

THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY

**DRAFT** BY-LAW No. \*\* -2015

A by-law to control and regulate the use of sewage works

**Whereas** section 11 of the *Municipal Act 2001* enables a municipality to pass by-laws within the sphere of jurisdiction of a public utility meaning a system that provides sewage service which includes sewage treatment, the collection of sanitary sewage and the collection of storm water and other drainage from land;

**And Whereas** section 87 of the *Municipal Act, 2001* enables a municipality to enter on land to inspect discharge into the sewage system;

**And Whereas** part XIV of the *Municipal Act, 2001* gives the municipality enforcement powers to insure compliance with a municipal by-law;

**And Whereas** Council deems it expedient to enact a by law to prohibit and regulate the discharge of pollutants into the sewage system.

**NOW THEREFORE THE COUNCIL** of **THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY** enacts as follows:

**SECTION 1.**

**DEFINITIONS**

The terms in this by-law are defined as follows:

“acute hazardous waste chemicals”- Acute hazardous waste chemicals within the meaning of *Ontario Regulation 309* as amended from time to time made under the *Environmental Protection Act* R. S. O. 1990 ,c. E 19.

“best practices management plan” - An integrated plan to control and reduce the release of restricted and prohibited waste into the sewage works through methods including physical controls, pre-treatment processes, operational procedures and staff training.

“biochemical oxygen demand”- The quantity of oxygen utilized in the biochemical oxidation of organic matter in five(5) days at twenty (20) degrees as determined in accordance with Standard Methods and expressed in milligrams per litre.

“biomedical waste”- Biomedical waste as determined in the Ontario Ministry of the Environment Guideline C-“The Management of Biomedical Waste in Ontario” dated April 1994,as amended.

“biosolids”- Organic solid material recovered from the wastewater treatment process.

“blowdown water”- Recirculating water that is discharged from a cooling or heating water system for the purpose of controlling the level of water in the system or for the purpose of discharging from the system materials in the system, the further build –up of which might impair the operation of the system.

“By-law services representative”-A person who is an employee, officer or agent of the municipality or a member of a police force having jurisdiction in the municipality.

“combined sewer”- A sewer intended to function simultaneously as a storm sewer and a sanitary sewer.

“composite sample”- A volume of sewage, storm water, uncontaminated water or effluent made up of three or more grab samples that have been combined automatically or manually and taken in intervals during the sampling period.

“connection or drain”- That part of those parts of any pipe or system of pipes leading directly to a wastewater works.

“fuels”- Alcohol, gasoline, naphtha, diesel fuel, fuel oil, or other ignitable substance intended for use as fuel.

“grab sample”- A minimum volume of sewage, storm water or uncontaminated water or effluent suitable for analytical testing which is collected over a period not exceeding 15 minutes.

“ground water”- Water beneath the earth’s surface accumulating as a result of seepage.

“hauled waste” –Any industrial waste which is transported to and deposited inot any location in the sewage works excluding hauled sewage.

“hailed sewage”- Waste removed from sewage system including a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet or sewage holding tank.

“hazardous substances”- Any substance or mixture of substances other than a pesticide that exhibits flammability or corrosiveness or reactivity or toxicity characteristic or any substance so designated within the meaning of hazardous substance under the *Environmental Protection Act* R.S. O. 1990 c. E.19.

"hazardous waste"- Any hazardous substances disposed of as waste.

“ignitable waste”- A substance that :

- A. Is a liquid ,other than aqueous solution containing less than 24% alcohol by volume ,has a flash point of less than 93 degrees Celsius as determined by Tag Closed Cup Tester and Setflash Closed Cup Tester and Pensky-Martens Closed Cup Tester or equivalent test;
- B. Is a solid and is capable under standard temperature and pressure of causing fire through friction ,absorption of moisture or spontaneous chemical changes and, when ignited burns so that it creates a danger;
- C. Is an ignitable compressed gas (Class 2 Division D) or oxidizing substance (Class 5, Division 1 and 2) under the regulations under the *Transportation of Dangerous Goods Act*, 1992, S.C. 1992, as amended.

“Industrial”- Of or pertaining to manufacturing, commerce, trade, business or institutions as distinguished from domestic or residential.

“industry”- Any owner or operator which carries on operations or activities of an industrial ,commercial, non profit or institutional nature or purpose from which there is a discharge of any matter directly or indirectly into a sanitary sewer, combined sewer or storm sewer of the municipality.

"matter"- Includes any solid, liquid or gas.

"municipality"- The Corporation of the Township of North Glengarry.

"noncontact cooling water" - Water which is used to reduce temperature for the purpose of cooling and which does not come into direct contact with any raw material, intermediate product other than heat or finished product.

