

# The Corporation of the City of Guelph

## By-law Number (2024) - 20911

A By-law to regulate discharges to the Sewage Works and Drainage Works of the City of Guelph, and to provide for the protection of these systems and the Natural Environment.

Whereas:

Section 10(1) of the Municipal Act, 2001, S.O. 2001, c. 25, (the "**Municipal Act**") provides that a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

And whereas:

Section 10(2) of the **Municipal Act** provides that a single-tier municipality may pass by-laws respecting the services and things that the municipality is authorized to provide and also respecting economic, social and environmental well-being of the municipality;

And whereas:

Subsection 8(1) of the **Municipal Act** provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

And whereas:

Subsection 446 of the **Municipal Act** provides that where a municipality has the authority, by by-law or otherwise, to direct or require that a matter or thing be done, the municipality may also provide that, in default of it being done by the Person directed or required to do it, the matter or thing shall be done at the Person's expense and the municipality may recover the costs by action or by adding the cost to the tax roll;

And whereas:

The Council of The Corporation of the City of Guelph deems it necessary and desirable to regulate discharges to the Sewage Works and Drainage Works and to provide for the protection of the Natural Environment and the Sewer systems within the City of Guelph;

**The Council of the Corporation of the City of Guelph enacts as follows:**

### 1. DEFINITIONS

The following terminology is used throughout the By-law:

- 1.1 Definitions in the City of Guelph Property Standards By-law (2000)-16454, as amended, shall be used with respect to matters pertaining to maintenance of properties, buildings and structures which are undefined in this By-law.
- 1.2 Definitions in the Building Code Act, 1992, S.O. 1992, c.23 (the "Building Code Act") and O. Reg. 332/12 under the Building Code Act (the "Ontario Building Code"), as amended, shall be used with respect to matters pertaining to building construction which are undefined in this By-law.
- 1.3 "**Accredited Laboratory**" means any laboratory accredited by an authorized accreditation body in accordance with a standard based on "*CAN-P-1585: Requirements for the Accreditation of Environmental Testing Laboratories*" established by the Standards Council of Canada, as amended, or "*ISO/IEC/EN 17025: General Requirements for*

*Competence of Calibration and Testing Laboratories*” established by the International Organization for Standardization, as amended.

- 1.4 “**Acute Hazardous Waste Chemical**” means a material which is an acute hazardous waste chemical within the meaning of Ontario Regulation 347.
- 1.5 “**Appurtenance**” means the apparatus or equipment that is an accessory to the Sewage Works or to the Drainage Works.
- 1.6 “**Biochemical Oxygen Demand**” (BOD) means the determination of the molecular oxygen utilized during a five-day incubation period for the biochemical degradation of organic material (carbonaceous demand), and the oxygen used to oxidize inorganic material, such as sulphide and ferrous iron, and the amount of oxygen used to oxidize reduced forms of nitrogen (nitrogenous demand) as determined by the appropriate procedure in Standard Methods.
- 1.7 “**Blank**” or “**Blanked**” means the temporary or permanent decommissioning of a pipe by means of plugging, capping, or other method approved by the General Manager.
- 1.8 “**Blowdown**” means the discharge of recirculating Non-contact Cooling Water for the purpose of discharging materials contained in the water, the further build-up of which would cause concentrations in amounts exceeding limits established by best engineering practices.
- 1.9 “**Catch Basin**” means a receptacle installed to collect surface water from an open area, for drainage into the Storm Sewer system, and to trap solids by means of a sump within the Catch Basin.
- 1.10 “**Chemical Oxygen Demand**” (COD) is the measure of the capacity of water to consume oxygen as a result of oxidation of inorganic chemicals and decomposition of organic matter.
- 1.11 “**Chief Building Official**” means an individual appointed by the City for the enforcement of the *Building Code Act* and the regulations thereunder and all Persons, including inspectors, authorized at the direction of the Chief Building Official for the purposes of exercising the power and duties of the Chief Building Official under this By-law.
- 1.12 “**City**” means The Corporation of the City of Guelph and any of its designated representatives.
- 1.13 “**Commercial**” means any premise that operates a business activity which may distribute goods or provide services, but generally does not involve the manufacturing, processing, or production of goods from which there is a discharge of Matter directly or indirectly into a Sanitary Sewer or Storm Sewer of the City.
- 1.14 “**Composite Sample**” means a sample which is composed of a series of Grab Samples taken at intervals during the sampling period.
- 1.15 “**Council**” means the municipal council of The Corporation of the City of Guelph.
- 1.16 “**Dental Amalgam**” means a dental filling material consisting of an amalgam of mercury, silver and other materials such as copper, tin or zinc.
- 1.17 “**Dental Amalgam Separator**” means any technology, or combination of technologies, designed to separate Dental Amalgam particles from dental operation Sewage.
- 1.18 “**Discharge Agreement**” means a document issued by the City which allows the holder to discharge Stormwater or Groundwater to the Sewage Works.
- 1.19 “**Discharger**” means a Person responsible for the discharge of Matter.
- 1.20 “**Drainage System**” means a natural or constructed means of

intercepting, collecting, and removing Stormwater or Groundwater, usually by gravity flow.

