

**SOUTH OHIO WASTE WATER MANAGEMENT  
BY-LAW  
S-088-97**

Effective Date:  
Dec. 10, 1997

**BEING** a By-Law regulating the use and maintenance of a waste water management system, and the discharge of water and waste into a community septic system and, as well, upgrading private septic systems in the waste water management district, and providing penalties for violations thereof.

**Part 1 - Definitions**

1. Unless the context specifically states otherwise, the meaning of terms used in this By-Law shall be as follows:
  - (a) **“Sewer”** shall mean a *sewer* system which is entirely on private property or a *sewer* system which is connected to a public septic system within the waste water management district;
  - (b) **“Public Works Director”** means any Inspector who is authorized by the *Municipality* of the District of Yarmouth to carry out, or direct staff to carry out, inspections or investigations on behalf of the *Municipality* of the District of Yarmouth, as may be required under the By-Law;
  - (c) **“Municipal Council”** shall mean the Council of the *Municipality* of the District of Yarmouth;
  - (d) **“Municipality”** shall mean the duly elected officials of the *Municipality* of the District of Yarmouth acting in Council.

**Part II - Description Of Waste Water Management District In The Operation Thereof**

2. The boundaries of the waste water management district in the *Municipality* of the District of Yarmouth subject to this By-Law are fully described in Appendix “A” attached to this By-Law.
3. The waste water management system shall consist of two central disposal fields to which two clusters of homes are to be connected and, as well, all individual on-site systems in addition thereto within the waste water management district.
4. The management, operation and control of the waste water management district as defined in paragraph 3 of this part is vested in the *Municipal Council* of the *Municipality* of the District of Yarmouth.
5. All records, minutes and all written proceedings thereof shall be kept by the CAO of the *Municipality*.

**SOUTH OHIO WASTE WATER MANAGEMENT  
BY-LAW  
S-088-97**

Effective Date:  
Dec. 10, 1997

6. The *Municipal Council* shall have the power to construct additional *sewer* lines or *sewer* systems within the defined waste water management area, and to do all such other work as may be found necessary or convenient in the management of the district.
7. The *Municipal Council* may, by resolution, order the repair or improvement of any, or all, *sewer* lines in the defined area whenever the same shall be considered necessary or desirable.
8. The *Public Works Director* of the *Municipality* shall make an annual report to the *Municipal Council* concerning the operation and maintenance of the *sewers* in the waste water management district.

**Part III - The Required Use Of Sewers In The Waste Water Management District**

9. The owners of any dwelling house, shop, store, office, service station, garage or any other building within the waste water management district, as defined herein, is hereby required at his, her or its expense to connect any facilities discharging sanitary sewage to the *sewer* system established by this By-Law within sixty (60) days after official notice so to do. Upon failure to do so, the *Municipality* may cause such connection to be made and bill the property owner for the cost of same.
10. Where the public sewage system is not available within the waste water management district, the building sewage system shall be connected to a private on-site sewage system which will be upgraded to the Department of Health requirements at the cost of the *Municipality*, excluding the cost of laying pipe from the foundation of the building to the septic tank provided by the *Municipality*.
11. No person shall make any connections to either the public or private systems or alter or disturb in any way any parts thereof without first obtaining written permission from the *Public Works Director*.

**Part IV - Use Of The Public Sewer**

12. No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, sub-surface drainage, unpolluted cooling water or unpolluted industrial process waters to any sanitary *sewer*.
13. No person, firm or corporation shall permit any pipe carrying sewage or surface water to discharge into any such trench.
14. No person, firm or corporation shall injure, break or remove any portion of the *sewer* system.

