



TOWN OF MINTO

DATE: March 30, 2017

REPORT TO: Mayor and Council

FROM: Terry Kuipers, Chief Building Official

SUBJECT: Proposed Building Code Change – B-08-09-03, Mandatory Septic Tank Pump Out

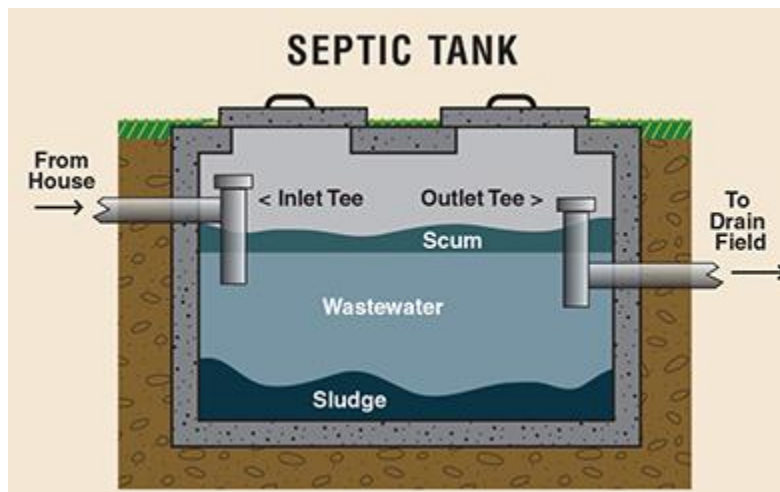
STRATEGIC PLAN:

Maintain and enhance infrastructure to protect public health and safety, prevent property damage, maintain a high quality of life, and effectively manage financial resources to ensure Minto is an attractive and viable community for family living and business investment.

BACKGROUND:

Council has received resolutions from Municipalities around the Province with opposition to a proposed change to the Ontario Building Code to mandate a maximum 5 year septic tank pump-out cycle, with homeowner record retention, and penalties up to \$10,000.

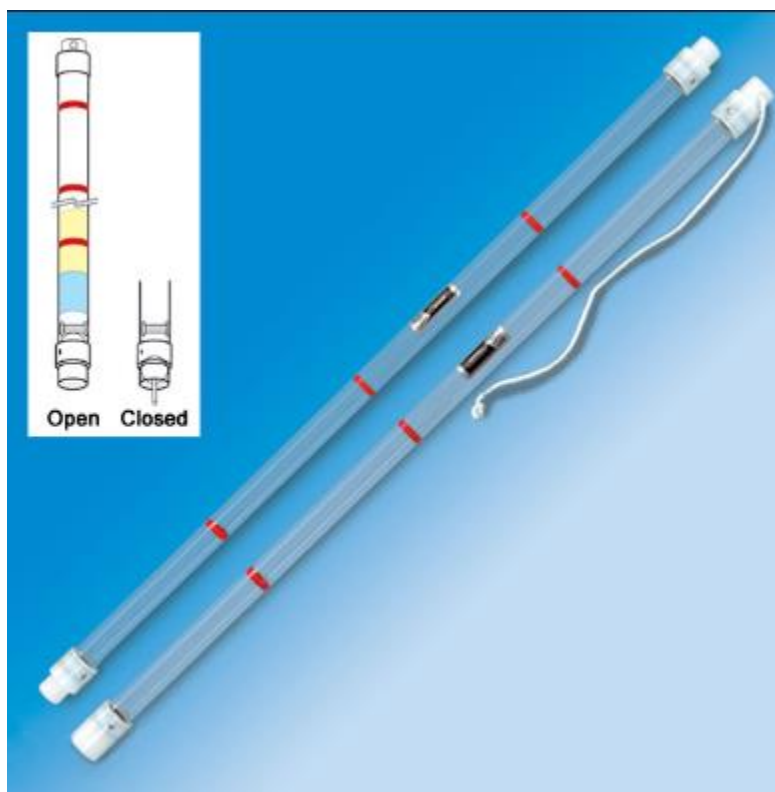
The Ontario Building Code currently requires that a septic tank be pumped out when it accumulates sludge levels of 1/3 of its working capacity. Sludge is layers of materials that cannot be broken down by bacterial action within a septic tank. The top (floating) sludge layer is made up from materials such as grease, fats and soaps. The bottom sludge layer are other materials which are heavier than water that can't be broken down by the bacterial action in the tank, such as heavy metals, inorganic materials, etc.