- 1.21 "**Drainage Works**" means any and all Storm Sewers, buildings, structures, equipment, Appurtenances, devices, conduits, underground pipelines, laterals, Watercourses and Municipal Drains and Outlets created under the *Drainage Act*, R.S.O. 1990, c. D. 17, as amended, and related installations and other works of the City designed for the collection and transmission of Stormwater or Groundwater, and includes lands over which an easement or consent has been granted or lands appropriated for such purposes and use.
- 1.22 "**Environmental Protection Act**" means the *Environmental Protection Act*, R.S.O. 1990, c. E. 19, as amended, or any successor thereof.
- 1.23 "**Environmental Protection Officer**" means a Provincial Offences Officer appointed by Council for the purposes of enforcing the provisions of this By-law.
- 1.24 "**Fuel**" means alcohol, gasoline, naphtha, diesel fuel, fuel oil or any other ignitable substance intended for use as a fuel.
- 1.25 "**Foundation Drain**" means drainage piping installed below the surface of the ground to collect and convey water away from a building foundation (see 1.101 Figure 1).
- 1.26 "**General Manager**" means the General Manager, or their designate, of the City's Environmental Services Department.
- 1.27 "**Grab Sample**" means an aliquot of the flow being taken at one particular time and place.
- 1.28 "**Groundwater**" means water beneath the earth's surface accumulating as a result of seepage.
- 1.29 "**Hauled Sewage**" means waste removed from any Sewage System.
- 1.30 "**Hauled Sewage Discharge Permit**" means a permit issued pursuant to section 11 of this By-law which allows the holder to discharge Hauled Sewage at the Water Resource Recovery Centre, or such other location as may be determined from time to time by the General Manager.
- 1.31 "**Hazardous Industrial Waste**" means a material which is a hazardous industrial waste within the meaning of Ontario Regulation 347.
- 1.32 "**Hazardous Waste Chemical**" means a material which is a hazardous waste chemical within the meaning of Ontario Regulation 347.
- 1.33 "**Ignitable Waste**" means a material which is ignitable waste within the meaning of Ontario Regulation 347.
- 1.34 "**Industrial**" means of or pertaining to manufacturing, commerce, trade, business, or institutions as distinguished from domestic or residential.
- 1.35 "**Industry**" means any Industrial, Commercial, or Institutional premises from which there is a discharge of any Matter directly or indirectly into a Sanitary Sewer or Storm Sewer of the City.
- 1.36 "**Institutional**" means of or relating to a facility, usually owned by a government, operated for public purposes, such as schools, universities, medical facilities (hospitals, nursing stations, nursing homes), museums, prisons, government offices, military bases, some of which facilities produce non-residential discharges to Sanitary Sewers from laboratories, chemical use, or industrial processes, for example.
- 1.37 "**Interceptor**" means a receptacle installed to collect and prevent oil, grease, petroleum products, grit, sand, and/or other materials from passing into the Sanitary Sewer system or Storm Sewer system.
- 1.38 "**Leak**" means to enter or escape through an opening, particularly involving inflow, infiltration and exfiltration as they pertain to Sewer

Systems.

- 1.39 **"Matter"** includes any solid, liquid, or gas.
- 1.40 **"Ministry of Environment, Conservation and Parks"** (MECP) means the Ontario government ministry responsible for protecting and improving the quality of the Natural Environment in Ontario, or as renamed under subsequent governments.
- 1.41 **"Monitoring Access Point"** means an access point in a Private Sanitary Lateral to the Sanitary Sewer system or Private Storm Lateral to the Storm Sewer system, such as a chamber, to allow for observation, sampling and flow measurement of the Wastewater, Stormwater, Subsurface Water, or Uncontaminated Water therein.
- 1.42 **"Multi-Residential"** means a property, including, but not limited to, an apartment, row house, townhouse complex or condominium property, which contains six or more dwelling units.
- 1.43 **"Municipal Sanitary Lateral"** means the pipes and Appurtenances of the Sewage Works located within the right-of-way and situated between the Sanitary Sewer and the property line (see 1.101 Figure 1).
- 1.44 **"Municipal Storm Lateral"** means the pipes and Appurtenances of the Drainage Works located within the right-of-way and situated between the Storm Sewer and the property line (see 1.101 Figure 1).
- 1.45 **"Natural Environment"** means the air, land and water, or any combination thereof, of the City of Guelph.
- 1.46 **"Non-contact Cooling Water"** means 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 or finished product other than heat.
- 1.47 **"Non-potable Water"** means water that does not meet Health Canada's *Guidelines for Canadian Drinking Water Quality* and is not destined for human consumption.
- 1.48 **"Once-through Cooling Water"** means Non-contact Cooling Water that has been circulated once through a cooling device.
- 1.49 **"Ontario Regulation 347"** means Revised Regulations of Ontario, 1990, Regulation 347 (General – Waste Management), as amended, or any successor regulation thereof, made under the *Environmental Protection Act*.
- 1.50 **"Ontario Water Resources Act"** means the *Ontario Water Resources Act*, R.S.O. 1990, c. 0.40, as amended, or any successor thereof.
- 1.51 **"Outlet"** means a location at which Stormwater is discharged into a Stormwater Management system, Watercourse, or Surface Water Feature.
- 1.52 **"Overstrength Surcharge Agreement"** means an agreement pursuant to which discharges or deposits that would otherwise be prohibited by this By-law would be permitted to an extent fixed by the agreement in exchange for payment to compensate the City for additional costs of operation, repair, replacement or maintenance of the Sewage Works and any other terms and conditions as may be deemed appropriate by the General Manager.
- 1.53 **"Overstrength Surcharge Compliance Agreement"** means an agreement entered into by a non-compliant Discharger to bring Wastewater discharged into the Sanitary Sewage Works into compliance with the terms and conditions of this By-law or related Overstrength Surcharge Agreement.
- 1.54 **"Owner"** means the registered owner of the lands and premises or the Person in lawful control of the premises who operates any facility or

activity which is subject to the provisions of this By-law.

