

**District of Chilliwack**

**Bylaw No. 2231**

**A bylaw to provide for the regulation,  
connection and use of storm sewers**

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WHEREAS it is deemed necessary and expedient to regulate the operation and use of the Storm Sewer System of the *City of Chilliwack*; (*AB#3991*)

THEREFORE, the Council of the *City of Chilliwack*, in open meeting assembled, enacts as follows: (*AB#3991*)

1. This bylaw may be cited as "**Storm Sewer System Connection and Regulation Bylaw 1995, No. 2231**".
2. The "Storm Sewer System Connection and Regulation Bylaw 1988, No. 1162" and amendments thereto, are hereby repealed.
3. INTERPRETATION:

In this bylaw, unless the context otherwise requires, the following definitions apply:

"Council" shall mean the Council of the *City of Chilliwack*; (*AB#3991*)

"City" shall mean the *City of Chilliwack*; (*AB#3991*)

"Engineer" shall mean the *Director of Engineering* of the *City of Chilliwack* or his designate; (*AB#3991*)

"Person" shall mean any individual, firm, company, association, society, corporation or group;

"Service Connection" shall mean the pipe connecting a Storm Drain to the Storm Sewer System;

"Sewage" shall mean water carrying wastes from residences, commercial buildings, institutions and industrial establishments but shall exclude storm water;

"Storm Drain" shall mean a building drain and/or a site drainage system that conveys storm water;

3. Interpretation - continued

"Storm Sewer System" shall mean all works and all appurtenances thereto owned and operated by the *City* and installed for the purpose of collecting, pumping, conveying, treating and disposing of residential, commercial and industrial storm water, including storm mains, service connections, pumping stations, open channels, and storm sewer system outfalls; (AB#3991)

"Storm Water" shall mean rainfall water and ground water; water used in street cleaning and other unpolluted waters;

"Toxic Substance" shall mean any substance which when discharged to the Storm Sewer System is, or is capable of being, a hazard to people, a hazard to aquatic life or an interference to storm water treatment processes.

4. ADMINISTRATION:

This bylaw shall be administered by the Engineer, who shall have control of the Storm Sewer System and its use, maintenance and operation including all related matters, except as otherwise directed in this bylaw.

5. REQUIREMENT TO CONNECT - EXISTING IMPROVEMENTS:

- (1) Unless an adequate on-site drainage system is determined by the Engineer to already exist, the owner of every property which abuts or is adjacent to the Storm Sewer System on which property improvements are located, is hereby required to construct a Service Connection to connect all improvements and Storm Drains to the Storm Sewer System in accordance with the provisions of this bylaw within two (2) years of notice by registered mail to do so.
- (2) If an owner has been given notice pursuant to paragraph 5(1) and fails or neglects to comply, then the *City* may, by its workmen or others, enter and construct the Service Connection and Storm Drains, as required, at the expense of the owner. All charges for the work done that remain due and payable by December 31 of the year in which the charges were incurred, and are unpaid on that date, shall be deemed to be taxes in arrears and shall be so entered on the tax roll by the Municipal Collector of the *City* of Chilliwack. (AB#3991)
- (3) Failure to comply with the provisions of paragraph 5(1) shall constitute a violation of this bylaw.

6. REQUIREMENT TO CONNECT - NEW CONSTRUCTION:

- (1) *The owner of every property which abuts or is adjacent to the Storm Sewer System and on which improvements will be constructed, is hereby required to either:*
  - a) *connect, through a Service Connection, the Storm Drain directly with Storm Sewer System in accordance with the provisions of this bylaw at the time of construction of the improvements;*
  - b) *construct on site storm water discharge system in accordance with the Land Development Bylaw, in force, from time to time. (AB#3991)*

7. APPLICATIONS AND PERMITS:

- (1) No person shall connect any Storm Drain to the Storm Sewer System until he has:
  - (a) made application to the *City* for a Service Connection Permit; *(AB#3991)*
  - (b) submitted all plans, specifications or other information required by the *City*; and *(AB#3991)*
  - (c) has paid all inspection and other fees as set out in Schedule "A" attached hereto and forming part of this bylaw.
- (2) Service Connection fees imposed by the *City* do not include works on the property of the applicant which shall be the responsibility of the owner. *(AB#3991)*
- (3) After an applicant has complied with the requirements of paragraph 7(1), the *City* shall, within a reasonable time and subject to availability of work forces and to adverse site conditions, construct the portion of the Service Connection which is not on private property. *(AB#3991)*
- (4) The owner shall notify the *City* when the Service Connection is ready for inspection by the *City* and the owner shall make the work available for inspection and no service connection shall be covered until permitted by the *City*. *(AB#3991)*

- (5) The Engineer may refuse to issue a Service Connection permit if in his opinion:
  - (a) the Storm Sewer System is incapable of handling the additional volume; or
  - (b) the Applicant's storm water does not comply with the limitations and provisions contained in this bylaw and might be injurious to or might impair the efficiency of the Storm Sewer System.

