

PETERBOROUGH PUBLIC HEALTH

Board of Health

POLICY AND PROCEDURE

Section: Board of Health	Number: 2-170	Title: By-Law Number 8, Building Code Act – Sewage Systems
Approved by: Board of Health		Original Approved by Board of Health On (YYYY-MM-DD): 1998-03-11
Signature: _____		Author:
Date (YYYY-MM-DD): 2022-11-09		
Reference: Services Agreement for the Provision of Inspection Services Relating to Sewage Systems and Mandatory and Discretionary Sewage System Maintenance Inspections Building Code Act, 1992, S.O. 1992, c. 23 Ontario Building Code, O. Reg. 332/12		

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By-law Number 8 Building Code Act – Sewage Systems

Being a By-law to assume responsibility for administration and enforcement of the Building Code Act, as amended, and Regulations pursuant to the Building Code Act as it relates to sewage systems and matters of compliance.

WHEREAS Section 7 of the Building Code Act, 1992, as amended, empowers a Board of Health to pass certain by-laws respecting sewage system and change of use permits and inspections;

NOW THEREFORE Peterborough Public Health enacts as follows:

Definitions

In this By-law:

- 1.1 "Act" means the Building Code Act, 1992, including amendments thereto;
- 1.2 "authorized agent" means the agent of the owner who is authorized in writing by the owner to act on his or her behalf;
- 1.3 "building" means a building as defined in Section 1 (1) of the Act;
- 1.4 "Building Code" means the regulations made under Section 34 of the Act;
- 1.5 "Chief Building Official" includes an inspector who has the same powers and duties as the chief building official, (a) in relation to sewage systems by virtue of subsections 3.1(3) or 6.2(4) of the Act;
- 1.6 "Designated Inspector" means an inspector who has been appointed under Section 3.1, 4 or 6.2 of the Act;

1.7 "Discretionary Maintenance Inspection" means a Maintenance Inspection as set out in section 10.1.1 of Division C, Part 1 of the Building Code.

1.8 "Maintenance Inspection" means a maintenance inspection as defined in Section 1(1) of the Act;

1.9 "Mandatory Maintenance Inspection" means a Maintenance Inspection as set out in section 1.10.2 of Division C, Part 1 of the Building Code.

1.10 "owner" means the registered owner of land on which a sewage system is located or proposed to be located;

1.11 "permit" means written permission or authorization from an inspector to perform work authorized by this By-law and the Act;

1.12 "sewage system" means a sewage system as defined in Division A, Section 1.4.1.2 of the Building Code.

Permits

2.1 Classes of permits with respect to sewage systems and change of use of sewage systems and permit fees shall be as set out in Schedule "A" to this By-law.

Application for Permits

3.1 To obtain a sewage system permit, a revised sewage system permit or a change of use permit, the owner or an authorized agent shall submit a completed application in a form approved by the Designated Inspector. The approved form shall be available at the offices of Peterborough Public Health.

3.2 An application for a sewage system permit, a change of use permit or a revised sewage system permit shall be submitted to the Designated Inspector and shall:

3.2.1 identify and describe in detail the use and occupancy, or the proposed use and occupancy, of the lands and buildings to be serviced by a sewage system;

3.2.2 provide such sketch, scaled map of the site, site plan or survey as may be required by a Designated Inspector, and which will show the following:

a) the legal description, lot size and dimensions, existing rights of way, easements, municipal or utility corridors, driveways, parking areas, and the location of any unsuitable, disturbed or compacted areas;

b) the location of existing sewage systems, if any, and proposed sewage system;

c) size and design of proposed sewage system components;

d) the location of items listed in Column 1 of Tables 8.2.1.5., 8.2.1.6.A and 8.2.1.6.B of the Building Code; and

e) proposed access routes for system maintenance;

3.2.3 state the names, addresses and telephone numbers of the owner, and the authorized

agent, if any;

- 3.2.4 the name, address and telephone number of the person/firm installing or altering the sewage system;
- 3.2.5 where the person/firm named in 3.2.4 above requires qualifications under the Act or the Building Code:
 - a) the Building Code Identification Number (BCIN) of the person named in 3.2.4; and
 - b) the name and BCIN of the qualified person supervising the work to be done under the sewage system permit;
- 3.2.6 where the person who is to install or alter the sewage system is not known at the time of application the owner or authorized agent shall undertake to provide the information required in 3.2.4 and 3.2.5 above to the Designated Inspector as soon as it is available and, in any event, before any work is done under the permit;
- 3.2.7 provide test pits, as required by the Designated Inspector, for the evaluation of on-site conditions;
- 3.2.8 provide satisfactory evidence of compliance with municipal by-laws and Conservation Authority by-laws and regulations, when requested by the Designated Inspector;
- 3.2.9 such additional information as the Designated Inspector considers necessary to determine whether or not the proposed sewage system or change of use will conform to the requirements of the Act, the Building Code and any other applicable law;
- 3.2.10 in the application for a change of use permit, provide details of current and planned use and occupancy together with a sketch, site plan or survey and providing the information set out in 3.2.2;
- 3.2.11 provide detailed directions to the lands serviced or to be serviced from the nearest town, village or hamlet;
- 3.2.12 have an undertaking by the owner, or on behalf of the owner if the application is made by an authorized agent, to notify the Designated Inspector immediately of any changes of ownership if such change of ownership occurs before the permit is given final approval;
- 3.2.13 be signed by the owner or authorized agent who shall certify the truth of the contents of the application and any documents filed with the application;
- 3.2.14 be accompanied by the required fee; and
- 3.2.15 shall include any other information or details as required by the Act and the Building Code.

