

MUNICIPALITY OF THE DISTRICT OF LUNENBURG
By-law Respecting Shore Drive Wastewater Management District

First Reading: June 24, 2014
Second Reading: July 22, 2014

TITLE

1.0 This By-Law is entitled the "Shore Drive Wastewater Management District By-Law".

PURPOSE

2.0 The purpose of this By-Law is to regulate the design, construction; use and operation of an innovative septic tank effluent pump sewer system, serving properties along Shore Drive, Conquerall Bank, Lunenburg County, Nova Scotia. This sewer system is owned and maintained by the Municipality of the District of Lunenburg.

ESTABLISHMENT OF WASTEWATER MANAGEMENT DISTRICT

3.0 The Municipality hereby establishes the Shore Drive Wastewater Management District, the boundaries of which are as described in Schedule "A" hereto attached, and shown on Schedule "B" hereto attached. PID reference of properties within the boundaries are shown on Schedule "C". The establishment of the Shore Drive Wastewater Management District is pursuant to Part XIV, Section 342 of the Municipal Government Act, R.S.N.S. Chapter 295, and subsequent amendments. **[Amended July 30, 2014]**

DEFINITIONS

4.0 In this By-Law:

- (1) **"BUILDING SERVICE CONNECTION"** shall mean a sewer pipe, and its appurtenances, including septic tanks, pumps and pressure sewer laterals that is located on both private and public property, and which connects a building or structure to the Shore Drive sewer system.
- (2) **"COUNCIL"** shall mean the Council of the Municipality of the District of Lunenburg.
- (3) **"ENGINEER"** shall mean the Director of Engineering and Public Works of the Municipality of the District of Lunenburg, and/or designate.
- (4) **[deleted April 21, 2009]**
- (5) **"MUNICIPALITY"** shall mean the Municipality of the District of Lunenburg.
- (6) **"OWNER"** shall mean the owner or authorized agent of property that is serviced by, or connected to the sewer system.
- (7) **"PRESSURE SEWER LATERAL"** shall mean the pressure pipe designed and installed to convey sewage from the septic tank to the sewer main.

- (8) “**PRIVATE SEWER**” shall mean a sewer system that is located on private property and that is not owned or maintained by the Municipality.
- (9) “**PUBLIC SEWER**” shall mean the Shore Drive sewer system that is located on both private and public property and that is owned and maintained by the Municipality.
- (10) “**SANITARY SEWAGE**” shall mean wastewater generated from buildings, including residences, and industrial, commercial and institutional establishments, but excluding storm water.
- (11) “**SEPTIC TANK**” shall mean the chamber, influent pipe, pump and appurtenances, designed to store and convey sanitary sewage received from the building to the pressure sewer lateral.
- (12) “**SEWAGE TREATMENT PLANT**” is the wastewater treatment plant designed and installed to treat and dispose of sanitary sewage collected by the Shore Drive sewer system.
- (13) “**SEWER MAIN**” shall mean that portion of the Shore Drive sewer system designed to accept and convey sanitary sewage from the pressure sewer lateral to the sewage treatment plant.
- (14) “**SHORE DRIVE SEWER SYSTEM**” shall mean all works and components, including pipes, conduits, septic tanks, pumps, and treatment plant, designed, constructed and/or maintained for the collection, storage, transmission, treatment and disposal of sanitary sewage from the Shore Drive Wastewater Management District.
- (15) “**STORM WATER**” shall mean naturally occurring ground and surface waters, and rainfall run-off, and industrial heating and cooling, and process wastewaters, with contaminant concentrations within approved maximum levels.
- (16) “**WASTEWATER**” shall mean a combination of liquid or water-carried wastes removed from residences, and industrial, commercial and institutional establishments, together with such ground, surface and rainfall runoff waters, as may be present.

MUNICIPAL SEWER BY-LAW

5.0 Unless specified otherwise in this By-Law, the requirements of the Municipal Sewer By-Law will apply to the Shore Drive sewer system, and are to be read in conjunction with this By-Law’s requirements.

TYPE OF SEWER SYSTEM

6.0 The sewage collection, treatment and disposal system permitted in the Shore Drive Wastewater Management District will be the Shore Drive sewer system as approved by the Engineer, and as defined in terms of capacity and extent, in the Certificate of Approval issued by the Nova Scotia Department of Environment and Labour, and subsequent amendments.

