

BYLAW NO. 8-2002

A BYLAW OF THE CITY OF LLOYDMINSTER IN THE PROVINCES OF SASKATCHEWAN AND ALBERTA TO REPLACE BYLAWS 11-72 AND 31-69, AND TO REGULATE PLUMBING AND DRAINAGE WITHIN LLOYDMINSTER CORPORATE LIMITS

WHEREAS, Section 6 of *The Saskatchewan Public Health Act, 1994* provides the Saskatchewan Lieutenant Governor in Council to appoint Lloydminster City Council as the local authority;

AND WHEREAS the Saskatchewan lieutenant Governor by Order-in-Council 808/96 has appointed Lloydminster City Council the limited power and responsibility to administer and enforce *The Plumbing and Drainage Regulations, 1996* within the corporate limits of the municipality;

THEREFORE, THE COUNCIL OF THE CITY OF LLOYDMINSTER in the Provinces of Saskatchewan and Alberta enacts as follows:

**PART I
General**

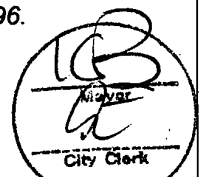
Title

1. This Bylaw shall be known as "The Lloydminster Plumbing and Drainage Bylaw".

Interpretation

2. (1) *The Saskatchewan Plumbing and Drainage Regulations, 1996* and as amended from time to time, shall apply to and govern all plumbing and drainage in the City of Lloydminster, except as may be altered or revised hereinafter.

(2) Unless otherwise provided for in the Act, the Saskatchewan Plumbing and Regulations or *Canadian Plumbing Code, 1990*, words and expressions used in this Bylaw that are defined in those Act, Regulations or Code have the same meaning in this Bylaw.
3. In this Bylaw:
 - a) "Act" means *The Saskatchewan Public Health Act, 1994*.
 - b) "City" means the City of Lloydminster, in the Provinces of Saskatchewan and Alberta.
 - c) "Code" means the *Canadian Plumbing Code, 1990* adopted pursuant to section 34 of *The Saskatchewan Plumbing and Drainage Regulations, 1996*, including the amendments mentioned in subsection 34(1).
 - d) "Council" means the Council of the City.
 - e) "Plumbing Inspector" means the Building and Development Officer or other duly authorized employees or agents appointed by City Council to act for or carry out the duties of the Plumbing Inspector to the extent that authorization is given.
 - f) "Regulations" means *The Saskatchewan Plumbing and Drainage Regulations, 1996*.



Enforcement and application

4. The Building and Development Officer, or any duly authorized employees or agents by City Council to act for or carry out the duties of the Plumbing Inspector, shall be responsible for the enforcement of this Bylaw and the Regulations in its jurisdictional area.

Appointment of inspectors

5. City Council shall appoint the Building and Development Officer, or any other specified employees or contracted agents authorized by City Council to act as a plumbing inspector for its jurisdictional area.

Permit required

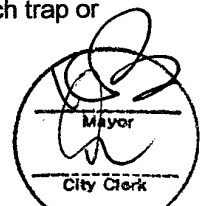
6. (1) No person shall establish, construct, extend, renovate, alter or repair a plumbing system or private sewage works, or connect a plumbing system to a communal sewage works or communal waterworks, except under the authority of a plumbing permit.
- (2) Subsection (1) does not apply to:
 - a) the repair or replacement of a valve, faucet or fixture;
 - b) the repair of a leak;
 - c) forcing out a stoppage where no change in the piping is required; or
 - d) the installation of a water treatment device, underground sprinklers, or a domestic dishwashing machine or laundry machine.
- (3) Subsection (1) does not apply to a mobile home, trailer or manufacture structure where the unit has been approved by the Canadian Standards Association as complying with the applicable standard.
- (4) A plumbing permit is not required to connect a mobile home or trailer to any waterworks or sewage works in a mobile home park.
- (5) A plumbing permit ceases to be valid if the work for which it is issued is not commenced within six months of the date of issue.