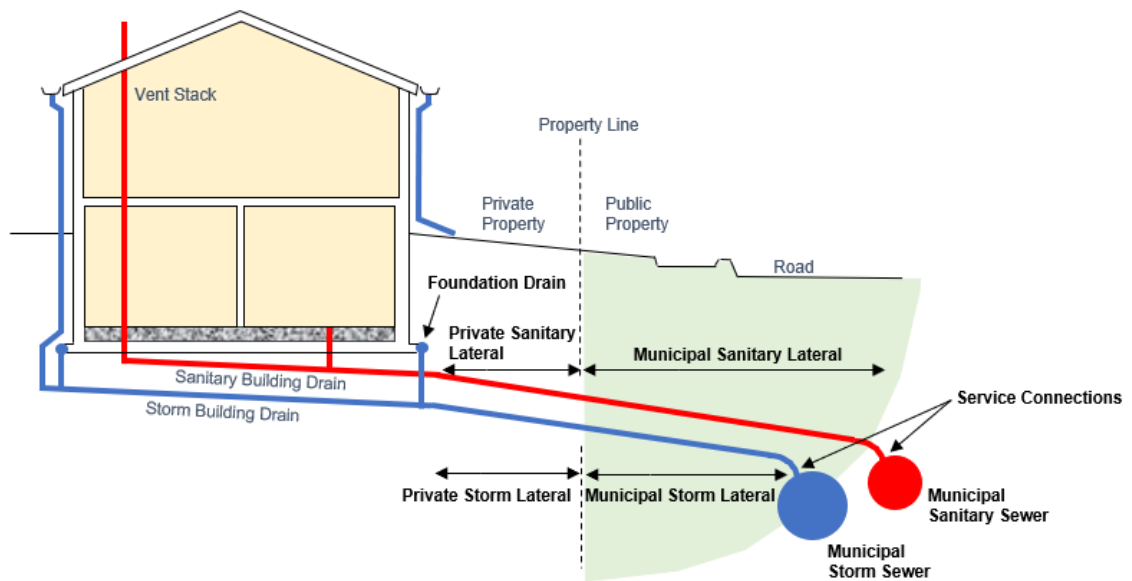
- 1.55 "**Pathological Waste**" means a material which is a pathological waste within the meaning of Ontario Regulation 347.
- 1.56 "**PCB**" means any monochlorinated or polychlorinated biphenyl, or any mixture that contains one or more of them.
- 1.57 "**PCB Waste**" means a PCB waste within the meaning of Revised Regulations of Ontario, 1990, Regulation 362 (Waste Management – PCB's), as amended, or any successor regulation thereof, made under the *Environmental Protection Act*.
- 1.58 "**Person**" shall be broadly interpreted and includes a natural person, a corporation, a partnership, a sole proprietorship, a trust, a joint venture, an association or any other organization or entity of any kind and their respective heirs, executors, administrators, successors, assigns or other legal representatives of a person to whom the context can apply according to law.
- 1.59 "**Pesticide**" means a pesticide regulated under the *Pesticides Act*, R.S.O. 1990, c. P.11, as amended.
- 1.60 "**pH**" means the logarithm to the base 10 of the reciprocal of the concentration of hydrogen ions in moles per litre of solution.
- 1.61 "**Phenolic Compounds**" means those derivatives of aromatic hydrocarbons which have a hydroxyl group directly attached to the ring as determined by Standard Methods.
- 1.62 "**Pollutant**" means any solid, liquid, gas, or odour, or combination of any of them, resulting directly or indirectly from human activities that causes or may cause an adverse effect, and includes any substance from which a pollutant is derived.
- 1.63 "**Pretreatment**" means the reduction, elimination, or alteration of Pollutants in Wastewater prior to discharge into the Sanitary Sewer. This reduction or alteration can be obtained by physical, chemical, or biological processes, through pollution prevention, or by other means, except by diluting the concentration of the Pollutants.
- 1.64 "**Process Area**" means any building, property, or land area which, during manufacturing, processing, or storage, comes into direct contact with any raw material, intermediate product, finished product, byproduct or waste product.
- 1.65 "**Prohibited Waste**" means waste prohibited from discharge or deposit pursuant to section 4.3 Discharges to Sanitary Sewer and section 5.2 Discharges to Storm Sewer of this By-law.
- 1.66 "**Private Drain**" means a ditch, swale, channel, Watercourse, and/or pipe or system of pipes that collects and carries Stormwater or Groundwater which is within the limits of private property and privately-owned.
- 1.67 "**Private Drainage System**" means a privately-owned Drainage System, discharging to the Drainage Works or other approved Outlet, usually by gravity flow.
- 1.68 "**Private Sanitary Lateral**" means the pipes used to convey Sewage from a private property to the property line and to a Municipal Sanitary Lateral and the Sewage Works (see 1.101 Figure 1).
- 1.69 "**Private Sewage Collection System**" means a privately-owned network of Sewage collection pipes, maintenance holes, Interceptors, private Sewage lift stations, holding tanks, pump systems and Appurtenances, servicing two or more buildings, discharging to the Sewage Works.
- 1.70 "**Private Sewage Disposal System**" means a privately-owned Sewage

System or Sewage Works.

- 1.71 "**Private Storm Lateral**" means pipes used to convey drainage from a private property to the property line and a Municipal Storm Lateral and the Drainage Works (see 1.101 Figure 1).
- 1.72 "**Rainwater Harvesting System**" means technology used to collect and store rainwater and snow melt, typically from building roofs, for on-site uses such as irrigation and flushing toilets.
- 1.73 "**Reactive Waste**" means a substance which is a reactive waste within the meaning of Ontario Regulation 347.
- 1.74 "**Restricted Waste**" is defined in Schedule 'A' to this By-law.
- 1.75 "**Risk Management Official**" means an individual appointed by the City for administering and enforcing certain policies set out in the Grand River Source Protection Plan under Part IV of the *Clean Water Act*, S.O. 2006, c.22, as amended, and all Persons, including inspectors, authorized at the direction of the Risk Management Official for the purposes of exercising the power and duties of the Risk Management Official under this By-law.
- 1.76 "**Sanitary Sewer**" means a Sewer for the collection and transmission of Sewage or Wastewater.
- 1.77 "**Service Connection**" means the part or those parts of any pipe or system of pipes leading directly to the municipal Sanitary Sewer or Storm Sewer (see 1.101 Figure 1).
- 1.78 "**Severely Toxic Contaminant**" means any substance listed in Schedule 3 of Ontario Regulation 347.
- 1.79 "**Sewage**" means any liquid waste containing organic, inorganic, animal, vegetable, or mineral Matter in solution or in suspension but does not include Stormwater or Uncontaminated water.
- 1.80 "**Sewage System**" means sewage system as defined in the Ontario Building Code, including a cesspool, septic tank system, privy vault or privy pit, chemical toilet, portable toilet, or Sewage holding tank.
- 1.81 "**Sewage Works**" means any works for the collection, transmission, treatment or disposal of Sewage or Wastewater, or any part of such works, but does not include plumbing to which the Ontario Building Code applies.
- 1.82 "**Sewer**" means a pipe, conduit, drain, open channel or ditch for the collection and transmission of Sewage, Stormwater or Uncontaminated Water, or any combination thereof.
- 1.83 "**Solvent Extractable Matter**" means grease and oil as determined by Standard Methods.
- 1.84 "**Spill**" when used with reference to a Pollutant, means a direct or indirect discharge into the Sewage Works, Drainage Works, or the Natural Environment from or out of a structure, vehicle, or other container that is abnormal in quantity or quality in light of all the circumstances of the discharge.
- 1.85 "**Standard Methods**" means the procedure set out in *Standard Methods for the Examination of Water and Wastewater* published jointly by the American Public Health Association, Water Environment Federation, and American Water Works Association, latest addition, or the Ministry of Environment, Conservation and Parks publication *Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater, 2016*, as may be amended, modified, supplemented or replaced from time to time, or approved in writing by the Environmental Protection Officer.
- 1.86 "**Storm Sewer**" means a Sewer for the collection and transmission of Uncontaminated Water, Stormwater, drainage from land or from a