COMMENTS:

The Town contains over a thousand septic systems, which range in age of months to very old. Septic systems have a life span of approximately 25 years, but it is dependent on the soil conditions the system is installed in and how the system is operated. If the occupant of the unit knows the limits of the system, it can last longer, or if not, the system could be compromised in a few years.

Due to the implementation of the Source Water Protection Act, the Building Department purchased a tool which allows the working capacity of a septic tank to be measured. This tool takes a core sample of the tank, allowing for the layers to be measured. Using the tool staff measured several systems, and found sludge levels fell far below current Building Codes requirements for a pump-out. Sludge layers were found to be between 3.5-9% of the working capacity. One system installed in 2009 (1200 gal tank, 4 person family unit, high plumbing fixture unit count), took a core sample of it in 2016, and found the sludge levels to be 9% of the working capacity, meaning that this system will not legally require a pump out for several more years. The samples taken to date do not represent the condition of all systems across the Municipality.



Council should note, that the recommended 3-5 year time window to pump out a septic tank is only a guideline advised by several organizations (septic installer, septic pumpers, Health Units, and Building Departments), due to the unknown of the soil condition and how the system is operated.

The proposed changes to the Ontario Building Code, require property owner containing a septic system to pump the tank once a tank reaches the 1/3 working capacity or every 5 years, whichever comes first. The implications of this are two-fold – first being on the owner of the system, the second being where the effluent is being discharged to.

The cost to pump out a septic tank, depending on the size, averages out to be \$450.00. If an operator uses the full sludge capacity within the 5 year window, the legislation has no impact. If, however, an operator is mandated to pump out prior to their maximum operating

level, the pump-out is unnecessary, as the septic tank and system is working within its design capacity. In the case of the operator who had a capacity of 9% over 7 calendar years, the new Building Code changes would mean 2 additional pump-outs before the OBC required it, at a cost of \$1350.00.

With respect to the off-site impact of the septic pump-outs, most of the effluent pumped out of a septic system goes to a Municipal Sewage Treatment Facility. Effluent from a septic system contains considerable more solids than normal municipal sewage flows. A sewage treatment facility receiving septage must be designed to accept it, have the appropriate MOECC approvals, and have the capacity to handle the additional flows. A Municipal Sewage Treatment Facility will only be able to breakdown some of this material (as the treatment type is different – aerobic vs. a septic system anaerobic treatment process), meaning the effluent being delivered to the MSTF will add additional operation costs to the system. Council will recall the cost to clean out the Harriston lagoons several years ago.

The Alternative Solutions portion of the Building Code, which identifies the intents and objectives of the Code, indicates that all septic systems need to be operated and maintained in a manner that does pose a hazard to persons or the environment. The proposed changes do not change the current consideration to health and safety, as this is already cover by the OBC. The only item that the proposed amendment does change is the pump-out time frame. From this Department's position, mandating a pump-out time that is not mandated to be enforced, is not changing anything than what is currently happening, meaning that those who aren't regularly pumping their tanks, still will not. If these changes are implemented into the Ontario Building Code, it will cost septic system owners additional money for additional unnecessary pump-outs, and will cost staff salary time to enforce it.

If Council see an issue with ground water quality, or see concerns with rural septic systems, a better approach than these proposed changes would be a municipal wide septic re-inspection program. This program, similar to what is required through Source Water Protection, would not only address septic tank pump-outs, but it would also look at the condition of the septic leach field.

FINANCIAL CONSIDERATIONS:

If these proposed changes are passed, it will cost several thousands of dollars in staff time to enforce these changes.

RECOMMENDATION:

That the Council of the Town of Minto receives the Chief Building Official's report dated March 30, 2017, and support the Municipal resolutions received, opposing the proposed B-08-09-03 changes to the Ontario Building Code.

Terry Kuipers, C.B.C.O
Chief Building Official
Town of Minto