**SOUTH OHIO WASTE WATER MANAGEMENT  
BY-LAW  
S-088-97**

Effective Date:  
Dec. 10, 1997

15. No person, firm or corporation shall throw, or permit to be thrown or deposited in any *sewer* opening or receptacle connected with the *sewer* system any garbage, offal, dead animals, bones, ashes, cinders, rags or any other material or thing excepting feces, urine, necessary toilet paper and household liquids.
16. No person shall discharge or cause to be discharged into the *sewer* system the following described substance, materials, waters or waste:
  - (a) sewage at a temperature in excess of Sixty degrees (60) Celsius;
  - (b) sewage containing any inflammable or explosive matter, and without limiting the generality of the foregoing, gasoline, benzene, naphtha, fuel oil, acetone or other solvents;
  - (c) any quantity of matter capable of obstructing the flow in, or interfering with the proper operation of, any part of the sewage works, and without limiting the generality of the foregoing, any such quantity of ashes, cinders, garbage, sand, straw, mud, shavings, metal, glass, rags, feathers, plastic, wood or cellulose;
  - (d) sewage that may cause a nuisance, and without limiting the generality of the foregoing, sewage containing hydrogen sulphide, carbon disulphide, ammonia, trichloroethylene, sulphur dioxide, formaldehyde, chlorine, bromine or pyridine, in such quantity that an offensive odor could emanate from the sewage works or could cause a nuisance;
  - (e) sewage containing animal wastes, and without limiting the generality of the foregoing, containing intestines, stomach casings, intestinal contents, hides, hooves, toenails, horns, bones or poultry heads of sewage containing hair, wool, fur, feathers, paunch manure or fleshings;
  - (f) sewage containing toxic or chemical pollutants in greater concentrations than is permitted by any authority having jurisdiction over the receiving waters;
  - (g) storm runoff, sewage derived from the drainage of lands or roofs, water used for cooling purposes or any other unpolluted waste waters.

**Part V - Finances**

17. Every owner of land which is serviced by the cluster *sewer* system or by an individual on-site sewage system within the waste water management district, shall for the construction of the waste water management system and upgrading of individual private systems, pay to the *Municipality* a total sum as set out in the Fees Policy F-044-02 for each unit, as defined in Schedule "B", 'Schedule of *Sewer* Capital Charges, South Ohio Waste-Water

**SOUTH OHIO WASTE WATER MANAGEMENT  
BY-LAW  
S-088-97**

Effective Date:  
Dec. 10, 1997

Management District', attached to this By-Law.

No interest will be charged on outstanding balances on these accounts for the first twelve (12) months, but interest will accrue on any outstanding balance after December 31st, 1998 at a rate of 18% per annum, and applied to outstanding balances at the end of each month.

18. Every such owner as hereinbefore described shall pay an annual maintenance charge for the upgrading and maintenance of the system in such an amount as the *Municipality* may, by resolution, annually determine and shall be set out in the Fees Policy F-044-02. Council shall determine the annual maintenance charge of the sewage system by dividing the annual estimated cost to maintain and repair all systems within the Waste-Water Management District, by the number of units within the area, as determined by Schedule "C", 'Schedule of Sewer Service Charges, South Ohio Waste-Water Management District', attached to this By-Law. Provided always, that should a surplus or deficit occur in any one year, it shall be taken into account in computing maintenance charge for the following year.
19. All sewer maintenance charges unpaid at due date shall bear interest at the rate of 18% per annum.
20. The annual maintenance sewer charge, when decided by the *Municipal Council* by resolution in accordance with the formula hereinbefore referred to, shall be billed in quarterly installments each year and be due and payable on the date of each quarterly billing.
21. Every charge or tax imposed, under the provision of this By-Law, shall constitute a lien on the real property as is provided by rates and taxes under the Municipal Government Act, and shall be collectable in the same manner as rates and taxes on real property are collected under the Municipal Government Act.
22. The *Municipality* shall, from time to time, appoint the persons or agents who shall have power to enter upon private property for the purpose of examination, supervision, maintenance or installation related to the waste water management system.

**Part VI - Application To Connect**

23. After the original waste water management system has been installed and the private sewage systems have been upgraded, no person shall enter the system without first obtaining a permit from the Municipal *Public Works Director*.
24. Every person, when applying for a permit after the original waste water management system has been installed, for connecting to the system shall complete an application form obtainable at the Municipal office.

**SOUTH OHIO WASTE WATER MANAGEMENT  
BY-LAW  
S-088-97**

Effective Date:  
Dec. 10, 1997

25. If granted a permit, the construction and installation of such service connections shall be conducted subject to an inspection and review by the Municipal *Public Works Director* and shall be installed in accordance with engineering practices contained in the Standard Specification. Should damage occur to the sewer system, which is caused by or would not likely have occurred had such practices been used in the installations, the owner of the connecting property shall indemnify the municipality for the cost of the repair. This indemnification shall constitute a charge on the property.
26. All entries to the waste water management system shall be constructed in accordance with the provisions of the ***Public Highways Act*** and shall cause as little obstruction as possible for vehicular traffic during installation.
27. Every person connecting to the waste water management system, after the original waste water management system has been installed, shall pay a fee to the *Municipality* of the District of Yarmouth covering the cost of installation; such cost to be billed by the CAO within 30 days after the cost is determined and shall be paid and collected in the same manner as rates and taxes.
28. The Municipal *Public Works Director* of the *Municipality* shall be permitted, at all reasonable times of the day, to enter all properties within the waste water management system for the purpose of inspection and testing, in accordance with this By-Law.