"pathological waste"- Pathological waste within the meaning of meaning of Ontario Regulation 347 made under the *Environmental Protection Act* R. S. O. 1990 , c. E.19 .

"PCB"- Any monochlorinated or poly-chlorinated biphenyl or any mixture that contains one or more of them.

"person" - An individual, association, partnership, corporation, municipality, Provincial or Federal agency, or an agent or employee of such person.

"pesticide"- A pesticide regulated under the *Pesticides Act* R.S.O. 1990, c.P.11.

"Public Works" means the department of the municipality responsible for providing public utility services.

"reactive waste" - A substance that:

- A. Is normally unstable and readily undergoes violent changes without detonating;
- B. Reacts violently with water;
- C. Forms potentially explosive mixtures with water;
- D. When mixed with water generates toxic gases, vapours or fumes in quantity sufficient to present danger to human health or environment;
- E. Is cyanide or sulphide bearing waste when exposed to pH conditions sufficient to present danger to human health or environment;
- F. Is capable of detonation or explosive reaction if it is subjected to strong initiating source or if heated under confinement;
- G. Is readily capable of detonation or explosive decomposition or reaction at standard temperature or pressure;
- H. Is an explosive (Class 1) as defined in the regulations under the *Transportation of Dangerous Goods Act* 1992 S.C. 1992, as amended.

"sanitary sewer"- A sewer for the collection and transmission of domestic or industrial sewage or any combination thereof.

"severely toxic waste"-Waste containing any contaminant listed in Schedule 3 of O. Reg. 357 ,as amended, under the *Environmental Protection Act* R.S.O. ,c. E.19,as amended

"sewage"- Any liquid waste containing animal, vegetable or mineral matter in solution or in suspension but does not include storm water or uncontaminated water.

"sewage works"- Any works for the collection, transmission, treatment or disposal of sewage, storm water or uncontaminated water, including a combined sewer, sanitary sewer or storm sewer but not plumbing or other works to which the *Building Code Act* R.S.O.,1992, S.O. 1992 .C.23, as amended applies.

"sewer"- A pipe, conduit or drain ,open channel or ditch for the collection and

transmission of sewage, storm water or uncontaminated water ,or any combination thereof.

"Standard Methods"- A procedure set out in Standard Methods for the Examination of Water and Wastewater published jointly by the American Public Health Association, American Water Works Association and Water Pollution Control Federation, latest addition.

"storm sewer"- A sewer for the collection and transmission of uncontaminated water, storm water, drainage from land or from a watercourse or any combination thereof.

'storm water" -Water from rainfall or other natural precipitation or from the melting of snow or ice running off the surface of a drainage area.

"uncontaminated water" - Water to which no matter has been added as a consequence of its use, or to modify its use, by any person.

"waste water"- Any liquid containing animal, vegetable or chemical matter in solution or suspension but does not include storm water or uncontaminated water.

"watercourse"- An open channel ,ditch or depression ,either natural or artificial , in which flow of water occurs either continuously or intermittently.

## **SECTION2.**

### **ADMINISTRATION**

2. This bylaw shall be administered by Public Works who shall be authorized to prescribe any forms required under the by-law.

## **SECTION 3**

### **SANITARY SEWERS AND COMBINED SEWER REQUIREMENTS**

- 3 No person shall discharge directly or indirectly or deposit or cause or permit the discharge or deposit of sewage into a sanitary sewer, combined sewer, municipal or private sewer connection to any sanitary sewer or combined sewer if:

- (1). It may cause or result in:

- (a) A health or safety hazard to a sewage works employee authorized to inspect, operate, maintain or otherwise work on sewage works;

- (b) An offence under the *Ontario Water Resources Act* or the *Environmental Protection Act* or the regulations thereunder;
  - (c) Interference with the operation or maintenance of sewage works, or may interfere or impair any sewage treatment process;
  - (d) A hazard to any person, animal, property or vegetation;
  - (e) An offensive odour to emanate from sewage works, and without limiting the generality of the foregoing, sewage containing hydrogen sulphide, carbon disulphide, other reduced sulphur compounds, amines or ammonia in such quantity that may cause an offensive odour.;
  - (f) Damage to the sewage works;
- (2) The sewage has one or more of the following:
- (a) A pH less than 5.5 or greater than 9.5.
  - (b) Two or more separate liquid layers; or
  - (c) A temperature greater than 60 degrees Celsius.
- (3) The sewage contains:
- (a) Acute hazardous waste chemicals;
  - (b) Combustible liquid;
  - (c) Biosolids from the sewage works to which either sewage discharges, directly or indirectly, to fail to meet the objective and criteria listed in the Ministry of the Environment publication Guidelines for Utilization of Biosolids and other Waste on Agricultural Lands dated March 1996, as amended from time to time;
  - (d) Biomedical waste but not where:
    - (i) It is discharged in accordance with the Ontario Ministry of the Environment Guideline C-4 The Management of Biomedical Waste in Ontario April 1994 as amended; and
    - (ii) any human blood and body fluids known to contain viruses and agents

listed in Risk Group 4 defined in Laboratory Biosafety Guidelines 1996 as amended published by Health and Welfare Canada ,decontaminated prior to discharge;

