

RURAL MUNICIPALITY OF ROSSER

By-law No. 4-10

Being a By-Law to regulate sewage being hauled to and disposed of at the Rockwood Rosser Wastewater Treatment Lagoon.

WHEREAS, pursuant to Section 232(1)(a) and (l) of The Municipal Act, S.M. 1996, c. 58 – Cap. M225, (“The Act”) a council may pass a by-law for municipal purposes respecting the following matters:

“Spheres of jurisdiction

232(1) A council may pass by-laws for municipal purposes respecting the following matters:

- (a) the safety, health, protection and well-being of people, and the safety and protection of property;
- (l) public utilities;

AND WHEREAS the Council of the Rural Municipality of Rosser deems it expedient and desirable to regulate the sewage being hauled to and disposed of in the Rockwood Rosser Wastewater Treatment Lagoon (hereinafter referred to as the “Lagoon”);

NOW THEREFORE the Council of the Rural Municipality of Rosser, duly assembled in Council, enacts as follows:

1. In this By-Law the following terms shall have the following meaning:

- (a) **"Biochemical Oxygen Demand"** (BOD₅) means the quantity of oxygen expressed in milligrams per litre, utilized in the biochemical oxidation of organic matter under standard laboratory conditions for five (5) days at a temperature of 20 degree Celsius. The laboratory determinations shall be made in accordance with procedures set forth in "Standard Methods".
- (b) **"Septic Haulers"** means a person or company hired to remove and dispose allowable/permitted septic materials.
- (c) **"Annual Access Fee"** means a rate charged annually, or any part thereof, for the right to dispose of acceptable sewage at the Rockwood Rosser Wastewater Treatment Lagoon.
- (d) **"Coliform Count"** means the number of all coliform bacteria and expressed in number of coliform bacteria per 100 millilitres of solution, as determined in accordance with "Standard Methods".
- (e) **"Colour"** means the appearance of the wastewater and includes not only colour due to substances in solution but also that due to suspended matter. Determination shall be accordance with "Standard Methods" as defined under "apparent colour".
- (f) **"Designated Officer"** means the Public Works Foreman or Utilities Supervisor of the Municipality, or other such person as may be authorized in writing by the Council of the Rural Municipality of Rosser to exercise some or all of the powers vested in him by this By-Law.
- (g) **"Gallon"** means Imperial Gallon.
- (h) **"Garbage"** means solid wastes from the preparation of cooking and/or dispensing of food, and/or from handling, storage and/or sale of produce, and/or from food processing.
- (i) **"Grease"** means fats, waxes, oils, and any other nonvolatile material determined in accordance with procedures contained in "Standard Methods".

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- (j) **"Inorganic Matter"**, without limiting the generality of the foregoing, shall mean ashes, cinders, sand, stone, dust, mud, straw, shavings, metal, glass, rugs, feathers, tar, plastics, wood or other solid or viscous substance.
 - (k) **"Lagoon"** means the Rockwood Rosser Wastewater Treatment Lagoon;
 - (l) **"Milligrams per litre"** (mg/l) shall mean the ratio of weight of solid matter per unit volume of liquid matter.
 - (m) **"Municipality"** means the Rural Municipality of Rosser or their designated representative.
 - (n) **"Odour"** means a quality factor affecting the acceptability of water, determined by qualitative descriptions and approximate quantitative measurements in accordance with "Standard Methods".
 - (o) **"Person"** means any person, firm, partnership or corporation, or any trustee, manager, or other person either individually or jointly with others, owning or occupying any building or place to which this By-Law applies, and shall also include any agent, workman, servant, or employee of such person, firm, partnership, or corporation.
 - (p) **"pH"** means the logarithm, to the base of 10 of the reciprocal of the hydrogen ion concentration in moles per litre. pH shall be determined by one of the procedures outlined in "Standard Methods".
 - (q) **"Phenols"** are trace organic compounds which cause taste problems in drinking water, and are commonly produced by industrial applications. Determination shall be accordance with "Standard Methods".
 - (r) **"Properly Shredded Garbage"** means the wastes from the preparation, cooking, or dispensing of food, and/or food processing that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in sewers, with no particle greater than one-quarter inch in any dimension.
 - (s) **"Sewage"** means human body, toilet, liquid, water borne culinary, sink, or laundry waste, or wastewater of any kind, and, without limiting the generality of the foregoing, includes domestic, commercial, and industrial wastewaters, but does not include rain water, natural run-off, or water used exclusively for cooling purposes.
 - (t) **"Standard Methods"** where used in this By-Law means the analytical and examination procedures set forth in the current edition of "Standard Methods for the Examination of Water and Wastewater" as published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation. When "Standard Methods" does not contain an applicable test or analysis, or where more than one procedure is given in "Standard Methods", the method used shall be as required by the Designated Officer.
2. No person shall discharge/dump or cause to be discharged/dumped any of the following kinds of Sewage into the Lagoon:
- a) Any liquid or vapour having a temperature greater than 65 degrees Celsius.
 - b) Any Sewage such that unusual attention or expenses are required to handle such matter by the Municipal Lagoon system, and without limiting the generality of the foregoing:
 - i) Sewage containing more than 100 milligrams per litre of grease.
 - ii) Sewage containing more than a total of 15 milligrams per litre of hydrocarbons of petroleum origin.

