

THE CORPORATION OF THE MUNICIPALITY OF NORTH GRENVILLE

BY-LAW NO. 65-20

A By-Law to Prohibit, Regulate and Control Discharges into the Public Sewer Systems

WHEREAS pursuant to the *Municipal Act, 2001*, as amended, a municipality may pass by-laws regarding services delivered by the Corporation;

AND WHEREAS the Corporation provides services in the areas of collection of sanitary sewage, collection of storm water and other drainage from land, sewage treatment, among other areas;

AND WHEREAS pursuant to the *Ontario Water Resources Act*, every municipality that discharges or causes or permits the discharge of any material of any kind into or in any waters or on any shore or bank thereof or into or in any place that may impair the quality of the water of any waters is guilty of an offence;

AND WHEREAS pursuant to the *Municipal Act, 2001*, a municipality may enter on land, at reasonable times, to inspect the discharge of any matter into the sewage system of the municipality or into any other sewage system the contents of which ultimately empty into the municipal sewage system and may conduct tests and take samples for this purpose;

AND WHEREAS Council is desirous of passing a by-law to address such services;

NOW THEREFORE the Council of the Corporation of the Municipality of North Grenville enacts as follows:

A. DEFINITIONS

In this by-law:

- (a) "accredited laboratory" shall mean any laboratory accredited by an authorized accreditation body in accordance with a standard based on "ISO/IEC/EN 17025: General Requirements for Competence of Calibration and Testing Laboratories" established by the International Organization for Standardization, as amended;
- (b) "acute hazardous waste chemical" shall mean a material which is an acute hazardous waste chemical within the meaning of O.Reg. 347;
- (c) "adverse impact" shall mean impairment of or damage to the environment, human health, safety or property;
- (d) "amalgam separator" shall mean any technology, or combination of technologies, designed to separate amalgam particles from dental operation wastewater;
- (e) "animate products of biotechnology" shall mean a living organism created through the practice of biotechnology, and includes material which has been genetically modified using techniques that permit the direct transfer or removal of genes in that organism;
- (f) "biochemical oxygen demand (BOD)" shall mean the 5-day BOD which is the determination of the molecular oxygen utilized during a 5-day incubation period for the biochemical degradation of organic material (carbonaceous demand), and the oxygen used to oxidize material such as sulphides and ferrous iron;
- (g) "biomedical waste" shall mean biomedical waste as defined in the Ontario Ministry of Energy and the Environment Guideline C-4 entitled "The Management of Biomedical Waste in Ontario" dated April, 1994, as amended;

- (h) "biosolids" shall mean the product of stabilized organic solid material recovered from the wastewater treatment process;
- (i) "blowdown water" shall mean recirculating water that is discharged from a cooling or heating system for the purpose of controlling the level of water in the system or for the purpose of discharging from the system materials contained in the system, the further build-up of which would or might impair the operation of the system;
- (j) "Building Code Act" shall mean the *Building Code Act, 1992*, as amended, or any successor legislation thereto;
- (k) "By-Law Enforcement Officer" shall mean a Compliance Officer, Police Officer, By-Law Enforcement Officer, Special Constable and any other Public Officer engaged in the enforcement of this or any other Law;
- (l) "carpet cleaner waste" shall mean a combination of liquid and solid wastes, generated by carpet or furniture cleaning, that are collected in a mobile holding tank or are discharged to a sewer;
- (m) "carrier" shall mean a person who transports hauled liquid waste to the sewage works for disposal;
- (n) "certified amalgam separator" shall mean any amalgam separator that is certified in accordance with standard "ISO 11143:1999 for Dental Equipment-Amalgam Separators" established by the International Organization for Standardization, as amended from time to time;
- (o) "combustible liquid" shall mean a liquid that has a flash point not less than 37.8 degrees Celsius and not greater than 93.3 degrees Celsius;
- (p) "Compliance Officer" shall mean a person authorized by the Corporation to carry out inspections and take samples as prescribed by this by-law and to enforce this by-law;
- (q) "composite sample" shall mean a volume of sewage, storm water, uncontaminated water, or effluent made up of two or more grab samples that have been combined automatically or manually and taken at intervals during the sampling period;
- (r) "connection" or "drain" shall mean that part or those parts of any pipe or system of pipes leading directly or indirectly to a sewage works;
- (s) "Corporation" shall mean the Corporation of the Municipality of North Grenville;
- (t) "dental amalgam" shall mean a dental filling material consisting of an amalgam of mercury, silver and other materials such as copper, tin or zinc;
- (u) "dentistry" means dental care, dental hygiene or dental laboratory activities which produce waste dental amalgam;
- (v) "Director" shall mean the Director of Public Works, Municipality of North Grenville or a duly authorized representative;
- (w) "fixture" shall mean a receptacle, appliance, apparatus, piping system, floor drain or other device that releases or discharges sewage;
- (x) "fuel" shall mean alcohol, gasoline, naphtha, diesel fuel, fuel oil or any other ignitable substance intended for use as a fuel;

- (y) "grab sample" is an aliquot of the flow being sampled taken at one particular time and place;
- (z) "ground water" shall mean water in a saturated zone or stratum beneath the surface of land or below a surface water body;
- (aa) "hailed liquid waste" shall mean sewage that is suitable for treatment in a sewage works and is transported to a sewage works for disposal and includes hailed sewage;
- (bb) "hailed sewage" shall mean waste removed from a sewage system, including a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet, or a sewage holding tank but does not include sludge removed from wastewater treatment plants;
- (cc) "hazardous industrial waste" shall mean hazardous industrial waste within the meaning of O.Reg. 347 as amended;
- (dd) "hazardous waste chemical" shall mean hazardous waste chemical within the meaning of O.Reg. 347 as amended;
- (ee) "ignitable waste" shall mean a substance that:
 - (i) is a liquid, other than an aqueous solution containing less than 24 per cent alcohol by volume and has a flash point less than 93 degrees Celsius, as determined by the Tag Closed Cup Tester (ASTM D-56-97a), the Setaflash Closed Cup Tester (ASTM D-3828-97 or ASTM D-3278-96el), the Pensky-Martens Closed Cup Tester (ASTM D-93-97), or as determined by an equivalent test method;
 - (ii) 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 vigorously and persistently that it creates a danger;
 - (iii) is an ignitable compressed gas (Class 2, Division D) as defined in the regulations under the Transportation of Dangerous Goods Act, 1992, as amended or replaced from time to time; or
 - (iv) is an oxidizing substance (Class 5, Divisions 1 and 2) as defined in the regulations under the *Transportation of Dangerous Goods Act, 1992*, as amended and any successor legislation thereto;
- (ff) "industrial" shall mean of or pertaining to industry, manufacturing, commerce, trade, business or institutions as distinguished from domestic or residential;
- (gg) "industry" shall mean any owner or operator of industrial premises from which there is a discharge of any matter directly or indirectly into a Corporation sanitary sewer or storm sewer;
- (hh) "interceptor" shall mean a receptacle that is designed and installed to prevent oil, grease, sand or other materials from passing into a drainage system;
- (ii) "LEL" stands for Lower Explosive Limit and means the minimum concentration of the compound as a gas or vapour, measured as a percentage in air, which will explode or burn;
- (jj) " maintenance access hole" shall mean access point in a private sewer connection to allow for observation, sampling and flow measurements of the sewage, uncontaminated water or storm water therein;
- (kk) "matter" includes any solid, liquid or gas;

