



Corporate Report

NO: R083

COUNCIL DATE: May 26, 2008

REGULAR COUNCIL

TO: Mayor & Council DATE: May 22, 2008
FROM: General Manager, Engineering FILE: 3900-20(2240)
SUBJECT: New Sanitary Sewer Regulation and Charges By-law

RECOMMENDATIONS

The Engineering Department recommends that Council:

1. Authorize the Clerk to bring forward for the required readings Sanitary Sewer Regulation and Charges By-law, 2008, No. 16611, as attached in Appendix I;
2. Authorize the Clerk to bring forward for the required readings a by-law to amend Surrey Municipal Ticket Information Utilization By-law, 1994, No. 12508, as attached in Appendix II; and
3. Authorize the Clerk to bring forward for the required readings a by-law to amend Surrey Fee-Setting By-law, 2001, No. 14577, as attached in Appendix III.

INTENT

The intent of this report is to obtain Council approval to introduce for the required readings a new sanitary sewer by-law, and to include related fees and fines in other existing Surrey by-laws.

BACKGROUND

The current sewer by-law regulates both municipal sanitary sewer and drainage systems and was first adopted in 1965. Many amendments have been made over the years to this by-law, which have created some inconsistencies in the by-law related to language, formatting and writing styles. To address these inconsistencies and to make the by-law user-friendlier, two new by-laws have been prepared. It has been decided that it would be better to separate the content related to sanitary sewers from the content related to storm drainage sewer systems. The requirements of these two systems are now quite different. It is also more efficient and effective to regulate each utility under a separate by-law. This report addresses the introduction of the new by-law addressing the sanitary sewer component.

A separate report will be forwarded to Council regarding the proposed By-law addressing the drainage component of the existing Sewer By-law.

DISCUSSION

The new by-law has been written to provide clarity and to reflect current legislation and City practices, policies and procedures. Some sections contained in the current by-law have been eliminated and policies and procedures introduced in their place. A summary of the major changes between the current by-law and the proposed by-law are highlighted on the attached Table 1 in Appendix IV.

Subject to Council adoption of the new by-law, notices of the new by-law will be placed in the local newspapers to improve public awareness about regulations concerning the use of the sanitary sewer system. In addition, a consolidated version of the by-law will be placed on the City's website, which will allow the general public an opportunity to become familiar with the by-law.

Legal Services has reviewed the proposed by-law and finds it acceptable from a legal perspective.

Amendments to Ticketing By-law No. 12508

One of the means by which the new by-law will be enforced is through the use of Municipal Ticket Information (MTI) "tickets". In this regard, an amendment is necessary to the Surrey Municipal Ticket Information Utilization By-law, as documented in Appendix II.

Amendments to Fee Setting By-law No. 14577

All of the standard sanitary sewer system fees that are generally affected by "across the board" increases in administrative or construction costs are proposed to be included in the Surrey Fee-Setting By-law. The necessary amendments to this By-law are documented in Appendix III. All of the fees remain the same as the current by-law amounts except for the fee associated with the construction of sanitary service connections which is being increased by 10% from \$2000 to \$2200 to reflect current construction costs (see Appendix V).

CONCLUSION

Based on the above, it is recommended that Council authorize the City Clerk to bring forward for the required readings:

- Sanitary Sewer Regulation and Charges By-law, 2008, No. 16611, as contained in Appendix I;
- Amendments to Surrey Municipal Ticket Information Utilization By-law, 1994, No. 12508, as documented on Appendix II; and
- Amendments to Surrey Fee-Setting By-law, 2001, No. 14577, as documented on Appendix III.

Paul Ham, P. Eng.
General Manager, Engineering

PH/VL/JLU/brb:kd

- Appendix I - Surrey Sanitary Sewer Regulation and Charges By-law, 2008, No. 16611
Appendix II - Proposed amendment to MTI By-law No. 12508
Appendix III - Proposed amendment to Schedule "D" - Surrey Fee-Setting By-law, 2001, No. 14577
Appendix IV - Table 1 Major Changes to Sanitary Sewer Regulation and Charges By-law, 2008, No. 16611
Appendix V - Comparison of Proposed Fees Versus Former Fee Amounts for Service Connections

APPENDIX I

*Surrey Sanitary Sewer Regulation and Charges By-law, 2008,
No. 16611*

APPENDIX II

Proposed Amendment to MTI By-law No. 12508

APPENDIX II

Proposed Amendments to Surrey Municipal Ticket Information Utilization By-law, 1994, No. 12508, as amended (the "By-law")

That the By-law be further amended as follows:

1. Amend Sections 3 and 4 by replacing "Schedules 2 through ____"
with "Schedules 2 through ____".

2. Amend Schedule "1" by adding a new Section ____ as follows:

____. "Surrey Sanitary Sewer Regulation - Manager, Administration & By-law
and Charges By-law, 2008, - Senior By-law Enforcement Officer
No. 16611". - By-law Enforcement Officer
- License Inspector
- Member of Royal Canadian Mounted Police