8. GENERAL PROVISIONS:

- (1) The owner shall be responsible for ensuring the correct elevation of the Storm Drain in order to connect to the Service Connection.
- (2) If an existing Storm Drain is at an incorrect elevation, the owner may, at his expense, be permitted to install, operate and maintain a pumping system or similar device as approved by the Engineer, to convey storm water to the Storm Sewer System.
- (3) No person shall do any work upon, or interfere in any way with the Storm Sewer System without the written permission of the Engineer, including those portions of the Storm Sewer System located on private property.
- (4) The Storm Drain shall be maintained by the owner at his expense.
- (5) No Service Connection shall be constructed on any road allowance, easement or other public land except by the *City* or under a contract or agreement with the *City*. (AB#3991)

9. DISCONNECTION AND RECONNECTION:

- (1) No improvement which is connected to the Storm Sewer System shall be disconnected from the Storm Sewer System except if the improvement is demolished and/or removed completely from the property.
- (2) No Service Connection or Storm Drain shall be disconnected from the Storm Sewer System, until the owner applies to the *City* for a disconnection permit and pays the fees as set out in Schedule "A". (AB#3991)
- (3) If a Storm Drain is abandoned, the owner shall block the Storm Drain at the property line with a watertight seal as approved by the Engineer, notify the Engineer of such blockage and permit the Engineer to inspect the block before covering, and if the owner shall fail to give such notice, the Engineer may require the owner to uncover the block at the owner's expense to permit inspection.
- (4) Existing Service Connections not in use or required for other improvements may be used for new improvements if approved by the Engineer.

10. PROHIBITED WASTES:

No person shall discharge or permit to be discharged into the Storm Sewer System:

- (1) any gasoline, benzene or naphtha;
- (2) any flammable or explosive liquid, solid or gas in such quantity as to cause a fire or explosion hazard;
- (3) any solid or viscous substance capable of obstructing flow or interfering with the operation of the Storm Sewer System;
- (4) any noxious or malodorous gas or substance which either singly or by interaction with other wastes is capable of creating a public nuisance or hazard to life;
- (5) any radioactive material;
- (6) any material from a cesspool, septic tank or holding tank;
- (7) Sewage of any kind;
- (8) Toxic Substances;
- (9) odour producing substances.

11. RESTRICTED WASTES:

- (1) If any Storm Water which contains substances or possesses characteristics which, in the opinion of the Engineer, may have a deleterious effect on the Storm Sewer System works or receiving waters or which otherwise creates a hazard to life or constitutes a public nuisance is discharged or is proposed to be discharged to the Storm Sewer System, the Engineer may:
  - (a) reject the Storm Water; or
  - (b) require pre-treatment to a condition acceptable to the Engineer before discharge to the Storm Sewer System; or
  - (c) require control or regulation of the quantities or rates of discharge;
  - (d) require a facility, as approved by the Engineer, to monitor quantity and quality.
- (2) If the Engineer permits the pre-treatment of Storm Water, the design, installation and operation of the plants and equipment shall be subject to the review and approval of the Engineer and subject to the requirements of all applicable codes and laws, and the plants and equipment shall be maintained by the owner at his expense.

12. STORM SEWER SYSTEM SECURITY:

- (1) No person shall break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the Storm Sewer System.
- (2) The Engineer shall be permitted to enter at reasonable times upon all properties and into any improvements for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this bylaw.

13. CONTRAVENTIONS:

- (1) *Every person who violates any provision of this Bylaw, or who allows any act or thing to be done in violation of any provision of this Bylaw, or who neglects to or refrains from doing anything required to be done by any provision of this Bylaw, is guilty of an offence against this Bylaw and each day that violation continues to exist is deemed to be a separate offence against the Bylaw. (AB#3991)*
- (2) *Every person who commits an offence against this Bylaw shall be liable upon summary conviction to a fine or to imprisonment, or to both a fine and imprisonment, not exceeding the maximum allowed by the "Offence Act", as amended. (AB#3991)*

14. SEVERABILITY

*If any portion of this Bylaw is held invalid by a Court or competent jurisdiction, then that invalid portion shall be severed and the remainder of this Bylaw shall be deemed to have been adopted without the severed portion. (AB#3991)*

"Storm Sewer System Connection and Regulation Bylaw 1995, No. 2231"

Received first reading on the 20th day of March, 1995.

Received second reading on the 20th day of March, 1995.

Received third reading on the 20th day of March, 1995.

Reconsidered, finally passed and adopted on the 3rd day of April, 1995.

Amendment Bylaw No. 3991, adopted on the 18<sup>th</sup> day of February, 2014.

"John Les"

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Mayor

"D.W. Hampson"

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Clerk

**SCHEDULE "A"**

The Service Connection Fees are as follows:

- 1. **Permit Fee** \$40.00
  
- 2. **Inspection Fee** \$40.00
  
- 3. **Connection Charges:**
  - (1) Where new connections have been provided through private development No Charge
  
  - (2) Where the *City* has pre-serviced or are to construct new services to properties: *(AB#3991)*
    - 100mm diameter \$1400.00(AB#3991)
    - 150mm diameter \$1400.00(AB#3991)
    - 200mm diameter actual costs
    - 250mm diameter actual costs
    - 300mm diameter actual costs
  
- 4. **Disconnection Fee** \$400.00 (AB#3991)