

TOWN OF PELHAM

BY-LAW NO. 107

A By-law to regulate sanitary and storm drainage.

WHEREAS the Council of the Corporation of the Town of Pelham, subject to the provisions of section 47 of the Ontario Water Resources Commission Act, is authorized by the provisions of Section 31, Paragraphs 4 and 5 of The Planning Act and Section 379 (1), Paragraphs 68 and 69 of The Municipal Act to make regulations for sewerage or drainage that may be deemed necessary for sanitary and storm purposes as herein more particularly provided;

AND WHEREAS various recommendations have been made by the Engineer and adopted by Town Council for the better regulations of sewerage and drainage;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM enacts as follows:

Section I - Interpretation

In this By-law -

- a). 'Combined Sewer' means a sewer to carry both sewage and rain, ground and surface water - combined sewers are expressly prohibited in this by-law.
- b). 'Sanitary Sewer' means a sewer to carry sewage but no rain or surface water or drainage from weeping tile systems built around building foundations.
- c). 'Storm Sewer' means a sewer to carry rain, ground or surface water and all other uncontaminated water but no sewage or other waste.
- d). 'Drainage Piping' means all the connected piping that conveys to a place of disposal including the building drain, the building sewer, soil pipe, soil stack, waste stack and waste pipe but does not include, (a) a main sewer, and (b) piping used for sewage in a sewage plant. This definition is applicable to sanitary and storm systems.
- e). 'Private Drain Connection' means that part of a drainage system which connects a building sewer to a main sewer and is situated within the limits of the highway and sanitary 'private drain connection' means a private drain connection to carry sewage but no rain or surface or ground water; and storm water 'private drain connection' means a private drain connection to carry rain, ground or surface water and uncontaminated water but no sewage or other waste.
- f). 'Building Sewer' means that part of drainage piping outside a building or other structure that connects a building drain to the main sewer or where the place of disposal out of the sewage is on the property to the place of disposal on the property and that commences at a point 3 feet from the outer face of wall of the building or other structure and terminates at the property line or place of disposal on the property.

- g). 'Building Drain' means the horizontal pipe of drainage piping in or adjacent to a building or other structure that receives the discharge from drainage piping and conveys it to the building sewer, and includes offsets.
- h). 'Catch Basin' means a drain installed to collect surface water from an open area and to trap solids; the solids shall be trapped by means of the sump within the drain which has the minimum depth of one foot below the outlet pipe.
- i). 'Interceptor' means a receptacle to prevent oil, grease, sand or other materials from passing into drainage piping.
- j). 'Engineer' means the person designated by the Town of Pelham as its engineer, who shall be either the Consulting Professional Engineer or full or part-time employee professional engineer.

Section II - Application of By-law

Nothing in this By-law shall be so construed as to purport to permit anything which by the provisions of any applicable act or regulation is prohibited.

Section III - Administration and Enforcement

The Engineer shall be responsible for the administration and enforcement of this By-law.

Section IV - Permits, Town Services, etc.

- 1. All plumbing and drainage installations or alterations on private property are subject to the provisions of the Town of Pelham By-law which adopts the Regulation 471 of Revised Regulations of Ontario, 1960 As Amended by O. Reg. 178/64, O. Reg. 246/66 respecting Plumbing made under the Ontario Water Resources Commission Act.
- 2. No contractor or owner shall undertake any excavation, pipe installation or connection to an existing municipal sewer located within a road allowance or on a Town easement, unless with the express permission of the Engineer and directly under the supervision of the Engineer or his representative.
- 3. All residential, commercial, industrial and institutional buildings shall be serviced with separate storm and sanitary drainage systems.

The separate drainage piping shall be contained from the building directly to the main sewer.
- 4. Where trenching or excavation will be undertaken for drainage piping, such work shall be in compliance with The Trench Excavators' Protection Act, and application for a trench permit shall be made at the Municipal Offices.
- 5. Storm and sanitary private drain connections to the municipal main sewer(s) shall be made by the Town of Pelham Works Division, or by the Contractor working directly under the supervision and inspection of the Engineer.

