District.

SCHEDULE "E"

THE CORPORATION OF THE DISTRICT OF OAK BAY

WORK ORDER

Note: This work order **MUST** be signed by the property owner or occupier **BEFORE ANY WORK** is carried out by Municipal employees.

I HEREBY AUTHORIZE The Corporation of the District of Oak Bay, through its employees or agents, to supply the necessary materials and perform the following work for the benefit of my premises at: _____.

(Civic Address)

Work Requested: _____

I agree to pay upon demand the cost of all work authorized by this work order including but not limited to materials, labour and equipment charges, contract costs, engineering costs, and costs of excavation and reinstatement as determined necessary by the Engineer.

It is agreed and acknowledged that the performance of work by the Municipality or its agents pursuant to this Work Order is not an admission of liability on the part of the Municipality, its servants, agents, employees, and assigns.

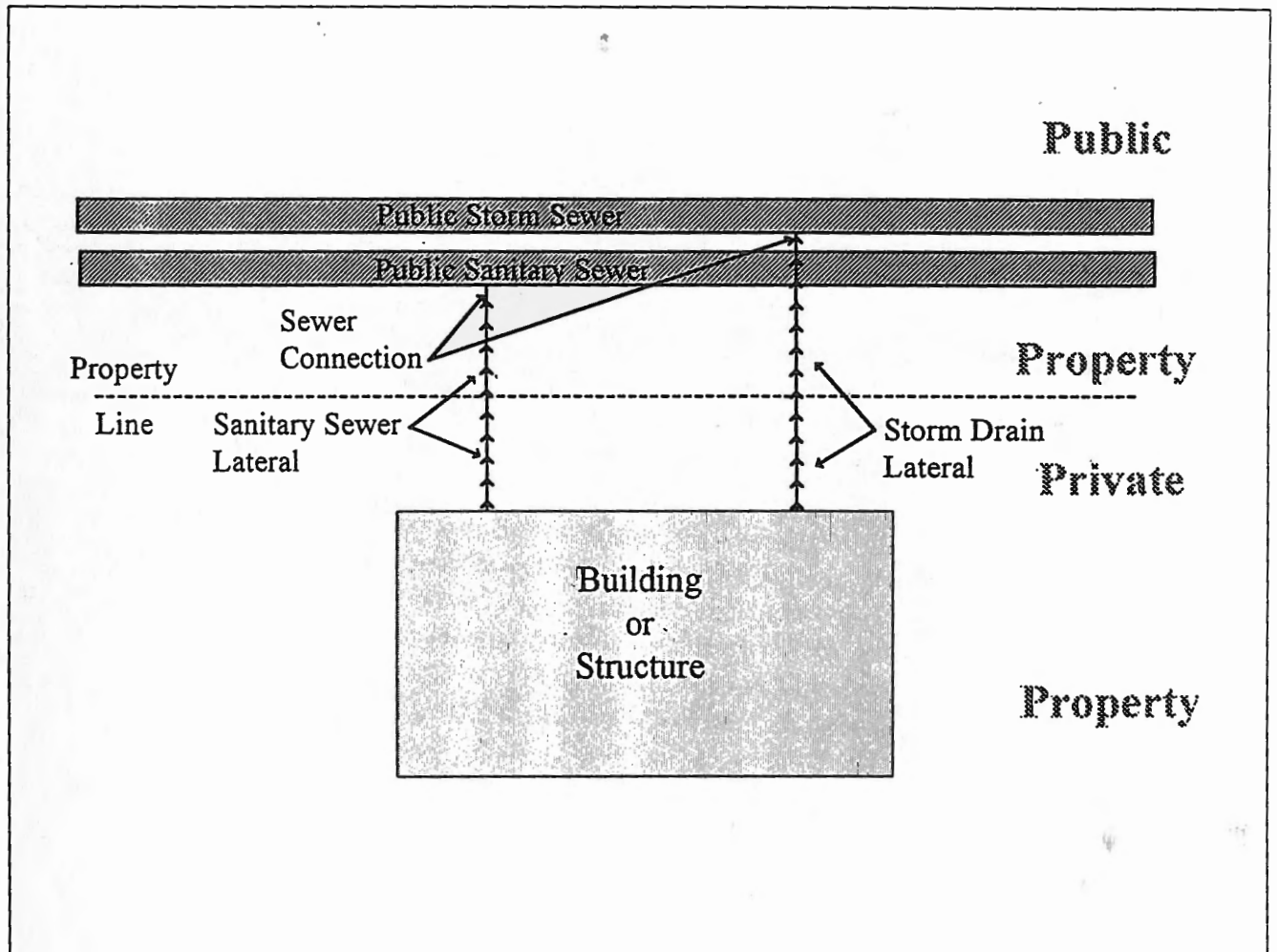
DATED THIS _____ day of _____, 20__.