- (ll) "Municipal sewer connection" shall mean that part of any drain or system of drains leading from the private sewer connection and connected to the Municipal sewer and located within the limits of the public road allowance, or other public lands held for sewage purposes;
- (mm) "Municipality" shall mean the Municipality of North Grenville or its designated representative;
- (nn) "non-contact cooling water" is 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;
- (nn) "nuclear substance" shall mean:
 - (i) deuterium, thorium, uranium or an element with an atomic number greater than 92;
 - (ii) a derivative of compound of deuterium, thorium, uranium or of an element with an atomic number greater than 92;
 - (iii) a radioactive nuclide;
 - (iv) a substance that is prescribed as being capable of releasing nuclear energy or as being required for the production or use of nuclear energy; or
 - (v) a radioactive substance or radioactive thing that was used for the development or product or in connection with the use, of nuclear energy as defined under the *Nuclear Safety and Control Act*, S.C. 1997, as amended and any successor legislation thereto;
- (oo) "O.Reg. 347" shall mean Ontario Regulation 347, the general waste management regulation made under Part V of the *Environmental Protection Act*, as amended from time to time, and any successor regulation;
- (pp) "pathological waste" shall mean a material which is a pathological waste within the meaning of O.Reg. 347 as amended;
- (qq) "PCBs" shall mean any monochlorinated or poly-chlorinated biphenyl or any mixture of these or mixture that contains one or more of them;
- (rr) "person" includes an individual, association, partnership, corporation, municipality, Provincial or Federal agency, or other legal representatives of a person to whom the context can apply according to law
- (ss) "pesticides" shall mean a pesticide regulated under the *Pesticides Act*, R.S.O. 1990, as amended or any successor legislation thereto;
- (tt) "pH" shall mean the logarithm to the base 10 of the reciprocal of the concentration of hydrogen ions in moles per litre of solution;
- (uu) "pollution prevention" shall mean the use of processes, practices, materials, products, substances or energy that avoid or minimize the creation of pollutants and wastes at the source;
- (vv) "premises" shall mean any land or building or both or any part thereof;
- (ww) "private sewer connection" shall mean that part of any drain or system of drains, including drains or subsurface drainage pipe for surface or subsurface of the land in or adjacent to a building, lying within the limits of the private lands and leading to a municipal sewer connection;
- (xx) "reactive waste" shall mean a substance that:
 - (i) is normally unstable and readily undergoes violent changes without detonating;

- (ii) reacts violently with water;
 - (iii) forms potentially explosive mixtures with water;
 - (iv) when mixed with water, generates toxic gases, vapours or fumes in a quantity sufficient to present danger to human health or the environment;
 - (v) is a cyanide or sulphide bearing waste which, when exposed to pH conditions between 2 and 12.5, can generate toxic gases, vapours or fumes in a quantity sufficient to present danger to human health or the environment;
 - (vi) is capable of detonation or explosive reaction if it is subjected to a strong initiating source or if heated under confinement;
 - (vii) is readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure; or
 - (viii) is an explosive (Class 1) as defined in the regulations under the *Transportation of Dangerous Goods Act, 1992*, as amended;
- (yy) "sanitary sewer" shall mean a sewer for the collection and transmission of domestic or industrial sewage or any combination thereof;
- (zz) "severely toxic waste" shall mean waste containing any contaminant listed in Schedule 3 of O.Reg. 347 as amended;
- (aaa) "sewage" shall mean any liquid waste containing animal, vegetable, mineral or chemical matter in solution or in suspension, but does not include stormwater or uncontaminated water;
- (bbb) "sewage works" means any works owned, operated and maintained by the Corporation for the collection, transmission, treatment or disposal of sewage, stormwater or uncontaminated water, including a sanitary sewer, municipal sewer connection or storm sewer, or any part of such works, but does not include plumbing or other works to which the *Building Code Act* applies;
- (ccc) "sewer" means a pipe, conduit, drain, open channel, ditch or watercourse for the collection and transmission of sewage, stormwater, or uncontaminated water, or any combination thereof;
- (ddd) "sludge" means wastewater containing more than 0.5% total solids, but does not include material which has been pumped out of a septic tank;
- (eee) "spill" means a direct or indirect discharge or deposit to the sewage works or the natural environment which is abnormal in quantity or quality in light of all circumstances of the discharge;
- (fff) "Standard Methods" means a procedure or method 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 the Water Environment Federation, 20th edition, as amended from time to time;
- (ggg) "storm sewer" means a sewer for the collection and transmission of uncontaminated water, storm water, drainage from land or from a watercourse or any combination thereof that is the responsibility of the Corporation including storm sewers located within the Corporation's road allowance or other Corporation property;
- (hhh) "storm water" means water from rainfall, other natural precipitation, drainage or from the melting of snow or ice;
- (jjj) "swimming pool" means a structure which is located on or in or above the ground and which is capable of containing an artificial body of water for swimming, wading, diving or recreational bathing with a water depth of 0.6 metres or more at its deepest point;

- (kkk) "total kjedahl nitrogen (TKN)" means organically bound nitrogen plus ammonia nitrogen, as determined by using a standard procedure;
- (lll) "uncontaminated water" means potable water as supplied by the Corporation or any other water with a level of quality which is typical of potable water normally supplied by the Corporation, or any other water which complies with Section C of this by-law;
- (mmm) "waste disposal site leachate" means leachate, namely liquid containing dissolved or suspended contaminants which emanates from waste and is produced by water percolating through waste or by liquid in waste, from any waste disposal site;
- (nnn) "watercourse" means an open channel, ditch or depression either natural or artificial, in which flow of water occurs either continuously or intermittently; and
- (ooo) "waters" means a well, lake, river, pond, spring, stream, reservoir, artificial watercourse, intermittent watercourse, or other water or watercourse.

B. SANITARY SEWER REQUIREMENTS

Sanitary Sewer Prohibition - Circumstances

1. No person shall directly or indirectly discharge or deposit or cause or permit the discharge or deposit of sewage or matter of any type into a sanitary sewer, municipal or private sewer connection to any sanitary sewer in circumstances where, to do so, may cause or result in:
 - (a) a health or safety hazard to a person authorized by the Director to inspect, operate, maintain, repair or otherwise work on a sewage works;
 - (b) an offence under the *Ontario Water Resources Act* or the *Environmental Protection Act* or any regulation made thereunder from time to time;
 - (c) biosolids from the sewage works to which sewage discharges, directly or indirectly, to fail to meet the objectives and criteria as listed in the Ministry of the Environment publication entitled "Guidelines for the Utilization of Biosolids and Other Wastes on Agricultural Land" dated March 1996, as amended from time to time;
 - (d) interference with the operation or maintenance of a sewage works or the impairment or interference with any sewage treatment process;
 - (e) a hazard to any person, animal, property or vegetation;
 - (f) an offensive odour to emanate from sewage works, and without limiting the generality of the foregoing, sewage containing hydrogen sulphide, carbon disulphide or other reduced sulphur compounds, amines or ammonia, in such quantity as may cause an offensive odour shall not be discharged to the sewage works;
 - (g) damage to the sewage works;
 - (h) an obstruction or restriction to the flow in the sewage works;
 - (i) the presence of toxic gases, vapours or fumes within the sewage works such that:
 - (i) two successive readings on an explosion hazard meter, at the point of discharge into the sewage works or at any point in the sewage works, of more than five percent LEL are obtained;

- (ii) any single reading on an explosion hazard meter, at the point of discharge into the sewage works or at any point in the sewage works, of ten percent LEL or higher is obtained; or
- (iii) any single reading on an explosion hazard meter, at the point of discharge into the sewage works or at any point in the sewage works, of two parts per million atmosphere hydrogen sulphide or higher is obtained.