Application for permit

7. A person who is required to hold a permit shall apply for the permit to the City in the form provided by the City.

Information to accompany permits

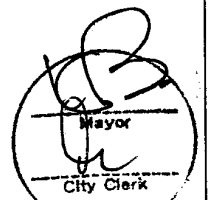
8. (1) An application for a plumbing permit, excepting a plumbing permit pertaining to a single dwelling unit, must be accompanied by:
 - a) a specification or sectional drawing of the proposed work; and
 - b) where more than five fixtures are to be installed:
 - i) A plan that shows the location and size of each building drain and of each trap or inspection piece that is on the building drain; and



- ii) A sectional drawing that shows the size and location of each soil-or-waste pipe trap and vent pipe, and the material of which it is made.
- (2) Where a plumbing permit has been issued on the basis of an application accompanied by materials required pursuant to subsection (1), the permit holder must carry out the work in a manner consistent with the information contained in those materials, unless the Plumbing Inspector gives his prior written approval for a deviation.

Issuance of permits

9. (1) Where an application has been made for a plumbing permit, the Plumbing Inspector may:
- a) issue the permit, subject to any reasonable terms or conditions; or
 - b) refuse to issue the permit.
- (2) Without restricting the generality of clause (1)(b), the Plumbing Inspector may refuse to issue a permit to a person who:
- a) has not paid any fee required pursuant to these regulations;
 - b) at the time of applying for the permit, has a defective work of plumbing installation outstanding;
 - c) has submitted an incomplete application, or an application that contains false or misleading information; or
 - d) demonstrates an inability to perform the work of plumbing installation in a manner that is safe and acceptable in the opinion of the Plumbing Inspector.
- (3) Subject to subsections (4), a permit may only be issued to:
- a) a person who possesses a certificate of qualification as a journeyman plumber issued by either the Province of Saskatchewan or Alberta, a person who possesses an interprovincial certificate of journeyman qualification, or a person or firm employing one or more of those persons, where the plumbing is to be done in a city;
 - b) a person or firm mentioned in clause (a), or a person who possesses a second-class plumber's certificate issued by either the Province of Saskatchewan or Alberta before September 1, 1986, where the plumbing is to be done in the City, other than the City, that has a communal sewage works or communal waterworks in operation or under construction; or
- a person or firm mentioned in clause (a) or (b), or a person who possesses a special permit for plumbing issued pursuant to *The Apprenticeship and Trade Certification Act* and the regulations made pursuant to that Act and who is acceptable to the City.
- (4) In addition to the persons who meet the requirements set out in sub-section (3), a permit to install a building sewer, water services or a private sewage works may be issued to a sewage, water or plumbing contractor who has been found to be a qualified person by the City.



Mayor

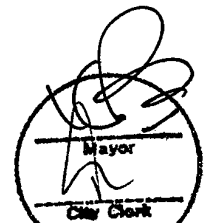
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Permit fees

10. (1) In this section "fixture" does not include a floor drain, hot water tank, water treatment device, underground sprinkler system, or a domestic dishwashing machine or laundry machine.
- (2) The fee for a plumbing permit shall be as set out in Appendix 'A'.
- (3) Where a permit to perform work is not obtained before the work is commenced, the fee for the permit to perform the work is to be doubled, unless Council of the City is of the opinion that hardship or injustice would result from doubling the fee.
- (4) For the purposes of subsection (3) proof that a permit was obtained is the responsibility of the permit holder.
- (5) Where it is necessary to re-inspect an installation connected to a communal sewage works or a communal waterworks due to noncompliance with the standards imposed by the Saskatchewan Plumbing and Drainage Regulations, 1996 or the Code, the permit holder may be charged an additional fee, payable to the City, subject to subsection (2), to which the original fee was payable, equal to the lesser of:
 - a) the amount of the original fee; or
 - b) \$100.

