

Appendix B to Report #23-274-CD

THE CORPORATION OF THE CITY OF CAMBRIDGE

By-law 23-XXX

Being a by-law to Amend By-law 6-13 Being a by-law of the Corporation of the City of Cambridge to require owners of buildings of certain classes in the municipality to connect the said buildings to the sewage service or water service of the municipality and to restrict the use of septic tanks.

WHEREAS the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended (“the *Act*”) authorizes a municipality to pass by-laws respecting the health, safety, and wellbeing of persons;

AND WHEREAS pursuant to sections 11 (1), (2), (3), (6) and (7) of the *Act*, the Council of a municipality may pass by-laws requiring owners of buildings or any class or classes of buildings in the municipality or in any defined area thereof to connect the said buildings or class or classes of buildings to the sewage service and/or water service of the municipality;

AND WHEREAS the Council of the Corporation of the City of Cambridge has determined that the mandatory connection of buildings to the sewage and water service of the municipality and the restriction of the registered use of septic tanks reduces sickness/disease, is necessary for sanitary purposes and otherwise promotes the health, safety and wellbeing of persons;

AND WHEREAS pursuant to sections 11 (1), (2), (3), (6) and (7) and 398 (1) and (2) of the *Act*, by-laws may be passed for construction service drains from a sewer to the line of the highway and for charging the owner of the connecting premises for the cost of such construction which may be collected or recovered by the municipality in like manner as taxes;

AND WHEREAS the *Act* authorizes a municipality to pass by-laws providing that a person who contravenes a by-law of a municipality is guilty of an offence;

AND WHEREAS the Council of the Corporation of the City of Cambridge has determined that amendments to By-law 6-13 are necessary to address situations where residents have recently installed private services in advance of City services being planned for an area;

NOW THEREFORE BE IT RESOLVED THAT the Corporation of the City of Cambridge enacts as follows:

1. THAT Section 1 of the By-law be amended by deleting the period at the end of section (d), and replacing it with the following:

e) “Section” any reference to a section shall be a reference to a section of this By-law unless otherwise indicated.

2. **THAT Section 2 of the By-law be amended by deleting the existing section 2 and replacing it with:**

2.1 The Director of Engineering or their designate be authorized to issue notice upon substantial completion of the capital project to the owner by Registered Mail to the address of the property in question or posts the notice on the subject property.

2.2 Notwithstanding section 2.1 the Director of Engineering or their designate be authorized to issue notice under this by-law to the owners of 148 Blenheim Road (the “Property”) upon receipt of a permit application to repair or replace the existing septic system on the Property or 40 years from the passing of this by-law, whichever comes first, rather than issuing notice at substantial completion as in section 2.1.

2.3 Subject to Section 5, every owner of a building, except a building which is not normally occupied by persons and where such installations are impractical and other facilities are available in nearby buildings when the subject building is in use, shall connect the building to the sewage service of the municipality:

a) within 3 years of notice being given in accordance with Section 2.1; or

b) within 15 years of notice being given in accordance with Section 2.1 when:

i) the capital project that is the subject of the notice was not on the City’s 10-year capital forecast;

ii) the owner can demonstrate to the satisfaction of the Director of Engineering or their designate that the private sewer services were installed with the necessary permits within 5 years prior to the notice in Section 2.1 being given; and

iii) the Director of Engineering or their designate has provided written notice of compliance with Section 2.3(b)(ii) within 3 years of notice being given in accordance with Section 2.1.

3. **THAT** section 7 be amended by replacing “within three (3) years after the City has sent notice to the owner by Registered Mail to the address of the property in question and/or posts the notice on the property in question requiring the connection to be made” with “in accordance with to Section 2.3”.

4. **AND THAT** section 10 be amended by replacing “Section 7” with “Section 2.1”.

Enacted and Passed this X day of month, 20XX.

MAYOR

CLERK