Watercourse, or any combination thereof.

- 1.87 "**Stormwater**" means the water running off the surface of a drainage area during and immediately after a period of rain or snow melt, including water from roofs, sump pumps or Foundation Drains.
- 1.88 "**Stormwater Management**" means drainage control practices and constructed works implemented to protect property, natural or constructed Watercourses, and Surface Water Features from Stormwater impacts.
- 1.89 "**Subsurface Water**" means water beneath the earth's surface, including Groundwater and Foundation Drain water.
- 1.90 "**Surface Water Feature**" means water-related features, including headwaters, rivers, stream channels, inland lakes and ponds, seepage areas, recharge/discharge areas, springs, wetlands and associated riparian lands that can be defined by their soil moisture, soil type, vegetation, and topographic characteristics.
- 1.91 "**Total Kjeldahl Nitrogen**" (TKN) means organic nitrogen as determined by Standard Methods.
- 1.92 "**Total Phosphorus**" means total phosphorus as determined by Standard Methods.
- 1.93 "**Total Suspended Solids**" (TSS) means insoluble Matter in liquid that is removable by filtration, as determined by the appropriate procedure described in Standard Methods.
- 1.94 "**Uncontaminated Water**" means water to which no Matter has been added as a consequence of its use, or to modify its use, by any Person or by any means, with a level of quality which is comparable to potable water normally supplied by the City.
- 1.95 "**Waste Disposal Site Leachate**" means water which contains dissolved and suspended materials due to percolating through land upon which waste is deposited for its disposal, as licensed under the *Environmental Protection Act*.
- 1.96 "**Waste Radioactive Material**" means any waste material exhibiting the property of spontaneous disintegration of atomic nuclei, usually with the emission of penetrating radiation or particles.
- 1.97 "**Waste Survey Report**" means the report to be submitted by Multi-Residential premises with a Private Sewage Collection System, Institutional, Commercial and Industrial Owners, that discharge to the Sewage Works or Drainage Works, which details the quantity and characteristics of Wastewater generated on-site, including site lay-out, processes, material storage and Service Connections, as applicable, in a form established by the City and amended from time to time.
- 1.98 "**Wastewater**" means a composite of water and water-carried wastes from residential, Commercial, Industrial or Institutional premises or any other source, including swimming pools, hot tubs, spas, or wading pools.
- 1.99 "**Wastewater Sludge**" means solid material recovered from the Wastewater treatment process.
- 1.100 "**Water Resource Recovery Centre**" means a facility for the physical, chemical, biological or radiological treatment of Wastewater and includes sludge treatment, Wastewater Sludge storage and disposal facilities.
- 1.101 "**Watercourse**" means an open channel, ditch or depression, either natural or artificial, in which flow of water occurs either continuously or intermittently.
- 1.102 **Figure 1** illustrates key definitions related to property drainage used in this By-law.



**Figure 1: Property Drainage Terminology**

## 2. SCOPE AND PURPOSE

- 2.1 This By-law applies to the construction, management, use, operation, maintenance, repair and rehabilitation of the Sewage Works and Drainage Works under the City's jurisdiction and regulates discharges into the Sewage Works, Drainage Works and Natural Environment.
- 2.2 The objectives of this By-law are to:
- Protect the Sewage Works and Drainage Works and all municipal systems and pump stations from corrosion, other damage and obstruction;
  - Protect the Water Resource Recovery Centre and related process from disruption;
  - Protect the public, municipal workers, contractors and property from odours and hazardous conditions (such as explosions) or adverse discharges;
  - Assist in the optimization of the Sewage Works' efficiency by preventing Uncontaminated Water and Groundwater from entering the system;
  - Protect Wastewater Sludge quality;
  - Protect the Natural Environment from Matter and Pollutants that are not removed by the Water Resource Recovery Centre;
  - Protect the Natural Environment, including Groundwater, by preventing the discharge of Pollutants directly to the Natural Environment; and
  - Assist the City in maintaining compliance with the operating conditions established by the Province of Ontario under the Environmental Compliance Approval.
- 2.3 Sanitary Sewer service areas and Storm Sewer service areas covered under this By-law are as identified in the City's Official Plan and supporting infrastructure studies and area specific servicing plans, as approved by Council through By-law adoption from time to time.
- 2.4 The City shall manage and maintain the Sewage Works and the Drainage Works in accordance with the provisions of this By-law and the provisions of the *Municipal Act*, the *Ontario Water Resources Act*, the *Environmental Protection Act*, the *Drainage Act*, R.S.O. 1990, c. D.17, the *Fisheries Act*, R.S.C., 1985, c. F-14, the *Clean Water Act*, 2006, S.O. 2006, c.22, the *Building Code Act*, 1992, S.O. 1992, c.23, and regulations, standards, and guidelines established under these Acts, as may be amended from time to time, and any other applicable law or regulations.

