

## District of Chilliwack

### Bylaw No. 1984

#### A bylaw to provide for the regulation of holding tanks

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The Council of the District of Chilliwack in open meeting assembled enacts as follows:

1. This bylaw may be cited as "**Holding Tank Bylaw 1993, No. 1984**".

This bylaw applies to the construction, installation, connection to, use of and maintenance of holding tanks for sewage disposal.

2. **Interpretation:**

In this bylaw, unless the context otherwise requires, the following definitions shall apply:

"building sewer" shall mean a pipe that is connected to a building drain 1 metre outside a wall of a building and that leads to a public sewer or private sewage disposal system or holding tank;

"Director" shall mean the Director of Engineering as appointed from time to time by the Council of the District of Chilliwack, or his delegate;

"District" shall mean the District of Chilliwack;

"holding tank" shall mean a tank or series of tanks intended to store all sewage conveyed by a building sewer until the sewage can be transported by tanker to an approved disposal location;

"Inspector" shall mean the Chief Building Inspector of the District of Chilliwack, or his delegate;

"person" shall mean any individual, firm, company, association, society, corporation or group;

"sewage" shall mean water carried wastes from residences, commercial buildings, institutions and industrial establishments but shall exclude storm water;

"sewer" shall mean a pipe or conduit for carrying sewage;

"standard methods" refers to the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association;

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### 2. Interpretation: (continued)

"unsanitary condition" means the seepage, leakage, overflow or escape of sewage from a holding tank which may adversely affect the health of humans or animals, in respect of which condition a Medical Health Officer or Environmental Health Officer has notified the municipality in writing;

"watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently;

"WPCC" shall mean the Water Pollution Control Centre.

### 3. Requirement for Disposal Services:

- (1) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy vault or holding tank, intended or used for the disposal or storage of sewage.
- (2) The owner of any land used for human occupancy, employment, recreation or other purposes, situated outside the District sewered area, shall install, operate, and maintain a sewage disposal system in accordance with the "Health Act" or the "Waste Management Act". Where an owner of property cannot obtain approval for a septic tank and tile field sewage disposal system under the "Health Act", and where permission is granted to install a holding tank under the Sewage Disposal Regulation made pursuant to the Health Act, a holding tank may be installed. The holding tank shall then be installed, operated, and maintained in accordance with Schedules "A" and "B" of this bylaw.
- (3) This provision shall apply only to existing lots outside District of Chilliwack Sewerage District No. 1. and shall not apply to lots to be created by subdivision.

### 4. Application for a Holding Tank Permit:

- (1) The owner of a parcel of land or his authorized agent shall obtain written permission to install a holding tank from the Ministry of Health after which the owner shall make application to the District for a Holding Tank Permit in accordance with Schedules A and B and accompanied by the fee set out in Schedule C. Said application shall be supplemented by such additional information as may be requested by the District.
- (2) The owner shall be responsible for identifying the constituents of the proposed sewage discharge, and shall be responsible for the continued compliance with the required quality standards. A Holding Tank Permit fee must be paid for each holding tank to be installed.

**5. Holding Tank Regulations:**

- (1) Where required by the Director, a separate and independent holding tank shall be provided for each building or structure.
- (2) Existing holding tanks may be used in connection with new buildings only when they are found on examination by a professional engineer, to meet all requirements of this bylaw and are structurally sound. The engineer will provide the District with a signed and sealed certificate to this affect.
- (3) All excavations for holding tank installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the District.
- (4) No person shall intentionally break, damage, destroy, deface, or tamper with any structure, appurtenance, or equipment which is a part of any holding tank system.
- (5) No person shall make connection of roof gutter downspouts, exterior foundation drains, driveway drains, or other sources of surface run-off, or ground water, to a building sewer or building drain which in turn is connected directly or indirectly to a holding tank.
- (6) Waters or wastes discharged shall not contain any "prohibited wastes" as defined in the "Sewer Connection, Regulation and User Rates Bylaw 1988, No. 1022"
- (7) If waters or wastes discharged or to be discharged to a holding tank contain any "restricted wastes" as defined in the "Sewer Connection, Regulation and User Rates Bylaw 1988, No. 1022", the Director may:
  - (a) refuse to accept the discharged material at the WPCC.;
  - (b) require pre-treatment to an acceptable condition for discharge to the public sewers;
  - (c) require control over the quantities and rates of discharge; or
  - (d) require an equitable payment having regard to the quantity and quality of waste in relation to that from other sources.
- (8) If the Director permits the pre-treatment or equalization of waste flows, the design and installation of the plant and equipment shall be subject to the review and approval of the Director, and be subject to the continued requirements of all applicable codes, bylaws and laws.

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### **5. Holding Tank Regulations: (continued)**

- (9) All measurements, tests, and analyses of the constituents of waters and waste to which reference is made in this bylaw shall be determined at the holding tank in accordance with "standard methods" . The Director may direct the holder of a Holding Tank Permit to carry out the testing of the sewage or the holding tank system, at least once each year, at the permit holder's cost.

### **6. Power and Authority of Inspector and Director:**

- (1) The Director and / or Inspector of the District, bearing proper credentials and identification, shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing of a building drain or a holding tank.

