

TOWN OF BIRCH HILLS

BYLAW NO. 22-2022

A BYLAW OF THE TOWN OF BIRCH HILLS TO PROVIDE FOR WEEPING TILE DISCHARGE STANDARDS

PART I – INTERPRETATION

1. SHORT TITLE

This Bylaw may be cited as the Weeping Tile Water Discharge Bylaw.

2. APPLICATION

This Bylaw shall apply to all residential dwellings and dwelling units within the Town of Birch Hills which have been constructed as of the date of final passing of this bylaw.

3. DEFINITIONS

- (a) "Approved" means permitted, inspected or approved by the governmental agency or another authority having jurisdiction over the subject matter to which the approval relates;
- (b) "Council" means the municipal Council of the Town of Birch Hills
- (c) "Dwelling" means any structure used or occupied or intended for supporting or sheltering any residential use;
- (d) "Owner" means a person who has any right, title, estate or interest in land or improvements other than that of a mere occupant, tenant or mortgagee;
- (e) "Weeping Tile Water Discharge System" means a system including sump, sump pump and related piping used to convey water collected by drainage in weeping tiles, eaves trough, roof spouts or foundation drain;
- (f) "Town" means Town of Birch Hills;
- (g) "Building Inspector" means the person appointed by Council, to perform the duties of this bylaw or any other bylaw or resolution of Council.

PART II - STANDARDS

- 4. The owner of every newly constructed dwelling shall install a Weeping Tile Water Discharge System such as to allow discharge to the surface at the front of the building in such a way that it drains off the property.
- 5. The Weeping Tile Water Discharge System shall be installed by the owner in such a manner as to comply with all town bylaws and policies and other applicable regulatory authorities and without causing excessive ponding or icing on public or private property.
- 6. The costs associated with installing a Weeping Tile Discharge System will be the sole responsibility of the owner.
- 7. The Weeping Tile Discharge System shall be inspected and approved by the Building Inspector upon giving 24 hours notice.
- 8. The standards for a Weeping Tile Water Discharge System as set forth in Schedule "A" to this Bylaw

shall be the standards for the Town of Birch Hills, and the said Schedule "A" is hereby enacted and adopted as a part of this Bylaw.

PART III – ENFORCEMENT

9. Enforcement of Bylaws

The administration and enforcement of this Bylaw is hereby delegated to the Town Building Inspector and the Chief Administrative Officer.

PART IV – OFFENCES AND PENALTIES

10. Any person in violation of this Bylaw shall be guilty of an offence and shall be liable upon summary conviction to a fine of not less than \$500.00 but not exceeding:
- (a) \$10,000.00 in the case of an individual;
 - (b) \$25,000.00 in the case of a corporation.

PART V – SEVERABILITY

11. If a court of competent jurisdiction should declare any section or part of a section of this Bylaw to be invalid, such section or part of a section shall not be constructed as having persuaded or influenced the Council to pass the remainder of the bylaw, and it is hereby declared that the remainder of the Bylaw shall be valid and shall remain in force and effect.
12. All fines imposed for an infraction of a bylaw shall, unless otherwise provided for, belong to the town for the public use and form part of the general revenue of the town.
13. This bylaw shall take effect upon the day which it is passed by the Council of the Town of Birch Hills.

Read a 1st time and approved Sept 28/22.

Read a 2nd time and approved Sept 28/22.