(e) Dyes or colouring materials that may or could pass through a sewage works and discolour the sewage works effluent;

(f) Fuel;

(g) Hauled sewage and hauled waste, except when:

(i) The carrier has written approval from the municipality and,

(ii) The carrier of the hauled sewage or hauled waste operating as a waste management system has a certificate of approval or provisional certificate of approval issued under the *Environmental Protection Act* or is exempt from certificate requirements under the *Environmental Protection Act* and,

(iii) The carrier provides a copy of the certificate or provisional certificate or proof of exemption referred to in (ii) to the municipality and,

(iv)The carrier meets all the terms and conditions for discharge set by the municipality under the written approval and the discharge is in accordance with the written approval;

(h) Ignitable waste;

(i) Hazardous waste;

(j) Hazardous industrial waste within the meaning of O Reg 347 ,as amended under the *Environmental Protection Act* R. S. O. 1990,c. E.19;

(k) Hazardous waste chemicals within the meaning of O Reg 347 ,as amended under the *Environmental Protection Act* R. S. O. 1990,c. E.19;

(l) Pathological waste except when:

(i) the owner or operator of the premises has a certificate of approval from the Ministry of the Environment (Ontario) which expressly allows the discharge and a copy of the authorization has been filed with the municipality;

(ii) the owner has written authority from the municipality which specifically allows the discharge.

(m) PCB's, except when:

(i) The carrier has written approval from the municipality and,

(ii) The carrier system has a certificate of approval for a mobile site or

PCB mobile waste disposal system issued under the *Environmental Protection Act* or is claiming exemption from certificate requirements under the regulations under the *Environmental Protection Act* and,  
(iii) Provides a copy of the certificate or provisional certificate or proof or exemption referred to in (ii) to the municipality and,  
(iv) The carrier meets all the terms and conditions for discharge set by the municipality under the written approval and the discharge is in accordance with the written approval;

(n) Pesticides;

(o) Reactive waste;

(p) Severely toxic waste;

(q) Solid or viscous substances in quantities of size as to be capable of causing obstruction to the flow in a sewer including but not limited to ashes, bones, cinders, sand, mud, soil, straw, shaving, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, animal parts or tissues, and paunch manure.

(4) (a) The sewage contains a concentration (expressed in milligrams per litre) in excess of any of the limits in Table 1 Discharge Limits for Sanitary and Combined Sewers

(b) In determining whether the limit with respect to any matter prescribed in subsection (4) (a) is contravened, the volume of any water that has been added for the purpose of enabling the limit to be met and of any storm sewer discharges to a combined sewer shall be disregarded for the purposes of calculating whether the limit has been met. Compliance with the limit cannot be attained by dilution.

(c) Subsection (4) (a) does not apply where:

(i) The discharge is authorized in a Best Management Practices Plan approved by the municipality;

(ii) The discharge is under a valid discharge agreement or compliance program or is expressly authorized in writing by the municipality.

(5) No person shall discharge cooling water, storm water or uncontaminated water into a sanitary sewer or combined sewer including storm water or groundwater unless:



(a) The person discharging has entered an agreement with the municipality and the discharge does not exceed the limits in Table 1 for biochemical oxygen demand, phenolics, total kjeldahl nitrogen, total phosphorus or total suspended solids; or,

(b) The water taken is in an amount greater than 50,000 litres per day from a source which is not a municipal source and for which the owner of the premises has a Permit To Take Water issued by the Ontario Ministry of the Environment and a copy of such permit has been provided to the municipality, or

(c) The water taken in an amount less than 50,000 litres per day from a source which is not a municipal source and the owner or operator of the premises has provided the municipality with the following information:

- (i) Address of premises where the water is being used;
- (ii) Location of the water source; and
- (iii) Amount of water.

(6) No person shall discharge or permit any sump pump, rain water leader or other roof or foundation drainage system to drain directly into a sanitary sewer without municipal approval and where this has occurred and a storm sewer has been installed to the lot line the owner of the offending property shall forthwith at his or her own expense remove the connection and connect to the storm sewer.