MUNICIPALITY RESPONSIBILITY

7.0

- (1) The Municipality will undertake the on-going maintenance, repair and component replacement of the Shore Drive sewer system, to the standard of recognized Canadian wastewater engineering practice, including the portions of the system located on public lands, as well as those portions located on private land, but limited to the influent sewage pipe from the building exterior to the

septic tank, the septic tank, pump, controls, filter and related appurtenances, and the pressure sewer lateral.

(2) **[deleted April 21, 2009]**

OWNER RESPONSIBILITY

8.0

- (1) The Owner will be responsible for providing and maintaining clear access to authorized Municipality personnel for on-going inspections, maintenance, repair and component replacement of those portions of the Shore Drive sewer system located on the Owner's property. **[amended April 21, 2009]**
- (2) The Owner will be responsible for maintaining the plumbing system in the building served by the building service connection such that no portion of the Shore Drive sewer system is compromised, nor damaged or disrupted in any way. **[amended April 21, 2009]**
- (3) The electrical power consumption charges for the septic tank pump will be to the Owner's account, and the Owner will maintain the electrical power supply and distribution system in the building served by the building service connection such that the septic tank pump operation is not compromised.
- (4) The Owner will not disrupt, relocate, modify, remove, damage or destroy any portion of the Shore Drive sewer system located on either private or public property, without the written permission of the Engineer.
- (5) Discharge of wastewaters into the Shore Drive sewer system with respect to contents and volume will be subject to the requirements of the Municipal Sewer By-Law.
- (6) Notwithstanding Subsection 32 (7) of the Municipal Sewer By-Law, the contents of septic tanks from building service connections can be discharged into the Shore Drive sewer system, where such contents have been subject to normal removal of solids provided by the septic tank and pump screens.

WATER METERS

9.0

- (1) **[deleted April 21, 2009]**
- (2) **[deleted April 21, 2009]**
- (3) **[deleted April 21, 2009]**

CAPACITY

10.0

- (1) The capacity of the Shore Drive sewer system will be limited to the wastewater flow volumes as approved by the Engineer, and as defined in the Certificate of Approval issued by the Nova Scotia Department of Environment and Labour, and subsequent amendments.

- (2) Each building service connection will be sized to handle an average annual daily flow of 1,000 litres.
- (3) Expansions in capacity and addition of building service connections will be based on the ability of the sewage treatment plant to hydraulically handle the increased flow, and continue to meet the effluent disposal requirements of the Certificate of Approval, and subsequent amendments.
- (4) No storm drainage nor other surface or ground water will be permitted to enter the Shore Drive sewer system.

PETITION

11.0 The approved petition of August 28, 2002 is binding on all owners of property located within the Shore Drive Wastewater Management District.

CHARGES

12.0

- (1) One-time building service connection charges for the ten (10) properties identified in the August 28, 2002 petition will be \$500.00.
- (2) One-time building service connection charges for other properties will be as determined by motion of Municipal Council, from time to time.
- (3) Annual charges for the owners of property in the Shore Drive Wastewater Management District will be in accordance with Section 44 of the Municipal Sewer By-law. **[amended April 21, 2009]**

PROHIBITION

13.0

- (1) No development of occupied property, as described by the Nova Scotia Building Code Regulations, N.S. Reg. 38/97, amended by, can take place in the Shore Drive Wastewater Management District unless the development is connected to the Shore Drive sewer system.
- (2) Holding tanks, as defined by the On-site Sewage Disposal Systems Regulations, N.S. Reg. 51/97, as amended, are not permitted to be installed or used in the Shore Drive Wastewater Management District.

EFFECTIVE DATE

14.0 This By-Law comes into force on October 8, 2003.

Annotation for Official By-law Book	Date of Adoption – Oct. 8, 2003, amended Apr. 21, 2009, July 30, 2014
Date of First Reading: Date of Advertisement - Notice of Intention	<u>June 24, 2014</u> <u>June 30, 2014</u>
Date of Second Reading: *Date of Advertisement of Amendments to By-law	<u>July 22, 2014</u> <u>July 30, 2014</u>
Date of mailing to Minister A Certified copy of By-law:	<u>July 30, 2014</u>
I certify that this “ <i>Shore Drive Wastewater Management District By-law</i> ” was adopted by Council and published as indicated above.	
_____ April Whynot-Lohnes, Municipal Clerk	_____ Date
*Effective Date of the By-law unless otherwise specified in the text of this By-law	