Discharge to Sanitary Sewer Prohibited – Characteristics of Matter

2. No person shall directly or indirectly discharge or deposit or cause or permit the discharge or deposit of sewage or matter of any type into a sanitary sewer, municipal or private sewer connection to any sanitary sewer where the sewage has one or more of the following characteristics:
- (a) a temperature greater than 60 degrees Celsius; or
 - (b) a pH less than 6.0 or greater than 10.5; or
 - (c) two or more separate liquid layers.

Discharge to Sanitary Sewers Prohibited – Content of Matter

3. No person shall directly or indirectly discharge or deposit or cause or permit the discharge or deposit of sewage or matter of any type into a sanitary sewer, municipal or private sewer connection to any sanitary sewer if the sewage contains one or more of the following in any amount:
- (a) acute hazardous waste chemical;
 - (b) biomedical waste;
 - (c) combustible liquid;
 - (d) dyes or colouring materials which may or could pass through a sewage works and discolour the sewage works effluent;
 - (e) fuel;
 - (f) hauled sewage, except where:
 - (i) the hauled sewage is being discharged from a recreational vehicle;
 - (ii) the carrier of the hauled sewage operating as a waste management system has a Certificate of Approval or Provisional Certificate issued under the *Environmental Protection Act* or is exempt from the requirement to have a Certificate of Approval or Provisional Certificate of Approval;
 - (iii) the carrier has written approval from the Corporation which includes a specified time and location for the discharge; and
 - (iv) the discharge occurs at the approved time and location.
 - (g) hauled liquid waste, except where:
 - (i) the carrier of the hauled liquid waste operating as a waste management system has a Certificate of Approval or Provisional Certificate issued under the *Environmental Protection Act* or is exempt from the requirement to have a Certificate of Approval or Provisional Certificate of Approval; and
 - (ii) the carrier complies with the provisions for the discharge of hauled liquid waste that are or may be set from time to time by the Director;

- (h) ignitable waste;
- (i) hazardous industrial waste;
- (j) hazardous waste chemicals;
- (k) nuclear waste unless:
 - (i) the waste radioactive prescribed substances are being discharged under a valid and current licence issued by the Canadian Nuclear Safety Commission or its successor;
 - (ii) a copy of the licence has been provided to the Corporation; and
 - (iii) the discharge has been authorized in writing by the Director;
- (l) pathological waste, except where the waste has been decontaminated prior to its discharge;
- (m) PCB's except where:
 - (i) the person has a Certificate of Approval for a mobile site or PCB mobile waste disposal system issued under the *Environmental Protection Act* or, where the person is claiming exemption under a regulation, the person has demonstrated to the satisfaction of the Director that the conditions of the exemption are met;
 - (ii) a copy of the most recent Certificate of Approval or Provisional Certificate and any amendment is provided to the Director;
 - (iii) the Director has confirmed in writing that the person discharging has met a condition for an exemption under the regulations in relation to that person's discharge of PCBs to the sewage works; and
 - (iv) the discharge contains a concentration of less than 1 microgram per litre of PCBs;
- (n) pesticides;
- (o) reactive waste;
- (p) severely toxic waste;
- (q) silver-bearing wastewater from photo finishing processes not treated with a silver recovery unit prior to discharge;
- (r) waste disposal site leachate;
- (s) solid or viscous substances in quantities or of such size 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.

Specified Limits for Discharges to Sanitary Sewer

4. No person shall directly or indirectly discharge or deposit or cause or permit the discharge or deposit of sewage or matter of any type into a sanitary sewer, municipal or private sewer connection to any sanitary sewer if the sewage contains a concentration expressed in milligrams per litre, which exceeds any one or more of the limits in Schedule "A" attached, "Limits for Sanitary and Combined Sewers Discharges" unless the person has:
 - (a) entered into an Overstrength Sewage Discharge Agreement in accordance with Section E. and the discharge to the sanitary sewer is in strict compliance with that Overstrength Sewage Discharge Agreement; or

- (b) in effect a Compliance Program approved by the Director in accordance with Section F, and the discharge to the sanitary sewer is in strict compliance with the approved Compliance Program.

Sanitary Sewer - Water not Originating from the Corporation Water Supply

- 5. No person shall directly or indirectly discharge or cause or permit the discharge of sewage containing water originating from a source other than the Corporation's water supply, into a sanitary sewer, municipal or private sewer connection to any sanitary sewer unless:
 - (a) the person has entered into a Sanitary Sewer Discharge Agreement in accordance with Section E and the discharge is in strict compliance with that Sanitary Sewer Discharge Agreement; or
 - (b) the person has entered into an Overstrength Discharge Agreement in accordance with Section E, and the discharge is in strict compliance with that Overstrength Discharge Agreement.

Prohibition of Dilution

- 6. No person shall discharge directly or indirectly or deposit or cause or permit the discharge or deposit of sewage into a sanitary sewer, storm sewer, municipal or private sewer connection to any sanitary sewer or storm sewer in circumstances where matter has been added to the discharge for the purpose of dilution to achieve compliance with Sections A. and B. of this by-law.

C. STORM SEWER REQUIREMENTS

Storm Sewer Prohibition - Circumstances

- 1. No person shall directly or indirectly discharge or deposit or cause or permit the discharge or deposit of matter of any type or in any quantity into any storm sewer, watercourse, municipal or private sewer connection to any storm sewer in circumstance where to do so may cause or result in:
 - (a) damage to a storm sewer;
 - (b) interference with the proper operation of a storm sewer;
 - (c) any hazard or other adverse impact, to any person, animal, property, or vegetation;
 - (d) impairment of the quality of the water in any well, lake, river, pond, spring, stream, reservoir or other water or watercourse;
 - (e) the contravention of a Certificate of Approval or Provisional Certificate of approval issued under the *Ontario Water Resources Act* or the *Environmental Protection Act* with respect to the storm sewer, its discharge from the storm sewer or both the storm sewer and its discharge; or
 - (f) contravention of the *Fisheries Act*, with respect to the storm sewer and/or its discharge from the storm sewer into a watercourse.

Discharge to Storm Sewer Prohibited - Characteristics of Matter

2. No person shall directly or indirectly, discharge or deposit or cause or permit the discharge or deposit of matter of any type or in any quantity into any storm sewer, watercourse, municipal or private sewer connection to any storm sewer where the matter has one or more of the following characteristics:
 - (a) two or more separate layers;
 - (b) pH less than 6.5 or greater than 8.5;
 - (c) visible film, sheen or discolouration; or
 - (d) temperature greater than 40 degrees Celsius.