#### **SECTION 4.**

#### **STORM SEWER REQUIREMENTS**

4(1) No person shall, discharge or deposit or cause or permit the discharge or deposit of matter of any type into a storm sewer, water course, municipal or private branch drains or connections to any storm sewer which could or may:

- (a) Interfere with the proper operation of a storm sewer;
- (b) Obstruct a storm sewer or the flow therein;
- (c) Damage a storm sewer;
- (d) Result in a hazard or other adverse impact to any person, animal, property or vegetation;
- (e) Impair the quality of the water in any well, lake, river, pond, spring, stream, reservoir or other water or watercourse; or
- (f) Contravene or result in the contravention of an approval, requirement, direction or other order under the *Ontario Water Resources Act* or the *Environmental Protection Act* or the *Environmental Protection Act* with respect to the storm sewer or its discharge or both;

(2) Without limiting the generality of subsection 1, the discharge has any of the following;

- (a) a temperature greater than 40° Celsius;
- (b) a pH less than 6.0 or greater than 9.0
- (c) a visible film, sheen or discolouration
- (d) two or more separate layers

(3) The discharge contains one or more of the following:

- (a) Acute hazardous waste chemical.
- (b) Blowdown water.
- (c) Automotive or machine oils and greases.
- (d) Fuels.
- (e) Paints and organic solvents.
- (f) PCBs.
- (g) Pesticides.
- (h) Hauled sewage.
- (i) Hazardous waste.
- (j) Ignitable waste
- (k) Pathological waste
- (l) Reactive waste
- (m) Sewage.
- (n) A substance from raw materials, intermediate or final products used or produced through or from an industrial process
- (o) A substance used in the operation or maintenance of an industrial site

(4) The discharge contains a concentration expressed in milligrams per litre in excess of the limits in Table 2 Discharge Limits for Storm Sewers.

(5) Subclause 4 (3)(b), above does not apply to prevent the discharge of once-through cooling water or blow down when the once-through cooling water or blowdown is being discharged pursuant to a certificate of approval or order relating to the premises under the *Environmental Protection Act (Ontario)* or the *Ontario Water Resources Act* which expressly allows the discharge and, the owner or operator of the premises has written approval from the municipality which expressly authorizes the discharge from the premises; and a copy of the certificate of approval or order has been provided to the municipality.

(6) The provisions of Subclauses 4(1) do not apply to prevent the discharge of storm water runoff from industrial process areas to a storm sewer when,

- (a) the owner or operator of the premises has a certificate of approval or order

relating to the premises under the *Environmental Protection Act* (Ontario) or the *Ontario Water Resources Act* which expressly allows the discharge and a copy of the certificate of approval or order has been provided to the municipality; or

(b) the owner or operator of the premises has written approval from the municipality for a Best Management Practices Plan (BMP) which has been prepared in accordance with this by-law.

(7) The discharge shall not contain water originating from:

(a) a well or other subsurface extraction of ground water

(b) a permanent or temporary wastewater pond, water retention site or other area use to collect surface water or ,

(c) the permanent or temporary alteration of natural or pre-existing drainage pattern

(d) a tank, tanker truck, vessel or other means of water storage not supplied by the municipality unless the carrier of the hauled wastewater operating as a waste management system has a certificate of approval or provisional certificate of approval issued under the *Environmental Protection Act* R.S.O.1990.c ,E.19, as amended and a copy of the most recent certificate has been provided to the municipality.

## **SECTION 5**

### **REPORTS**

5(1) Notwithstanding sections 3 and 4, the owner or operator of any industrial premises or class of industrial premises listed in Schedule A shall not discharge or deposit or cause or permit the discharge or deposit of sewage into or in land drainage works, private branch drains or connections to any sanitary sewer, combined sewer or storm sewer.

(2) Subsection (1) does not apply with respect to any industrial premises for which a current Waste Survey Report prepared in accordance with Subsections (3) and (4) has been filed at the municipality.