SCHEDULE "A"

Proposed
Shore Drive Wastewater Management District

ALL that lot of land and premises located at Conquerall Bank, in the County of Lunenburg, in the Province of Nova Scotia, and shown on a Plan of Survey 03-049, dated June 6, 2003, prepared by Turner Surveys, and being more particularly bounded and described as follows:

BEGINNING at a point marked by an iron pipe on the North limit of Public Highway No. 331, leading from Pleasantville to Bridgewater, said survey marker being a the Southwest corner of the now or former Conquerall Bank Fire Department property;

THENCE in a Westerly direction along the North limit of Public Highway No. 331 following a curve to the left having a radius of 222.309 m for an arc distance of 45.028 m to a point marking the end of a curve, a tie line between the last mentioned iron pipe and the end of curve being South 85° 18' 40" West 44.951 m;

THENCE South 79° 30' 31" West continuing along the North boundary of Public Highway No. 331, 36.656 m to a point marked by a survey marker (an iron bar with an identification cap);

THENCE South 79° 30' 31" West continuing along the North limit of Public Highway No. 331, 47.631 m to a point at the Southeast corner of Lot 3, the property of Kevin D. Oakes and Lillian M. Oakes, this point being located North 03° 16' 15" West 0.093 m from a survey marker found;

THENCE North 03° 16' 15" West along the East boundary of Lot 3, the Oakes property, 9.977 m to a point marked by a survey marker;

THENCE North 61° 57' 13" West along the Northeast boundary of Lot 3, the Oakes property, 13.722 m to a point marked by a survey marker at the most Northerly corner of Lot 3;

THENCE South 31° 08' 46" West along the Northwest boundary of Lot 3, the Oakes property, 7.292 m to a point marked by a survey marker;

THENCE South 29° 48' 17" West along the Northwest boundary of Lot 3, the Oakes property, 17.041 m to a point marked by a survey marker on the North limit of Public Highway No. 331;

THENCE North 79° 30' 31" West along the North limit of Public Highway No. 331, 55.509 m to a point marked by a survey marker;

THENCE South 79° 30' 31" West along the North limit of Public Highway No. 331, 62.914 m to a point marked by a survey marker at the Southeast corner of the Helen Crouse property;

THENCE North 40° 31' 34" East along the East boundary of the Helen Crouse property 18.464 m to a point marked by a survey marker on the South limit of Shore Drive, a Public Highway having Authority No. 640;

THENCE in a Northeasterly direction along the Southeast limit of Shore Drive following a curve to the left having a radius of 59.992 m for an arc distance of 48.020 m to a point marking the end of a curve, a tie line between the last mentioned survey marker and the point at the end of a curve being North 62° 55' 52" East 46.748 m;

THENCE North 40° 00' 04" East along the Southeast limit of Shore Drive 19.504 m to a point at the beginning of a curve;

THENCE in a Northeasterly direction along the Southeast limit of Shore Drive following a curve to the right having a radius of 440.694 m for an arc distance of 36.982 m to a point designated by the letter "A" on the aforementioned Plan of Survey and being at the end of a curve and the beginning of another curve, a tie line between the last mentioned beginning of curve and the point designated by the letter "A" being North 42° 24' 19" East 36.971 m;

THENCE in a Northeasterly direction along the South limit of Shore Drive following a curve to the right having a radius of 96.734 m for an arc distance of 112.384 m to a point designated by the letter "B" on the aforementioned Plan of Survey and being at the end of a curve, a tie line from point "A" to point "B" being North 78° 05' 29" East 106.169 m;

THENCE South 68° 37' 35" East along the Southwest limit of Shore Drive 18.344 m to a point designated by the letter "C" on the aforementioned Plan of Survey and being at the beginning of a curve;

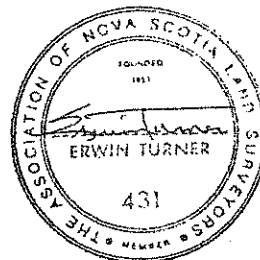
THENCE in a Southeasterly direction along the Southwest limit of Shore Drive following a curve to the right having a radius of 146.455 m for an arc distance of 17.743 m to a point designated by the letter "D" on the aforementioned Plan of Survey and being at the end of a curve, a tie line between point "C" and point "D" being South 65° 09' 20" East 17.732 m;

THENCE South 61° 41' 06" East along the Southwest limit of Shore Drive 20.525 m to a point designated by the letter "E" on the aforementioned Plan of Survey, and being at the beginning of a curve;

THENCE in a Southeasterly direction along the Southwest limit of Shore Drive following a curve to the right having a radius of 320.811 m for an arc distance of 30.486 m to a point designated by the letter "F" on the aforementioned Plan of Survey, being a found survey marker, and marking the Northwest corner of the now or former Conquerall Bank Fire Department property, a tie line between point "E" and point "F" being South 58° 57' 46" East 30.475 m;

THENCE South 12° 34' 14" West along the West boundary of the now or former Conquerall Bank Fire Department property 15.063 m to the point of beginning.