Inspection

11. (1) A plumbing system or a private sewage works for which a permit is required pursuant to the Regulations and this Bylaw:
 - a) may be inspected or tested by the City at any time; and
 - b) shall not be put into use until permission has been granted by the Plumbing Inspector.
- (2) A permit holder who has executed work for which a permit has been issued shall notify the Plumbing Inspector when the work is ready for inspection and testing.
- (3) The permit holder shall provide the equipment, material, power and labour that is required for the inspection and testing.
- (4) The permit holder, or a representative of the permit holder who possesses qualification acceptable to the City, shall be present at the time of the inspection.
- (5) No part of the plumbing system or the private sewage works is to be covered until permission is granted by the City.
- (6) If any part of the plumbing system or the private sewage works is covered before permission is granted, the permit holder shall uncover it if the Plumbing Inspector so directs.
- (7) If any part of the plumbing system or the private sewage works is not approved by the Plumbing Inspector:
 - a) the permit holder shall make any necessary alterations, connections or replacements; and



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- b) the work is subject to any further inspection and testing that the Plumbing Inspector considers necessary.

Existing system

- 12. (1) The Plumbing Inspector may:
 - a) inspect an existing plumbing system or private sewage works; and
 - b) if, in the opinion of the Plumbing Inspector, the plumbing system or private sewage works is faulty or defective, require the owner of the plumbing system or the private sewage works to subject it to a test satisfactory to the Plumbing Inspector.
- (2) Where a test required pursuant to subsection (1) indicates that an existing plumbing system or private sewage works is faulty or defective, the owner shall make any repair, alteration or replacement that the Plumbing Inspector considers necessary.

Certificates of approval

- 13. (1) If requested, a certificate of approval shall be issued to the owner and the permit holder when a plumbing system or private sewage works has been found satisfactory on its final inspection, except where the plumbing system is certified by the Canadian Standards Association.
- (2) A certificate of approval for the plumbing system of a manufactured structure, mobile home or trailer constructed in Saskatchewan or Alberta that is not certified by the Canadian Standards Association is to be issued by the Plumbing Inspector in a form provided by the City, and is to be affixed to the drain or stack in the interior of the structure so as to be readily visible during final inspection.

Responsibility remains with permit holder

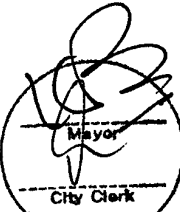
- 14. Notwithstanding the issuance of a permit, the approval of plans or specifications, approval on a test or inspection, or any other act or bylaw of the City, the permit holder shall ensure that all work undertaken pursuant to the Regulations or this Bylaw complies with the requirements of the Act, the Regulations and the Code.

Permitted deviations

- 15. The Plumbing Inspector may authorize deviations from the requirements established by these regulations where the plumbing system of a building, trailer, manufactured structure or mobile home that is in existence at the time the Regulations come into force is altered, repaired or renovated, if the deviation is necessary in the opinion of the Plumbing Inspector, and if the deviation poses no danger to public health or safety.

Alternative materials and methods

- 16. Notwithstanding any other provision of this Bylaw or the Regulations, an alternative material or method of construction may be used with the prior written authorization of the Plumbing Inspector, if the Plumbing Inspector is satisfied that the alternative material or method of construction provides a level of protection to public health and safety at least equivalent to that provided by the material or method of construction otherwise required by the Regulations or Code.



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Compulsory installation of fixtures

17. (1) The owner of any building that is situated on property abutting a municipal water main or municipal sewer main shall, within 60 days of receiving notice from City Council:
- a) install in the building, at his or her own expense, a water closet and sink or lavatory, and any other fixtures the council considers necessary; and
 - b) cause them to be connected to the municipal water main or municipal sewer main, as the case may be.
- (2) Where there is a public washroom in a building mentioned in subsection (1), the owner shall provide a hot water supply to the public washroom.

Connection to sewage works

18. (1) The owner of any building in which plumbing fixtures are installed shall ensure that the fixtures are connected to the municipal sewer main, but not roof or other storm water.
- (2) Pursuant to the Regulations and Code, multi-dwelling units situated within a building located entirely upon one unsubdivided parcel of land may be serviced by a common water service pipe, a common building drain and a common water service pipe extending to the water main and to the sewer main. Upon any conventional or bareland condominium subdivision of the parcel of land (except under The Condominium Property Acts of the Province of Saskatchewan or Alberta) so that the building containing the multi-dwelling unit is no longer situated entirely upon one unsubdivided parcel of land, then a separate water service pipe, a separate building drain and a separate water service pipe extending to the water main and to the sewer main must be installed for each portion of the building containing row houses that is located on a separate parcel of land.