(3) The Waste Survey Report shall contain the following information and shall be signed by an authorized representative of the owner or operator:

(a) name and address of the premises, and names of its owner and operator;

(b) description of process operations, including waste discharge rates and contaminant concentrations, hours of operation, and Canadian or U.S. Standard Industrial Classification codes;

- (c) a schematic process diagram indicating waste discharge points and waste descriptions;
  - (d) the generator registration number, if any, assigned with respect to the premises under Ontario Regulation 309 made under the *Environmental Protection Act*; and
  - (e) the waste class, hazardous waste number, primary and secondary characteristics and analytical data and the name of the laboratory, if any, furnished to the Ontario Ministry of the Environment under Ontario Regulation 309 made under the Environmental Protection Act (Ontario) relating to any material discharged into or in land drainage works, private branch drains or connections to any sanitary, combined or storm sewer.
- (4) The Waste Survey report shall be in the form prescribed by Public Works
  - (5) Where a change occurs in the information required under Clause (3) (a) contained in a Waste Survey Report, the owner or operator of the premises shall submit the new information within 30 days of the change.
  - (6) Where a change occurs in the information required under Clause (3)(b), (c), (d), or (e) described in a Waste Survey Report, the owner or operator of the premises shall not discharge or deposit or cause or permit the discharge or deposit of sewage into or in land drainage works, private branch drains or connections to any sanitary sewer, combined sewer or storm sewer, after 60 days after the change occurs unless a new Waste Survey Report has been submitted setting out the change.

## **SECTION 6**

### **AGREEMENTS**

- 6 (1) Subject to subsections (2), (3), and (4), a person may discharge or deposit sewage into any connection to any sanitary sewer or combined sewer to the extent fixed by agreement with the municipality.
- (2) An industrial waste surcharge agreement may only be entered into relating to the discharge or the following treatable parameters in sewage: biochemical oxygen demand, phenolics, total kjeldahl nitrogen, total phosphorus or total suspended solids.
- (3) A hauled waste surcharge agreement may only be entered into with respect to the discharge of hauled sewage originating from septic tanks, portable toilets or holding tanks within the municipality.

(4) Depending on the use the agreement may be either an industrial waste surcharge agreement, a sanitary discharge agreement or a hauled sewage discharge agreement which shall in such from as is determined by Public Works subject to the restrictions set out therein.

(5) Where the operating authority for the sewage treatment plant which is receiving sewage defined in the agreement is not the municipality, an agreement under this section does not become effective unless the operating authority has reviewed and approved the agreement.

(6) A person who has entered into an agreement with the municipality shall not be prosecuted under Section 2 of this by-law for the discharge or deposit of sewage containing the matters specified in the agreement and in compliance with the agreement during the period within which the agreement is applicable and so long as the agreement is being fully complied with.

## **SECTION 7**

### **COMPLIANCE PROGRAM**

7 (1) The owner or operator of industrial premises may submit to the municipality a proposed program to prevent or to reduce and control the discharge or deposit of matters from the industry's premises onto land drainage works, or into private branch drains or connections to any sanitary sewer or combined sewer.

(2) The proposed compliance program should set out the activities to be undertaken by the industry that would result in the prevention or reduction and control of the discharge or deposit.

(3) The municipality may issue an approval for a compliance program to the person provided:

- (i) it is for a specified length of time during which the facilities are to be installed
- (ii) it is specific as to the remedial actions to be implemented, the dates of commencement and completion, and the materials or other characteristics of the sewage, uncontaminated water or storm water to which it relates.
- (iii) the final activity completion date shall not be later than the final compliance date in the compliance program.

(4) A person to whom a compliance program approval has been issued shall submit a compliance program progress report within 14 days after the scheduled completion date for each activity listed in the compliance program.

(5) The compliance program progress report shall be in the form provided by Public Works

(6) Where the operating authority for the sewage treatment plant, land drainage works, or storm sewer which is receiving sewage, uncontaminated water or stormwater from the premises identified in the letter of compliance program is not the municipality, the compliance program does not become effective unless the operating authority has reviewed and approved the compliance program.

(7) A person to whom a compliance program approval has been given shall not be prosecuted under section 2 or 3 of this by-law for the discharge or deposit of sewage, uncontaminated water or storm water containing the matters specified in the compliance program and in compliance with the compliance program during the period within which the compliance program is applicable and so long as the compliance program is being fully complied with.

## **SECTION 8**

### **HAULED WASTE (SEPTAGE)**

8(1) No person shall discharge or permit the discharge of hauled waste (septage) into the wastewater works unless:

- (a) The carrier of the has a certificate of approval or provisional certificate of approval for the operation of the waste management system issued by the Ministry of the Environment or is exempt from approval and has provided a copy of the current certificate to the municipality or satisfied the municipality that it is lawfully exempt;
- (b) The hauled waste meet the current requirement of the Ministry of the Environment;
- (c) The carrier meets all the current conditions for discharge established by the municipality

(2) No person shall discharge or permit the discharge of hauled waste (septage) into a sewer unless it is a site that has been designated by the Public Works for such discharge.

