

**SUMMER VILLAGE OF WHISPERING HILLS
BYLAW NO 96-08**

BEING A BYLAW TO CONTROL AND REGULATE THE TREATMENT AND DISPOSAL OF SEWAGE IN THE SUMMER VILLAGE OF WHISPERING HILLS

WHEREAS, THE Council for the Summer Village of Whispering Hills may pass bylaws for Municipal purposes respecting the safety, health, welfare and the protection of people and property; and

WHEREAS, the council for the Summer Village of Whispering Hills is concerned that non conforming sewage treatment and disposal systems, including the use of outdoor privies, may adversely affect water quality thereby posing a threat to the safety, health and welfare of residents and property within the community, including the negative effects it may have on the water quality of Baptiste Lake; and

WHEREAS, the council for the summer Village of Whispering Hills, for the safety, health, welfare and protection of the residents and property, wishes to pass a by-law to regulate the treatment and disposal of sewage generated on properties within the Summer Village on terms as set out in this by-law;

NOW THEREFOR, The Municipal Council of the Summer Village of Whispering Hills, in Council, duly assembled, enacts as follows:

In This bylaw:

1. “approved system” shall mean a private sewage system treatment system and disposal system which is installed and maintained in compliance with the provisions of the Safety Codes Act R.S.A 2000 C. S-1, the Alberta Private Sewage Systems Standards of Practice 1999, and any regulations there under or amendments thereto;
2. “Safety codes officer” means a person appointed pursuant to section 14 of the Safety Codes Act performing any or all of the duties of a safety codes officer.
3. “owner” shall mean the person or persons registered as the owner or owners of a parcel of land within the Summer Village of Whispering Hills.
4. “residential purposes” shall mean the use of a property as a home, abode or place where an individual or individuals inhabit a specific location for more that three days per year.
5. “commercial purposes” shall mean use of property ;which services the resource, agricultural based businesses.’
6. “private sewage disposal system” means an approved system for the treatment and disposal of sewage, including a septic tan and absorption field, that is not connected to a municipal sewage disposal system;
7. “privy” shall mean a physical structure, not attached to the principle dwelling, used for the purpose of sewage disposal whereby sewage is deposited in a water tight holding tank with a capacity of at least 175 liters;

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8. "Holding tank" means an approved tank designed to retain sewage or effluent until transferred into mobile equipment for disposal in a provincially approved manner elsewhere.
9. "Sewage" shall mean human excreta, or the water carried wastes from bathing, laundering, dishwashing or food processing.

Requirements:

1. On or before December 31, 2010, an approved system shall be installed and maintained on all properties, which are being used for residential, recreational or commercial purposes within the Summer village of Whispering Hills.
2. A recreational vehicle, trailer or other temporary residence used for residential purposes for three or more days per year shall be directly connected to an approved sewage treatment system.
3. At such time as a municipal sewage system becomes available to properties served by a private wastewater disposal system, a direct connection shall be made to the municipal sewer. All private septic tanks, cesspools or similar wastewater disposal systems shall be abandoned in a provincially approved manner.
4. A bylaw enforcement officer or any designated safety codes officer of the summer Village of Whispering Hills shall, subject to compliance with the requirements of Section 542 and 543 of the Municipal Government Act (Alberta) R.S.A., 2000, M-26, be entitled to enter any lands within the Summer Village for the purpose of carrying out an inspection to verify compliance with this bylaw.

Penalties:

1. Any owner of a parcel of land which contravenes this Bylaw is guilty of an offence and liable:
 - a. For the first offence, to a maximum fine of \$500.00;
 - b. For the second offence, to a maximum fine of \$1000.00 and
 - c. For the third and each subsequent offence, to a maximum fine of \$2500.00

Paramountcy (Overriding Principle)

- 1. If there is any discrepancy between this bylaw and another enactment or regulation under a statute of Alberta, the other enactment or regulation prevails over this bylaw.**

READ A FIRST TIME THIS 10TH DAY OF APRIL A.D. 2008

READ A SECOND TIME THIS 10TH DAY OF APRIL A.D. 2008

READ A THIRD TIME AND FINALLY PASSED THIS 10TH DAY OF APRIL A.D. 2008

MAYOR

ADMINISTRATOR

April 10, 2008