Name of Property Owner or Occupier
(Please print)

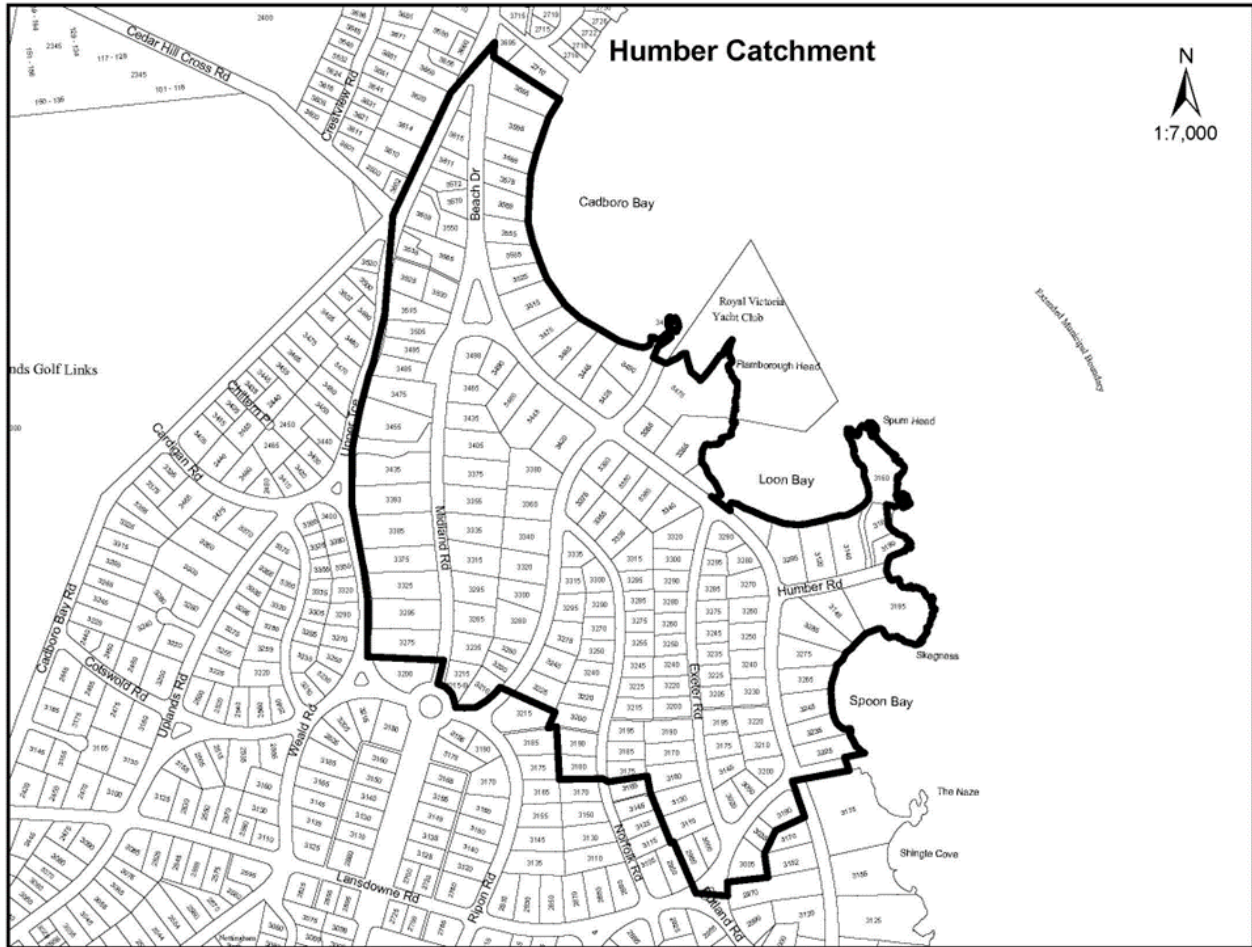
Signature

**Schedule F
Aid to Definition
of Terms**

Typical Situation



SCHEDULE "G" – Humber Catchment Area



SCHEDULE "H" – Rutland Catchment Area