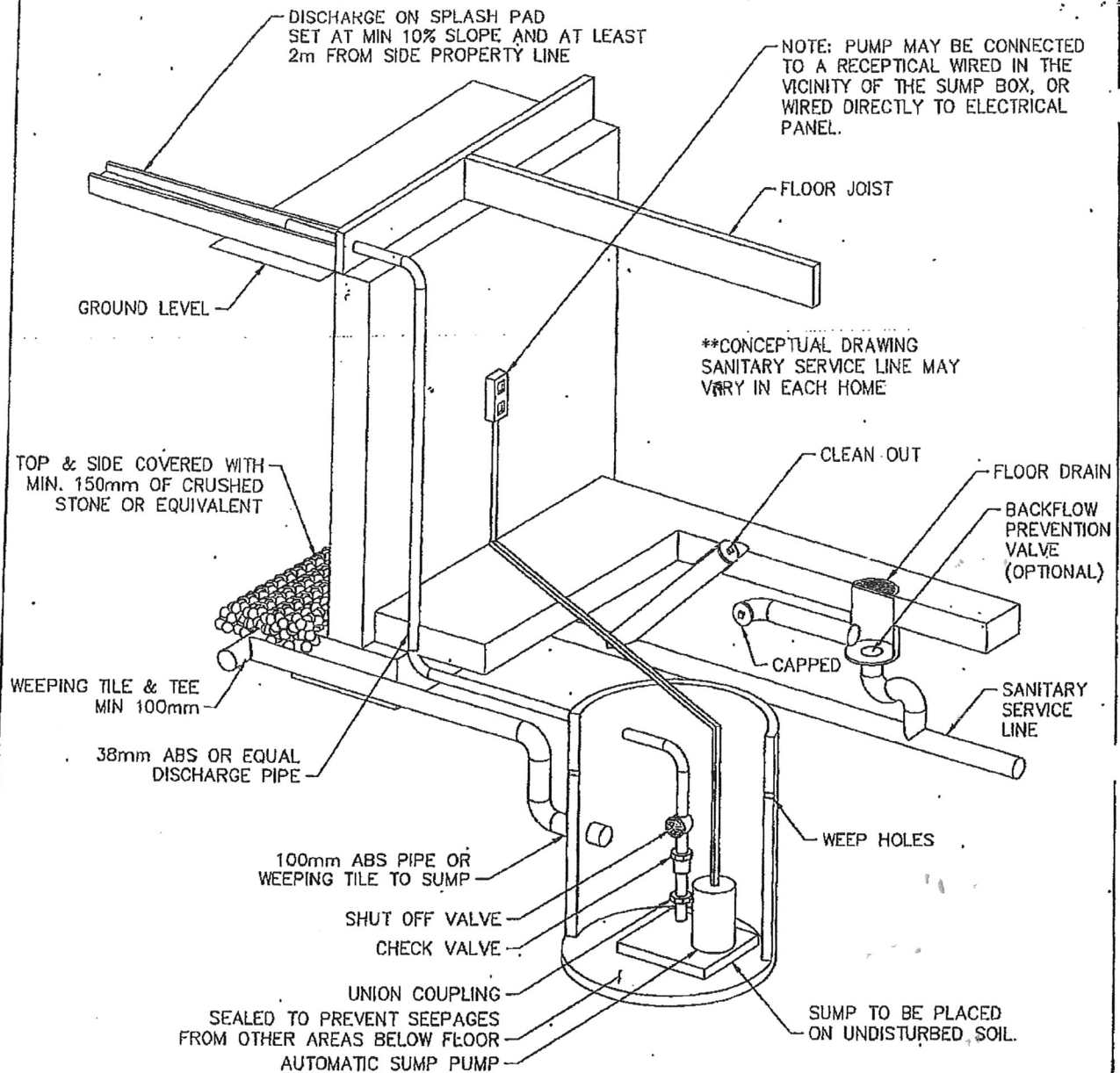
Read a 3rd time and approved Sept 28/22.



Read a third time and adopted
this 28th day of Sept 2022

Mayor

Chief Administrative Officer



CODE REFERENCE ON SUMP:
NATIONAL BUILDING CODE SECTION 9.14.2
FOUNDATION DRAINAGE
9.14.5.2 SUMP PITS

SUMP PIT MAY BE CONSTRUCTED OF:

- A) CONCRETE
- B) CORROSION RESISTANT STEEL
- C) PLASTIC

WHERE A SUMP PIT IS PROVIDED IT SHALL BE:

- A) NOT LESS THAN 750mm DEEP.
- B) NOT LESS THAN 0.25sq.m IN AREA, AND
- C) PROVIDED WITH A COVER.

REVISIONS		SUMP WITH PUMPED DISCHARGE TO SURFACE	APPROVED	
1			GENERAL MANAGER	P. ENG.
2			ENGINEER	
3			ENGINEER	
DRAWN BY _____ DATE _____			SCALES : HOR. NTS _____	
CHECKED BY _____ DATE _____		PLAN NO.		