

# Town of Portugal Cove-St. Philip's

## Water and Sewer Regulations

Pursuant to the authority conferred in sections 413 and 414 of the Municipalities Act, 1999 the Town Council of Portugal Cove-St. Philip's has adopted the following regulations on the 25<sup>th</sup> day of November, 2003.

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### 1. Title

This document will be known and cited as the *Water and Sewer Regulations*.

### 2. Interpretations

1. *Act*- means the Municipalities Act, 1999.
2. *Town*- means the Town of Portugal Cove-St. Philip's as defined by Order of Council dated February 1<sup>st</sup>, 1992.
3. *Council*- means the Town Council of Portugal Cove-St. Philip's.
4. *System*- means the public water supply and sewage system operated and maintained by the Town of Portugal Cove-St. Philip's as the owner and operator of the treatment plant and equipment for procurement, transmission or delivery of water to the public and for the collection, conveyance and disposal of sewage.
5. *Property Owner*- means any person, firm or corporation which contracts to be supplied with water and/or sewage disposal by the system.
6. *Domestic Service*- means the type of service supplied to the owner, occupant or tenant of a space or area occupied for the distinct purpose of a dwelling house, rooming house, apartment or other residence.
7. *Inspector*- means any person appointed as such by Council.
8. *Service Stub*- means a service pipe connected to the system and extending to the property line of the property owner.

### 3. Regulations

1. These regulations shall apply only in the area or areas of the Town in which water and/or sewage service is provided by the Council. Section 130 of the Municipalities Act empowers the Town to impose a water and sewage tax upon the owners of all real property that is either connected to the system or is capable of being serviced by the system. This mandatory provision applies to all real property **including all vacant land that is capable of being serviced.**

2. Council shall not responsible for any loss or damage from flooding by water occasioned by rains storms, thaws, breakage or blockage of any water main or sewer or from any cause over which Council has no control.
3. The owner of a building or premises which is within two hundred (200) feet of the system shall, within 12 months of the installation of the mains in his area, have such building or other premises connected to the system. Prior to connection, the following conditions apply:
  1. No water and/or sewage service shall be provided by the System until the prospective property owner has signed a regular application form, and received a permit for work.
  2. No building or other premises which is more than five hundred (500) feet from the system shall be connected to the System by an individual service pipe.
  3. Both water and sewage service is available to the property owner.
  4. No prospective property owner who is in arrears of Municipal Service Fees or other taxes shall have his premises connected to the system.
  5. Hook up is technically feasible.
4. Property owners shall be assessed an annual rate for Water and Sewage Services, the current amount of which may be ascertained by contacting the Town Hall.
5. Bills for water and sewage rates shall be rendered in January of each year. Property owners in arrears of water and sewage assessments may have their services discontinued, as prescribed elsewhere in these regulations, and the Municipalities Act.
6. The contract between the Town and the property owner, is implied by their respective delivery and use of water, and the disposal of sewage, as well as the payment therefore, shall be for a period of one year, and thereafter shall be self-renewing from month to month, expiring on thirty (30) days written notice from either party, unless otherwise stated in these regulations.
7. No property owner shall permit the improper use or waste of water, or the discharge of material harmful to the system into the sewers. Water may not be sold to others, and may be given away only under condition and for such purposes as may be approved by the Town in writing.
8. (a) No person except an authorized employee of the Town, while in the performance of his/her duties, shall open, enter, injure, or disturb any manhole, chamber, control panel or any other component of the System, nor shall any unauthorized person open, close, make connection to, nor draw water from or in any way disturb or injure any valve, pipe, meter, curb stop or fire hydrant, or any other component of the system.  
  
(b) Any contractor or individual who in the process of erecting a building, making land alterations, installing service lines, or for any reason whatsoever, cuts, reaks, obstructs, or otherwise interferes with any manhole, valve, control, hydrant, or

another component of the system without the permission of the Town, shall be liable for the cost of repairs to the system, unless some prior written contract has been made in reference to the particular work.

(c) The works of connecting a building or other premises to the system will be performed as follows:

1. The connection of sewage and water supply pipes to the system shall be done by employees of the Town, or by a contractor or person engaged by the Town for that purpose.
2. Service stubs will be installed by the above representatives of the Town from the mains to the boundary line of the property (see Town's current year Tax Structure & Schedule of Fees for applicable fee). Under special circumstances when approval from the Department of Municipal Affairs is granted, the Town may extend the service line beyond the boundary up to 1.5 meters of the property owners residence to a maximum length of 40 meters from the main water line, provided that the said owner agrees to the following conditions and applicable fees are paid (see Town's current year Tax Structure & Schedule of Fees).