**VII - Offenses**

29. Any person other than a corporation who contravenes any section of this By-Law is liable for every day or part there of upon which such offense occurs or continues upon conviction to a penalty of not less than \$500.00 and not more than \$10,000.00 and in default of payment to imprisonment for a term of not more than one (1) year.

Any corporation who contravenes any section of this By-Law is liable for every day or part there of upon which such offense occurs or continues upon conviction to a penalty of not less than \$1000.00 and not more than \$10,000.00 and in default of payment to imprisonment for a term of not more than one (1) year.

**VIII Penalties**

29. Any person who contravened this By-Law and where notice so provides may pay a penalty in the amount of \$50.00 dollars (first offence, \$100.00 dollars for a second offence, and \$150.00 dollars for subsequent offences) to the office of the *Municipality* of Yarmouth provided that said payment is made within a period of fourteen (14) days from the date of the notice and where the said notice so provides for a voluntary payment, said payment shall be in full satisfaction, releasing and discharging all penalties incurred by the person for said violation in accordance with the Payment In Lieu of Prosecution Policy, P-082-02.

**SOUTH OHIO WASTE WATER MANAGEMENT  
BY-LAW  
S-088-97**

Effective Date:  
Dec. 10, 1997

Clerk's Annotation For Official By-Law Book

Date of first reading: April 23, 2014

Date of advertisement of Notice of Intent to Consider: May 13, 2014

Date of second reading: May 27, 2014

\*Date of advertisement of Passage of By-Law: June 10, 2014

Date of mailing to Minister a certified copy of By-Law: June 11, 2014

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

  
\_\_\_\_\_  
CAO

May 27, 2014  
Date

**Date last reviewed: May 27, 2014**

**Date of last amendment: May 27, 2014**

**SOUTH OHIO WASTE WATER MANAGEMENT  
BY-LAW  
S-088-97**

Effective Date:  
Dec. 10, 1997

APPENDIX 'A'

**SOUTH OHIO WASTEWATER MANAGEMENT AREA  
SOUTH OHIO, YARMOUTH COUNTY, NOVA SCOTIA**

ALL THOSE CERTAIN parcels of land at South Ohio in Yarmouth County, Nova Scotia, Canada; shown as outlined on the attached plan and described as follows:

COMMENCING at the juncture of the southeastern boundary of Highway No. 340 with the eastern boundary of the D. A. R. (Dominion Atlantic Railway) right-of-way;

THENCE southerly by the said eastern boundary of the D. A. R. right-of-way to the northern boundary of Lot 1 (lands now or formerly owned by Keith Moses);

THENCE easterly along the said northern boundary of Lot 1 to a point at the northeastern corner of Lot 1;

THENCE southerly along the eastern boundary of Lot 1 to a point;

THENCE westerly along a southern boundary of Lot 1 to a point;

THENCE southwesterly along the southeastern boundary of Lot 1 to a point on the northern boundary of lands of Lane Goodwin and Debbie Goodwin;

THENCE westerly along the northern boundary of lands of Lane Goodwin and Debbie Goodwin to a point on the eastern boundary of the D. A. R. right-of-way;

THENCE continuing across the D. A. R. right-of-way to a point at the juncture of the western boundary of the D. A. R. right-of-way with southern boundary of lands of Walter E. Cole and Loma M. Cole;

THENCE westerly along the southern boundaries of lands of Walter E. Cole and Loma M. Cole to the eastern boundary of Highway No. 340;

THENCE continuing across the highway to the western boundary of Highway No. 340;

THENCE southerly along the said western boundary of Highway No. 340 to a point on a southern boundary of lands of David Richard Robicheau;

THENCE westerly by the said southern boundary of lands of David Richard Robicheau to a point;

THENCE northerly along a western boundary of lands of David Richard Robicheau to a point;

THENCE westerly along a southern boundary of lands of David Richard Robicheau to a point on the western boundary of lands of David Richard Robicheau;

THENCE northerly along the said western boundary of lands of David Richard

**SOUTH OHIO WASTE WATER MANAGEMENT  
BY-LAW  
S-088-97**

Effective Date:  
Dec. 10, 1997

Robicheau to a point on the southern boundary of lands of Leighton Trefry;

THENCE westerly along the southern boundary of lands of Leighton Trefry to the lake shore;

THENCE northerly along the lake shore to the northern boundary of lands of Leighton Trefry;

THENCE easterly along the said northern boundary of lands of Leighton Trefry to the western boundary of Highway 340;

THENCE northerly along the said western boundary of Highway 340 to the southern boundary of lands of John Surette and Deborah Surette;