3. By adding a new Schedule ____ as attached.

SCHEDULE ____
TO BY-LAW NO. 12508

SURREY SANITARY SEWER REGULATION AND
CHARGES BY-LAW, 2008, NO. 16611

	<u>SECTION</u>	<u>FINE</u>
1. Unlawful extension	15	\$1,000
2. Extension contrary to standards	17	\$1,000
3. Construct extension without agreement	25	\$1,000
4. Fail to provide separate service connection	33	\$300
5. Unlawful connection/use	53	\$1,000
6. Obstruct access to system	54	\$500
7. Work on system without authorization	57	\$1,000
8. Connect private connection without permit	57	\$1,000
9. Fail to replace/repair building sanitary sewer	63	\$500
10. Interceptor not installed as required	65	\$1,000
11. Interceptor not adequate/accessible/maintained	65	\$300
12. Interceptor information not provided	65	\$300
13. Dilute wastewater	74, 83(b)	\$1,000
14. Unlawful discharge into system	83	\$1,000
15. Permit groundwater infiltration	84	\$300
16. Unlawful discharge of storm water	84	\$300
17. Unlawful discharge into system	85	\$1,000
18. Fail to comply with permit	88	\$750
19. Manhole not installed/maintained	92	\$750
20. Manhole not accessible/maintained	93	\$300
21. Data not submitted	94	\$750
22. Remove/tamper with system	98	\$1,000
23. Failure to report	99, 100	\$1,000
24. Supply false information	111	\$750
25. Damage/tamper with system	112	\$1,000

APPENDIX III

*Proposed Amendment to Schedule “D”
Surrey Fee-Setting By-law, 2001, No. 14577*

APPENDIX III

Proposed amendment to Schedule “D” Surrey Fee-Setting By-law, 2001, No. 14577

Add new heading **Sanitary Sewer** and new number ____ as follows:

- ____. Connection to an existing sanitary sewer main connection or sanitary developer reimbursed (SDR) connection, provided that the connection was not part of a local area service or other cost recovered project. \$2,200.00 per connection

APPENDIX IV

TABLE 1

*Major Changes to
Sanitary Sewer
Regulation and Charges By-law, 2008, No. 16611*

APPENDIX IV

Table 1

**Sanitary Sewer
Regulation and Charges By-law, 2008, No. 16611**

Proposed Change	Issue	Resolution
<p>The following new sections have been added to the By-law:</p> <p>General:</p> <ul style="list-style-type: none"> • Sections 8 to 14 stating the responsibilities of the City relating to the overall sanitary sewerage system. <p>Cost Recovery:</p> <ul style="list-style-type: none"> • Section 39 stating conditions regarding the use of existing service connections at time of building construction or renovation. <p>Service Connections:</p> <ul style="list-style-type: none"> • Sections 58-60 about Low Pressure Systems. • Sections 61-65 concerning building sanitary sewers. 	<ul style="list-style-type: none"> • The City must state its limitations as owner of the system to limit its liability. • To control sanitary sewer overflow from inflow and infiltration, and to ensure the City is not burdened with the cost to replace/repair old or substandard service connections. • There are certain conditions under which the City may consider low-pressure systems; however, maintenance and operational responsibilities must be defined. • There is a need to clarify operational and maintenance responsibilities for works on private property. 	<ul style="list-style-type: none"> • New sections have been added to the By-law to cover things that the City may not be able to fully control. • The By-law sets out the owner's responsibilities for replacing old and inferior pipe material during redevelopment. • The responsibilities of the owner are defined within the By-law. • The owner's responsibility to operate, maintain and test the building sanitary sewer has been included in the By-law. Circumstances where the City may enter onto private property, and requirements for waste interceptors have also included.

Proposed Change	Issue	Resolution
<ul style="list-style-type: none"> • Section 76 stating conditions about locating service connections when there is a failure of service. <p>Penalty:</p> <ul style="list-style-type: none"> • Sections 52-57 clarify and expand upon those materials prohibited from entering the sanitary sewer system. • Section 114 sets the range of fines, on summary conviction, at not less than \$100 and not more than \$10,000. The current by-law states a maximum fine of \$500. <p>General:</p> <ul style="list-style-type: none"> • The By-law has been updated to change the terminology from “Construction By-law for Local Improvement” to “Local Service Tax”, consistent with the Community Charter. 	<ul style="list-style-type: none"> • To ensure the City is not burdened with costs resulting from the actions of the property owner. • Control substances / materials that should not be allowed to enter the sanitary sewer system. • To ensure that the fines as contained in the By-law act to deter unacceptable use of the sanitary sewer system. • A need to update the By-law to reflect current legislation. 	<ul style="list-style-type: none"> • The responsibilities of the City and the property owner have been identified in the By-law. • The regulations have been expanded upon in the “Prohibitions” section and a Schedule of Fines has been included in Surrey MTI By-law No. 12508 for enforcement by By-law staff. • In accordance with City practice, the By-law states the range of fines. The amounts are consistent with the new Water By-law. • Policies and practices have been prepared regarding Latecomer agreements and related charges and Local Service Tax projects. These processes are no longer detailed in the By-law.

APPENDIX V

*Comparison of Proposed Fees
Versus Former Fee Amounts*

APPENDIX V

Proposed amendment to Schedule “D” Surrey Fee-Setting By-law, 2001, No. 14577

	New Fee	<i>Former Fee</i>
Connection to an existing sanitary sewer main or sanitary developer reimbursed (SDR) connection, provided that the connection was not part of a local area service or other cost recovered project.	\$2,200.00 per connection	\$2,000.00 per connection