Discharge to Storm Sewer Prohibited - Content of Matter

3. No person shall directly or indirectly, discharge or deposit or cause or permit the discharge or deposit of matter of any type or in any quantity into any storm sewer, watercourse, municipal or private sewer connection to any storm sewer where the matter contains one or more of the following:
 - (a) acute hazardous waste chemicals;
 - (b) animate products of biotechnology;
 - (c) biomedical waste;
 - (d) carpet cleaner waste;
 - (e) combustible liquid;
 - (f) concrete mixtures;
 - (g) dyes or colouring materials, except where the dye is used by the Corporation or an agent working on behalf of the Corporation as a tracer;
 - (h) floating debris;
 - (i) fuel;
 - (j) hauled sewage;
 - (k) hauled liquid waste;
 - (l) hazardous industrial waste;
 - (m) hazardous waste chemicals;
 - (n) ignitable waste;
 - (o) material discharged from a groundwater remediation system;
 - (p) motor oil;
 - (q) nuclear substance;
 - (r) organic solvents;
 - (s) paint;

- (t) pathological waste;
- (u) PCBs;
- (v) pesticides;
- (w) reactive waste;
- (x) severely toxic waste;
- (y) sewage;
- (z) sludge;
- (aa) solvent extractable matter of animal, vegetable origin, mineral or synthetic origin;
- (bb) waste disposal site leachate;
- (cc) wastewater from an industrial operation;
- (dd) a substance from raw materials, intermediate or final products produced in, through or from an industrial operation;
- (ee) a substance used in the operation or maintenance of an industrial site;
- (ff) contaminants from the raw materials, intermediate or final products or wastewater from an industrial operation;
- (gg) *Escherichia coli* colonies in excess of 200 per 100 ml;
- (hh) a substance which has or causes an offensive or nuisance odour;
- (ii) result in the discharge of cooling water, blowdown water or storm water from industrial process areas unless all of the following conditions are met:
 - (i) the cooling water, blowdown water or storm water is being discharged pursuant to a Certificate of Approval or Provisional Certificate of approval issued under the *Environmental Protection Act* or the *Ontario Water Resources Act*, as amended, which expressly authorizes the discharge;
 - (ii) the person owning or operating the premises has written approval from the Corporation which expressly authorizes the discharge from the premises; and
 - (iii) a copy of the Certificate of Approval or Provisional Certificate of approval referred to in Section C.3. (ii) (i) has been provided to the Corporation;
- (jj) a concentration, expressed in milligrams per litre, which exceeds any one or more of the limits in Schedule "B" attached, "Limits for Storm Sewer Discharges ", except where the discharge results solely from:
 - (i) street cleaning which has been authorized by the Director;
 - (ii) hydrant flushing which has been authorized by the Director; or
 - (iii) extinguishing fires.

D. REPORTING AND MONITORING REQUIREMENTS

Waste Survey Report - Industrial Dischargers

1. Every person being an owner or operator of industrial premises with a connection to a sewage works or making use of any kind of sewage works shall, within sixty (60) days of request by a Compliance Officer:
 - (a) file with the Compliance Officer, a Waste Survey Report in the form established and containing:
 - (i) the address and legal description of the premises, any commonly used name of the premises, the names of the owner and operator, a telephone number or other means by which the owner and the operator can be contacted;
 - (ii) a description of process operations, including waste discharge rates and contamination concentrations and hours of operation and Standard Industrial Classification codes;
 - (iii) particulars of the names of all raw materials, products, by-products, waste and any other substance or material that is used, produced, discharged or emitted from such premises;
 - (iv) the generator registration number if any assigned with respect to the premises under O.Reg. 309 made under the *Environmental Protection Act*;
 - (v) particulars of 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 O.Reg. 309 made under the *Environmental Protection Act* relating to any material discharged into or in land drainage works, private branch drains or connections to any sanitary, or storm sewer;
 - (vi) particulars of the types, volumes, concentrations and frequency of discharge of all substances or materials;
 - (vii) particulars of the types of industrial processes, neutralization processes and systems, ion exchange systems, heavy metal absorption systems, on-site treatment facilities and all other processes occurring prior to the discharge of any substance or material into any sewage works;
 - (viii) all other information, which, in the opinion of the Director, is reasonable and necessary for the proper treatment of the substances and materials discharged and efficient operation and monitoring of sewage works; and
 - (ix) the signature of the owner or operator of the industrial premises, or its authorized representative, certifying as to the accuracy of the information;
 - (b) file with the Compliance Officer, in support of the Waste Survey Report, the following documentation:
 - (i) a schematic process diagram indicating waste discharge points and waste description;
 - (ii) a sketch to scale showing the dimensions, specifications and location of all drainage connections to the sewage works;
 - (iii) a sketch to scale showing the dimensions, specifications and location of all maintenance access holes constructed pursuant to this By-law; and
 - (iv) the specifications of all drainage lay-out plans.
2. Every person being the owner or operator of the industrial premises shall submit to the Compliance Office in writing, particulars of any changes to the information provided in Section D.1. within thirty (30) days of the change.
3. No person being the owner or operator of industrial premises shall 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, or storm sewer, unless he or she has complied with Sections D.1. and D.2.

4. Every person being an owner or operator of industrial premises shall:
 - (a) complete any monitoring or sampling of any discharge to a sewage works in accordance with a written request by a Compliance Officer;
 - (b) provide the results of monitoring or sampling under Section D.4. (a) to the Compliance Officer, in accordance with written request by the Compliance Officer;
 - (c) have samples obtained pursuant to Section D.4. (a) analyzed by an accredited laboratory forthwith upon written request by a Compliance Officer; and
 - (d) submit the results of testing under Section D.4.(b) or D.4.(c) to the Compliance Officer forthwith upon receipt.
5. The obligations set out in or arising out of this Section D. shall be completed at the expense of the owner or operator carrying out or required to carry out the obligation.

E. AGREEMENTS

1. Subject to Sections E.3., E.6., E.8., and E.13., the discharge or deposits of sewage that would otherwise be prohibited by this by-law may be permitted into or in any connection to any sanitary sewer to an extent fixed by agreement with the Corporation under such conditions with respect to payment of additional sewage service rates or otherwise as may be necessary to compensate for any additional costs of operation, repair, and maintenance of the sewage works.
2. For the purpose of this Chapter Discharge Agreement includes an “Overstrength Sewage Discharge Agreement”, a “Restrictive Discharge Agreement”, and a “Sanitary Sewer Discharge Agreement”.

Overstrength Sewage Discharge Agreement

3. An “Overstrength Sewage Discharge Agreement” can only be made for the volume of sewage and discharge of the following parameters in sewage: suspended solids, biochemical oxygen demand and/or chemical oxygen demand, oil and grease of animal and vegetable origin, phosphorus, and total Kjeldahl nitrogen.
4. Negotiated when an industry’s discharge to a sanitary sewer exceeds the limits set in Schedule “A” for one or more of three parameters listed under Section E.3. that are treatable at the Wastewater Treatment Plant. This agreement allows the Corporation to recover the costs of operation, repair and maintenance of the sewage works, which will be reviewed and adjusted accordingly from time to time by the Corporation for treating these excess loadings resulting from overstrength wastes.
5. Negotiated when an industry discharge to a sanitary sewer exceeds 100 cubic metres per day. This agreement allows the Corporation to impose a surcharge fee, which will be reviewed and adjusted accordingly from time to time by the Corporation for discharges in excess of 100 cubic metres per day.