- (a) Services will be brought within 1.5 meters of the nearest point of the residence or a maximum length of 40 meters from the main lines as determined by the Town's Engineer.
- (b) Upon completion of the service(s) installation the contractor shall backfill the excavated trench, rough grade and remove from the property all debris and surplus material resulting from the installation.
- (c) The contractor shall restore the property to its original condition all areas outside the 6-meter wide work area. The 6-meter width will be established with a consistent dimension reference to the trench centerline, but the dimensions may vary from one side of the trench to the other.
- (d) The property owner shall be responsible for the reinstatement and all other restoration necessary to return the property within the 6-meter wide work area to its original condition. Such reinstatement shall include but not be limited to the following.

`Fencing	`Landscaping	`Walls	`Others
`Driveway Repair	`Storm Culverts	`Bridges	
`Ditching	`Septic System	`Trees	

- (e) Should installation of the service lines to 1.5 meters cause the loss of an existing well the Town will not be responsible for the replacement of the said well but shall provide temporary water service until such time as the property owner is approved to hook up to the Town's water supply.
- (f) The terms and conditions of this agreement must be agreed to prior to the completion of the service line to the edge of the road right of way or the property boundary.

(g) The location of service shall be specified by the owner on his application for service, so that the service stub is brought to the location most convenient for his purposes. The Town reserves the right, however to change the recommended location if service to that point is found to be technically unfeasible.

3. The work of extending the service stub into a building or premises, connecting to the internal plumbing system to the specifications and inspection procedures, as provided hereafter is the responsibility of the property owner.
4. When the complete service is fully operable, and all provisions of these regulations have been met, the water will be turned on by an employee of the Town.

(d) The cost of the property owners' connection to the system shall be borne as follows:

1. Buildings and other premises in existence at the time of installation of the water and sewer mains to which they will be connected shall have the service stubs therefore installed in accordance to section 8 c 2.
2. Vacant lands requiring water and sewer services during the initial installation of water and sewer shall pay the full cost of installation. This cost will be made available to the property owner prior to any work starting. The Town shall determine this cost based on the formula derived from the contractors pricing. Once the contractor has passed the vacant land and is required to return, this cost may increase to reflect any extra work the contractor may have to carry out. Upon completion of this service the contractor shall reinstate the property in accordance with section 8 c (b), (c), (d) and (e).
3. Property owners requesting services to new buildings or premises constructed after the installation of the water and sewer or for services to vacant lands to which they will connect, shall pay full cost of installing the service stub. The Town or its representatives will carry out the connection to the service stub. The cost of installing the service stub shall be in accordance to the Town's current year Tax Structure & Schedule of Fees. In addition, if the asphalt is to be cut a refundable fee will be charged (see Town's current year Tax Structure & Schedule of Fees). The refund will be released one year after the asphalt is placed provided the asphalt patch is in good condition. In a case where the property owner neglects to patch the asphalt (in a reasonable time frame determined by the Town) or make repairs to the already patched section, the Town will carry out this work and deduct all cost from the deposit. The remainder will be refunded to the property owner. If the cost exceeds the deposit, the excess will be charged to the property owner.
4. In all cases, the property owner must bear the full cost of his own work in extending the service stub to his building, and connecting thereto in addition to the costs incurred by the Town.

(e) All work done by the property owner in extending the service stub into owners premises, and making connections thereto shall be done in accordance with these regulations and the Town's standard drawings, and shall be subject to inspection by the Town as outlined following:

