



Subject: *Sewer Bylaw Update*
To: Infrastructure & Operations Committee
Date Prepared: May 24, 2024
Related Motions: n/a
Prepared by: Nathan Hoffmann, Policy Analyst
Approved by: Jesse Hulsman, Director Infrastructure & Operation; Adam Clarkson, Director Corporate Services

Summary

Bylaw IO-300, The Sewer Bylaw outlines the responsibilities of residents and the Municipality for the installation and maintenance of the Municipal sewer system. The Bylaw is being updated to modernize it and more accurately reflect current practice.

Financial Impact Statement

There are no immediate financial impacts associated with the update to the Bylaw.

Recommendation

That the Infrastructure & Operations Committee recommend to Council to give First Reading to Bylaw IO-300-1, an amendment to Bylaw IO-300 Sewer Bylaw.

Recommended Motion

Move that the Infrastructure & Operations Committee recommend that Council give First Reading to Bylaw IO-300-1, an amendment to Bylaw IO-300 Sewer Bylaw.

Background

Bylaw IO-300, the Sewer Bylaw (the 'Bylaw'), outlines the duties of both residents and the Municipality for the installation, proper use, upkeep, and repair of the Municipal sewer system. Recently, staff have updated the approach to damage claims made against the Municipality. Consequently, the Sewer Bylaw required updates to the embedded claims management procedure. Staff are capitalizing on the opportunity to modernize the Bylaw's language and make it more applicable to the current environment.

To conduct this review, the Policy Analyst met with the following staff members:

- Director of Infrastructure & Operations;
- Manager of Water & Wastewater Services;
- Supervisor of Wastewater Operations; and
- Procurement Officer.

Discussion

The amended Bylaw includes seven (7) proposed kinds of updates. These proposed updates include:

Template and Language Updates

Several sections have been added to the draft Bylaw to align it with Municipal templates. These include text before the first section of the Bylaw and Section 13. The draft version of the Bylaw has also been updated with more plain language explanations of technical terms and the removal of gendered language in relation to residents and staff.

Operations Modernization

Several sections of the Bylaw have been updated to modernize the administration of the Bylaw. This includes Section 3.1 in which the Municipality will no longer pay for the installation of saddle connections for infill lots, due to the large amount of development planned in the Municipality. Section 4.4 has also been amended allowing the Municipality to require the removal of any prohibited item that is been linked into the sewer system. For example, drain tiles have never been allowed to be hooked into the Municipal sewer system. The amendment to the Bylaw now explicitly allows for their removal.

Update Allowable Phosphorous Concentration

Section 4.3.17 has been amended to reduce the allowable concentration of Phosphorous in wastewater from 30 milligrams/liter to 10 milligrams/liter. This change is being proposed to align the Municipality with national standards for Phosphorous due to known impacts excessive phosphorous has on the environment.

Exemption of the Municipality

Section 12 of the Bylaw has been amended to include property owned both by the East Hants Water Utility and the Municipality as exempt from usage charges under the Bylaw. This aligns the Bylaw with current Municipal practice.

Clarifying Roles in the Event of Sewer Backup

The draft Bylaw includes edits to Section 3 of Schedule A to clarify the roles of both residents and the Municipality in the event of a sewer back-up. The amended sections do not substantially change the way blockages or sewer backups are handled, but more clearly states that the Municipality is responsible for clearing blockages found to be in the road-right-of-way. Residents remain responsible for clearing blockages in the lateral of the sewer on their property. This section has also been amended to remove the prohibition on staff entering a resident's dwelling to clear a sewer blockage.

Updates to Claims Process

Section 4 of Schedule A of the current Bylaw outlines the process the Municipality will follow to handle claims for damages associated with sewer infrastructure. The CAO has developed an Administrative Policy which centralizes the management of all claims against the Municipality within Corporate Services, with final decision on a claim being made by the CAO. The 'CAO Authority Policy' empowers the CAO to settle legal action against the Municipality with a cost up to \$100,000 that can be settled within the approved budget. The updated approach to claims management requires the amendment of this Section to align with current practice.

Change of School Fees

Section 5.4 of Schedule A has been amended to increase the charge for sewer services for schools with no water service from \$25 per classroom per quarter to \$50 per classroom per quarter, effective April 1, 2025. This change is being recommended to cover the infrastructure costs associated with the sewer system. This update is the first proposed raising of the rates for schools since 2010. The schools that will be impacted and the proposed costs as a result of this amendment are outlined in Table 1 on the following page.

Table 1 Updated Fee Structure Impact on Applicable Schools, Effective April 1, 2025

School	Number of Classrooms	Charge per Quarter at \$25	Charge per Quarter at \$50
Riverside Education Center, Milford	27	\$675	\$1350
Hants East Rural High, Milford	56	\$1400	\$2800

ANTICIPATED TIMELINE

Should Council give First Reading to this Bylaw on June 26, 2024 then Second Reading could occur on July 24, 2024.

STRATEGIC ALIGNMENT

Updating the Bylaw aligns with the Municipality’s key strategies of Sustainable Infrastructure, Corporate Excellence, and Strong Communities.

LEGISLATIVE AUTHORITY

Section 333 of the *Municipal Government Act* enables the Municipality to enact a Bylaw controlling the discharge of substances into public sewer systems.

Alternatives

Committee may recommend to amend the draft Bylaw as appropriate.

Attachments

- DRAFT Bylaw IO-300-1 Sewer Bylaw with Markup
- DRAFT Bylaw IO-300-1 Sewer Bylaw without Markup