## **SECTION 9**

### **SAMPLING AND ANALYSIS**

9(1) Where a sample is required for the purpose of determining the characteristics or contents of the sewage, uncontaminated water or stormwater to which reference is made in this by-law;

- (a) one sample alone is sufficient and, without limiting the generality of the foregoing the sample may be a grab sample or a composite sample, may contain additives for its preservation and may be collected manually or by using an automatic sampling device;
- (b) except as otherwise specifically provided in this by-law, all tests, measurements, analyses and examinations of sewage, uncontaminated water and storm water, shall be carried out in accordance with Standard Methods; and
- (c) for each one of the following metals: aluminum, antimony, arsenic, bismuth, cadmium, chromium, cobalt, copper, iron, lead, manganese, mercury, molybdenum, nickel, selenium, silver, tin, titanium, vanadium and zinc whose concentration is limited in subclauses 2 (l) 2 (p) and 3 (l) 2 (f), the analysis shall be for the quantity of total metal, which includes all metal both dissolved and particulate.

## **SECTION 10**

### **SPILLS**

10 (1) Every person who discharges or deposits or causes or permits the discharge or deposit of sewage into or in land drainage works, private branch drains or connections to any sanitary sewer or combined sewer shall, if such discharge or deposit is not in the ordinary course of events forthwith notify the municipality or the agency responsible for operating the sewage works receiving the discharge or deposit.

(2) Every person who discharges or deposits or causes or permits the discharge or deposit of uncontaminated water or stormwater into or in land drainage works, private branch drains or connections to any storm sewer shall, if such discharge or deposit is not in the ordinary course of events forthwith notify the municipality or agency responsible for managing the land drainage works or storm sewer.

(3) Every person who discharges or deposits or causes or permits the discharge or deposit of any of the items listed in subclauses 2(1) 2. (q) and (s) into or in land drainage works, private branch drains or connections to any sanitary sewer or combined sewer shall, forthwith notify the municipality or the agency responsible for operating the sewage works receiving the discharge or deposit.

(4) Every person who discharges or deposits or causes or permits the discharge or deposit of any of the items listed in Subclauses 3(l) 2.(h) and (i) into or in land drainage works, private branch drains or connections to any storm sewer shall forthwith notify the

municipality or agency responsible for managing the land drainage works or storm sewer.

(5) For any of the discharges in subsections 8(1), (2), (3) and (4) for which the person is required to forthwith notify the municipality or agency, the notification shall include the following information:

- (a) name of the company and the address of location of spill;
- (b) name of person reporting the spill and telephone number where that person can be reached;
- (c) time of the spill;
- (d) type and volume of material discharged and any associated hazards; and
- (e) corrective actions being taken to control the spill.

(6) Within five days following a discharge to which subsection (5) applies, the person shall submit to the municipality or agency a detailed written report describing the cause of the spill and the actions taken or to be taken to prevent a recurrence

## **SECTION 11**

### **GROUND WATER DRAINAGE**

11 (1) No person shall construct, install or maintain, or cause to be constructed or maintained, drainage from any roof leader or downspout that conveys storm water from any building directly or indirectly to a sanitary, combined or storm sewer for the purpose of storm water drainage.

(2) If the roof leader or downspout was connected prior to the coming in force of this by law the owner or other person in control shall remove it forthwith or make arrangements with the municipality for it to be disconnected.

(3) Where the roof leader discharge cannot be placed on the surface of the land because of flooding danger or a hazardous situation or it is not technically feasible, and the owner of the building has so satisfied the municipality and, has entered into an agreement with the municipality, the downspout shall not be disconnected and the provisions of subsection 9 (1) would not apply to that person.

## **SECTION 12**

### **GENERAL**

Manhole



12 (1) The owner or operator of industrial premises with one or more connections to a sewage works shall install and maintain in good repair in each connection a suitable manhole to allow observation and sampling of the sewage and measurement of the flow of sewage therein, provided that where installation of a manhole is not possible, an alternative device or facility may be substituted with the written approval of the Chief Administrative Officer or his designate.

(2) The manhole or alternate device shall be located on the property of the owner or operator of the premises, unless the Chief Administrative Officer or his designate of has given written approval for a different location.

(3) Every manhole, device or facility installed as required by subsection (2) shall be designed and constructed in accordance with good engineering practice and the requirements of the municipality, and shall be constructed and maintained by the owner or operator of the premises at his expense.

(4) The owner or operator of industrial premises shall at all times ensure that every manhole, device or facility installed as required by subsection (2) is at all times accessible for purposes of observing and sampling the sewage and measuring the flow of sewage therein.

#### Sewage discharge monitor

(5) The municipality may require the owner or operator of industrial premises to install and maintain devices to monitor sewage discharges and to submit regular reports regarding the discharges to the municipality.