Restrictive Discharge Agreement

6. The Director may require a “Restrictive Discharge Agreement” when restriction of loadings and/or volume into the sewage works is required.

7. An “Overstrength Sewage Discharge Agreement” and a "Restrictive Discharge Agreement” shall be subject to Council approval.

Sanitary Sewer Discharge Agreement

8. A “Sanitary Sewer Discharge Agreement” shall be made for the discharge of sewage which contains water that has originated from a source separate from the municipal water supply system. The agreement, if necessary, will include installation of a flow meter and flow data recorder, and also a costs of operation, repair and maintenance of the sewage works that will be reviewed and adjusted accordingly from time to time by the Corporation for the discharge agreement.
9. A “Sanitary Sewer Discharge Agreement” shall be subject to Director’s approval.
10. Every Discharge Agreement shall specify:
 - (a) the extent of variance from this by-law authorized by the Discharge Agreement;
 - (b) the conditions on which the discharge is permitted;
 - (c) the surcharge for additional sewage rates payable as deemed necessary by the Director to compensate for any additional costs of operating and maintaining the sewage works;
 - (d) the obligation of the party to indemnify the Corporation;
 - (e) the term and rights of early termination;
 - (f) that where a common sewer service pipe connects different industrial premises to the sewage works and only one test maintenance access hole is maintained pursuant to this by-law, the results of monitoring performed on samples collected from such maintenance access holes shall be used to determine any overstrength fees or sewer rates, unless otherwise approved by the Director; and
 - (g) such matters as the Director may determine.
11. The Director is authorized to sign Discharge Agreements in accordance with this by-law provided the applicant has:
 - (a) has paid the applicable administration fee determined in accordance with the Water Use and Rate By-Law;
 - (b) delivered to the Director, the Discharge Agreement in the form authorized by the Director, duly signed by its authorized signing officers; and
 - (c) delivered to the Director, such documentation as may be specified in the Discharge Agreement.
12. No person being a party to a Discharge Agreement shall, while the Discharge Agreement is in effect, make or permit discharges which are non-compliant with this by-law except in the amount and to the extent set out in the Discharge Agreement.
13. Despite any other provision of this by-law, a person who has entered into a Discharge Agreement shall not be prosecuted under this by-law for the discharge or deposit of sewage containing the matters specified in the Discharge Agreement while the Discharge Agreement is in effect, provided the discharge is fully compliant with the Discharge Agreement.

14. The Director may terminate a Discharge Agreement prior to its expiry date:
 - (a) at any time where the Director determines the continuation of the agreement poses a threat or danger to any person, property, plant or animal life, waters or sewage works; or
 - (b) on thirty (30) days written notice for contravention of the Discharge Agreement or this by-law.

F. COMPLIANCE PROGRAM

1. An industry which is discharging an effluent which is not in compliance with limits in Schedule “A” may apply in writing to the Director for approval of a proposed Compliance Program intended to bring the industry into compliance with this by-law within a fixed period of time.
2. The proposed Compliance Program shall set out activities to be undertaken by the industry that would result in a specified time, in the prevention or reduction and control of the discharge or deposit of:
 - (a) matter from the industry's premises into municipal or private sewer connections to any sanitary sewer; or
 - (b) uncontaminated water, or stormwater from the industry's premises into municipal or private sewer connections to any storm sewer.
3. The Director is hereby authorized to approve in writing a Compliance Program for an industry, where the Compliance Program addresses, to the satisfaction of the Director:
 - (a) particulars of the permitted exemption from compliance from this by-law, and any limitations to such exemption;
 - (b) the terms and conditions on which the non-compliant discharge may occur;
 - (c) particulars of any treatment facilities which are to be installed to achieve compliance with this by-law;
 - (d) particulars of the remedial actions to be implemented by the industry to achieve compliance with this by-law;
 - (e) the dates of commencement and completion of the remedial actions or activities;
 - (f) particulars of the permitted exemption from compliance from this by-law, and any limitations to such exemption;
 - (g) a Compliance program Application fee to be paid in accordance with the Water Use and Rate By-Law plus any additional costs related to development of Compliance program; and
 - (h) the date by which compliance with this by-law is to be achieved. The date for completion of proposed remedial activity or action shall not be later than the specified end date for the compliance program.
4. The Director may:
 - (a) refuse to approve the proposed Compliance Program where, in his or her opinion, the proposed Compliance Program is inadequate; or
 - (b) approve a Compliance Program.

5. Every industry for which a Compliance Program has been approved, shall:
 - (a) submit to the Director, a “Compliance Program Progress Report” within fourteen (14) days of the scheduled completion date of each activity listed in the approved Compliance Program;
 - (b) comply with or to cause compliance with the Compliance Program; and
 - (c) ensure that no discharge is made which is non-compliant with this by-law except in the amount and to the extent and during the time frames set out in the approved Compliance Program.
6. The Director may terminate an approved Compliance Program on thirty (30) days written notice to the industry sent by registered mail to the address for the industry shown in the application for the Compliance Program, in the event that the Director, in his or her discretion, determines that the industry has failed or neglected to carry out or diligently pursue the activities required of it under its approved Compliance Program.
7. The Director may suspend any approved Compliance Program on oral or written notice to the industry at any time where the Director, in his or her discretion determines that there is an emergency situation or immediate threat or danger to any person, property, plant or animal life or to waters.

G. SAMPLING AND ANALYTICAL REQUIREMENTS

1. Where a sample is required pursuant to this by-law 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 the following guidelines shall apply:
 - (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 stormwater, shall be carried out in accordance with Standard Methods;
 - (c) for each one of the following metals: arsenic, cadmium, chromium, cobalt, copper, lead, molybdenum, nickel, selenium, silver, and zinc whose concentration is limited in Schedule “A”, the analysis shall be for the quantity of total metal, which includes all metal both dissolved and particulate;
 - (d) where a common sewer service pipe connects different industrial and commercial premises served by separate water meters to the wastewater collection system and only one test maintenance access hole is maintained pursuant to this by-law, the results of tests performed on samples collected from such test maintenance access holes shall be used to determine a sewer service surcharge which shall be used for all premises connected to the common sewer service; and
 - (e) the Director may from time to time conduct tests at the test maintenance access hole, or, where there is not a test maintenance access hole located at a place satisfactory to test the wastewater being discharged, the Director may enter upon the premises from which the wastewater originates and conduct the tests as he deems necessary.

H. SPILLS

Immediate Notification

1. Every person responsible for a spill which enters or has the potential to enter the sewage works and every person having charge, management and control of such a spill shall:
 - (a) phone the Municipality as soon as the person knows or ought to know that the spill has entered the sewage system or has the potential to enter the sewage system to give notice of the spill;
 - (b) provide such information with regard to the spill as is requested by the Director and is then available;
 - (c) provide a detailed written, signed report to the Director within five (5) days after the spill, including in the report, to the best of his or her knowledge particulars of:
 - (i) the location where spill occurred;
 - (ii) the name and telephone number of person who reported the spill and the location and time where that person can be contacted;
 - (iii) the name of the person who discharged or deposited or who is believed to have discharged or deposited the material to the sewage works;
 - (iv) the date and time of spill;
 - (v) the material spilled;
 - (vi) the characteristics of material spilled;
 - (vii) the volume of material spilled;
 - (viii) the duration of the spill;
 - (ix) the work completed and/or still in progress in the mitigation of the spill;
 - (x) the preventative actions being taken to ensure a similar spill does not occur again;
 - (xi) the date and time of any report of the spill to the Ministry of the Environment or to any other agency; and
 - (xii) such other information as the Director may reasonably require to investigate and assess the situation.