## 3. ADMINISTRATION

### 3.1 Administrative Responsibilities

- 3.1.1 The administration and enforcement of this By-law shall be under the By-law Number (2024) – 20911



jurisdiction of the General Manager.

- 3.1.2 Council may appoint By-law Enforcement Officers and Environmental Protection Officers for the purpose of the enforcement of this By-law.
- 3.1.3 The General Manager shall be authorized to prescribe any form, agreement or permit required under this By-law and may amend or revise such forms, agreements or permits from time to time, provided the form, agreement, or permit, amendment(s) or revision(s), as the case may be, are satisfactory to the City Solicitor.
- 3.1.4 The General Manager may delegate any action he or she is authorized to perform under this By-law.
- 3.1.5 The City shall establish and periodically update standards, guidelines and specifications governing the design, construction, operation, maintenance, repair and rehabilitation of the Sewage Works and Drainage Works.

### **3.2 Responsibilities of the Owner**

- 3.2.1 The entire cost of providing, installing, operating, maintaining, repairing, replacing or relocating any Private Sanitary Lateral or Private Sewage Collection System and any Private Storm Lateral, Private Drainage System or private Stormwater Management system, and Appurtenances connected thereto, shall be the responsibility of and paid for by the Owner.
- 3.2.2 Every Owner shall maintain their Private Sanitary Lateral, Private Sewage Collection System, Private Storm Lateral, Private Drainage System or private Stormwater Management systems, including Appurtenances connected thereto, in good working order and condition in accordance with its designated purpose and to the satisfaction of the City.
- 3.2.3 Every Owner shall ensure that all maintenance holes, Interceptors, Catch Basins, devices, or Appurtenances on private property required under this By-law are maintained as per design.
- 3.2.4 Every Owner of a Private Sewage Collection System shall:
  - 3.2.5 properly operate their facilities;
  - 3.2.6 promptly resolve any maintenance needs; and
  - 3.2.7 regularly inspect the system to ensure it complies with this By-law.
- 3.2.8 Once a Service Connection has been installed and put into service, no Person shall alter, modify or disconnect the Service Connection from a Sanitary Sewer or Storm Sewer without the prior written approval of the General Manager.
- 3.2.9 Every Owner shall, at all reasonable times and upon reasonable notice provided by the City, allow and provide access to buildings or premises to any Person duly authorized by the City for the purposes of inspecting, maintaining, repairing, disconnecting or reinstalling a Service Connection or for taking corrective action and/or carrying out work required by this By-law.
- 3.2.10 Every Owner shall be responsible for fees in relation to applications and other requirements of this By-law as set out in the City's Water and Wastewater Rates and Charges By-law, as periodically amended.
- 3.2.11 Only an Owner may request the disconnection of a Service Connection. Such request shall be made in writing in a form as specified by the City.
- 3.2.12 No Person shall cause or permit any Leak to occur from a Private Sanitary Lateral, Private Sewage Collection System, Sewage holding tank, septic tank or any other private Sewage treatment system.
- 3.2.13 Every Owner shall take corrective action to repair a Leak that occurs from a Private Sanitary Lateral, Private Sewage Collection System, Sewage holding tank, septic tank or any other private Sewage treatment system at the Owner's expense.
- 3.2.14 Every Owner shall indemnify and hold harmless the City for any loss or

damage to the City or to any Person that may occur in, or as a result of, work carried out or actions by the Owner or an agent of the Owner as required under this By-law.

### **3.3 Reports Required**

- 3.3.1 Every Owner of an Institutional, Commercial or Industrial premises that discharges Wastewater, Stormwater, Non-contact Cooling Water, Uncontaminated Water or any combination thereof shall submit to the General Manager a Waste Survey Report in the format as approved by the General Manager.
- 3.3.2 Every Owner of a Multi-Residential property serviced by a Private Sewage Collection System shall, upon request, submit to the General Manager a Waste Survey Report in the format as approved by the General Manager.
- 3.3.3 Every Owner of a Private Sewage Collection System shall, upon request, submit to the General Manager:
  - a) a maintenance, operations, and inspection program for their facilities in a format as approved by the General Manager; and
  - b) any system facility performance details in a format as approved by the General Manager.
- 3.3.4 Every Owner shall provide written notification to the General Manager of any change to information provided under this By-law or an agreement made hereunder, including but not limited to Wastewater composition or process changes, within 30 days of the change or within such other time period specified in an agreement.

### **3.4 Design and Construction**

- 3.4.1 Before approval of the construction of, or modifications to, a Drainage System, or before approval of a Service Connection from a Drainage System, or in anticipation of possible adverse consequences from potential future flooding of the subject or surrounding lands, or potential adverse Stormwater quality, the City may require the Owner, for review by the Risk Management Official, to complete one or more of the following:
  - a) study on Stormwater quality and/or quantity;
  - b) modification and/or construction of Stormwater facilities;
  - c) adoption and implementation of pollution prevention techniques and measures;
  - d) adoption of a Stormwater Management plan; and/or
  - e) any other requirement as specified by the City or Council.
- 3.4.2 Any Person requiring Sewage collection and/or drainage services for construction purposes shall make an application to the General Manager for a Discharge Agreement and shall furnish all information so required and shall pay to the City the fee prescribed by Council.
- 3.4.3 No Person shall discharge Sewage to the Sewage Works or Stormwater to the Drainage Works except at Service Connection locations and in a manner specified by the City, as may be altered from time to time by the City.
- 3.4.4 Every Owner shall ensure that all new Sewage Works and Drainage Works, or modifications to existing ones, are constructed with adherence to the City's *Linear Infrastructure Standards*, as amended from time to time.
- 3.4.5 Every Owner shall ensure that the design, installation, maintenance and field testing of Non-potable Water systems comply with the Canadian Standards Association CSA Standard CSA B128.1-06, as amended.