THENCE westerly along the said southern boundary of lands of John Surette and Deborah Surette to the southwest corner of lands of John Surette and Deborah Surette;

THENCE northerly along the western boundary of lands of John Surette and Deborah Surette to the northwest corner of lands of John Surette and Deborah Surette;

THENCE easterly along the northern boundary of lands of John Surette and Deborah Surette to the western boundary of Highway No. 340;

THENCE northerly along the said western boundary of Highway 340 to the southern boundary of lands of George Archie Nickerson and Margaret Joann Nickerson;

THENCE westerly along the said southern boundary of lands of George Archie Nickerson and Margaret Joann Nickerson to the southwest corner of lands of George Archie Nickerson and Margaret Joann Nickerson;

THENCE northerly along a western boundary of lands of George Archie Nickerson and Margaret Joann Nickerson to a point on a southern boundary of lands of Richard Hurlburt and J. Reginald LeBlanc;

THENCE easterly along a northern boundary of lands of George Archie Nickerson and Margaret Joann Nickerson to a point;

THENCE northerly along a western boundary of lands of George Archie Nickerson and Margaret Joann Nickerson to a point;

THENCE easterly along a southern boundary of lands of Richard M. Hurlburt and J. Reginald LeBlanc to a northeast corner of lands of George Archie Nickerson and Margaret Joann Nickerson;

THENCE northerly and at right angles to the aforementioned southern boundary of lands of Richard M. Hurlburt and J. Reginald LeBlanc to a point on the southern boundary of lands of Mark Hurlburt;

THENCE westerly along the said southern boundary of lands of Mark Hurlburt;



**SOUTH OHIO WASTE WATER MANAGEMENT  
BY-LAW  
S-088-97**

Effective Date:  
Dec. 10, 1997

THENCE northerly along the western boundary of lands of Mark Hurlburt to the northwest corner of lands of Vicki Marie Jeddry and Freeman Joseph Dugas;

THENCE easterly along the northern boundary of lands of Vicki Marie Jeddry and Freeman Joseph Dugas to the western boundary of the North Ohio Road;

THENCE continuing across the North Ohio Road and the Lake George Road to the eastern boundary of the Lake George Road;

THENCE northerly along the said eastern boundary of Lake George Road to the northern boundary of lands of Charles M. Outhouse and Barbara Outhouse;

THENCE easterly along the said northern boundary of lands of Charles M. Outhouse and Barbara Outhouse to a point at the northwestern corner of Lot 2 (lands now or formerly of Charles M. Outhouse and Barbara Outhouse);

THENCE southerly along the western boundary of Lot 2 to point on the northern boundary of Phillip N. Rosov;

THENCE easterly along the northern boundaries of lands of Phillip N. Rosov and lands of Douglas Steadman and Laurie Ann Sabean to the western boundary of the D. A. R. right-of-way;

THENCE southerly along the said western boundary of the said D. A. R. right-of-way to the northwestern boundary of Highway No. 340;

THENCE continuing across the highway to the southeastern boundary of Highway No. 340;

THENCE northeasterly along the southeastern boundary of Highway No. 340 to the

**SOUTH OHIO WASTE WATER MANAGEMENT  
BY-LAW  
S-088-97**

Effective Date:  
Dec. 10, 1997

POINT OF BEGINNING;

EXCEPTING from the above described parcel Highway No. 340, Lake George Road, North Ohio Road and Station Road;

ALSO INCLUDING easements in favor of the *Municipality* of the District of Yarmouth which are recorded in the Registry of Deeds, Yarmouth, N. S. as follows:

Book 546, Page 556

Book 546, Page 630

Book 546, Page 766

<b>SOUTH OHIO WASTE WATER MANAGEMENT BY-LAW S-088-97</b>	Effective Date: Dec. 10, 1997
--	----------------------------------

