

THIS IS: A By-law of the Summer Village of Itaska Beach in the Province of Alberta, being enacted for the purpose of requiring the owner of any building situated on land within the Summer Village of Itaska Beach abutting on any street where there is a sewer to install, in the building, connections with the sewer.

WHEREAS: Section 251(1) of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 1980, provides that a Council, by two-thirds vote of all members, may pass by-laws:

- (a) Directing the owner of any building situated on land abutting on any street or public place wherein there is a sewer main shall install, in the building, connections with the sewer main, and any apparatus and appliances required to ensure the proper sanitary condition of the building and premises.
- (b) Preventing the use or continuance of any water closets or privies that are not connected with the sewer and providing for them to be removed and/or filled up.

AND WHEREAS: Section 251(2) of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 1980 states that if the owner fails, neglects or refuses to do so within the period of time fixed by the Council, the municipality may enter in the land and buildings, erection or structure concerned and make the connection and charge the cost thereof against the land, building, erection or structure concerned in the same manner as taxes and with the same priority as to lien and to payment thereof as in the case of ordinary municipal taxes.

AND WHEREAS: The Council of the Summer Village of Itaska Beach deems it necessary to require; where buildings abut on streets and public places where sewer mains are located in the Summer Village of Itaska Beach, the connection of such buildings to the said sewer mains, for the purpose of safeguarding public health and ensuring the proper sanitary condition of buildings and premises.

NOW THEREFORE, The Council of the Summer Village of Itaska Beach duly assembled, enacts as follows:

1. This By-law shall be known as the Summer Village of Itaska Beach Mandatory Sewer Connection By-law.
2. (a) "Itaska Beach" means the Summer Village of Itaska Beach, which for the purposes of this By-law shall include all land within the Municipal boundary of The Summer Village of Itaska Beach.  
  
(b) "Building" for the purposes of this By-law shall mean a structure which has been designed as or is used as a place of abode; or a structure which has been designed as or is used as a place of business and which by virtue of provincial or federal statute is required to or contains sewer apparatus.

3. The owner of any building situated on land located within the Summer Village of Itaska Beach and abutting on any street or public place wherein there is a sewer shall install, in the building, on or before June 6, 1991 or in the case of newly constructed buildings, at the time of the original construction of the building, connections with the sewer satisfactory to the Summer Village and the following minimum apparatus and appliances to ensure the proper sanitary condition of the building and premises:
  - (i) One sink;
  - (ii) One lavatory;
4. The use or continuation of the use of any water closets or privies that are not connected with the sewer main located in the abutting street or public place is prohibited. Water closets and privies or parts thereof, that are not connected with the sewer main shall be removed or filled up upon completion of the connection of the building to the sewer main to the satisfaction of the Summer Village of Itaska Beach.
5. If any individual feels that they have been unjustly or unfairly dealt with in the enforcement of this By-law then they may appeal to the Summer Village of Itaska Beach Council within 60 days of the event giving rise to the complaint. Council's decision shall be final and binding.
6. If the owner of any building situated on land abutting any street or public place wherein there is a sewer main that fails, neglects or refuses to comply with the provisions of the By-law, the appropriate officers, servants and agents of the Summer Village of Itaska Beach are hereby authorized to enter upon the land and building of the said owner and carry out all necessary work required to satisfy the requirements of this By-law and to charge the costs incurred by the Summer Village of Itaska Beach in respect of such work against the land and buildings concerned in the same manner as taxes and with the same priority as to lien and to payment thereof as in the case of ordinary municipal taxes.
7. Any person who contravenes any provision of the By-law is guilty of an offense and shall be liable to a fine of not less than FIVE HUNDRED (\$500.00) DOLLARS and a minimum daily fine not exceeding Twenty (\$20.00) Dollars for everyday that the offense continues after conviction.
8. Whether or not a person has been prosecuted under the immediately preceding section, the Summer Village of Itaska Beach may enter upon the land and buildings and perform the necessary work and charge the costs thereof to the owner as provided for in paragraph 6 herein.

By- Law No. 142 - 1990      Cont:

9. This By- Law comes into effect upon the Final passing thereof:

Read a first time this 12th. day of Dec. 1989

Read a second time this 12th. day of Dec. 1989

Read a third time and finally passed this 11th day of Jan. 1990

Mayor : ..... *M Maurice McCall* ..... Maurice McCall

Administrator : ..... *Ellen Toth* ..... Ellen Toth