Drainage piping 6 inches in diameter and less will be directly connected to the main sewers in accordance with current Town standards. Drainage piping 8 inches in diameter and larger must be connected into a manhole structure be it existing or proposed, unless in the opinion of the Engineer a manhole is not required for inspection purposes and a physical connection can be readily made in accordance with sound construction practice.

6. The Works Division will provide a service of clearing blocked drainage piping upon the request of the property owner. Such applications must be made to the Municipal Offices.

The Town reserves the right to refuse the service of clearing drainage piping where such piping has been subjected to continuous blockage over a period of years, and the property owner has been notified in writing that the drainage piping is inadequate, and must be replaced in its entirety and the property owner has failed to undertake such replacement.

7. The installation charges for new private drains, the replacement of drainage piping between the main sewer and the building, and the clearing of drainage piping shall be in accordance with the schedule of charges and installation regulations as Town Council may from time to time determine.
8. The installation of storm and sanitary building sewers in a common trench will only be permitted where both the storm and sanitary building sewers are installed at the same elevation, or where approved by the Plumbing Inspector and installed in accordance with sound construction practice.

It shall be the builder's and/or owner's responsibility to make connection to the correct sewerage system (sanitary and storm). Verification of the type of private drain connection at the property line can be obtained at the Municipal Offices.

9. Construction of the building sewer shall not be commenced until the main sewer is operative and the private drain connection has been installed by the Town and/or its Contractor to the property line except as further restricted in paragraph 3 of Sanitary Drainage Piping Section.
10. Where building demolition is undertaken, the owner shall block off the existing building sewer at such location as designated on the demolition permit by means of suitable capping before commencement of demolition work.
11. The Engineer and any workmen or Inspectors appointed by him shall have the right, at all reasonable times, to enter any premises for purposes of inspecting and making tests to ascertain if the provisions of this By-law are being complied with.
12. Any underground drainage pipe or sewer pipe encountered during excavation or earth boring shall be reported to the Plumbing Inspector or Engineer.

Section V - Sanitary Drainage Piping and Connections to Sewer Mains

1. A separate building sewer and a separate private drain connection shall be provided for each house. For purposes of this By-law, a house shall also be defined as one half of a double house; one half of a semi-detached dwelling; or any single unit of row-housing.

A building sewer shall not cross property other than that under the same ownership, except where a registered easement has been obtained.

2. The connection and discharge of roof water and ground water into the municipal sanitary sewer system is expressly prohibited.
3. The termination of a sanitary building sewer or building drain must be sealed with an approved cap. Any storm water collected within the excavation or in the completed basement shall be drained to the storm sewer or roadside ditching by pumping if gravity drainage cannot be obtained.
4. Where sanitary sewers have been installed on a street and abut existing residential dwellings and other buildings, the property owners shall connect to the completed sanitary sewer within a 24 month period from the date of public notice inserted in the local paper.

Where specific health hazards exist, the property owner shall connect all sanitary facilities within an existing building within 4 months of receipt of registered notice from the Municipal Office and/or Medical Officer of Health.

5. The sizing of building sewers shall be in accordance with Ontario Water Resources Commission requirements.
6. The installation of hydraulic garbage shredders or garborators connected to the Town's sanitary sewer system is prohibited.
7. All commercial, industrial and institutional buildings shall be provided with an approved grease and oil interceptor where there is or is likely to be discharged into the municipal sewerage system any oil or grease contrary to the industrial waste by-law. Such an interceptor shall be of adequate size, be so located as to be readily accessible for inspection and cleaning, and shall be kept in proper working order by the owner or operator of the establishment.
8. All non-residential sanitary discharge shall comply with the current Town of Pelham industrial wastes requirements.
9. The elevation of the basement floor and the building drain shall be set in conjunction with the depth of private drain connection available at the property line and sufficient fall between the property line and the building in accordance with slopes of fall required under Ontario Plumbing Regulation No. 471 or such Ontario regulations as may from time to time apply.
10. Where the municipal sanitary sewer system and the private drain connections thereto are not sufficiently deep enough to permit a gravity connection at the depth proposed for the basement construction, the owner and/or the contractor shall install at his own cost, suitable sewage ejectors.