Containment

2. Every person being responsible for a spill into the sewage works and every person having charge, management and control of a spill into the sewage works shall do everything reasonably possible, at the person's own cost and expense to:
 - (a) contain the spill;
 - (b) protect the health and safety of citizens;
 - (c) minimize damage to property;
 - (d) protect the environment;
 - (e) clean up the spill and contaminated residue; and
 - (f) restore the affected areas to its condition prior to the spill.

Cleanup

3. Where the person responsible for the spill or the person having the charge, management and control of the spill fails to or neglects to carry out or diligently pursue the activities required of it in Section H.2. of this by-law, the Director may take or direct the taking of

such measures as the Director deems appropriate to contain the spill, protect the health and safety of citizens, minimize damage to the property, protect the environment, clean up the spill and associated residue and restore the affected area to its condition prior to the spill. The cost of doing so shall be a debt owing by the person responsible for the spill and/or the person having the charge, management and control of the spill, enforceable by any means open to the Corporation.

I. MAINTENANCE ACCESS HOLE/MONITORING DEVICES

Maintenance Access Hole

1. The owner or operator of commercial, institutional or industrial premises or multi-residential buildings with one or more connections to the sewage works shall install and maintain in each connection, a suitable monitoring maintenance access hole to allow observation, sampling and flow measurement of the sewage, uncontaminated water or storm water therein.
2. Despite Section I.1., where on application of the owner or operator of a commercial, institutional or industrial premises or multi-residential building, the Director is satisfied that the installation of a monitoring maintenance access hole is not feasible or possible in the circumstances, the Director may authorize in writing the installation of a specified alternative device or facility instead of a monitoring maintenance access hole on such conditions as the Director may determine.
3. Every person who has the written authorization of the Director under Section I.2. shall install and maintain in each connection, the alternate device or facility authorized by the Director in accordance with the written authorization.
4. Every person being obligated under Section I. to install a monitoring maintenance access hole or authorized alternate device or facility shall locate such monitoring maintenance access hole or alternate device or facility on the premises, as close to the property line as possible,
5. Every person who has received written approval of the Director under Section I.4. shall install the monitoring maintenance access hole or authorized alternate device or facility in the location approved by the Director.
6. Every owner and/or operator required to install a monitoring maintenance access hole or authorized alternate device or facility under this Chapter shall ensure same is:
 - (a) designed and constructed in accordance with good engineering practice and the requirements of the municipal standard and/or Ontario Provincial Standard, as established by the Corporation from time to time; and
 - (b) maintained in good operating condition at all times.
7. Every person being the owner or operator of the commercial, institutional or industrial premises or multi-storey buildings shall ensure that every monitoring maintenance access hole, authorized alternative device or facility installed as required by Section I. is accessible at all times for the purposes of maintaining, observing, sampling, and flow measurement of the sewage, uncontaminated water or stormwater therein.
8. No person shall structurally modify any monitoring maintenance access hole or authorized alternate device, or install devices which may result in interfering with the Corporation's access to or the installation and observation of the Corporation's devices used for the purpose of observation, sampling and flow measurement of the sewage without the prior consent of the Director and in accordance with such consent.

9. In the event that the owner or operator of the commercial, institutional or industrial premises or multi-story building fails to install a monitoring maintenance access hole or authorized alternate device or facility, the Director may cause monitoring maintenance access hole or authorized alternated device or facility to be installed and may enter onto the owner or operator's premises without notice to effect the installation. The cost of the installation shall be a debt owing by the owner or operator to the Corporation, enforceable by any means open to the Corporation. If unpaid, the debt may be added to the property tax roll for the owner or operator's property and collected in the same manner as taxes.

Monitoring Devices

10. The Director may by notice in writing require the owner or operator of a commercial, institutional or industrial premises or multi-storey residential building to:
 - (a) install and maintain devices to monitor the discharge of matter, sewage, uncontaminated water or stormwater; and
 - (b) submit to the Corporation regular reports regarding the discharges.
11. A discharge of matter or sewage to a single private sewer connection from premises with two or more separate businesses serviced by a single water service will be considered as being released by the person responsible for the payment of the bill for the water services for that water meter, whether or not actually released by that person.
12. A discharge of matter or sewage to a single private sewer connection from a premises with two or more separate businesses, each serviced by a separately metered water services will be considered as being released from each of the separate businesses, in proportion to the separate business' water consumption, unless it is shown to the satisfaction of the Director, by the owner of the operator of the premises that:
 - (a) the portion of the material or sewage that is overstrength, or in violation of this by-law is being released from only one of the businesses serviced by a separate metered water service on the premises; and
 - (b) the material or sewage released from that business can be monitored separately from other businesses.

J. PROTECTION OF THE SEWERS

Food-related Grease Interceptors and Traps

1. Every person being an owner or operator of an industrial, commercial or institutional premises where food is cooked, processed or prepared, which premises is connected directly or indirectly to a municipal sewer connection, shall take all necessary measure to ensure that fats, oil and grease are prevented from entering the sanitary sewer in excess of the limits as set in Schedule "A" of this by-law. Grease interceptors shall not discharge to storm sewers.
2. Every person being an owner or operator of premises as set out in Section J.1. shall:
 - (a) install, operate and properly maintain an interceptor or a trap in any piping system at its premises that connects directly or indirectly to a sewer; and
 - (b) install an interceptor or trap that is in compliance with the most current requirements of the Ontario Building Code.
3. The installation of the fats, oil and grease interceptor or trap shall meet the requirements of the Canadian Standards Association national standard CAN/CSA B-481, as amended.

4. All fats, oil and grease interceptors or traps shall be maintained according to the manufacturer's recommendations. The testing, maintenance and performance of the interceptor or trap shall meet the requirements of CAN/CSA B-481. Interceptors and traps should be cleaned before the thickness of the organic material and solids residuals is greater than twenty-five percent of the available volume.
5. Emulsifiers shall not be discharged to the sewer system into interceptors or traps. No person shall use enzymes, bacteria, solvents, hot water or other agents to facilitate the passage of fats, oil and grease through an interceptor or a trap.

Vehicle and Equipment Service - Oil and Grease Interceptors

6. Every person being an owner or operator of a motor vehicle service station, repair shop or garage or of an industrial, commercial or institutional premises or any other establishment where motor vehicles are repaired, lubricated or maintained and where the sanitary discharge is directly or indirectly connected to a sewer shall install and maintain an oil and grease interceptor designed to prevent motor oil and lubricating grease from passing into the into the sanitary or sewer in excess of the limits as set in Schedule "A" of this by-law.
7. Every person being an owner or operator of a premise as set out in Section J.6. shall:
 - (a) install, operate and properly maintain in good condition, an oil and grease interceptor in any piping system at its premises that connects directly or indirectly to a sewer; and
 - (b) install such oil interceptor that is in compliance with the most current requirements of the Ontario Building Code.