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- c) Any gasoline, benzene, naphtha, fuel oil, or other solvent or other flammable or explosive liquids, solids or gases.
- d) Any Garbage other than “properly shredded garbage” from a Garbage disposal unit.
- e) Any inorganic matter which may cause obstruction of flow or interference in the operation of the Rockwood Rosser Wastewater Treatment Lagoon and without limiting the generality of the foregoing no ashes, cinders, sand, stone, dust, mud, straw, shavings, metal, glass, rugs, feathers, tar, plastics, wood, or other solid or viscous substance shall be deposited in the Lagoon.
- f) Sewage of which the BOD₅ exceeds 5000 milligrams per litre.
- g) Sewage in which suspended solids exceed 5000 milligrams per litre.
- h) Any Sewage having pH lower than 5.5 or greater than 9.5 or which due to its nature or content, becomes less than 5.5 or greater than 9.5 during transmission to the Lagoon, or having any other corrosive, damaging, or hazardous characteristics with respect to the Lagoon process and/or personnel.
- i) Any Sewage containing toxic or poisonous substances, or a waste which, combined with another waste, may cause toxic or poisonous substances to be liberated.
- j) Any noxious or malodorous substance capable of creating a public nuisance, and without limiting the generality of the foregoing, sewage containing any level of hydrogen sulphide, carbon disulphide, ammonia, chlorine, bromine, or pyridine.
- k) Any Sewage containing a radioactive substance.
- l) Sewage containing any part of the following matter in excess of the indicated concentration:

Phenols	0.10 milligrams per litre
Total Cyanides, expressed as HCN	1.00 milligrams per litre
Total Sulphides, expressed as H ₂ S	2.00 milligrams per litre
Total Copper, expressed as Cu	1.00 milligrams per litre
Total Chromium, expressed as Cr	1.00 milligrams per litre
Total Nickel, expressed as Ni	1.00 milligrams per litre
Total Lead, expressed as Pb	1.00 milligrams per litre
Total Zinc, expressed as Zn	1.00 milligrams per litre
Total Cadmium, expressed as Cd	1.00 milligrams per litre
Total Chlorides, expressed as Cl	1500 milligrams per litre

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Total Sulphates, expressed as SO_4	1500 milligrams per litre
Total Phosphates, expressed as P	60 milligrams per litre
Total Nitrates, expressed as NO_3	60 milligrams per litre
Aluminium	50 milligrams per litre
Arsenic	1 milligram per litre
Mercury	0.1 milligram per litre
Silver	5.0 milligrams per litre.

3. The Municipality is empowered to appoint such party as it may choose to deal with this By-Law as a whole, and they are not restricted to having the Designated Officer be the only enforcement officer of this By-law, they may have more than one party enforcing same.
4. Where deemed necessary, in the opinion of the Municipality or the Designated Officer, the Municipality may appoint such person as it may choose to make tests, or install approved monitoring equipment, to determine the character or characteristics of the Sewage being disposed of in the Lagoon. Should such testing disclose that the Septic Hauler is breaching the rules of this By-law then the costs of conducting such tests and installation of test and monitoring equipment shall be borne by the Septic Hauler for all material being deposited in the Lagoon, however if the test results show that the Septic Hauler is in compliance with the By-law then all such costs of conducting such tests and installation of test and monitoring equipment shall be paid for by the Municipality.
5. All measurement, test and analysis and the character of Sewage to which reference is made in this By-Law, shall be determined in accordance with "Standard Methods" and shall be determined on samples taken.
6. Every person who contravenes or refuses, neglects or fails to obey or observe any provision of this By-law is guilty of an offence and is liable upon summary conviction to a fine of not less than \$500.00, or to imprisonment for a term not exceeding one month, or both such fine and imprisonment or to suspension of their privileges to deposit Sewage in the Lagoon as the Municipality may determine or to all or any combination of the above.

DONE AND PASSED as a by-law of The Rural Municipality of Rosser at 77 E PR 221, Rosser in the Province of Manitoba this 22nd day of February, A.D. 2011.

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"Frances Smee"

Reeve

"Beverley Wells"

Chief Administrative Officer

GIVEN First Reading this 23rd day of March, A.D. 2010.

GIVEN Second Reading this 8th day of February, A.D. 2011.

GIVEN Third Reading this 22nd day of February, A.D. 2011.