

BYLAW NO. 122-13

SUMMER VILLAGE OF BIRCH COVE

This is a Bylaw of the Summer Village of Birch Cove, in the Province of Alberta, to control and regulate the disposal of sewage within certain areas and on certain properties within the Summer Village.

WHEREAS, the Council of the Summer Village of Birch Cove may pass a bylaw for municipal purposes respecting the safety, health, welfare and the protection of people and property; and

WHEREAS, the Council of the Summer Village of Birch Cove wishes to protect the environment, human health, and safety from pollution, due to the disposal of sewage within the municipality; and

WHEREAS, certain properties within the Summer Village of Birch Cove are not currently serviced by an approved private sewage disposal system. These properties, as a result thereof, may pose a threat to the health and safety of the residents of the Summer Village of Birch Cove.

THEREFORE, the Council of the Summer Village of Birch Cove, in the Province of Alberta, duly assembled, enacts as follows:

1. In this bylaw:
 - (a) "approved private sewage disposal system" means a private sewage disposal system or private sewage disposal and treatment system which is installed and maintained in compliance with the provisions of the Safety Codes Act, Alberta Regulation 229/97, and the regulations thereunder;
 - (b) "owner" means the person or persons listed on title as the registered owner(s) at the time of the offence;
 - (c) "water system" means any system by which water is procured or stored for use upon the property, and includes without limiting the generality of the foregoing a well or tank;
2. Notwithstanding section 2 of this bylaw, by January 1, 2010 an approved private sewage disposal system shall be installed and maintained on all those properties within the Summer Village of Birch Cove which are serviced by a water system.
3. By January 1, 2012, an approved private sewage disposal system shall be installed and maintained on all those properties within the Summer Village of Birch Cove which are:
 - (a) Located within the corporate limits of the Summer Village of Birch Cove, whether or not such a property is serviced by a water system.
4. The owner of a property which contravenes this bylaw is guilty of an offence and liable:
 - (a) for the first offence, to a fine of \$500.00;
 - (b) for the second offence, to a fine of \$1000.00; and
 - (c) for the third and each subsequent offence, to a fine of \$2500.00; and in addition to those fines, for each offence the owner of the property is additionally liable to a fine of \$100.00 per day for each day, after January 1, 2012 that the property remains in contravention of this bylaw.
5. That this Bylaw repeals Bylaw # 92-09

READ A FIRST TIME IN COUNCIL	THIS 13 TH DAY OF SEPTEMBER 2013
READ A SECOND TIME IN COUNCIL	THIS 13 TH DAY OF SEPTEMBER 2013
READ A THIRD TIME IN COUNCIL AND DULY PASSED	THIS 13 TH DAY OF SEPTEMBER 2013

signed this 13th day of September, 2013.

Mayor Eugene Dugan

Municipal Administrator - Dennis Evans