The lands herein described enclose the proposed Shore Drive Wastewater Management District and contain an area of 1.265 hectares more or less.



surface)

TO PLEASANTVILLE

NOTE: A CONVERSION FACTOR OF 0.3048 WAS USED TO CONVERT FROM FEET TO METRES.

THE PROPOSED SHORE DRIVE WASTEWATER MANAGEMENT DISTRICT HAS SEVERAL OVERHEAD SERVICE LINES CROSSING THE VARIOUS PROPERTIES WHICH WERE NOT LOCATED.

LEGEND

- | | | | |
|--------|--|------------|---------------------------------------|
| ○ S.M. | SURVEY MARKER
(an iron bar with identification cap) | ● R.P. | ROCK POST |
| Fd. | FOUND | ⊙ U.P. | UTILITY POLE |
| ○ I.B. | IRON BAR | △ N.S.C.M. | NOVA SCOTIA
CO-ORDINATE MONUMENT |
| ○ I.P. | IRON PIPE | T/L | TIE LINE |
| B.C. | BEGINNING OF CURVE | (calc.) | CALCULATED |
| E.C. | END OF CURVE | ————— | BOUNDARIES DEALT WITH
BY THIS PLAN |
| PID | PROPERTY IDENTIFICATION NUMBER | | |

VALUES SHOWN ARE NOT ADJUSTED. NO SCALE FACTOR WAS APPLIED.

SURVEY OF: APRIL 17 and JUNE 5, 2003

SCALE: 1:500

DRAWN BY: CATHY M. CROUSE

BEARINGS SHOWN ARE NOVA SCOTIA GRID NORTH (03° MODIFIED TRANSVERSE MERCATOR PROJECTION, CENTRAL MERIDIAN 64°30'W) 1979 ADJUSTMENT, AND WERE DERIVED FROM OBSERVATION ON N.S.C.M. No. 16268 AND N.S.C.M. No. 16269.

PLAN OF SURVEY

SHOWING THE PROPOSED SHORE DRIVE WASTEWATER MANAGEMENT DISTRICT LOCATED AT CONQUERALL BANK, LUNENBURG COUNTY, NOVA SCOTIA.

SURVEYOR'S CERTIFICATE

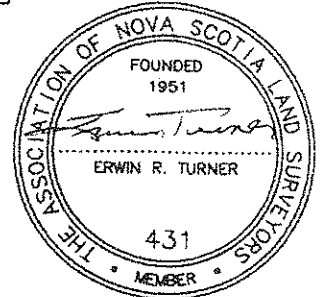
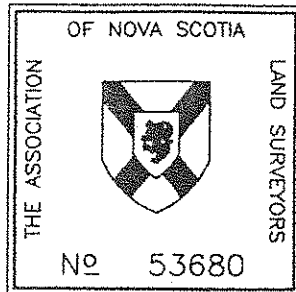
I, ERWIN R. TURNER Nova Scotia Land Surveyor, hereby certify that the survey represented by this plan was conducted under my supervision and that the survey and plan were made in accordance with the Nova Scotia Land Surveyors Act and regulations made thereunder.

Dated this 6th day of JUNE 2003

Erwin Turner

ERWIN R. TURNER

N.S.L.S. No. 431



HUBBARDS, N.S.
B0J 1T0

Ph. 857-3448



RR#2
BRIDGEWATER, N.S.
B4V 2W1

Ph. 543-8202

PLAN NO.

03-049

SCHEDULE "B"

FILE No. 03-039

SCHEDULE C

Shore Drive Wastewater Management District
Properties within Boundaries

PID Reference No.

60336294
60336278
60336260
60336302
60336328
60336252
60336336
60336245
60336237
60336229
60336310 193 Shore Drive

[amended July 30, 2014]