1. After all pipe and fittings have been installed, connected and bedded up to the mid-diameter as hereinafter specified, but before backfilling is commenced, and inspection of the work will be made by the Town.
2. If backfilling is done before the inspection is made the Town will request that the owner uncover the work at the owner's expense for inspection before the service is activated. If the owner fails to uncover the work, the Town has the authority to do so, and any expenses incurred by the Town to uncover the work, must be paid before the service is activated. If the owner fails to uncover the work, the Town has the authority to do so, and any expenses incurred by the town to uncover the work, must be paid before the service is activated.
3. It shall be the duty of the property owner to notify the inspector when the work is ready for inspection.
4. The inspection shall be done during regular office hours (Monday-Friday, 8:30am-4:00pm) within two (2) working days of receipt of notice requesting the inspection.
5. Backfilling operations may not commence until the property owner has received written approval of the work from the Inspector, which approval shall be given at the time of the inspection, or within one (1) working day of inspection, provided that the work is satisfactory.
6. If the work is not found to be satisfactory, it shall be the property owner's responsibility to have the work competed to a standard acceptable to the Town, in accordance with a Deficiency List, which the Inspector will give to the property owner. The work will then be re-inspected when the deficiencies have been made good.
7. The service will not be activated until the property owner has received approval of the work, and the excavation has been backfilled.
8. At all reasonable times during the period of the property owners receipt of the water and/or sewage service from the Town, the Inspector may, upon request made to the owner or occupant enter and have free access to all parts of any building or premises to which service is provided.
- (f) No person, unless authorized by the Council in writing shall connect or have connected any basement floor drain to a sewer main (or a service pipe there from), and every such connection made without such authorization before the enactment of these Regulations shall be deemed to be in contravention of these Regulations.
9. Material Specifications:
  - (A) Materials used in the extension of water service stubs to a building shall comply with the following specifications.

1. Pipe shall be Type “K” copper or Municipex Poly Pipe. The pipe size for Domestic Services shall be determined from the following table:

Pressure	25'	50'	75'	100'	200' (distance from mains)
20-24 PSI	3/4"	3/4"	1"	1"	1" (size of pipe required)
40-60 PSI	3/4"	3/4"	3/4"	3/4"	3/4"
Over 60 PSI	3/4"	3/4"	3/4"	3/4"	3/4"

The above assumes the elevation of the building or premises is not great enough to loose the main line pressures quoted in each category.

This table is for single-family units, or for residences with basement apartments, and is based on a maximum demand of eight decimal thirty-three (8.33) IMP. GPM. Service pipes to multiple family units, or to commercial property owners must be sized on the basis of expected demand, pipe length, and water pressure. Approximate water pressures for any area may be ascertained by contacting the Superintendent of Public Works at the Town Office.

2. Joints and fitting connections in water service pipes shall be compression type, and completely water tight.
3. Each property owner shall install inside the building or premises to be serviced, in an easily accessible place any and all fittings required by the Town. These fittings are to have compression type, and shall be installed upstream of the point at which the service pipe connects to the building’s internal plumbing system. The following fittings shall be installed:
  - I. A shut of valve of a type approved by the Town shall be installed by all property owners.
  - II. A pressure reducing valve of a type approved by the Town shall be installed by all property owners serviced by a water main.
  - III. A vacuum relief (anti-siphon) and a pressure relief valve shall be installed on all hot water heaters and all other pressure vessels.
  - IV. All radiation (hot water) furnaces shall be equipped with a AWWA approved backflow prevention device such as the watts Series 9DM3/M2 or Series 911 combination backflow preventor hot water boiler fill valve or an approved equal.

The property owner shall be responsible for the proper setting and maintenance of these valves and for any damage caused by its improper setting or its failures.

- V. A water meter with recording device of a type approved by the Town shall be installed by a commercial property owner

who is specifically requesting to do so by the Town. The Town will determine the necessity for this device after a review of the expected water demand of the establishment.

9 B. Materials used in the extension of sewage service stubs to a building shall comply with the following specifications:

1. Pipe shall be one of the following types, unless special approval is given by the Town in writing for another type:

(a) Polyvinyl chloride (PVC) plastic pipe with joints as specified hereafter, and laid with bell and upstream of spigot end. Pipe shall be CSA approved or type SDR 35 or better.

9 C. Joints in sewage service pipes shall be water-tight, and the following type:

1. For PVC Pipe, joints shall be made using pipes with bell and spigot ends, and gaskets as recommended by the manufacturer.

9 D. Service stubs will be installed by the Town using PVC SDR 35 sewer pipe, or better. In no case will makeshift connections such as loose fit or concrete-poured connections or the like be permitted.

