



CITY OF RICHMOND

REPORT TO COMMITTEE

TO: Planning Committee
FROM: A.L. (Rick) Bortolussi
Manager, Building Approvals Department
RE: BUILDING BYLAW NO. 6920
AMENDMENT BYLAW NO. 7214

DATE: February 22, 2001
FILE: 6400-06-01

STAFF RECOMMENDATION

That Building Bylaw Number 6920, Amendment Bylaw Number 7214 addressing Sewage Holding Tanks be introduced and given first, second and third readings, and

That Council Policy Number 9013 be rescinded.

A.L. (Rick) Bortolussi
Manager, Building Approvals Department

Att.(3)

FOR ORIGINATING DIVISION USE ONLY		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Development Applications	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Health Department	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Engineering	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Law	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	

STAFF REPORT

ORIGIN

The Vancouver/Richmond Health Department advised staff that it will not approve any new sewage holding tanks without the City of Richmond adopting a bylaw to regulate this alternate method of sewage disposal. The Manager, Development Applications submitted a report to Planning Committee last April recommending that staff bring forward a new bylaw to Council to provide for the regulation of sewage holding tanks.

ANALYSIS

Council adopted a policy on December 12, 1988, addressing some basic issues surrounding acceptance of Sewage Holding Tank Installations. The main purpose was to provide temporary pump-out facilities where an existing disposal field had malfunctioned. Such an installation would be accepted where City Sanitary Sewers would be available within one year. A copy of the Council policy is attached as **Appendix "A"**.

Owners who wanted to install a Sewage Holding Tank required Health Department approval. In addition to obtaining review and inspection approvals, owners required confirmation that the sewage would be accepted by a regional sewage treatment facility. To ensure that subsequent owners were adequately informed, the owner was also required to register a restrictive covenant on title stating that a sewage holding tank was being used. Twelve properties received approval to install a Sewage Holding Tank due to unusual circumstances or unique use of the property. See **Appendix "B"**, attached.

A sewage holding tank can be a viable alternative to on-site sewage disposal, however there is a significant financial impact on the owner for the cost of required regular pumping out of the sewage holding tank. The current policy took this into account by limiting the time for when the property would have available City sanitary services. For single family residences and for Commercial/Industrial use, sanitary sewer was to be available within 12 months. There was an additional option for Commercial/Industrial use to extend this time period under the condition that a restrictive covenant was registered on title. These measures limit the financial burden on the owner for the pump out costs. The approval decision process considered occupancies proposed with minimal sewage flows. It is to be noted that the provincial policy recommends against permitting a sewage holding tank for any residential use except in the case of a temporary repair to a malfunctioning sewage disposal system.

FINANCIAL IMPACT

The cost to the property owner for a regular pump out of the Sewage Holding Tank can be more costly, in the long term, than a sanitary sewer connection or a private on site sewage disposal system. Should the owner or subsequent owners be made aware of this type of sewage disposal method, they would have a clear understanding of their responsibility and any associated financial impact.

There will be additional revenue generated for the City to cover costs of issuing permits and applicable inspection activity. The approval procedure will be co-ordinated by Building Approvals Department. Upon completion of the installation, Health Department will monitor and enforce Health Act regulations. However the number of permit applications would not be a

significant amount based on only twelve properties to date having this type of sewage handling system.

CONCLUSION

The owner and any subsequent owners will be aware of the type of sewage handling system installed for the property with the requirement of having the owner register a restrictive covenant on title indicating that the property has a Sewage Holding Tank. The time frame is expanded for single family residence.. By establishing the same time period for all types of occupancies to three years until City sanitary services become available, will assist in facilitating additional property development and keep the on going pump-out maintenance cost reasonable for the property owner.

The Health Department requested that the City enact a bylaw regarding Sewage Holding Tanks to address when such systems can be used; frequency of pumping; charges and destination of final disposal of the sewage. This bylaw amendment will also assist in limiting the probability of health incidents from occurring due to economic or lack of regular maintenance concerns and meet Health Department concerns. It is recommended that Committee approve Building Bylaw No. 6920, Amendment Bylaw No. 7214 to provide control and consistency in the application of the sanitary sewer disposal.



A.L. Bortolussi
Manager, Building Approvals Department

ALB:

att.(3)



City of Richmond

Policy Manual

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Adopted by Council: Dec. 12/88

POLICY 9013

File Ref: 8350-00

SEWAGE HOLDING TANKS

POLICY 9013:

It is Council policy that:

1. Single Family Residences

Holding tanks will be approved only if sanitary sewer will become available within approximately 12 months.

2. Commercial/Industrial

a) A holding tank is acceptable provided sanitary sewer will be available within approximately 12 months, or

b) Where sanitary sewer will not become available within 12 months, a holding tank is acceptable provided a restrictive covenant is attached to the title stating that a holding tank is being used.

Furthermore, a holding tank is only acceptable if the sewage would be accepted by a regional sewage treatment facility.