## **4. Sanitary Sewer Requirements**

### **4.1 Service Connections**

- 4.1.1 All Service Connections to the Sewage Works and all replacements to,

relocations of, disconnections or removals from the Sewage Works require prior approval through written application and the issuance of a permit by the City.

- 4.1.2 An Owner shall pay all applicable fees and charges for the supply, installation, replacement, relocation or disconnection of Service Connections as prescribed by Council.
- 4.1.3 Every Owner shall ensure that where a Service Connection is made to the Sewage Works pursuant to this By-law, any septic tanks, cesspools or similar Private Sewage Disposal Systems are cleaned and filled or removed or decommissioned within 30 calendar days after the completion of the Service Connection, to the satisfaction of the Chief Building Official.
- 4.1.4 An Owner shall connect all sanitary facilities within an existing building to the Sewage Works in accordance with the Ontario Building Code, Part 7 within 60 calendar days of receipt of a registered notice from the City and/or from the Medical Officer of Health to make such Service Connection to the satisfaction of the Chief Building Official and the City.
- 4.1.5 No Person shall construct or attempt to construct all or any part of a Service Connection prior to:
  - a) completing and submitting to the City a Service Connection application;
  - b) receiving approval in writing from the City to construct such Service Connection;
  - c) paying in full to the Treasurer of the City any fees or charges related to the administration of this By-law; and
  - d) the submission of a Waste Survey Report for Industrial, Commercial, Institutional or Multi-Residential with a Private Sewage Collection System properties.
- 4.1.6 Every Owner shall report Service Connections believed to be defective to Wastewater Services.
- 4.1.7 Where the City has Blanked a Service Connection, no Owner shall reinstate the Service Connection until the City or Chief Building Official has been satisfied that any non-compliance with discharge requirements or any defect in such Service Connection has been properly rectified in accordance with City standards and the requirements established under this By-law.
- 4.1.8 Every Owner shall maintain a Private Sanitary Lateral and repair or replace it as required to ensure that it does not Leak or cause damage to other property or City infrastructure.
- 4.1.9 Where a building has been demolished and the property Owner proposes to utilize the existing Private Sanitary Lateral to serve a new building, the Owner must first obtain the written approval of the City to do so. Where, in the opinion of the City, the Private Sanitary Lateral is in unacceptable condition, it shall be replaced or rehabilitated at the Owner's expense. All Service Connections are to be inspected and certified by personnel trained through a Lateral Assessment and Certification Program (LACP) prior to being returned to service.
- 4.1.10 No Owner shall construct a Service Connection through neighbouring private lands without obtaining written authorization from the affected property owners and securing a private easement over the said properties.

## **4.2 Disconnections**

- 4.2.1 Every Owner requiring the discontinuation of a Service Connection for the purpose of demolition, or for other reasons, shall excavate, cap/plug, backfill and reinstate the excavation so that the Service Connection may be properly Blanked and inspected by the City.
- 4.2.2 No Person shall reconnect or reinstate a disconnected or Blanked Service Connection without reapplication for the Service Connection in accordance

with the standards of the City and payment of the applicable fees prescribed by the Council in the Water and Wastewater Rates and Charges By-law, as periodically amended.

### **4.3 Discharges to Sanitary Sewer**

4.3.1 No Person shall discharge or deposit or cause or permit the discharge or deposit of any of the following Matter into or in any Sanitary Sewer or municipal or private Service Connection to any Sanitary Sewer:

- a) Matter of any type or at any temperature or in any quantity which:
  - i. may be, or may become, a health or safety hazard to a City employee;
  - ii. may be, or may become, harmful to the Sewage Works; or
  - iii. may cause a Sewage Works effluent to contravene any requirement by or under the *Ontario Water Resources Act* or the *Environmental Protection Act*.
- b) Matter which may cause the sludge or compost from the Sewage Works to fail to meet the criteria for utilizing the sludge or compost for beneficial use under O. Reg. 267/03 made under the Nutrient Management Act, 2002, S.O. 2002, c.4 or any applicable Provincial Guideline;
- c) Matter which may interfere with the proper operation of the Sewage Works or which may impair or interfere with any Sewage treatment process;
- d) Matter which is or may result in a hazard to any Person, animal, property or vegetation;
- e) Without limiting the generality of the foregoing, any of the following:
  - i. solid or viscous substances in such quantity or size as to be capable of causing obstruction to the flow in a Sewer, including but not limited to ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, animal guts or tissues, paunch manure, whole blood or the product of any garbage grinder;
  - ii. Sewage that causes or may cause an offensive odour to emanate from the Sewage Works, and includes Sewage containing hydrogen sulphide, carbon disulphide and other reduced sulphur compounds, amines or ammonia;
  - iii. Stormwater, water from drainage of roofs or land, water from a Watercourse or Uncontaminated Water;
  - iv. water that has originated from a source separate from the water distribution system of the City;
  - v. Sewage or Uncontaminated Water at a temperature greater than 60° Celsius;
  - vi. Sewage having a pH less than 6.0 or greater than 9.5;
  - vii. Sewage which consists of two or more separate liquid layers;
  - viii. Sewage containing dyes or colouring materials which pass through the Sewage Works and discolour the Sewage Works effluent;
  - ix. the following materials, or Sewage containing any of the following, in any amount:
    - fuel;
    - PCBs;
    - Pesticide;
    - Severely Toxic Contaminant; or
    - Waste Radioactive Material;
  - x. the following materials, or Sewage containing any of the following, in

any amount:

- Hauled Sewage; or
- Waste Disposal Site Leachate; or

xi. the following hazardous wastes in any amount:

- Acute Hazardous Waste Chemical;
- Hazardous Industrial Waste;
- Hazardous Waste Chemical;
- Ignitable Waste;
- Pathological Waste;
- PCB Waste; or
- Reactive Waste;

f) Wastewater containing a concentration, expressed in milligrams per litre, in excess of any one or more of the limits in Schedule 'A' of this By-law, unless:

- i) the discharge is in accordance with a valid Overstrength Surcharge Agreement, Overstrength Surcharge Compliance Agreement, or Discharge Agreement; and
- ii) all requirements of section 9 Additional Connection Requirements have been fully satisfied.

