

--Sewer-By-law-----

The council of the NECOSLIE Band of Indians at a meeting held this 19 day of October, 1970 makes the following by-law pursuant to paragraphs (f), and (r) of Section 80 and paragraphs (b) (f) and (g) of subsection (1) of Section 82 of the Indian Act.

BY-LAW No. 2

A by-law to provide for the construction and maintenance and the raising and expenditure of money for the support of the NECOSLIE Indian Reserve Sewer system in the Province of B.C.

- (1) In this by-law
 - (a) Manager means the person designated as such by the council for the purposes of this by-law;
 - (b) "council" means the council of the NECOSLIE Band of Indians
 - (c) "owner" means a member of the NECOSLIE Band of Indians who occupies any premises on the NECOSLIE Indian Reserve;
 - (d) " permit" means a permit issued under section 2 of this bylaw;
 - (e) " premises" means a house, multiple dwelling house, business block or other building constructed or under construction;
 - (f) " sewer" means the sewer mains, treatment plant, service pipes and fittings now laid and constructed and includes the sewer mains, service pipes and fittings which the council may lay and construct or cause to be laid and constructed to within three feet of any premises.
- (2) (a) Any owner who requires connection to the sewer system shall apply to the council in the form prescribed.
 - (b) The council shall, if it approves the application, issue to the owner a permit authorizing such owner to make, subject to the conditions contained therein, a connection to the sewer system.
- (3) Where any owner has been issued a permit the council shall, upon being notified by the owner in the form prescribed to commence excavations, extend or cause to be extended at a depth of at least three feet below the surface of the ground the service pipes such distance as it is necessary to convey the sewage from within 3 feet of the premises of such owner to the sewer main or manhole.

4. Where an owner is issued a permit and notifies the council to commence excavation, he shall
 - (a) Lay and construct or cause to be laid and constructed, at his expence, at a depth of at least -----³--- feet below the surface of the ground such pipes not less than 4" in diameter and fittings which, in the opinion of the manager are necessary to convey sewage from the premises to the sewer system and
 - (b) Install such traps, cleanouts, pipes, fittings and fixtures in, under or about his premises which, in the opinion of the manager, are necessary to control the sewage.
5. No owner shall be entitled to have sewage conveyed from his premises to the sewer system unless the manager has approved the installation and connection and such owner has paid to the council a service fee of \$100.00 for the sewer connection.
6. (a) The sewage conveyed from the premises of any owner to the sewer system shall be domestic sanitary sewage only unless the council otherwise consents in writing.
7. Every owner shall, at his expense, repair and maintain and keep repaired and maintained all pipes, fittings, trays and fixtures that he has laid, constructed or installed or has caused to be laid connected or installed for the purpose of conveying sewage from the premises to the sewer system.
8. The manager may enter the premises of any owner connected to the sewer system from time to time for the purpose of inspecting the pipes, fittings, traps and fixtures.
 - (b) If the manager is of the opinion that the pipes, fittings, traps and fixtures in the premises of any owner are defective or are in need of repair he shall serve upon the owner of such premises an order to remedy the defect.
9. (a) The order shall allow an owner to fix a reasonable time within which the owner is to comply with the directions contained therein
 - (b) The manager shall be the final judge as to whether the directions or directions contained in the order have been complied with.

10. (a) If the owner fails to comply with the order within the time specified therein, the manager shall make a report to the council.
(b) the council may direct that the supply of water to the premises referred to in the order be turned off until such time as the owner thereof has complied with the direction or directions contained therein.
11. Where the owner complies with the direction or directions contained in the order the council shall, upon payment by the owner of a service fee of \$ 5.00 direct that the water be turned on to the premises of such owner.
12. (a) the council may for the purpose of repairing and maintaining the sewer system or laying and constructing additions to or extending the sewer system shut off the water supply to the premises of any owner for such period of time as it considers necessary.
(b) The council or any member thereof shall not be liable for any damages that may result to any premises or to the owner of such premises from the turning off of water.
13. (a) Where any premises is connected to the sewer system the owner of such premises shall pay to the council the rates and charges fixed and determined from time to time by the council, except that the said rates and charges shall not be less than \$3.00 per month per owner
(b) The rates and charges shall be payable by the owner at the office of the manager on or before the fifteenth day of each month.
(c) The council may allow a discount of 10% to any owner who pays the sewer rates and charges in full on or before the due date.
14. Where new rates and charges are fixed and determined by the council the manager shall post a copy of such rates and charges in at least three conspicuous places on the NECOSLIE Indian Reserve.
15. (a) Where the owner of any premises neglects or refuses to pay, when due, the rates and charges for sewer services to his

- (b) Where the owner pays all rates and charges in arrears the council shall upon payment by the owner of a service fee of \$ 5.00 direct that the water be turned on to the premises of such owner.
16. Every owner shall be liable for payment of all charges and rates for sewer services to his premises unless he gives notice in writing to the council that such services be discontinued.
17. (a) All services fees, charges and rates collected by the council pursuant to this by-law shall, when required, be expended by the council for the construction and maintenance of the sewer system.
- (b) Notwithstanding the provisions of subsection (a), the council may by resolution provide for the remuneration of the manager from service fees, charges and rates collected by the council pursuant to this by-law, such remuneration not to exceed in any one month 20% of the total of such service fees, charges and rates collected in the same month.
18. The council may prescribe such forms and notices as are required for the purposes of this by-law.
19. (1) No owner shall lay, construct or install or cause to be laid constructed or installed any pipes, fittings, traps or fixtures for the purpose of conveying or controlling sewage from the premises unless such pipes, fittings, traps or fixtures have approved by the manager.
- (2) No owner without:
- (a) a permit, or
 - (b) the authority of council
- shall tap or make any connection with or interfere with the sewer system.
- (3) No owner or person shall interfere with or attempt to interfere with the manager when performing or attempting to perform the duties under this by-law.
20. Any owner or person who violates any of the provisions of this by-law shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding \$100.00 or imprisonment for a term not exceeding 30 days or both fine and imprisonment.

CHIEF:

Robert Antaris

COUNCILLORS:

Robert Antaris

Robert Antaris

Joseph P. ...
