

CHAPTER P-37.1 REG 14
The Public Health Act, 1994

Section 46

Order in Council 543/2011, dated September 8, 2011
(Filed September 9, 2011)

PART I

Preliminary Matters

Title

1 These regulations may be cited as The Private Sewage Works Regulations.

Interpretation

2(1) In these regulations:

- (a) "Act" means The Public Health Act, 1994;
- (b) "building" means a structure used or intended for supporting or sheltering any use or occupancy and includes an addition to an existing structure;
- (c) "building drain" means the lowest horizontal piping in a building, including any vertical offset that conducts sewage, clear-water waste or storm water by gravity to a building sewer;
- (d) "building sewer" means a pipe that is connected to a building drain one metre outside a wall of a building that leads to a communal sewage works or private sewage works;
- (e) "camp ground" means a parcel of land used or permitted to be used by the public for overnight stay as a camping or parking ground and that provides three or more spaces, whether or not a charge is made or paid for the use of the space;
- (f) "clear-water waste" means waste water with impurity levels that will not be harmful to health and may include cooling water and condensate drainage from refrigeration and air-conditioning equipment and cooled condensate from steam heating systems, but does not include storm water;
- (g) "communal sewage works" means any works used in the collection, storage, transmission, treatment or disposal of sewage for more than one property;
- (h) "drainage system" means an assembly of pipes, fittings, fixtures, traps and appurtenances used to convey sewage, clear-water waste or storm water to the property line, or to a private sewage works, but does not include a subsoil drainage pipe;
- (i) "effluent" means any waste that is discharged from a communal sewage works or private sewage works;
- (j) "industrial waste" means industrial waste as defined in The Environmental Management and Protection Act, 2002;
- (k) "institutional camp" means a camp operated or sponsored by any person, organization or service club for recreational purposes and includes a parcel of land on which is situated one or more tents, cabins or other buildings established or maintained as living quarters for 10 or more persons for

recreational purposes and for temporary occupancy of three or more consecutive days, whether or not a charge is made or paid for the use of the tents, cabins or other buildings;

(l) "lagoon" means a private sewage works that is a shallow, man-made pond used for the collection, storage or treatment of sewage, effluent or both;

(m) "lateral pipe" means a branch from the main pipe to the mobile home or trailer unit that is used to carry sewage from the mobile home or trailer unit to the branch sewer or sewer main;

(n) "manufactured structure" means a structure, all or a significant proportion of which is built at an off-site location, that is intended for permanent or year-round living or other use;

(o) "mobile home" means a manufactured structure, consisting of single or multiple modules, that is or may be equipped with running gear and that is intended for relocation;

(p) "mobile home park" means any area set aside for the parking of mobile homes;

(q) "permit" means a permit issued pursuant to section 7;

(r) "pit privy" means an outdoor toilet with a pit excavated beneath the structure for confining human excrement;

(s) "plumbing system" means the whole or any part of a drainage system, a venting system or a water system, but does not include a private sewage works;

(t) "private sewage works" means a privately owned sewage works, other than a pit privy or seepage pit, located on one property that is:

(i) intended to be used for the collection, storage, transmission, treatment or disposal of sewage, effluent or both that does not contain industrial waste; and

(ii) exempt from the requirement to have a permit pursuant to section 21 of The Environmental Management and Protection Act, 2002; but does not include the building drain or the sanitary drainage system upstream of the building drain;

(u) "provincial park" means a provincial park constituted pursuant to The Parks Act;

(v) "qualified person" means a person who is recognized by the local authority to have the equipment, experience and capability necessary to properly install or design a private sewage works;

(w) "recreational area" means:

(i) a camp ground, institutional camp or tourist camp;

(ii) a regional park;

(iii) a provincial park;

(iv) a commercial facility for the accommodation of persons who are intending to ski, fish, or swim, or be engaged in other recreational activities while using the accommodation; or

(v) a building, whether occupied on a permanent or temporary basis, being used or intended to be used for recreational purposes, whether privately or commercially;

(x) "regional park" means a regional park established pursuant to The Regional Parks Act, 1979;

(y) “residential area” means an area:

(i) that contains dwellings that are occupied, whether permanently or temporarily, or are intended for such occupation; and

(ii) that, in the opinion of the local authority, it is in the public interest to deal with as if it were a city, town, village, resort village or northern village because sewage or effluent associated with the occupation of those dwellings could present a risk to human health or to the environment;

