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THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2229

Being a by-law to regulate sewage and drainage connections in the City of North Bay for sanitary purposes.

And being a by-law requiring owners, lessees and occupants of land in the City of North Bay to close or fill up water closets, privies, privy vaults, wells or cesspools the continuance of which may in the opinion of the Council or the Medical Officer of Health for the City of North Bay be dangerous to health.

And being a by-law to prohibit the obstruction of any drain or water-course.

And being a by-law prohibiting the obstruction of any ditch or culvert upon a highway in the City of North Bay.

WHEREAS under the Municipal Act, R.S.O. 1960, Chapter 249, Section 379 (1), Paragraphs 68, 69, 70, 71, 72, 73, and 125 and Section 476, Paragraph 5 and Section 485 the Council may pass by-laws for the purposes therein set forth.

AND WHEREAS for sanitary purposes, including the prevention of the backing up of sanitary sewers, the flooding of basements, and the overloading of the City sanitary sewer system, it is necessary and advisable that all drainage piping conveying sewage from lands and premises in the City of North Bay be connected to the City sanitary sewer system and that all drainage piping conveying surface water from lands and premises in the City of North Bay be connected to the City storm sewer or City drainage ditch, as the case may be.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. For the purposes of this by-law:

(a) "Building Inspector" shall mean the Building Inspector for the time being of the Corporation of the City of North Bay.

(b) "City" shall mean the Corporation of the City of North Bay.

(c) "City Engineer" shall mean the City Engineer for the time being of the Corporation of the City of North Bay.

(d) "Deputy City Engineer" shall mean the Deputy City Engineer for the time being of the Corporation of the City of North Bay.

(e) "City Sanitary Sewer" shall mean a street or common sewer intended to receive effluent from a sanitary building sewer only.

(f) "City Storm Sewer" shall mean a street or common sewer intended to receive surface water and sub-surface water.

(g) "Clerk" shall mean the Clerk for the time being of the Corporation of the City of North Bay.

(h) "Council" shall mean the Council of the Corporation of the City of North Bay.

(i) "Enforcement Officer" shall include the Clerk, the City Engineer, the Deputy City Engineer, the Plumbing Inspector and the Building Inspector.

(j) "Medical Officer of Health" shall mean the Medical Officer of Health for the time being of the North Bay Area Health Unit.

(k) "Owner" shall mean the owner of property as shown on the last revised assessment roll for the City of North Bay and shall also include the occupant or lessee of such property.

(l) "Person" shall include a firm, partnership, company or corporation.

(m) "Plumbing Inspector" shall mean the Plumbing Inspector for the time being of the Corporation of the City of North Bay.

(n) "Property" shall mean land and premises situate in the City of North Bay.

(o) "Sewage" shall mean any liquid waste containing animal, vegetable or mineral matter in suspension or solution.

(p) "Surface Water" shall include roof water and run-off water.

(q) "Sub-surface Water" shall include drainage from a weeping tile drain but shall not include sewage.

2. In the City of North Bay:

(a) No person shall connect, either directly or indirectly to a City Storm sewer or a City drainage ditch any drainage piping that conveys or discharges sewage from any property or that is intended to convey or discharge sewage from any property.

(b) The owner of any property shall not connect or allow to remain connected to a City storm sewer or City drainage ditch, either directly or indirectly, any drainage piping that conveys or discharges sewage from such property or that is intended to convey or discharge sewage from such property.

(c) No person shall connect to the City sanitary sewer, either directly or indirectly, any drainage piping that conveys or discharges surface water from any property or that is intended to convey or discharge surface water from any property.

(d) The owner of any property shall not connect or allow to remain connected to a City sanitary sewer, either directly or indirectly, any drainage piping that conveys or discharges surface water from such property or that is intended to convey or discharge surface water from such property.

(e) The Council, upon the recommendation of the City Engineer, may require the owner of any property to take all necessary steps and make all necessary alterations, installations and connections to ensure that all sub-surface water from such property shall flow or drain into the City storm sewer or the City drainage ditch, as the case may be.

3. (a) The owner of any property, upon being notified in writing by the Council or any enforcement officer, shall promptly take all necessary steps and make all necessary alterations, installations and connections to ensure that all sewage from such property shall flow or drain into the City sanitary sewer.