3. Recreational/Institutional

a) Holding tanks will only be approved if the sewage flow can be accurately calculated and does not severely fluctuate.

b) If a holding tank is approved, a restrictive covenant will be required on the title to ensure prospective purchasers are aware that a holding tank is being used.

(Health Department, Environmental Division)

PROPERTIES WITH SEWAGE HOLDING TANKS

1. 6000 No. 5 Road, Arco Service Station
2. 7890 No. 5 Road, Cornerstone Baptist Church
3. 8200 No. 5 Road, Vedic Cultural Centre
4. 8600 No. 5 Road, India Cultural Centre
5. 8760 No. 5 Road, Jewish Day School
6. 10060 No. 5 Road, Lingyen Temple
7. 5440 No. 6 Road, Green Acre Tree Farm
8. 5460 No. 7 Road, Mayfair Golf Course
9. 12300 Blundell Road, BC Muslim Association Temple
10. 7271 Nelson Road, EMCO
11. 16060 Westminster Highway, Jones Nursery
12. 18071 Westminster Highway, TSC Nursery

Note: There are also several holding tanks installed for City owned washrooms located on the dikes and pump stations.

BUILDING BYLAW NO. 6920, AMENDMENT BYLAW NO. 7214

The Council of the City of Richmond enacts as follows:

1. Subsection 1.2 is amended by adding the following definitions in the appropriate alphabetical order:

BUILDING DRAIN	means that part of the lowest horizontal piping that conducts sewage , clear water waste or storm water to a building sewer ;
BUILDING SEWER	means a pipe that connects a building drain to a public sewer or private sewage disposal system or sewage holding tank ;
HAULING CONTRACT	means a contract with a pumping contractor for removing contents from a sewage holding tank and transporting same to a sewage treatment facility;
HEALTH HAZARD	means a condition or circumstance that has or may have an adverse effect on the health of a person.
PUMPING CONTRACTOR	means a person or company hired to remove the contents of sewage holding tanks and transport same to a sewage treatment facility;
SANITARY SEWER	means a pipe or conduit for conveying sewage ;
SEWAGE	means human excretion or the water carried wastes from drinking, culinary purposes, ablutions, laundering, food processing or ice producing.
SEWAGE DISPOSAL REGULATION	means the Sewage Disposal Regulation passed pursuant to the Health Act;
SEWAGE DISPOSAL SYSTEM	means a privately-owned plant for the treatment and disposal of sewage , including a septic tank with an absorption field;
SEWAGE HOLDING TANK	means a tank or series of tanks for storing sewage conveyed by a building sewer ;
SEWAGE HOLDING TANK SYSTEM	means the system for conveying sewage from a building to a sewage holding tank , including the building drain , building sewer , sewage holding tank , and all related components;

UNSANITARY CONDITION means seepage, leakage, overflow, or escape of **sewage** from a **sewage holding tank**.

2. The definition of "**Structure**" in subsection 1.2 is amended by adding the words "and includes a **sewage holding tank**" immediately preceding the clause which commences "but excludes landscaping, paving...".
3. Part 7A is added as follows:

PART 7A SEWAGE HOLDING TANKS

Permits for Sewage Holding Tanks

7A.1.1 The provisions of Part 5 apply, with the necessary modifications, to applications for a **permit to construct a sewage holding tank**.

7A.1.2 The **building inspector** may refuse to issue a **permit** for a **sewage holding tank** where:

- (a) a **City sanitary sewer** connection will not be available within three years of the date the **permit** for the **sewage holding tank** is issued; or
- (b) space is available on the property for a **sewage disposal system** after the maximum **building** footprint and minimum geotechnical requirements for the **building** are established.

Requirement for Registered Professional

7A.2.1 The **owner** must provide **professional design** and a **field review** in respect of a **sewage holding tank**.

7A.2.2 Prior to occupancy of a **building** served by a **sewage holding tank**, the **registered professional** carrying out the **professional design** and **field review** pursuant to subsection 7A.2.1 must submit a letter confirming that the **field review** has been conducted and that the **sewage holding tank** substantially complies in all material aspects with the applicable requirements of the **Building Code, Sewage Disposal Regulation**, other applicable enactments and the plans and supporting documents submitted in support of the application for the **sewage holding tank permit**.

7A.2.3 The **owner** must submit a Letter of Assurance in the form of Schedule H, confirming that the **registered professional** holds required insurance which includes errors and omissions coverage and the particulars of the coverage.

Sewage Holding Tank Design

7A.3.1 A **sewage holding tank system** must be used for storage only and receive all the **sewage** generated from the **building** to which it is connected.

7A.3.2 The **sewage holding tank** design must:

- (a) conform to the **Sewage Disposal Regulation** and related policy; and

(b) be submitted with the **permit** application to the **building inspector** for approval.

Sewage Holding Tank Capacities

7A.4.1 **Sewage** flows for any **sewage holding tank** must conform to the **Sewage Disposal Regulation**. Where the proposed **building** is not referenced in the **Sewage Disposal Regulation**, the estimated daily sewage flow may be calculated using flows deemed appropriate by the **building inspector**.