(z) “sanitary drainage system” means a drainage system that conducts sewage;

(aa) “seepage pit” means an excavation, generally filled with coarse gravel or rock into which kitchen sink or hand-basin waste is discharged;

(bb) “septic tank” means a two-compartment tank of which the first compartment is a settling tank and the second compartment is a storage compartment for the effluent from the first compartment;

(cc) “sewage” means any liquid waste other than clear-water waste or storm water;

(dd) “sewage holding tank” means a tank designed to collect and hold sewage without treatment before it is transported to a final point of disposal;

(ee) “sewage works” means any works for the collection, storage, transmission, treatment or disposal of sewage;

(ff) “storm water” means water that is discharged from a surface as a result of rainfall or snowfall;

(gg) “subsoil drainage pipe” means a pipe that is installed underground to intercept and convey subsurface water;

(hh) “surface water” means water that is above the surface of land and in a river, stream, watercourse, lake, creek, spring, ravine, coulee, canyon, swamp, marsh or other body of water;

(ii) “tourist camp” means a parcel of land on which two or more cabins are situated whether or not tent or trailer spaces are provided, used or permitted to be used for the accommodation of the public and whether or not a charge is made or paid for the use of the cabins or spaces;

(jj) “trailer” means a structure designed to provide a temporary living accommodation for travel, vacation or recreational use and to be driven, towed or transported, having an overall length not exceeding 12.5 metres and an overall width not exceeding 2.6 metres, where the width is the sum of the distances from the vehicle centre line to the outmost projections on each side.

(2) In these regulations, a reference to a local authority with respect to a private sewage works is a reference to the local authority that has jurisdiction over the area in which the private sewage works is to be established, installed, constructed, extended, renovated, altered, repaired or operated.

Application of regulations

3 These regulations apply to the establishment, installation, construction, extension, renovation, alteration, repair or operation of a private sewage works.

PART II

Private Sewage Works

Permit required for private sewage works

4(1) Subject to subsection (2), no person shall establish, install, construct, extend, renovate, alter or repair a private sewage works, except pursuant to the authority of a permit.

(2) Subsection (1) does not apply to private sewage works within a structure, if the structure conforms to the following applicable standard:

- (a) the Canadian Standards Association standard Z240 MH Series-09, Manufactured Homes, as amended from time to time;
- (b) the Canadian Standards Association standard Z240 RV Series-08, Recreational Vehicles, as amended from time to time;
- (c) the Canadian Standards Association standard CAN/CSA-Z241 Series-03, Park Model Trailers, as amended from time to time; or
- (d) the Canadian Standards Association standard A277-08, Procedure for Factory Certification of Buildings, as amended from time to time.

Eligibility for permit

5(1) A person is eligible to apply for a permit if the person is found to be a qualified person by the local authority.

(2) In the case of the establishment, installation, construction, extension, renovation, alteration or repair of a private sewage works respecting a single family dwelling, the owner of the dwelling is eligible to apply for a permit if:

- (a) in the opinion of the local authority, the owner has demonstrated that he or she has the ability to complete the particular work being undertaken;
- (b) the dwelling is intended to be used exclusively for living quarters and will be occupied by the owner; and
- (c) in the case of a dwelling that is located in a city, town, village, resort village, northern village or residential area, the private sewage works includes only a sewage holding tank or septic tank.

Application for permit

6 A person who intends to establish, install, construct, extend, renovate, alter or repair a private sewage works shall:

- (a) apply to the local authority in a form acceptable to the local authority; and
- (b) provide the local authority with any information or material that the local authority may reasonably require.

Issuance of permits

7(1) If an application has been made for a permit, the local authority 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 local authority 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 failed to address outstanding deficiencies related to the establishment, installation, construction, extension,

renovation, alteration or repair of a private sewage works;
(c) has submitted an incomplete application or an application that contains false or misleading information;
(d) in the opinion of the local authority, has demonstrated an inability to perform the establishment, installation, construction, extension, renovation, alteration or repair of a private sewage works in a manner that is safe and acceptable;
(e) has failed to comply with the Act, these regulations or any terms or conditions of a permit; or
(f) has failed to make repairs or corrections that are directed by the local authority pursuant to these regulations.