**SCHEDULE "B"**  
**SCHEDULE OF SEWER CAPITAL CHARGES**  
**SOUTH OHIO WASTEWATER MANAGEMENT DISTRICT**

TYPE OF CONSUMER	UNIT VALUE
Single Family Dwelling .....	1.0
Mobile Home .....	1.0
for each Doctor or Dentist Office in private home, add .....	1.0
for each beauty shop or barber shop in private home, add .....	0.75
Apartment Unit .....	
1 Bedroom.....	0.6
2 Bedrooms.....	0.8
3 or more Bedrooms.....	1.0
Senior Citizens Home, per unit .....	0.6
Rooming House, Boarding House, Convent, Institutional Dormitory	
up to five beds .....	1.0
each additional bed .....	0.2
Hospitals and homes with medical care facilities without laundry facilities	
per bed .....	0.2
with laundry facilities per bed .....	0.3
Schools	
per classroom .....	0.5
with cafeteria or gym per classroom .....	0.75
with both cafeteria and gym per classroom .....	1.0
Doctor, Dentist office, Beauty shop .....	1.0
Tourist home with one bathroom .....	1.2
for additional bathroom .....	0.3
Hotel, Motels and Tourist Cottages with	
housekeeping facilities; each room or unit .....	0.3
without housekeeping facilities; each room or unit .....	0.2
Tourist Trailer Park with hook-up facilities;	
per unit space .....	0.2
without hook-up facilities, per unit space .....	0.1
Stores, banks, clubs, recreational facilities, barber shops and places of business including Industrial premises	
First washroom facility .....	1.0
each additional washroom facility .....	.05
Churches, church halls, each washroom facility .....	0.3
Buildings owned by fraternal organizations .....	0.3
Fire Halls and fire stations with facilities .....	0.5
Laundromat .....	1.0

<p><b>SOUTH OHIO WASTE WATER MANAGEMENT BY-LAW S-088-97</b></p>	<p>Effective Date: Dec. 10, 1997</p>
---	--

for each machine .....	2.0
Service Station for each washroom connected to sanitary sewer add .....	0.5
Restaurant, Snack Bars and Cafeterias .....	1.0
for each ten seats add .....	0.25
Premises licensed by N. S. Liquor Commission, Club or Tavern .....	1.0
for each five seats add .....	0.25

**TYPE OF CONSUMER UNIT VALUE**

Drive-In restaurant or Theater with canteen .....	1.0
for first washroom facility add .....	1.0
for each additional washroom facility .....	0.5

<b>SOUTH OHIO WASTE WATER MANAGEMENT BY-LAW S-088-97</b>	Effective Date: Dec. 10, 1997
--	----------------------------------

SCHEDULE "C"  
 SCHEDULE OF SEWER SERVICE CHARGES  
 SOUTH OHIO WASTEWATER MANAGEMENT DISTRICT

TYPE OF CONSUMER	UNIT VALUE
Single Family Dwelling .....	1.0
Mobile Home .....	1.0
for private swimming pool, add .....	1.0
for each Doctor or Dentist office in private home, add .....	1.0
for each beauty shop or barber shop in private home, add .....	0.75
Apartment Unit .....	
1 Bedroom	0.6
2 Bedrooms	0.8
3 or more Bedrooms	1.0
Senior Citizens Home, per unit .....	0.6
Rooming House, Boarding House, Convent, Institutional Dormitory	
up to five beds .....	1.0
each additional bed .....	0.2
Hospitals and homes with medical care facilities without laundries	
per bed .....	0.5
with laundry facilities per bed .....	0.75
Schools	
per classroom .....	0.75
with cafeteria or gym per classroom .....	1.5
with both cafeteria and gym per classroom .....	2.0
Doctor, Dentist office, Beauty Shop .....	1.0
Tourist home with one bathroom .....	1.2
for additional bathroom .....	0.3
Hotels, Motels and Tourist Cottages with	
housekeeping facilities; each room or unit .....	0.5
without housekeeping facilities; each room or unit .....	0.3
Tourist Trailer Park with sewer lateral	
per unit space .....	0.75
without sewer lateral on basis of vacant land .....	0.3
Stores, banks, clubs, recreational facilities, barber shops and	
places of business including Industrial premises	
First washroom facility .....	1.0
each additional washroom facility .....	0.5
Churches, church halls, each washroom facility .....	0.3
Buildings owned by fraternal organizations .....	0.3
Fire Halls and fire stations with facilities .....	0.5
Laundromat .....	1.0
for each machine .....	2.0

<p><b>SOUTH OHIO WASTE WATER MANAGEMENT BY-LAW S-088-97</b></p>	<p>Effective Date: Dec. 10, 1997</p>
---	--

Service Station for each washroom connected to sanitary sewer add	0.5
Restaurants, Snack Bars and Cafeterias .....	2.0
for each tens eats add .....	0.25
Premises licensed by N. S. Liquor Commission, Club or Tavern ....	1.0

**TYPE OF CONSUMER UNIT VALUE**

for each five seats add .....	0.25
Drive-In restaurant or Theater with canteen .....	1.0
for first washroom facility add .....	1.0
for each additional washroom facility .....	0.5
Vacant Land, for each lot with up to 300' of street or highway Frontage, residential or commercial classification only .....	0.3
for each additional 50' or portion thereof, of street or highway frontage .....	0.1