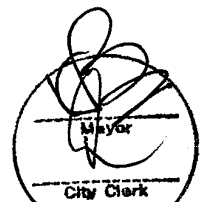
PART II Sewage Works

Application of Part

19. (1) The rules set out in this Part apply to the construction or operation of a commercial and industrial business connected to the City sewerage system.
- (2) The rules for private sewage works shall be as set out in the Regulations and Code.

Interceptors

20. Grease, oil and sand interceptors shall be provided on private property for all commercial or institutional food preparation, commercial or industrial garages, gasoline service stations and vehicle and equipment washing establishments. Interceptors will be required for other types of business when in the opinion of the Plumbing Inspector they are necessary for proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity required by the Regulations and Code and shall be so located as to be readily and easily accessible for cleaning and inspection. Where installed all grease, oil and sand interceptors shall be maintained by the occupant at his expense in continuously efficient operation at all times.



Blockage

21. In case any blockage, either wholly or in part, of said sewerage system is caused by reason of failure, omission or neglect to comply strictly with the foregoing provisions, the owner, proprietor or occupier concerned therein shall, in addition to any penalty for infraction of the provisions hereof, be liable to the City for all costs of clearing such blockage and for any other amount for which the City may be held legally liable because of such blockage.

Abandonment of private services

22. (1) The owner of any private sewerage system to be abandoned shall, at the owner's expense, install a capping device approved by the City on the pipe leading from the sewer service at a suitable location within the property so that:
- a) storm water and sewage will not back up into the property;
 - b) soil or subsurface water will not enter the City sewerage system.

PART III

Mobile Home Park Water and Sewer Services

23. The owner of a mobile home park containing mobile homes or trailers in which plumbing fixtures are installed shall ensure that the fixtures are connected to the City sewage works in accordance with the requirements under the Regulations.

PART IV Enforcement

Inspection, investigation, inquiry, search

24. (1) For the purposes of enforcing and administering the Regulations, Code, or this Bylaw made pursuant to the *Public Health Act, 1994*, a Plumbing Inspector, or other duly authorized employees or agents of the City may carry out his duties pursuant to section 53 of the Act.
- (2) Where the Plumbing Inspector or other duly authorized employees or agents of the City form the opinion that a contravention has been made to the Regulations, Code or this Bylaw, an order may be made pursuant to the Act.

Contents of orders

25. Except as otherwise provided in the Act, the Regulations or this Bylaw made pursuant to this Act, an order made pursuant to the Act:
- a) must be in writing;
 - b) may specify time limits for commencing any action required by the order and for complying with the order or any portion of the order;
 - c) may specify the manner, method or procedures to be used in complying with the order;
 - d) may be revoked, suspended or amended by the person who made the order or by another person acting in the same capacity.


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Service orders

26. (1) Except as otherwise provided in the Act, the Regulations or this Bylaw made pursuant to the Act, an order made pursuant to the Act must be served on the person to whom it is directed.
- (2) An order may be served personally or mailed by registered mail to the last known address of the person being served.
- (3) An order served by registered mail is deemed to have been received on the seventh day following the day of its mailing, unless the person to whom it was mailed establishes that, through no fault of that person, the person did not receive the order or received it at a later date.

Default

27. (1) Where a person to whom an order pursuant to the Act is directed fails to comply with the order, the person who made the order may carry out the actions specified in the order and recover the cost of doing so from the person to whom the order was directed.
- (2) For the purpose of recovering the costs mentioned in subsection (1), the person who made the order may commence an action against the person to whom the order was directed.
- (3) Where the order was made by City Council and the person to whom the order was directed owns real property that is located within the City, the costs may be added to the tax payable on the property and collected in the same manner as taxes on the property.

Injunction

28. (1) Where a person to whom an order pursuant to the Act is directed fails to comply with the order, the City may apply to the Court of Queen's Bench for an order requiring the person to whom the order is directed to comply with the order.
- (2) An application pursuant to subsection (1) is to be made by notice of motion, a copy of which must be served on the person to whom the order is directed.