4.3.2 Subclauses 4.3.1.d.ii and 4.3.1.d.xi do not apply to prevent the discharge of human waste.

4.3.3 Subclause 4.3.1.d.iv does not apply to prevent the discharge of water taken from a source separate from the water distribution system of the City provided such source is approved by the City or is Wastewater originating from a City-approved Rainwater Harvesting System.

4.3.4 Subclause 4.3.1.d.x does not apply to prevent the discharge of Waste Disposal Site Leachate when the Waste Disposal Site Leachate is being discharged pursuant to a Certificate of Approval or order relating to the Industrial premises under the *Environmental Protection Act* or the *Ontario Water Resources Act*, which expressly allows the discharge.

4.3.5 Subclause 4.3.1.d.x does not apply to prevent the discharge of Hauled Sewage when:

- a) the carrier of the Hauled Sewage is a waste transportation system operating under a licence issued under Part V or any successor thereof of the *Environmental Protection Act*;
- b) the carrier has a valid Hauled Sewage Discharge Permit issued by the City pursuant to section 11 of this By-law; and
- c) the discharge occurs in accordance with the terms and conditions of the Hauled Sewage Discharge Permit.

4.3.6 Subclause 4.3.1.d.xi does not apply to prevent the discharge of Pathological Waste that has been decontaminated prior to discharge when:

- a) the Owner of the Industrial premises has a Certificate of Approval from the Ontario Ministry of Environment, Conservation and Parks which expressly allows the discharge, or written approval from the Director of the Ontario Ministry of Environment, Conservation and Parks which expressly authorizes the discharge from the premises;
- b) the Owner of the Industrial premises has written approval from the City which expressly authorizes the discharge from the premises; and
- c) a copy of the Certificate of Approval or written authorization referred to in Clause 4.3.6.a has been provided to the City.

#### **4.4 Disconnection of Stormwater from Sanitary Sewers**

- 4.4.1 Every Owner of a building or premises which has a Private Drain, Private Drainage System, Private Storm Lateral, downspouts, Foundation Drains and/or sump pumps connected to the Sanitary Sewer system shall, at their own expense, disconnect such items from the Sanitary Sewer system unless the Owner has a Discharge Agreement allowing the Service Connection.

## **5. STORM SEWER REQUIREMENTS**

### **5.1 Service Connections**

- 5.1.1 All Service Connections to the Drainage Works and all replacements to, relocations of, disconnections or removals from the Drainage Works require prior approval through written application and the issuance of a permit by the City.
- 5.1.2 No Person shall construct or attempt to construct all or any part of a Service Connection to the Drainage Works prior to:
- a) completing and submitting to the City a Service Connection application;
  - b) receiving a permit from the City to construct such Service Connection; and
  - c) paying in full to the Treasurer of the City any fees or charges in relation to the administration of this By-law.
- 5.1.3 An Owner shall pay all applicable fees and charges for the supply, installation, replacement, relocation, or disconnection of drainage Service Connections as prescribed by Council.
- 5.1.4 In order to be granted a permit for a Service Connection to a Storm Sewer of the Drainage Works, a building, premises or facility must be within a Storm Sewer service area (as defined by the Official Plan of the City, as amended) and, at the discretion of the City, must have frontage or flankage abutting a Storm Sewer of the Drainage Works.

### **5.2 Discharges to Storm Sewer**

- 5.2.1 No Person shall discharge or deposit, or cause or permit the discharge or deposit, into any Service Connection to the Drainage Works any Matter:
- a) of any type or at any temperature or in any quantity which may:
    - i) interfere with the proper operation of a Storm Sewer;
    - ii) obstruct a Storm Sewer or the flow therein;
    - iii) result in a hazard to any Person, animal, property or vegetation;
    - iv) impair the quality of the water in any well, lake, river, pond, spring, stream, reservoir or other water or Surface Water Feature; or
    - v) result in the contravention of an approval, requirement, direction or other order under the *Ontario Water Resources Act, Environmental Protection Act, or Clean Water Act, 2006* with respect to the Storm Sewer or its discharge.
  - b) without limiting the generality of the foregoing, any:
    - i) water at a temperature greater than 40° Celsius;
    - ii) water having a pH less than 6.0 or greater than 9.0;
    - iii) water containing dyes or colouring material which discolour the water;
    - iv) water containing Solvent Extractable Matter of animal or vegetable origin or Solvent Extractable Matter of mineral or synthetic origin which causes a visible film, sheen or discolouration on the water surface;
    - v) water containing a concentration, expressed in milligrams per litre, in excess of any one or more of the limits identified in a Discharge Agreement;
    - vi) Once-through Cooling Water or Blowdown;

vii) of the following materials in any amount:

- automotive or machine oils and grease;
- fuel;
- paint and organic solvent;
- PCBs;
- Pesticide;
- Severely Toxic Contaminant;
- Waste Disposal Site Leachate; or
- Waste Radioactive Material;

viii) the following hazardous wastes in any amount:

- Acute Hazardous Waste Chemical;
- Hazardous Industrial Waste;
- Hazardous Waste Chemical;
- Ignitable Waste;
- Pathological Waste;
- PCB Waste; or
- Reactive Waste;

ix) grout, cement, asphalt; or

x) matter that in any concentration or quantity will cause the death of or injury to any Person, fish, animal, bird, fowl, or damage to any property.

5.2.2 Subclause 5.2.1.b.vi does not apply to prevent the discharge of Once-through Cooling Water or Blowdown when:

- a) the Once-through Cooling Water or Blowdown is being discharged pursuant to a Certificate of Approval or order relating to the Industrial, Commercial, Institutional, or Multi-Residential premises under the *Environmental Protection Act* or the *Ontario Water Resources Act* which expressly allows the discharge;
- b) the Owner of the Industrial, Commercial, Institutional or Multi-Residential premises has written approval from the City which expressly authorizes the discharge from the premises; and
- c) a copy of the Certificate of Approval or order referred to in Clause 5.2.2.a has been provided to the City.