### **7. Penalties:**

- (1) Every person found to be in violation of any provision of this bylaw may be served by the District with written notice stating the nature of the violation, and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations, or carry out or cause to be done such work as may be required to conform with the bylaw in accordance with the notice or the Holding Tank Permit may be revoked.
- (2) Any person who contravenes or violates any of the provisions of this bylaw or any permit issued pursuant hereto, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw or any permit issued pursuant hereto, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this bylaw or any permit issued pursuant hereto, commits an offence and, upon conviction, shall be liable to a fine of not less than Two Thousand Dollars (\$2,000) and not more than the maximum penalties provided by the "Offence Act" and, where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.
- (3) Every person contravening or violating any of the provisions of this bylaw shall become liable to the District for any expenses, loss, or damage occasioned the District by reason of such violation.

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**8. Default:**

- (1) Every person who owns, occupies or controls a holding tank shall dispose of the contents of the holding tank whenever necessary in order to prevent any contamination of the parcel on which the holding tank is located, adjacent parcels or water supply sources.
- (2) Every person shall remedy or remove an unsanitary condition affecting a holding tank on a parcel of land which that person owns or occupies.
- (3) Where the owner or occupier of lands served by a holding tank causes or permits the disposal system to become unsanitary contrary to this bylaw or otherwise fails to comply with this bylaw, the District or its agent may clean out the holding tank located on the parcel and may remove the sewage from the parcel.

The owner of a parcel of land affected shall be liable for the costs incurred by the District in undertaking any work described herein and if the owner fails to pay for the work or service, the costs and expense incurred by the District shall become a charge or lien on the land or real property of the owner and shall be collected in the same manner and with the like remedies as real property taxes on land and improvements.

- (4) A charge specified in this bylaw that is due and payable by December 31 and unpaid on that date shall be deemed to be taxes in arrears and shall promptly be so entered on the tax roll.

**9. Security:**

The owner of a parcel of land utilizing a holding tank shall provide to the District a letter of credit in the amount of Two Thousand Dollars (\$2,000) to ensure that all costs and obligations under this bylaw are carried out by the applicant. The letter of credit must remain effective for two (2) years after approval of the holding tank installation. The District may draw on the letter of credit to ensure conformance with this bylaw and/or to carry out remedial works in the event of a malfunction which has not been properly addressed by the owner.

If the letter of credit is inadequate to cover costs incurred or has expired, any outstanding balance that is due and payable by December 31 and unpaid on that date, shall be deemed to be taxes in arrears and shall promptly be so entered on the tax roll.

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**10. Validity:**

The invalidity of any section, clause, sentence, or provision of this bylaw shall not affect the validity of any other part of this bylaw which can be given effect without such invalid part or parts.

**11. Schedules:**

Schedules "A", "B" and "C" are attached to and form part of this bylaw.

Received first reading on the 12th day of October, 1993.

Received second reading on the 12th day of October, 1993.

Received third reading on the 12th day of October, 1993.

Reviewed by the Minister of Health on the 2nd day of November, 1993.

Reconsidered, finally passed and adopted on the 15th day of November, 1993

.....  
"John Les"

Mayor

.....  
"D.W. Hampson"

Clerk

**"Holding Tank Bylaw 1993, No. 1984"**

**SCHEDULE "A"**

**SEWAGE HOLDING TANKS - GENERAL REQUIREMENTS**

1. A sewage holding tank system shall be for storage only and will receive all the sewage generated by the premises. The owner shall be responsible for installing the holding tank and bearing all costs and expenses incidental to the installation and maintenance. The owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the installation, operation and maintenance of the holding tank. The owner shall retain an insurance policy to cover any loss or damage that may directly or indirectly be occasioned by the installation, operation and maintenance of the holding tank. A copy of said insurance policy shall be provided to the District and shall not to be cancelled without the District being provided three months' notice.
2. Every owner and occupier of land who intends to install a holding tank system shall first obtain permission from the local Health Unit to install a holding tank, as required by the Sewage Disposal Regulation made pursuant to the Health Act. Proof of this permission together with plan(s) of the proposed system shall accompany the application to the District for a Holding Tank Permit.
3. The plan(s) shall be in such detail as to be acceptable to the District. No installation shall take place prior to issuance of a Holding Tank Permit
4. The owner or occupier shall obtain a haulage contract with a contractor. The haulage contract shall provide for pumping and hauling the contents of the holding tank system, and such a contract must be maintained at all times. The wording of said contract, any new haulage contract or a modification of an old one must be approved by the District.
5. No owner or occupier shall modify, expand or otherwise alter his holding tank system without the prior approval of the District as set out in Clause 2 above.
6. The contractor shall guarantee that he can continuously service the installation. Road accessibility, provision for back-up tanker truck, total contract workload and other pertinent factors shall be taken into account when providing the guarantee.
7. The contractor submitting the service contract shall present its truck(s) for inspection, as to contents, at the request of the Director.
8. The contractor shall discharge the sewage pumped out of the holding tanks at the District's WPCC. (hereinafter referred to as the "Plant") and pay all fees applicable to the discharge as established in the Sewer Connection, Regulation and User Rates Bylaw, and in a manner specified by the Director and shall retain all copies of receipts for said discharges for inspection by the Director.

