

SUMMER VILLAGE OF LARKSPUR

BYLAW #18-4

A BYLAW OF THE SUMMER VILLAGE OF LARKSPUR TO REGULATE THE DISPOSAL OF SEWAGE AND WASTEWATER WITHIN THE SUMMER VILLAGE.

WHEREAS authority is granted under the *Municipal Government Act*, R.S.A. 2000, Chapter M-26 to regulate and prohibit activities respecting the safety, health and welfare of people and property; and

WHEREAS authority is granted under the *Private Sewage Disposal Systems Regulation*, AR 229/97 that a municipality may make bylaws restricting the type of systems recognized in the Alberta Private Sewage Systems Standard of Practice (Standard of Practice) in force that can be constructed or used in new installations of private sewage disposal systems.; and

WHEREAS there is a concern about the risk of contamination caused by private sewage systems and/or sewage holding tanks which are not CSA approved and

WHEREAS the Municipal Council of the Summer Village of Larkspur prohibits the disposal of sewage onto the ground upon lands within the Summer Village;

NOW THEREFORE THE COUNCIL OF THE SUMMER VILLAGE OF LARKSPUR ENACTS AS FOLLOWS:

INTERPRETATION

1) In this bylaw,

- a) "Council" means the Council of the Summer Village of Larkspur;
- b) "Designated Officer" means a designated officer appointed by the Municipality pursuant to the Municipal Government Act to carry out the powers, duties and functions of a designated officer under his Bylaw or any other Bylaw or Enactment;
- c) "Outhouse" means a physical structure not attached to the principle dwelling, used for the purpose of sewage disposal whereby sewage is deposited into an earthen pit;

- d) "Owner" means the person or persons registered as the owner or owners of a parcel of land within the Summer Village of Larkspur;
- e) "Privy" means a physical structure, not attached to the principle dwelling, used for the purpose of sewage disposal whereby sewage is deposited in a water tight holding tank with a capacity of at least 175 liters;
- f) "Sewage" means the composite of liquid-carried wastes associated with the use of water for drinking, cooking, cleaning, washing, hygiene, sanitation, or other domestic purposes and includes greywater;
- g) "Sewage Disposal System" (or Sewage System) means a system for treatment and disposal of wastewater including on-site wastewater treatment systems as defined in the Standard of Practice and includes septic tanks and associated treatment fields, holding tanks, outhouses and privies;
- h) "Summer Village" means the Summer Village of Larkspur;
- i) "Treatment Field" means a system of effluent dispersal and treatment by distributing effluent within trenches containing void spaces that are covered with soil and as further defined in the Standard of Practice;
- j) "Water System" means any method of obtaining water on a residential lot, and includes extracting water from the lake, a cistern that stores water or by a well located on the residential lot.

PROHIBITIONS

- 2) No person shall dispose sewage onto the ground upon lands within the Summer Village of Larkspur.

REQUIREMENTS FOR A SEWAGE DISPOSAL SYSTEM

- 3) On or before December 31, 2019, each owner shall ensure that an approved Sewage Disposal System is installed, maintained, operated according to the design of the system and that it effectively treats the wastewater.
- 4) A Sewage Disposal System shall be installed on all properties within the Summer Village of Larkspur which are being used as permanent residences, cottages or for parking of recreational vehicles in excess of 21 days per year; vacant properties that are not being used also require such installation if they have a water system, privy or outhouse.
- 5) Any Sewage Disposal System that is installed and maintained shall be in compliance with the provisions of the Alberta Safety Codes Act, R.S.A. 2000, c. S-1, the Alberta Private Sewage Systems Standard of Practice 2015, and the regulations thereunder.

- 6) Only CSA approved Holding Tanks or Disposal Fields or Treatment Mounds will be permitted to be installed (or replaced) in the Summer Village of Larkspur.

AUTHORITIES OF A DESIGNATED OFFICER

- 7) A designated officer of the Summer Village of Larkspur shall, subject to compliance with the requirements of Sections 542 and 543 of the Municipal Government Act (Alberta) R.S.A. 2000, Chapter M-26, be entitled to enter any lands or buildings within the Summer Village for the purpose of carrying out an inspection to determine compliance with this bylaw.
- 8) When the designated officer determines there is a contravention of this bylaw, the designated officer may issue an order to the owner to become compliant with this bylaw.
- 9) Where a person fails or refuses to comply with an order directed to him under this bylaw within the time specified in the notice, the designated officer may enter upon the land or building and take such action as is necessary to carry out the order.
- 10) When the designated officer finds that a sewage system has been installed and operated in a manner that contravenes this bylaw, the designated officer may, by notice in writing, order the owner and or the person responsible for the contravention to:
 - a) demolish, remove or replace the system, or
 - b) take such other measures so that the installation conforms with this bylaw.

PENALTIES

- 11) Where a designated officer determines a person has contravened section 2 of this by law and in addition to an order made under section 8, 9 and 10, the designated officer may assess penalties to the person or owner as follows:
 - a) for a first offence, to a penalty up to \$500.00;
 - b) for the second offence, to a penalty up to \$1,000.00;
 - c) for the third and each subsequent offence, to a penalty up to \$5,000.00.

- 12) Further to any penalties assessed per paragraph 11, the Designated Officer may assess an additional penalty of \$100 per day for each day that the property remains in contravention of this bylaw.
- 13) When the designated officer issues an order, the Council may cause the costs incurred in carrying out the order and penalties to be placed on the tax roll as an additional tax against the property concerned and that amount shall be collected in the same manner as taxes on land.

APPEALS

- 14) Orders, penalties and/or costs issued under sections 10, 11, 12 and 13 maybe appealed by the person receiving such orders, penalties and or costs by written notice to the Chief Administration Officer of the Summer Village of Larkspur within 30 calendar days of receiving such an order or penalties.

INDEPENDENCE OF ALL PROVISIONS OF THE BYLAW

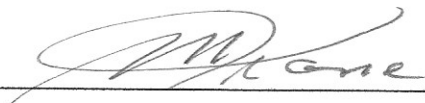
- 15) Each separate provision of this Bylaw shall be deemed independent of all other provisions, and if any provisions of this Bylaw are declared invalid all other provisions shall remain valid and enforceable.

This bylaw shall come into force and effect on the date of its final reading.

READ a first time this 18th day of December, A.D. 2018.

READ a second time this 18th day of December, A.D. 2018.

READ a third time and finally passed this 18th day of dec., A.D. 2018.

 Mayor

 CAO