#### Sewage work damage

(6) No person shall break, damage, destroy, deface or tamper or cause or permit the breaking, damaging, destroying, defacing or tampering with any part of a sewage works.

#### Termination agreement and compliance program

(7) The agreement contemplated by Section 5 and the compliance program contemplated by Section 6 may be terminated by the municipality on 30 days written notice if the discharge of sewage covered by such agreement or compliance program is causing contravention of Clauses 2(1)1 and 3(1)1. of the by-law.

(9) The agreement contemplated by Section 5 and the compliance program contemplated by Section 6 may be terminated by the municipality by written notice at any time where there is an emergency situation of immediate threat or danger to any person, property, plant or animal life, or waters.

## Restaurant grease interceptor

(10) Every owner or operator of a restaurant or other industrial, commercial or institutional premises where food is cooked, processed or prepared and the premises are connected directly or indirectly to a sewer shall take all necessary measures to ensure that oil and grease are prevented from entering the sewer.

(11) The owner or operator of the premises under subsection 11(10) shall install, operate and properly maintain a grease interceptor in any piping system at the premises connecting to the sewer in compliance with the Ontario Building Code.

(12) The owner or operator of the premises under subsection 11(10) shall keep and retain maintain records for the grease interceptor including manifests or invoices for pumping out the grease interceptor for a minimum period of five(5) years and shall produce these record on request of the municipality.

## **SECTION 13**

### **POWER OF ENTRY**

13(1) Subject to the provisions of sections 435 to 439 of the *Municipal Act,2001*, a By Law services representative may enter on land at any reasonable time for the purpose of carrying out an inspection to determine if the provisions of this by-law have been complied with or that a direction or order of the municipality under this by law and the *Municipal Act 2001* has been complied with.

- (2) In carrying out the inspection the By Law services representative may:
- (a) require the production and inspection of documents and other things relevant to the inspection;
  - (b) inspect and remove documents or other things relevant to the inspection ;
  - (c) require information from any person concerning a matter relevant to the inspection and ,
  - (d) may either alone or with a person with special or expert knowledge examine, take tests, samples or photographs necessary for the purpose of the inspection.

## **SECTION 14**

### **ORDERS**

14(1) If the By Law Services representative is satisfied that a contravention of the by-law has occurred he or she may order the owner or occupier to the property on which the contravention has occurred to discontinue the contravening activity and /or order the person who has caused or permitted the contravention to correct the contravention in accordance with sections 444 and 445 of the *Municipal Act 2001* .

(2) Where an order is issued under subsection 1 service of the order is deemed to have occurred on the date it posted in a conspicuous location on the subject property or three days after it is sent by first class prepaid mail to the person at the last address provided to Public Works or in the absence of such information to the address on the tax rolls.

## **SECTION 15**

### **OFFENCES and PENALTIES**

15 (1) Every person who contravenes a provision of this by-law and every officer and director of a corporation who knowingly concurs in a contravention by the corporation of any provision of this by-law is guilty of an offence.

(2) Every person and every officer and director of a corporation who knowingly concurs and is found to be in contravention of any provision of this by-law is liable to a fine of not more than \$50,000 for a first offence and \$100,000 for any subsequent offence.

(3) Notwithstanding subsection 13(2) if a corporation is found to have contravened any provision of this by-law it shall be liable to a fine of not more than \$100,000 for a first offence and not more than \$100,000 for any subsequent offence.

(4) In the case of a continuing offence every person found in contravention of this by-law and every officer and director who knowing concurs in a contravention by the corporation, shall be liable to a fine of not more than \$10,000 for each day or part thereof that the offence continues and the total of all daily fines shall not exceed \$100,000.

(5) In this by-law, subsequent conviction means a conviction for an offence which offence occurs after the date of conviction for an earlier offence under this by-law or By-Law.

(6) In addition to any other remedy or penalty imposed the contravention may be restrained by an order issued under section 431 and 440 of the *Municipal Act, 2001*.

(7) In accordance with section 446 of the *Municipal Act, 2001* where a person is directed or required to do a matter or thing under this by-law and is in default of doing it, the municipality may do that matter or thing and the costs incurred for so doing may be added to the tax roll and recovered in the like manner as municipal taxes.

## **SECTION 16**

### **INFORMATION DISCLOSURE**

16 All information collected by the municipality under this bylaw including plans, reports, surveys and records is a record and disclosure is required as set out in the *Municipal Freedom of Information and Protection of Privacy Act*.

## **SECTION 17**

### **SHORT TITLE**

17 This by law shall be known as the sewage discharge by-law.

That this by-law shall come into effect on the date of passing thereof.