11. Where existing buildings have been demolished and the property owner proposes to utilize the existing sanitary drainage piping to serve the new building, the owner or his building contractor must secure the approval of the Municipal Office to so do. Approval for the continuing use of the drainage piping will be subject to an inspection to ensure that the piping is in satisfactory condition and that it will properly serve the new building during its lifetime.
12. Where municipal sanitary sewer system is not available within the Town boundaries, the provision of sanitary facilities by means of a septic tank or similar type of disposal unit shall be subject to the regulations of the Department of Health and applications for permit of installation must be obtained from the Niagara Regional Health Unit.

Section VI - Storm Drainage Piping and Connections

1. All the necessary drainage piping, drains and connections to the municipal sewer must be provided to accommodate storm drainage from roof and ancillary hard surfaced areas (parking, roadways, etc.) from all industrial, commercial, institutional and multiple housing dwellings (in excess of 4 suites) and where an existing storm sewer or adequate combined sewer abuts the property.

If a municipal storm sewer is not available, Town Council may, at its discretion, require the construction of a storm sewer from the property to the closest available outlet at the owner's cost before authorizing issuance of a building permit.

2. The design of the storm drainage piping on privately owned lands shall be in accordance with the Town of Pelham standards presently in use or in accordance with such modifications as may be approved by the Engineer from time to time.
3. Catchbasins shall be installed at the low points of the drainage area and no single catchbasin shall serve a hard surfaced area in excess of 7,000 square feet. The sump within the basin shall be cleaned of all mud and debris at least once a year. All catchbasins and manholes shall conform with current Town of Pelham standards.
4. A lot drainage plan in duplicate shall be submitted with each application for a building permit for residential, commercial, industrial and institutional buildings unless, in the opinion of the Engineer, such construction will not create a drainage problem on the lands being constructed on and/or abutting properties. The drainage plan shall indicate the proposed drainage scheme including finished grade elevations, size and location of drainage structures and piping, if required, to ensure proper discharge of storm water.
5. The drainage of limited hard surfaced areas (walks, driveways, parking space) located between the street line and the building setback line may be permitted by the Engineer to discharge directly onto the municipal road allowance.
6. All storm drainage piping must be constructed at such depth that frost protection will be provided (minimum 3-1/2 feet earthcover throughout).

7. Combined sewers are expressly prohibited.
8. Where discharge of storm drainage piping is made to a watercourse, the owner shall construct the outlet to ensure that erosion or the blockage of the watercourse shall not occur. In addition, the invert elevation of the outlet shall be established to eliminate surcharging of the storm drainage piping during normal high water flows within the watercourse.

Section VII - Penalties for Non-Compliance


Any person who violates any provision of this By-law shall upon conviction be liable to a penalty not exceeding \$300.00 for each offence, exclusive of cost, recoverable under the provisions of the Ontario Summary Convictions Act and in default of payment to imprisonment in the common jail for a period not exceeding ten days unless such fine and costs are sooner paid.

Section VIII - Existing By-Laws Repealed

All By-laws of the former Village of Fonthill, Township of Thorold, and Township of Pelham regulating sanitary and storm drainage, are hereby repealed.

READ A FIRST AND SECOND TIME,


THIS 14th day of JUNE 1971.


CLERK


MAYOR

READ A THIRD TIME AND PASSED BY COUNCIL THIS

14th DAY OF JUNE , 1971.


CLERK


MAYOR