Sediment Interceptors

8. Every person being an owner or operator of a premises from which sediment may directly or indirectly enter a sewer, including but not limited to premises using a ramp drain or area drain and care and vehicle wash establishments, shall take all necessary measure to ensure that such sediment is prevented from entering the drain or sewer.

Requirements - All Interceptors and Traps

9. Every person being an owner or operator of premises who installs an interceptor or a trap, or causes an interceptor or a trap to be installed shall ensure that the interceptor or a trap:
 - (a) is of sufficient capacity and appropriate design to intercept natural oil and grease, synthetic or petroleum oil and grease, gasoline, sand or other sediment likely to flow into it under peak flow conditions;
 - (b) is located to be readily and easily accessible for cleaning and inspection;
 - (c) is constructed of impervious materials capable of withstanding abrupt or extreme changes in temperature;
 - (d) is of substantial construction, watertight, and equipped with easily removable covers which, when bolted in place, are gastight and watertight; and
 - (e) is maintained by the owner, at the owner's expense, in continuously efficient operation at all times.

10. Every person, being an owner or operator who has installed an interceptor or trap, or caused an interceptor or trap to be installed shall:
 - (a) for two years keep the document of proof for interceptor or trap clean-out and content disposal;
 - (b) produce maintenance records for the interceptor or trap on the request of a Compliance Officer; and
 - (c) permit a Compliance Officer to enter upon the premises at any time to inspect the operation and maintenance of the interceptor or trap.

Dental Waste Amalgam Separator

11. Every owner or operator of any premises in which dentistry is practiced, shall install, operate and properly maintain a certified amalgam separator on all fixtures to prevent the release of dental amalgam directly or indirectly to a sewer except where:
 - (a) the dental practice consists only of one of the following dental specialties, as defined in the Canada-wide Standard on Mercury for Dental Amalgam Waste:
 - (i) orthodontics and dentofacial orthopedics;
 - (ii) oral and maxillofacial surgery;
 - (iii) oral medicine and pathology;
 - (iv) oral and maxillofacial radiology; or
 - (v) periodontics; or
 - (b) the dental practice consists solely of visits by a mobile dental practitioner who prevents any dental amalgam from being released directly or indirectly to the sewage works.
12. Notwithstanding Section J.11., every person operating a business from which dental amalgam is or will be discharged directly or indirectly to a sewer, at premises which are constructed or substantially renovated or after the date that this by-law comes into force, shall install, operate and properly maintain dental amalgam separator(s) in any piping system which is connected directly or indirectly to a sewer.

Garbage Grinders

13. No person shall install or operate or cause to be installed or operated within the Municipality any garbage grinding devices, the effluent from which will discharge directly or indirectly into the sewage works.
14. Every person being the owner or operator of an industrial, commercial or institutional property who has installed or caused to be installed, a garbage grinding device in accordance with the Building Code shall ensure that the effluent from such garbage grinding device complies with Sections B.1., B.2. and B.3. of this by-law.

Discharge from Swimming Pools or hot tub/spa or wading pool

15. No person shall discharge wastewater from a swimming pool or hot tub/spa or wading pool such that it flows:
 - (a) directly or indirectly to a storm sewer or storm drainage system;
 - (b) onto an adjoining property; or

- (c) over a valley or ravine slope.
- 16. Every person discharging wastewater from a swimming pool or hot tub/spa or wading pool shall cause the wastewater to either be:
 - (a) transported away by an appropriately licensed waste hauler; or
 - (b) discharged by way of a temporary connection to the sanitary sewer authorized by the Director in writing, on application of the property owner; or
 - (c) discharged by way of controlled discharge to the owner's property such that the discharge is at all times contained within the property until it evaporates or infiltrates into the ground.

Discharge from Roof and/or Sump

- 17. No person being the owner of a premises shall discharge, drain or cause or permit to be discharged or drained, water from the roof or from the sump pump of any building on the land or surface water from the premises such that it flows onto an adjoining property.
- 18. Every person being the owner of a premises discharging or draining water from the roof or from the sump pump of any building on the land or surface water from the premises shall cause the water to be:
 - (a) discharged by way of controlled discharge to the owner's property such that the discharge is at all times contained within the property until it evaporates or infiltrates into the ground;
 - (b) in the case of water from the roof, directed to and contained in a rain barrel until used; or
 - (c) discharged in accordance with a plan approved by the Director, on application in writing by the owner of the premises.
- 19. No person being the owner of premises shall permit water from the roof or from the sump pump of a building on the land to discharge by way of a connection to the sanitary sewer unless authorized by the Director in writing, on application of the owner of the premises.

Connection to Collection Systems

- 20. No person shall make, alter or remove, or suffer or permit the making, alteration or removal of, any connection to the wastewater collection system or the storm drainage collection system without the prior written approval of the Director obtained on application.
- 21. No person shall install or cause the installation of a municipal sewer connection that services more than one building on a property unless otherwise permitted under the Building Code.
- 22. No person shall install or cause the installation of a municipal sewer connection that services more than one property.

Protection from Damage

- 23. No person shall uncover, open into, break, alter, damage, destroy, deface or tamper or cause or permit the breaking, damaging, destroying, defacing or tampering with any permanent or temporary device installed in a sewage works for the purposes of flow measuring, sampling and testing of matter, sewage, uncontaminated water or stormwater.

Damage to the Sewage Works

24. Every person discharging matter, sewage, uncontaminated water or stormwater to the Corporation sewage works shall ensure that such matter, sewage uncontaminated water or stormwater conforms at all times to the provisions of this by-law.
25. Every person discharging matter, sewage, uncontaminated water or storm water to the municipal sewage works shall be liable to the Corporation for any damage or expense arising out of any failure to properly check and control such discharge, including the cost of investigation, repairing, cleaning or replacing any part of any Corporation sewage works damaged thereby.

K. POLLUTION PREVENTION PLANS

1. The Corporation may require an industrial user to develop a pollution prevention plan for the discharge of any parameter designated by the Corporation where the industrial user has:
 - (a) failed to comply with Section B – Discharges to Sanitary Sewers;
 - (b) failed to comply with Section C – Discharges to Storm Sewers;
 - (c) failed to comply with a compliance program; or
 - (d) been responsible for one or more spills to a sewage or land drainage works.
2. The pollution prevention plan shall be completed by the industrial user and a plan summary with respect to the premises from which the discharge occurs shall be submitted to the Director.
3. Pollution prevention plans and plan summary shall comply with any guidelines established by the Corporation.
4. The pollution prevention plan shall be available for review by the Corporation at the site of the industrial user within eighteen (18) months of notification by the Corporation.
5. The Municipality may exempt an industrial user from developing a pollution prevention plan where the industrial user has in place an ISO 14001 Program which is currently registered by a third party auditor accredited by the Standard Council of Canada or the Registrar Accreditation Board.

L. REPAIR, MAINTENANCE AND REPLACEMENT OF SANITARY SEWER

1. The Municipality assumes responsibility for the structural integrity of sewer and water services in the right of way from the main lines to the property line.
2. The property owner is responsible for the repair, maintenance and replacement of sewer and water services from the property line to the house.
The exception is if there is a blockage in a sewer lateral, it is the property owner's responsibility from the house to the mainline.