(b) The owner of any property, upon being notified in writing by the Council or any enforcement officer, shall promptly take all necessary steps and make all necessary alterations, installations and connections to ensure that all surface water from such property shall flow or drain into the City storm sewer or the City drainage ditch, as the case may be.

4. All alterations, installations and connections referred to in this by-law shall comply with the applicable provisions of Regulation 471 of Revised Regulations of Ontario, 1960 and amendments thereto, respecting Plumbing and made under The Ontario Water Resources Commission Act, R.S.O. 1960, Chapter 281 and amendments thereto and shall also comply with the applicable provisions of the Building By-law of the City of North Bay and amendments thereto.

5. The owner of any property or other person upon completion of any alterations, installations and connections as required by this by-law and before concealing and covering the same shall immediately notify the Plumbing Inspector or other enforcement officer in order that the aforesaid work may be inspected to determine if the said work duly complies with the provisions of this by-law.

6. (a) The Medical Officer of Health, the enforcement officers or any of them are hereby authorized and empowered to enter upon any property at all reasonable times for the purpose of making all necessary inspections, the conducting of tests and the taking of any other steps and measures that may be necessary to ascertain and determine whether or not the provisions of this by-law have been or are being duly complied with.

(b) No owner or person shall obstruct, hinder, delay or prevent the Medical Officer of Health, the enforcement officers or any of them or any persons or person employed by or acting under their or his direction from exercising any of the powers conferred by this by-law or the performance of any duties imposed upon them by this by-law or the carrying out of any order or direction of Council for the due compliance with or the enforcement of any of the provisions of this by-law.

7. It shall be the duty of the enforcement officer to enforce the provisions of this by-law and he is hereby authorized and empowered to sign any written notice which may be required to be served upon any person or owner under the provisions of this by-law and he is further authorized and empowered to take all necessary steps and institute all necessary proceedings to ensure due compliance with the terms and provisions of this by-law.

8. Where in the opinion of the Council or the Medical Officer of Health, there is situate on any land in the City a water closet, privy, privy vault, well or cesspool, the continuance of which may be dangerous to health, the Council or the Medical Officer of Health may require the owner, lessee or occupant of such land to close or fill up such water closet, privy, privy vault, well or cesspool within a period of thirty (30) days after being notified so to do.

9. Any notice issued pursuant to this by-law may be served upon the owner personally, or mailed by prepaid registered post addressed to the owner at his address as shown on the last revised Assessment Roll for the City and service upon the owner shall be deemed effective on the date of such personal service or as of the date of mailing as aforesaid.

10. Where the owner of any property fails to comply with any notice issued pursuant to the provisions of this by-law requiring such owner to comply with the provisions of this by-law or any of them and where such default continues for a period of thirty (30) days from the date of service of such notice, the City Engineer or any enforcement officer is hereby authorized and empowered to take all

necessary steps and make all necessary alterations, installations and connections on such property to ensure due compliance with the provisions of this by-law and the cost thereof shall be borne by the owner aforesaid and shall be added to the Collector's Roll for the City and collected in like manner as taxes. In addition thereto the owner aforesaid shall be liable to the penalty imposed by this by-law.

11. No person or owner shall obstruct a ditch or culvert upon a highway in the City.

12. No person or owner shall obstruct any drain or water-course in the City.

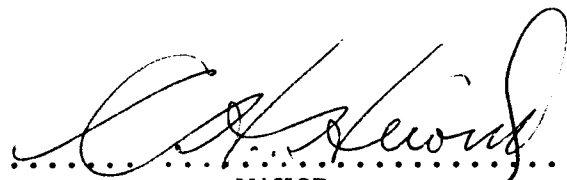
13. Any person convicted of a breach of any of the provisions of this by-law shall forfeit and pay, at the discretion of the convicting Magistrate a fine or penalty not exceeding the sum of Three Hundred Dollars (\$300.00) for each offence, exclusive of costs, to be recoverable under The Summary Convictions Act.

14. By-law No. 1969 of the Corporation of the City of North Bay and all previous by-laws or sections of by-law conflicting with the terms and provisions of this by-law shall be deemed to be and they are hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL THIS 3RD DAY OF AUGUST 1965.

READ A SECOND TIME IN OPEN COUNCIL THIS 7TH DAY OF SEPTEMBER, 1965.

BY-LAW READ A THIRD TIME AND PASSED THIS 7TH DAY OF SEPTEMBER 1965.

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MAYOR

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CITY CLERK