Responsibilities of the permit holder

8(1) On the issuance of a permit, the permit holder must:

- (a) comply with the terms and conditions of the permit;
 - (b) undertake the work in accordance with the Act and these regulations.
- (2) If a permit has been issued on the basis of an application accompanied by materials required pursuant to these regulations, the permit holder must carry out the work in a manner consistent with the information contained in those materials, unless the local authority gives its prior written approval for a deviation.

Permit valid only for volumes anticipated

9 A permit is valid only for the volume of sewage anticipated at the time of installation of the private sewage works, and if the volume increases due to a change in the purpose for the building or additions to it, the owner of the private sewage works shall increase the capacity of or modify the works as may be required by the local authority.

Duration of permit

10 A permit ceases to be valid if the work for which the permit is issued is not commenced within six months after the date of issue.

Permit and reinspection fees

11(1) Subject to subsection (3), the fee for a permit is \$30.

(2) If it is necessary to reinspect a private sewage works due to non-compliance with the permit before the approval of a private sewage works, the permit holder may be charged an additional fee, payable to the same local authority to which the original fee was payable, equal to the lesser of:

- (a) the amount of the original fee; and
- (b) \$100.

(3) A local authority may set its own permit fees by bylaw passed pursuant to the Act.

(4) A local authority may enter into an agreement with a municipality regarding the issuance of permits and the retention of fees within the local authority's jurisdictional area.

(5) Subject to subsection (4), the local authority shall retain any fee set pursuant to this section that is paid to it.

(6) If 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 the local authority is of the opinion that hardship or injustice would result from doubling the fee.

(7) For the purposes of subsection (6), proof that a permit was obtained is the responsibility of the permit holder.

Inspection of private sewage works

12(1) A private sewage works for which a permit is required pursuant to these regulations:

(a) may be inspected or tested by the local authority at any time; and

(b) shall not be put into use until the local authority grants permission.

(2) A permit holder who has executed work for which a permit has been issued shall notify the local authority when the work is ready for inspection or testing.

(3) The permit holder shall provide the equipment, material, power and labour that is required for the inspection or testing.

(4) The permit holder, or a representative of the permit holder who possesses qualifications acceptable to the local authority, shall be present at the time of the inspection or testing.

(5) No part of the private sewage works may be covered until the local authority grants permission.

(6) If any part of the private sewage works is covered before permission is granted, the permit holder shall uncover it if the local authority directs the permit holder to do so.

(7) If any part of the private sewage works is not approved by the local authority:

(a) the permit holder shall make any necessary alterations, connections or replacements; and

(b) the work is subject to any further inspection or testing that the local authority considers necessary.

Existing private sewage works

13(1) The local authority may:

(a) inspect an existing private sewage works; and

(b) if, in the opinion of the local authority, the private sewage works is faulty or defective, require the owner of the private sewage works to subject it to a test satisfactory to the local authority.

(2) If a test required pursuant to subsection (1) indicates that an existing private sewage works is faulty or defective, the owner shall make any repair, alteration or replacement that the local authority considers necessary.

Certificates of approval

14 On the request of the owner of the private sewage works or the permit holder, a local authority shall issue a certificate of approval to the owner or the permit holder if the private sewage works has been found satisfactory on its final inspection.

Responsibility remains with permit holder

15 Notwithstanding the issuance of a permit, the approval of plans or specifications, approval on a test or inspection, or any other act of the local authority, the permit holder shall ensure that all work undertaken pursuant to these regulations complies with the requirements of the Act, these regulations and the permit.

Discharge of sewage

16(1) Except with the written approval of the local authority, no sewage or effluent is to be discharged:

- (a) into surface water;
 - (b) on to the ground surface or into the subsoil within the limits of any city, town, village, resort village, northern village or residential area, or within one kilometre of its boundary;
 - (c) into the subsoil within 10 metres of any dwelling;
 - (d) on to the ground surface within 30 metres of any dwelling;
 - (e) on to the ground surface or into the subsoil within 15 metres of a drilled well or within 30 metres of any other well or water supply used for domestic purposes; or
 - (f) into a storm sewer.
- (2) If a plumbing system includes fixtures such as a toilet, bath or shower, the private sewage works shall be designed and operated to receive all sewage, including kitchen, lavatory and laundry wastes, but not storm water.

Standards for tanks

17(1) With respect to the municipalities and areas mentioned in subsection (2), prefabricated septic or sewage holding tanks must conform to CAN/CSA-B66 for "Prefabricated septic tanks and sewage holding tanks", as amended from time to time, with the exception that an inlet baffle must not be an elbow fitting.