M. ENFORCEMENT

Failure to Comply

1. Where a person has acted contrary to this by-law or is in default of doing a matter or thing required to be done under this by-law, or the Director may remedy the default or have the

matter or thing done as the case may be, without notice to the person and at the cost of the person, and the cost thereof shall be a debt of the person to the Corporation and if more than one person, each person shall be jointly and severally liable for payment of the total expense. Any such amount may be recovered from the person or persons by action or any other means available to the Corporation at law.

2. Where an owner has acted contrary to this by-law or is in default of doing the matter or thing required to be done under this by-law, then in addition to the remedies provided for in Section M.1., the cost may be added to the property tax rolls for the owner's property and collected in the same manner as taxes.
3. For the purposes of Section M.1. and M.2., a Municipal By-Law Enforcement Officer may enter onto private property with such person or persons and such equipment or facilities as may be required to secure compliance with the by-law.

Administration/Delegation/Enforcement

4. This by-law shall be administered by the Director who is delegated the authority to make such decisions, sign such documents, give such directions as may be required to carry out the duties and responsibilities assigned to the Director under this by-law.
5. This by-law may be enforced by any By-Law Enforcement Officer and where specified, by the Director.
6. No person shall prevent, hinder, obstruct or interfere in any way, for the purpose of administering or enforcing this by-law, with the Director, a Compliance Officer or other By-Law Enforcement Officer or persons deemed by the Director to be essential to an inspection and sampling, bearing proper credentials and identification, from:
 - (a) entering in or upon, at any reasonable time without notice or a warrant, any land or premises, except land or premises being used as a dwelling house;
 - (b) making such tests or taking such samples as the Director or a Compliance Officer deems necessary;
 - (c) inspecting or observing any plant, machinery, equipment, work, activity, or documents; or
 - (d) making inquiries and taking photographs.
7. Any person who hinders or obstructs the Director, a Compliance Officer or other By-Law Enforcement Officer with carrying out tests under and enforcing the provisions of this by-law is guilty of an offence.
8. Notwithstanding Section M.3., the Director, a Compliance Officer or other By-Law Enforcement Officer may obtain an Order or a Warrant to obtain any information deemed necessary to assess compliance with this by-law.
9. Any person who knowingly provides false information in any application, report or return required under this by-law or who willfully withholds information required under this by-law is guilty of an offence.

N. OFFENCES

1. Every person other than a corporation who contravenes any provision of Sections B. and C. of this by-law is guilty of an offence and on conviction is liable for every day or part thereof upon which such offence occurs or continues to a fine of not more than \$5,000 for a first offence and \$10,000 for any subsequent conviction.

2. Every corporation which contravenes any provision of Sections B. and C. of this by-law and every director or officer of a corporation who knowingly concurs in such contravention is guilty of an offence and on conviction is liable for every day or part thereof upon which such offence occurs or continues to a fine of not more than \$25,000 for a first offence and \$50,000 for any subsequent conviction.
3. Notwithstanding Sections N.1. and N.2., every person who contravenes any provision of any other section of this by-law is guilty of an offence and on conviction is liable for every day or part thereof upon which such offence occurs or continues to a fine of not more than \$5,000 as provided for in the *Provincial Offences Act*, as amended.
4. 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 Town of Kemptville By-Laws 23-68, 16-89 and 62-12, as amended.
5. When a person has been convicted of an offence under this by-law, the Ontario Court (Provincial Division), or any court of competent jurisdiction thereafter may, in addition to any penalty imposed on the person convicted, issue an Order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted directed toward the continuation or repetition of the offence.
6. Where a person contravenes this by-law, the Corporation, acting through the Director, may take remedial actions to ensure that this by-law is complied with, and the Corporation may recover the costs of such remedial action by charging the cost against the property as taxes due and owing in respect of that property.
7. An offence and subsequent conviction under this by-law pursuant to the *Provincial Offences Act*, or the *Municipal Act, 2001*, shall not be deemed in any way to preclude the Corporation from issuing a separate legal proceeding to recover charges, costs and expenses incurred by the Corporation and which may be recovered in a Court of competent jurisdiction.

O. GENERAL

Confidential Information

1. All information submitted to and collected by the Corporation, will, except as otherwise provided in this Section, be available for disclosure to the public in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, (MFIPPA).
2. In the event that any person in submitting information to the Corporation or to the Director in any form, as required under this by-law, where such information is confidential or proprietary or otherwise may be exempt from disclosure under the MFIPPA, the person submitting the information shall so identify that information upon its submission to the Corporation or the Director and shall provide sufficient details as to the reason for its purported exemption from disclosure.

Repeal

3. This by-law repeals By-Law 62-12.
4. The repeal of By-Law 62-12 does not:
 - (a) affect the previous operation of any by-law so repealed;
 - (b) affect any right, privilege, obligation or liability acquired, accrued, accruing, or incurred under the by-laws so repealed;

- (c) affect any offence committed against any by-laws so repealed or any penalty or forfeiture or punishment incurred in respect thereof; or
- (d) affect any investigation, legal proceeding or remedy in respect of such privilege, obligation, liability, penalty, forfeiture or punishment.

Schedules

5. The following Schedules are attached hereto and form part of this by-law:

Schedule "A" - Limits for Sanitary and Combined Sewer Discharge
Schedule "B" - Limits for Storm Sewer Discharge

Short Title

6. This by-law may be referred to as the "Sewer Use By-Law".

Coming into Force

7. This by-law shall come into force and take effect on the date of passing.

PASSED AND ENACTED
THIS DAY OF , 2020.

NANCY PECKFORD
Mayor

HEATHER BABCOCK-CORMIER
Clerk

THE CORPORATION OF THE MUNICIPALITY OF NORTH GRENVILLE

Schedule “A” to By-Law 65-20

Limits for Sanitary and Combined Sewer Discharge

Parameter	Limit (mg/L)
Biochemical Oxygen Demand (BOD)	300
Chemical Oxygen Demand (COD)	600
Oil and Grease (Animal & Vegetable)	150
Oil and Grease (Mineral & Synthetic)	15
Suspended Solids (total)	300
Arsenic (total)	1
Cadmium (total)	0.7
Chromium (total)	2.8
Cobalt (total)	5
Copper (total)	2
Cyanide (total)	1.2
Lead (total)	0.7
Mercury	0.01
Molybdenum (total)	5
Nickel (total)	2
Total Kjeldahl Nitrogen (TKN)	50
Phosphorus (total)	10

Selenium (total)	0.82
Silver (total)	0.43
Sulphides, as H ₂ S	1
Zinc (total)	2
Benzene	0.01
Chloroform	0.04
Dichlorobenzene (1,2-)	0.05
Dichlorobenzene (1,4-)	0.08
Ethylbenzene	0.06
Hexachlorobenzene	0.0001
Methylene chloride	0.09
PCBs	0.004
Phenols, Total	0.1
Tetrachloroethane (1,1,2,2-)	0.06
Tetrachloroethylene	0.06
Toluene	0.02
Trichloroethylene	0.05
Xylenes, total	0.3

THE CORPORATION OF THE MUNICIPALITY OF NORTH GRENVILLE

Schedule “B” to By-Law 65-20

Limits for Storm Sewer Discharge

Parameter	Limit (mg/L)
Biochemical Oxygen Demand (BOD)	25
Suspended Solids (total)	15

DRAFT