7A.4.2 The volume of any **sewage holding tank** must be a minimum of seven times the gallons per day or litres per day indicated in the **Sewage Disposal Regulation**.

Technical Requirements

7A.5 All **sewage holding tanks** must:

- (a) be **constructed** of reinforced fibreglass or concrete;
- (b) have a sloped or rounded bottom to allow for the complete removal of contents;
- (c) when installed partially or completely below grade, have a support slab underneath and non-corrosive hold down straps;
- (d) have a minimum 50-millimetre (2-inch) vent connected to the top portion of the tank and terminated in accordance with the **Building Code**;
- (e) maintain ready access to the pump-out opening in all weather conditions;
- (f) be located outside of any **building** or **structure** and in an area accessible to pumping trucks;
- (g) be located so as to minimize the impact on adjacent properties regarding noise and odours associated with pumping; and
- (h) have a method acceptable to the **building inspector** for determining the effluent level within the **sewage holding tank**.

Hauling Contract

7A.6.1 Every **owner** of property served by a **sewage holding tank** must maintain a **hauling contract** with a licenced **pumping contractor** which identifies the location for discharge of the contents of the **sewage holding tank** and a copy of the current **hauling contract** must be deposited with the **City**.

7A.6.2 A **hauling contract** must not be modified or cancelled without the prior approval of the **building inspector**.

7A.6.3 The **owner** and **pumping contractor** must maintain a log of frequency and volume of pumping and hauling which must be made available to the **City** upon request.

Leaks and Overflows

7A.7.1 If the **City** is made aware that the **sewage holding tank system** is overloaded or has leaked or overflowed and the **pumping contractor** cannot or will not perform the work, or the **pumping contractor** cannot be contacted, then the **City** may arrange for pump-out and clean-up and the costs will be charged to the **owner**.

7A.7.2 If the charges levied under subsection 7A.7.1 remain unpaid on December 31 in any year, they shall be added to and form part of the taxes payable on the land as taxes in arrears.

Indemnity and Insurance

7A.8.1 The **owner** of property served by a **sewage holding tank** must indemnify the **City** from any loss or damage caused directly or indirectly by the installation, operation or maintenance of the **sewage holding tank** and maintain adequate insurance coverage for this indemnity.

7A.8.2 The insurance policy referred to in subsection 7A.8.1 must be endorsed to add the **City** as an additional named insured and contain a provision requiring that at least thirty days' notice be given to the **City** prior to cancellation or expiry.

Covenant

7A.9 For every **sewage holding tank system** installation, a covenant must be registered against the title to the land in question in accordance with section 219 of the Land Title Act providing that:

- (a) the **owner** will maintain a **hauling contract** with a licenced **pumping contractor** at all times and deposit a copy of the current contract with the **City**;
- (b) if the **City** is made aware that the **sewage holding tank system** is overloaded or has leaked or overflowed and the **pumping contractor** cannot or will not perform the work, or the **pumping contractor** cannot be contacted, then the **City** may arrange for pump-out and clean-up and the costs will be charged to the **owner**. If the charges remain unpaid on December 31 in any year, they shall be added to and form part of the taxes payable on the land as taxes in arrears;
- (c) the **owner** will indemnify the **City** from any loss or damage caused directly or indirectly by the installation, operation or maintenance of the **sewage holding tank** and maintain adequate insurance coverage for this indemnity. The policy will be endorsed to add the **City** as an additional named insured and contain a provision requiring that at least thirty days' notice be given to the **City** prior to cancellation or expiry.

Prohibitions

7A.10.1 An **owner** must not:

- (a) connect roof downspouts, exterior foundation drains, areaway drains, or other sources of surface run-off or ground water to a **building sewer** or **building drain** which is connected, directly or indirectly, to a **sewage holding tank**;
- (b) modify, expand, or otherwise alter a **sewage holding tank system** without prior approval of the **building inspector**;
- (c) install any form of bypass or overflow, either temporary or permanent, of a **sewage holding tank**;
- (d) cause or permit an **unsanitary condition** to exist.

7A.10.2 A **person** must not wilfully or negligently break, damage, destroy, uncover, deface, or tamper with any **structure**, appurtenance, or equipment which is part of any **sewage holding tank system**.

4. Part 11 is amended by adding the following:

11.1.3 With respect to **construction** of a **sewage holding tank**, the **owner** must give at least twenty-four hours' notice to the **building inspector** in order to obtain an inspection of the **construction** after:

- (a) the concrete base and **sewage holding tank** including hold down straps are in place, and the inlet pipes have been installed, but prior to backfill;
- (b) backfill has been completed and the pump out access and level indicator have been installed.

5. Schedule A is amended by adding the following:

A1.4 The non-refundable plan processing fee for a **permit application to construct a sewage holding tank**: \$ 125

6. Schedule B is amended by adding the following:

B.13 Sewage Holding Tank Permit Fee \$ 250

7. This Bylaw is cited as "**Building Bylaw No. 6920, Amendment Bylaw No. 7214**".

FIRST READING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept.
APPROVED for legality by Solicitor

MAYOR

CITY CLERK