9 E. Fitting on sewer lines shall be of a type approved by the Town, and designed specifically for connection to the particular type of pipe used. All fittings shall be specified as follows:

1. Bends or elbows in the pipes will be permitted only in special cases, as outlined under section 10 of these regulations.
2. Cleanouts are required on each separate service connection. Section 10 of these regulations sets forth the materials and configuration of each cleanout, which are to be located as follows:
  - (a) In an easily accessible place inside the building, giving straight-line access to the sections of sewer service pipe buried outside the building.
  - (b) At any and all horizontal bends in the service pipe.
  - (c) Such that no section of pipe, including the service stub is more than 200 feet downstream of a cleanout.
3. A check valve/backflow prevention device approved for the use on sewage lines shall be installed in an easily accessible place approved by the Town on every sewage service pipe as per section 9A.3 (d) and 9A. 3 (e) of these regulations.

10. Installation Specifics:

A. In planning for the installation of water and or sewer service pipes the following requirements for location and alignment of the pipes shall be followed.

1. Service shall only be installed subject to the following conditions:

- a) No two premises supplied with water and/or sewer shall be dependent on one service stub, provided always that a basement apartment may use the same service stub as the main residence unit only if the internal plumbing system of the building is one integrated system, and not separate systems for each dwelling unit.
  - b) No more than one service stub will be provided to each property owner from any one premise.
  - c) No service pipes will be permitted to run along any private road giving access to more than one dwelling unit or commercial establishment, nor across the private property of anyone other than the property owner receiving the service, unless an easement is obtained, the cost of easement being the responsibility of the property owner to whom the service is being provided.
  - d) Location, alignment and configuration of service connections shall in all cases comply with these regulations.
- B. The vertical alignment of the service pipes must be carefully controlled to conform to the following requirements:
- 1. The minimum depth of earth cover over the top of all pipes must be five (5) feet, in order to provide protection against freezing. In places where ground conditions make it impossible to obtain this depth of cover, special approval must be obtained from the Town. In such instances, the Town may require that insulation, heat tracing, or some other special protection be provided.
  - 2. Sewage service lines must be laid at a uniform and constant slope, with no vertical bends or deflections from the service stub to the inside of the buildings foundation wall. A downward slope, in the direction of flow of at least one-quarter (1/4) of an inch to the foot will be permitted where necessary if the slope is uniform, workmanship is satisfactory, and there are no horizontal bends or deflections in the line.
- C. The horizontal alignment of the service pipes must conform to the following requirements:
- 1. If possible, no horizontal bends or deflections shall be installed on a sewer line anywhere between the service stub and the inside foundation wall of the building.
  - 2. Horizontal bends will be permitted only if all of the following conditions are met:
    - a) The property owner has received permission from the Town to have bends installed.



- b) The building or premises to be served was built prior to the installation of water and sewer. Buildings constructed after that time should be designed and located such that a straight-line sewer run to the mains is possible.
  - c) The bend or bends are necessary in order to properly align the service pipes and the service stub.
  - d) Renovations to the internal plumbing system of the premises in order to change the entry point of the service lines would be impossible or very costly.
  - e) A cleanout is installed at each bend as specified hereafter.
  - f) No more than two (2) ninety (90) degree long radius or three (3) forty-five (45) degree long radius bends are required.
  - g) The slope of the sewage service pipe is at least one quarter (1/4) of an inch to the foot.
- D. The installation of cleanouts on the sewage services shall conform to the following requirements:
1. Cleanouts located inside a building shall be placed at the bottom of the soil stack provided that the service pipe between this location and the foundation wall contains no bends or deflections.
  2. Where a bend or deflection is located in the sewage line between the foundation wall and the soil stack, the cleanout shall be located either at the bend or immediately inside the foundation wall.
  3. Cleanouts located inside a building or other premises shall be kept easily accessible at all times, and shall be located so as to provide a minimum of four (4) feet working space.
  4. If possible cleanouts shall be located so as to provide straight-line access to the sewer line. Otherwise, the cleanout shall form a maximum angle of forty-five (45) degrees with the sewage line.
  5. Cleanouts installed at bends in the pipes shall be extended to within three (3) to six (6) inches of finish grade, at an angle of forty five (45) degrees to the pipe.
  6. The property owner shall keep a permanent record of measurements from each buried cleanout to at least three (3) nearby permanent points for future location of the cleanout. The property owner shall be responsible for location and uncovering any cleanouts should a blockage of the sewer pipe occur.
  7. All cleanouts shall be capped with an approved threaded pipe cup.