(2) Subsection (1) applies to:

- (a) a city, town, village, resort village, northern village or residential area;
- (b) an area that is a reservoir development area within the meaning of The Saskatchewan Watershed Authority Act, 2005; and
- (c) an area that is within 457 metres of the high water mark of a river, stream or other body of water and on which all or part of a recreational area has been or is being established.

(3) If a poured-in-place septic or sewage holding tank is of a design acceptable to the local authority, the tank may be used in locations other than the municipalities and areas mentioned in subsection (2).

Holding tanks and capacity

18(1) In this section, "trailer court" means a parcel of land on which two or more trailers are permitted to be parked, whether or not a charge is made or paid for the use of the parking space, but does not include a work camp or a mobile home park.

(2) Subject to subsection (3), private sewage works that consist of either a single sewage holding tank or more than one sewage holding tank must:

- (a) be of a design acceptable to the local authority; and
 - (b) have a total sewage holding capacity of at least 4,546 litres.
- (3) A sewage holding tank that is located within a trailer court and that is

connected to at least one trailer must have a capacity of at least 1,136 litres.

Accessibility

19 Septic tanks and sewage holding tanks must be accessible to vehicles providing sewage removal service.

Protection

20 Except for lagoons, all components of a private sewage works must have adequate protection from freezing and odours must be minimized.

Liquid wastes

21(1) In this section, "privy vault" means a storage or sewage holding tank placed under a toilet that is not connected to a plumbing system and that is intended to be used only for the confinement and storage of human excrement.

(2) Lagoons, package treatment plants, absorption fields, mounds, jet-type disposal systems, sewage holding tanks, privy vaults and other systems for the disposal or storage of liquid wastes may only be constructed or installed with the prior written approval of the local authority.

Application

22 An application for approval pursuant to section 21 must be accompanied by satisfactory evidence that the proposed disposal system has been designed by a qualified person.

PART III

Mobile Home Park Water and Sewer Services

Application of Part

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 a sewage works, waterworks or both, as the case may require, in accordance with the rules set out in this Part.

Branch water supply and sewers

24(1) The diameter of a horizontal branch sewer must not be less than four inches if the number of mobile home or trailer units using the branch sewer system does not exceed 25, and six inches if the number exceeds 25 but does not exceed 100.

(2) The minimum size water supply pipe for each main branch serving mobile homes or trailer units must be:

- (a) 1.5 inches where the length of the branch does not exceed 30 metres; and
- (b) two inches for lengths greater than 30 metres.

Minimum slope

25 The minimum slope of a sewer pipe must be 380 millimetres per 30 metres of length for four-inch pipe, and 200 millimetres per 30 metres of length for six-inch pipe.

Manholes

26(1) At every mobile home park, a manhole and an approved water supply must be provided for use at a trailer sewage disposal station.

(2) Except as provided in subsection (3), a manhole must be installed on horizontal sewers:

(a) at the junction of two or more branches; and

(b) at any change in direction.

(3) If the branch is less than 30 metres in length or the change in direction is less than 90°, a cleanout may be substituted for a manhole.

(4) A cleanout must:

(a) extend to the ground surface at an angle of not more than 45° from the horizontal; and

(b) be adequately protected and capped.

Connections

27 A connection between a branch sewer and a lateral pipe is to be made with a 45° Y fitting.

Lateral pipes

28(1) The lateral pipe size for each mobile home or trailer unit connection is to be not less than three inches.

(2) A lateral pipe must extend not less than 100 millimetres above the ground surface and the terminal must be protected by a metal casing or concrete mount.

(3) The terminal of lateral pipes must:

(a) be designed to allow connection to the mobile home or trailer unit drainage outlet; and

(b) be capped when not in use.

(4) The method and materials used for connection of the lateral pipes to the mobile home or trailer unit drainage outlet are to be approved by the local authority.

PART IV

Transitional and Coming into Force

Transitional

29 If, immediately before the coming into force of these regulations, a permit with respect to private sewage works is valid pursuant to The Plumbing and Drainage Regulations, those regulations continue to apply to the work done pursuant to that permit.

Coming into force

30(1) Subject to subsection (2), these regulations come into force on October 1, 2011.

(2) If these regulations are filed with the Registrar of Regulations after October 1, 2011, these regulations come into force on the day on which they are filed with the Registrar of Regulations.