

TOWN OF STEWIACKE

BY-LAW NUMBER 2001 – 11

1. Short Title

This By-law may be cited as the “*Sewer Charges By-law*”.

2. Interpretation

In this By-law, unless the context otherwise requires, the expression:

- a) “Building” means any dwelling, house, mobile home, office, shop, store, or any building which would require sewerage services;
- b) “Council” means the Town Council of the Town of Stewiacke;
- c) “Engineer” means the Engineer for the Town of Stewiacke as appointed by Council;
- d) “Owner” means a part owner, joint owner, tenant in common or joint tenant of the whole or any part of any land or building and includes a trustee, an executor, an administrator, a guardian, an agent, a mortgagee in possession of any other persons having the care or control of any land or building in case of the absence of disability of the person having title thereto;
- e) “Person” shall mean any individual, firm, company, association, society, corporation or group;
- f) “Sewer” means a pipe, conduit, drain, open channel, or ditch used for the collection and transmission of wastewater, stormwater, or uncontaminated process or cooling water;
- g) “Sewer Service Charge” means a charge for sewer services levied in accordance with this By-law;
- h) “Sewerage System” means all pipes, mains, equipment, buildings and structures for collecting, pumping or treatment of wastewater and operated by the Town of Stewiacke, but does not include a storm sewer;
- i) “Storm Sewer” means a sewer and all related structures designed exclusively for the collection and transmission of uncontaminated water, stormwater, drainage from land or from any watercourse or any of them;
- j) “Street” means any street, road or highway owned or maintained by the Town or by the Province of Nova Scotia;

- k) “Town” means the Town of Stewiacke or the area contained within its municipal boundaries, as the context requires;
- l) “Water Utility” means the Water Utility of the Town of Stewiacke;
- m) “Year” means the fiscal year of the Town of Stewiacke.

3. Every owner of land,

- a) on which any building is connected to a sewerage system; or
- b) that fronts on any Street or highway in which a sewer is situated and is located within three hundred feet (300’) of such sewer; or
- c) that fronts on any right of way which connects to a street or highway in which a sewer is situated and is located within three hundred feet (300”) of such sewer; or
- d) on which a building is situated that Council has ordered connected to a sewerage system;

shall pay to the Town a “Sewer Service Charge” for the construction and maintenance of the sewerage system of the Town.

4. Every owner of property that is a user of the Water Utility and or a user of the sewer system shall pay a Sewer Service Charge based on the water meter size, relative to the standard capacities as per Schedule A attached.

5. a) A Sewer Service Charge shall be levied at the rates determined by this By-law against the owners of lands effected by this By-law commencing the first full quarter billing period following installation of a sewage system.

b) For the purposes of this by-law, a sewer has been installed when the Town Engineer has certified that the sewer system or portion thereof which the sewer at issue forms part of is substantially complete.

c) The CAO shall forward a notice to each person who would be liable for the payment of a sewer service charge, that a sewer has been installed.

6. a) The sewer service charge shall be billed quarterly.

b) The sewer service charge shall be due and payable 30 days after billing.

- c) The sewer service charge, if not paid by the due date, shall be subject to interest charges at the same rate as applied on unpaid taxes.
- 7.
- a) The sewer service charge is a lien on the whole of the property subject to the sewer charge in the same manner and with the same effect as rates and taxes under the Assessment Act.
 - b) The sewer service charge and interest charge thereon may be sued for and collected in the same manner as other rates and taxes.
 - c) Land is liable to be sold for unpaid sewer service charges in the same manner and with the same effect as for unpaid rates and taxes pursuant to the Assessment Act.
- 8.
- a) Every person connecting to the sewer shall pay a connection charge of \$1,000.00.
 - b) The sewer connection charge is a lien, and bears interest and shall be collected in the same manner as the sewer service charge.
 - c) Nothing in this Section means that the Town is responsible for any part of a sewer connection that is not in a public street, highway or sewer easement.
9. This By-law repeals any and all By-laws regarding sewer charges.

Schedule A

Meter Size

Capacity Ratio to Determine Charge

- | | |
|--------------|-------|
| • $5/8$ " | • 1 |
| • $3/4$ " | • 1.5 |
| • 1 " | • 2 |
| • $1\ 1/2$ " | • 3 |
| • 2 " | • 4 |
| • 3 " | • 6 |

Annotations for Official Bylaw Book

Date of first reading: May 27, 2004
Date of advertisement of Notice of Intent to Consider: June 5, 2004
Date of second reading: June 24, 2004
Date of advertisement of Passage of By-law: June 29, 2004
Date of mailing to Minister a certified copy of By-law: August 26, 2004

I certify that this ***Sewer Charges By-law*** was adopted by Council and published as indicated above.

CAO / Clerk

Date