Fees for Permits and Service

- 4.1 Fees for permits and services are set out in Schedule "A" to this By-law and are due and payable upon submission of an application for a permit, or at the time of service delivery (for maintenance inspections).
- 4.2 In the case of withdrawal of an application, abandonment of all or a portion of the work or the non-commencement of a work the Designated Inspector shall determine the amount of paid

permit fees that may be refunded to the applicant, if any, in accordance with Schedule "B" attached to this By-law.

- 4.3 The Board of Health may review the fee schedule annually. In the event that the Board of Health needs to make changes to the fee schedule, it shall follow the process in section 7 of the Act and 1.9.1.2 of Division C of the Building Code, as well as the requirements of the *Services Agreement for the Provision of Inspection Services Relating to Sewage Systems and Mandatory and Discretionary Sewage System Maintenance Inspections*.

Notice Requirements

- 5.1 In the case of a sewage system permit or a revised sewage system permit the owner or the authorized agent shall notify the Designated Inspector:
 - a) when work will commence;
 - b) prior to back-filling over sewage system; and
 - c) on completion of work.
- 5.2 The owner or the authorized agent shall not back-fill over the sewage system until Designated Inspector has inspected and approved the installation or alteration.
- 5.3 A permit remains outstanding until:
 - a) it has been revoked by the Chief Building Official; or
 - b) in the case of sewage system permit or a revised sewage system permit, all work has been completed and the Designated Inspector or the Assistant Designated Inspector has noted completion; or
 - c) in case of a change of use permit the Designated Inspector has noted that he/she has no objection.

Change of Use

- 6.1 In the case of a change of use permit the owner shall not occupy or use or allow occupancy and use of lands where there is a material change in use without first obtaining a change of use permit.

Forms and Orders

- 7.1 The Designated Inspector may prepare and use such forms for permit applications, inspection reports, and approvals as he or she deems appropriate.
- 7.2 The Designated Inspector may prepare and use such forms for Orders which he or she is authorized to make under the Building Code Act as he or she deems appropriate.

Maintenance Inspections

- 8.1 Designated Inspectors of Peterborough Public Health shall provide all inspections, documentation, reporting and enforcement activities related to Mandatory and Discretionary Maintenance Inspections according to the requirements of the Act, the Building Code and the *Services Agreement for the Provision of Inspection Services Relating to Sewage Systems and Mandatory and Discretionary Sewage System Maintenance Inspections*.

Read a first time this 11th day of March, 1998.

Read a second time this 11th day of March, 1998.

Read a third time and passed at a meeting of the Board of Health for the Peterborough County-City Health Unit this 11th day of March, 1998.

Review/Revisions:

On (YYYY-MM-DD): 2001-09-07 (MOH)

On (YYYY-MM-DD): 2003-07-11 (MOH)

On (YYYY-MM-DD): 2006-03-09 (MOH)

On (YYYY-MM-DD): 2006-05-17 (Board)

On (YYYY-MM-DD): 2011-04-13 (Board, fee schedule only)

On (YYYY-MM-DD): 2013-03-13 (Governance)

On (YYYY-MM-DD): 2014-03-19 (Board, fee schedule only)

On (YYYY-MM-DD): 2015-05-19 (Governance)

On (YYYY-MM-DD): 2016-11-09 (Board, fee schedule only)

On (YYYY-MM-DD): 2017-06-14 (Board)

On (YYYY-MM-DD): 2020-09-09 (Board)

On (YYYY-MM-DD): 2022-09-11 (Board, fee schedule only)

Schedule A
Sewage System Fees

Service	Type	Fee
Sewage System Building Permits	Permit for Class 4 Sewage System, design capacity less than or equal to 4500 litres per day	\$1,000.00
	Permit for Class 4 Sewage System, design capacity greater than 4500 litres per day and less than 10,000 litres per day	\$1,450.00
	Permit for Class 4 Sewage System Tank Replacement Only	\$400.00
	Permit for Class 5 Sewage System (Holding Tank)	\$1,000.00
	Permit for Class 3 Sewage System (Cesspool)	\$500.00
	Permit for Class 2 Sewage System (Greywater System)	\$500.00
	Sewage System Permit for Trench Bed repair or extension of 16 metres or less	\$500.00
	Sewage System Permit for Filter Bed repair, replacement or extension of 6 square metres or less	\$500.00
Change of Use Permit (Existing)	Transfer of permit to a new owner	\$375.00
Change of Use Permit (Existing)	Existing System Inspection (Sewage Systems Permit for change of use or building addition, comments on minor variance, or rezoning)	\$400.00
Rezoning or Minor Variance	Rezoning or minor variance comments requiring a site visit	\$250.00
Severance or Subdivision Comments	First lot	\$350.00
	Each additional lot	\$150.00
Severance or Subdivision Re-inspection	First lot	\$350.00
	Each additional lot	\$150.00
Copies	Copies of Archived permits	\$35.00
File Search	File search (e.g., Lawyer, real estate), copies and letter	\$125.00
Mandatory Maintenance Inspections	Maintenance inspections of sewage systems	\$325.00
Discretionary Maintenance Inspections	Basic Inspections	\$200.00
	Advanced Inspections	\$325.00
	Additional Phase I Inspections	\$50.00

Schedule B

This is Schedule B to By-law Number 8 respecting refunds.

Status of Sewage Permit Application	Percentage of Fees Eligible for Refund
Application filed but there has been no processing or review of Application.	90%
Application filed, initial inspection of site and permit refused.	50%