Offence and penalty

29. Every person who contravenes any provision of the Act, the Regulations, or this Bylaw or order made pursuant to the Act is guilty of an offence and liable on summary conviction:
- a) in the case of an individual:
- i) for a first offence:
- a) to a fine of not more than \$75,000; and
- b) to a further fine of not more than \$100 for each day during which the offence continues; and
- ii) for a second or subsequent offence:
- a) to a fine of not more than \$100,000; and
- b) to a further fine of not more than \$200 each day during which the offence continues; and



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b) in the case of a corporation:

i) for the first offence:

a) to a fine of not more than \$100,000; and

b) to a further fine of not more than \$1,000 for each day during which the offence continues; and

ii) for a second or subsequent offence:

a) to a fine of not more than \$250,000; and

b) to a further fine of not more than \$5,000 for each day during which the offence continues.

Offences by corporations

30. Where a corporation is guilty of an offence mentioned in section 29, every officer, director, manager or agent of the corporation who directed, authorized or participated in the commission of the offence is also guilty of the offence and is liable on summary conviction to the penalties for the offence that are set out in section 29, whether or not the corporation has been prosecuted.

Limitation

31. No prosecution with respect to an alleged offence pursuant to the Act, the Regulations, or this Bylaw or orders made pursuant to the Act is to be commenced after two years from the day of the commission of the alleged offence.

THIS BYLAW shall repeal Bylaw No. 11-72 and Bylaw No. 31-69.

INTRODUCED AND READ a first time this 18th day of February, 2002, A.D.

READ a second time this 4th day of March, 2002, A.D.

READ a third time this 4th day of March, 2002, A.D.



MAYOR



CITY CLERK

BYLAW 8-2002

PLUMBING PERMIT FEE SCHEDULE For Residential & Non-Residential Installations			
Number of Fixtures	Permit Fee	Number of Fixtures	Permit Fee
1	\$35.00	51	\$302.00
2	\$38.00	52	\$306.00
3	\$47.00	53	\$309.00
4	\$56.00	54	\$313.00
5	\$64.00	55	\$317.00
6	\$71.00	56	\$321.00
7	\$79.00	57	\$324.00
8	\$86.00	58	\$328.00
9	\$94.00	59	\$332.00
10	\$101.00	60	\$336.00
11	\$107.00	61	\$339.00
12	\$113.00	62	\$343.00
13	\$118.00	63	\$347.00
14	\$124.00	64	\$351.00
15	\$129.00	65	\$354.00
16	\$135.00	66	\$358.00
17	\$141.00	67	\$362.00
18	\$146.00	68	\$366.00
19	\$152.00	69	\$369.00
20	\$158.00	70	\$373.00
21	\$162.00	71	\$377.00
22	\$167.00	72	\$381.00
23	\$172.00	73	\$384.00
24	\$176.00	74	\$388.00
25	\$181.00	75	\$392.00
26	\$186.00	76	\$396.00
27	\$190.00	77	\$399.00
28	\$195.00	78	\$403.00
29	\$200.00	79	\$407.00
30	\$204.00	80	\$411.00
31	\$209.00	81	\$413.00
32	\$214.00	82	\$414.00
33	\$218.00	83	\$416.00
34	\$223.00	84	\$418.00
35	\$228.00	85	\$420.00
36	\$233.00	86	\$422.00
37	\$237.00	87	\$424.00
38	\$242.00	88	\$426.00
39	\$247.00	89	\$428.00
40	\$251.00	90	\$429.00
41	\$256.00	91	\$431.00
42	\$261.00	92	\$433.00
43	\$265.00	93	\$435.00
44	\$270.00	94	\$437.00
45	\$275.00	95	\$439.00
46	\$279.00	96	\$441.00
47	\$284.00	97	\$443.00
48	\$289.00	98	\$444.00
49	\$293.00	99	\$446.00
50	\$298.00	100	\$448.00

Note:
Add \$1.00 fee for each fixture over 100.