**READ** a first, second, third time and enacted in Open Council this \_\_\_ day of \_\_\_\_\_, 2015.

**TABLE 1**  
**LIMITS FOR SANITARY SEWER DISCHARGE**

1500 milligrams/litre

Chlorides expressed as Cl  
Sulphates expressed as SO<sub>4</sub>

50 milligrams/litre

Aluminum expressed as Al  
Iron expressed as Fe

10 milligrams/litre

Fluorides expressed as F

5 milligrams/litre

Antimony expressed as Sb  
Bismuth expressed as Bi  
Chromium expressed as Cr  
Cobalt expressed as, Co  
Lead expressed as Pb  
Manganese expressed as Mn  
Molybdenum expressed as Mo  
Selenium expressed as Se  
Silver expressed as Ag  
Tin expressed as Sn  
Titanium expressed as Ti  
Vanadium expressed as V

3 milligrams/litre

Copper expressed as Cu  
Nickel expressed as Ni  
Zinc expressed as Zn

2 milligrams/litre

Cyanide (total) expressed as CN

1 milligram/litre

Arsenic expressed as As  
Cadmium expressed as Cd

0.1 milligram/litre

Mercury expressed as Hg

**TABLE 2  
LIMITS FOR STORM SEWER DISCHARGE**

Biochemical Oxygen Demand	15
Cyanide (total)	0.02
Phenolics (4AAP)	0.008
Phosphorus (total)	0.4
Suspended Solids (total)	15
Arsenic (total)	0.02
Cadmium	0.008
Chromium (total)	0.08
Chromium (hexavalent)	0.04
Copper	0.04
Lead (total)	0.12
Manganese (total)	0.05
Mercury	0.0004
Nickel (total)	0.08

Selenium (total)	0.02
Silver (total)	0.12
Zinc (total)	0.04
Benzene	0.002
1,2 – dichlorobenzene	0.0056
1,2 – dichlorobenzene	0.0068
Cis – 1,2 – dichloroethylene	0.0056

**SCHEDULE A – INDUSTRIAL PREMISES**

CATEGORY	SIC	SIC (CANADIAN)
Construction Industry	1600-1799	4011-4499
<u>Food and Kindred Products</u>		
Meat	2011-2013	1011
Poultry	2016-2017	1012
Dairy	2021-2026	1041-1049
Fruit and Vegetables	2032-2038	1031-1032
Grain Mills	2041-2048	1051-1059
Fats and Oils	2074-2079	1061
Bakery Products	2051-2052	1071-1072
Sugar Processing	2061-2067	1081-1089
Beverages	2082-2087	1111-1141
Seafood Processing	2091-2092	1021
Misc. Food Processing	2095-2099	1091-1099
Tobacco	2110-2141	1211-1221
<u>Textile Mill Products</u>		
Primary Textiles	2211-2269	1800-1899
Textile Products	2271-2299	1900-1999
Apparel & Other Textile Prod.	2311-2399	2441-2499
<u>Lumber and Wood Products</u>		
Timber Products Processing	2411-2499	2511-2599
Wood Preserving	2491	2591
Wood & Metal Furniture Manu.	2510-2599	2611-2699
<u>Paper and Allied Products</u>		
Pulp, Paper & Paperboard Mills	2600-2631	2711-2712
Misc. Converted Paper Products	2640-2655	2731-2799
Building Paper and Board Mills	2661	2713-2719
Printing and Publishing	2700-2799	2811-2899
<u>Chemicals and Allied Products</u>		
Inorganic Chemicals Manufacturing	2810-2819	3711
Phosphate Manufacturing	2819	3721-3729
Plastics, Resins & Synthetic Fibers M.	2821-2824	3731
Pharmaceutical Manufacturing	2830-2834	3741
Soaps and Cosmetics	2840-2844	3761-3771
Paints, Varnishes Manufacture	2851	3751
Gums and Wood Chemicals	2861	3712
Dye Manufacture	2865	3712
Organic Chemicals & Pesticide Man.	2869	3712
Pesticide Formulation	2879	3712
Fertilizer Manufacture	2873-2875	3721-3729
Adhesives and Sealants	2891	3792
Explosives	2892	3711
Ink Manufacture	2893	3791
Carbon Black	2895	3711
Chemicals & Chemical Prepar.	2899	3711
Petroleum Refining	2911	3611
Paving and Roofing Materials	2951-2952	3699



Coal & Petroleum Products	2991-2999	3612-3698
<u>Rubber and Misc. Plastic Products</u>		
Rubber Products	3011-3069	1500-1599
Plastics Molding	3070-3079	1600-1699