- E. All water and sewer service pipes are to be bedded and backfilled in accordance with normally accepted engineering practices.
1. All pipes shall be carefully supported along their entire length on a bed consisting of one of the following:
    - a) Undisturbed competent earth
    - b) Hand-tamped or mechanically compacted sand or pea gravel.
    - c) Hand-tamped or mechanically compacted excavated material, hand selected and free from rocks or unsuitable material.
  2. Similar material to that used in the bed shall be placed and hand-tamped under and around the pipes up to the mid-diameter, and left for inspection.
  3. After approval by the inspector, the first twelve (12) inches of backfill shall be hand selected and placed over the pipes, taking care that no large rocks lie within twelve (12) inches of the pipes.
  4. The remaining backfill may then be placed either by hand or machine. If any disturbance or damage is caused to any road, road shoulder or drainage ditch, culvert or other public property during the course of the work, it shall be the responsibility of the owner to repair and/ or replace all disturbed property, and clean up to the satisfaction of the Town.

11. Maintenance of Services:

- A. No property owner shall discharge, nor permit the discharge of any of the following materials in the sewage system.
1. Corrosive, explosive, toxic or flammable material.
  2. Non-biodegradable material such as plastic, glass, metal or cloth.
  3. Cooking oil or other such greases from establishments such as Hotels, Motels, Restaurants, Take-out, etc... These establishments shall be required to install grease traps to prevent discharge
  4. Large or bulky material that could promote the blockage of pipes or damage to pumping or treatment equipment.
  5. Effluent from garbage floor drains, storm sewers, rain gutters or weeping tile.
- B. If a leak, blockage, freezing or other trouble occurs in a service pipe, it shall be repaired as soon as possible and the property owner shall notify the town of every such occurrence:

1. If trouble occurs between the main and the curb stop, it shall be repaired by the town at its own expense, but not including the property owner's connection.
  2. If trouble occurs elsewhere in the service pipe, it shall be repaired at the property owner's expense.
  3. When the repair work is being done by the contractor or property owner, the Town must be notified so the proper inspection procedures can be carried out while the repair is being undertaken and in order to activate any valves or inspect any backfill procedures.
  4. If a freezing occurs, under no circumstances are welding machines or other similar devices to be used for thawing purposes. Only CSA approved thawing machines can be used.
12. A. The Town shall have the right to discontinue, refuse or suspend services from the system to property owners for any one of the following conditions:
1. Non-payment of water and/or sewer rates within as per the Town's Tax Collection Policy.
  2. Recurring discharge of unauthorized materials into the sewage system.
  3. Recurring and unnecessary wastage or improper use of the water supplied.
  4. Refusal to have a service line leak repaired, if in the opinion of the Town, repair of the leak is necessary in order to prevent waste water or contamination of the soil.
  5. In order to effect maintenance procedures, or to tie down new services.
- B. The Town shall give the following notice to any property owner whose service is to be permanently or temporarily discontinued.
1. Immediate disconnection for wasteful use of water.
  2. Fourteen (14) days notice in writing if service is to be discontinued for unauthorized discharge or improper use of water. As per the Town's Tax collection Policy, 48-hour notice will apply for non-payment of bills.
  3. Twenty –four (24) hours notice verbally, or through public notice is service is to be discontinued for maintenance of the system or to tie in new services, provided always that the Town is not required to give notice if service must be discontinued temporarily due to an emergency situation.

- C. A property owner's service may be discontinued at any time upon the Town's receipt of the property owners written request to do so, and payment of applicable fees.
- D. Any service which is discontinued for any reason except, immediate repairs to the system or service pipe shall not be re-connected unless and until:
  - 1. Any arrears of water and sewer rates are paid or suitable arrangements have been made to pay the balances.
  - 2. All other taxes and/or outstanding bills are paid in full or suitable arrangements are made to pay the balances.
  - 3. The property owner, whether they be the same property owner as previously serviced, or a new occupant of the same premises being serviced, pays a re-connection fee. A fee will also apply for re-connection due to services being discontinued for non-payment of taxes. See Town's current year Tax Structure & Schedule of Fees for applicable fee. Reconnection fees on weekends and after hours (except emergencies) will be applied plus all associated costs with the call out.

#### 4. Penalties

Any person who neglects or fails to comply with, or acts in contravention of these regulations shall be guilty of an offence, and shall be liable on summary conviction to a penalty as provided for in the Municipalities Act, Chapter M-24 S.N. 1999.

#### 5. Date Effective

November 25<sup>th</sup>, 2003, Motion # , Amended July 14<sup>th</sup>, 2009, Motion # 09-180 , Amended November 27<sup>th</sup>, 2018, Motion #2018-379.