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Sewage Holding Tanks - General Requirements: (continued)

9. Upon each visit to the approved discharge point, the contractor shall deposit with the District a memo for each building he has serviced, including the date, the address and the volume collected.

10. The holding tank size shall be seven (7) times the following estimated sewage flows which are based on the B.C. Sewage Disposal Regulations pursuant to the "Health Act". :

1 or 2 bedroom	1100 litres / day
3 bedroom	1350 litres / day
4 bedroom	1700 litres / day.
5 bedroom	2000 litres / day
6 bedroom	2500 litres / day

11. Based on the above estimated volumes, the holding tank should be pumped out once per week. If water conservation methods, such as spring-loaded taps, reduced water flush toilets, etc. are utilized, then this frequency of pump-out may be reduced. However, the holding tank shall be pumped out more frequently as required to prevent the sewage from reaching the high level elevation in the holding tank.

12. For all holding tank system installations, a Covenant shall be registered against the title to the land in question in accordance with Section 215 of the "Land Title Act". The Covenant shall require that the owner of the lot maintains a contract at all times with a pump-out company and that a copy of the current contract is always deposited with the District. The Covenant will allow inspectors of the District the right of access at any reasonable time to inspect any part of the holding tank system. The Covenant will describe that, if the District is made aware that the system is overloaded or has leaked or overflowed, and the contractor is contacted and will not perform the work or the contractor cannot be contacted, then the District will arrange for pump-out and cleanup and the cost will be charged to the owner. If the charges remain unpaid on December 31st in any year, they shall be added to and form part of the taxes payable on that land as taxes in arrears.

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**SCHEDULE "B"**

**SEWAGE HOLDING TANKS - TECHNICAL REQUIREMENTS**

1. Any bypass of the holding tank system is prohibited, and periodic inspections may be made by the District's Inspector to monitor this.
2. All plans submitted showing site locations, tank details, electrical details, material specifications, trenching and backfilling techniques, etc. shall be sealed, signed and dated by a Professional Engineer registered in the Province of British Columbia.
3. The holding tank shall be constructed of reinforced fibre glass or concrete and the design shall be submitted for the approval of the Engineering Department of the District.
4. The holding tank shall not be located within the outer walls of a dwelling.
5. All tanks to be partially or completely installed below grade must have a support slab designed to prevent the tank from floating or any other movement.
6. The tank's shape shall allow complete and easy removal of all liquid and sludge contents therein. A V-shaped or rounded bottom is required with a minimum 1.5% slope from end to end down to the discharge point.
7. The tank shall have its own separate vent "goose necked", screened, and in a location where problems would not be anticipated from any foul odours. The opening shall be 3 m above the highest ground elevation found within 1 m of the tank. The access manholes to the tank shall be sealed.
8. Two or more prefabricated tanks installed in a series may be used to accommodate the capacity required. These must be connected invert to invert with a continuous slope from the end accepting sewage to the end equipped with the discharge or pump-out point. The aeration equipment will be located to keep the connection pipe clear of any sludge build-up.
9. An aeration system shall be included and its purpose is to:
  - (1) maintain an aerobic effluent which will be compatible with the plant;
  - (2) maintain oxygen in the system, thus reducing odours;
  - (3) circulate the effluent to eliminate freezing; and
  - (4) eliminate sludge build-up on the bottom or corners of the tank.

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10. The operation of the tank shall be monitored from a separately mounted weathertight panel. The panel will consist of an indicator panel showing three lights. The green light will indicate the system is operating correctly. The orange or amber light will indicate the tank is ready to pump; this would be at the two-thirds+ full level. The amber light will be activated by a liquid level float switch attached within the tank. A red light will indicate the system is overloaded. This light will also be activated by a liquid level float switch and it will allow at least enough residual volume to drain the plumbing in a building.

When the red light is activated, an audible signal will be heard within the building. This audible signal will remain on until it is turned off at the control panel. The two indicator lights must be visible from the municipal road.

11. The siting of the tank or the pump-out pipe for a tank within a building or a buried tank must be located within a paved area with easy access from the road. If the grade from the road allowance to the pump-out location is greater than 5%, then a covered walkway arrangement must be provided.
12. For any tank located outside the walls of a building, a roof must be constructed to keep snow build-up from the pump-out pipe or the access manhole.
13. No provision for an overflow pipe is permitted. Should an overflow of the holding tank occur, and the signal system noted earlier malfunctions, the design of the facility should allow for immediate detection of the problem in the building and/or on the surface of the ground at the tank area.
14. All tank installations shall require leakage testing. This will consist of filling the tank with water to within 3 cm of the rim of the access manhole. This will be left for a minimum of 24 hours. The water level will be brought up to within 3 cm of the rim of the access manhole once again. An inspection will be carried out a minimum of 24 hours later and no drop in the water level will be permitted.

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**SCHEDULE "C"**

**PERMIT FEE**

	<u>Permit Fee</u>
For inspection of all holding tank construction	\$250.00