5.2.3 With respect to Stormwater discharges, the provisions of subsection 5.2.1 apply only (i) to the discharge of Stormwater runoff from an Industrial Process Area to a Storm Sewer and (ii) to any Stormwater discharge to a Storm Sewer to which the Matter prohibited by subsection 5.2.1 has been added for the purpose of disposing of the Matter.

5.2.4 The provisions of Subclauses 5.2.1.b.iii, 5.2.1.b.iv and 5.2.1.b.v do not apply to prevent the discharge of Stormwater runoff from an Industrial, Commercial, Institutional, or Multi-Residential Process Area to a Storm Sewer when:

- a) the Owner of the premises has a Certificate of Approval or order relating to the premises under the *Environmental Protection Act* 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 City; or
- b) the Owner of the premises has written approval from the City for a Best Management Practices (BMP) Plan which has been prepared in accordance with Schedule 'A' of this By-law.

5.2.5 Every Person shall ensure that all Stormwater is discharged:

- a) into the Drainage Works of the City;
- b) only upon the lands of the Owner of the building or lands from which such Stormwater exits and not directed toward surrounding properties;
- c) to a Private Drainage System or to a private Stormwater Management system;
- d) to a Surface Water Feature (as per MECP requirements);
- e) to an approved Outlet (as per MECP requirements); or
- f) to such other place as the City may approve as part of a Discharge Agreement.

### **5.3 Private Drain Requirements**

- 5.3.1 No Person shall alter, fill, obstruct, block or in any way interfere with a Private Drain, including allowing a Private Drain to fall into disrepair, such that the flow of Stormwater, Groundwater, surface water, or Subsurface Water from or to another private land is impacted.
- 5.3.2 Every Owner of land shall keep any Private Drain on land owned or occupied by them in a good state of repair and shall alter, relay or repair any Private Drain as may be required to ensure compliance with this By-law.
- 5.3.3 The City may send to, or serve on, the Owner of any land a notice requiring the Owner to maintain, repair, alter, relocate or relay any Private Drain, within a specified number of calendar days, as may be required by the City pursuant to subsection 5.3.2.
- 5.3.4 If any Person causes or permits the alteration, fill, obstruction or blocking of, or interference with, any Private Drain, the City may, by written notice to, or served on, such Person, require such Person to remedy or remove the alteration, fill, obstruction, blocking or interference forthwith.

### **6. Prohibition of Dilution**

- 6.1 No Person shall discharge or deposit or permit the discharge or deposit, directly or indirectly, of Wastewater into the Sewage Works or Drainage Works where water has been added to the discharge for the purposes of dilution to achieve compliance with Schedule 'A' of this By-law.

### **7. Sampling and Analytical Requirements**

- 7.1 Where the City obtains a sample for the purpose of determining the characteristics or contents of any Sewage, Uncontaminated Water, Wastewater or Stormwater, one sample alone is sufficient. The sample may be a Grab Sample or a Composite Sample and may contain additives for its preservation and may be collected manually or by using an automatic sampling device.
- 7.2 Except as otherwise specifically provided in this By-law, all tests, measurements, analyses and examinations of Wastewater, Sewage, Uncontaminated Water and Stormwater pursuant to this By-law shall be carried out in accordance with Standard Methods and shall be performed by an Accredited Laboratory for analysis.
- 7.3 The analysis of metals shall be for the quantity of total metal, which includes all metal, both dissolved and particulate.

### **8. Discharge Self-Monitoring and Sampling**

- 8.1 Every Discharger of any Matter to the Sewage Works or the Drainage Works shall complete any monitoring or sampling of any discharge as required by the City and shall report the results to the City in the form specified by the City.
- 8.2 The obligations set out in or arising out of section 8.1 shall be completed at the expense of the Discharger.
- 8.3 Any erroneous self-monitoring, sampling or reporting identified by the City shall be corrected by the Discharger, at the expense of the Discharger,



including any expenses incurred by the City in connection with the error or its correction.

## **9. ADDITIONAL CONNECTION REQUIREMENTS**

### **9.1 Food-related Grease Interceptors**

9.1.1 Every Owner of a restaurant or other Industrial, Commercial or Institutional premises where food is cooked, processed or prepared shall:

- a) ensure that oil and grease are prevented from entering the Sanitary Sewer in excess of the provisions of this By-law;
- b) ensure that oil and grease Interceptors do not discharge to Storm Sewers;
- c) install, operate, and properly maintain an oil and grease Interceptor in any piping system at its premises that connects directly or indirectly to a Sanitary Sewer;
- d) ensure that a building permit is obtained prior to installation of an oil and grease Interceptor;
- e) ensure that oil and grease Interceptors are installed in compliance with the most current requirements of the Ontario Building Code and meet the requirements of the Canadian Standards Association national standard CAN/CSA B-481 (Series 12), as amended;
- f) ensure that all oil and grease Interceptors are maintained according to the manufacturer's recommendations;
- g) ensure that testing, maintenance and performance of the Interceptors meet the requirements of CAN/CSA B-481, as amended;
- h) clean traps before the thickness of the organic material and solids residuals is greater than twenty-five percent of the available volume in such frequency as required by the manufacturer's recommendations. Maintenance requirements must be posted in the workplace in proximity to the grease Interceptor;
- i) ensure that a maintenance schedule and record of maintenance is submitted to the Environmental Protection Officer upon request for each Interceptor installed;
- j) keep the document of proof for Interceptor clean-out and oil and grease disposal for a minimum of two years; and
- k) ensure that no Person uses emulsifiers, enzymes, bacteria, solvents, hot water or other agents to facilitate the passage of oil and grease through a grease Interceptor.

### **9.2 Vehicle and Equipment Service Oil and Grease Interceptors**

9.2.1 Every Owner of a vehicle or equipment service station, repair shop, garage or 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:

- a) install an oil and grease Interceptor designed to prevent motor oil and lubricating grease from passing into the Sanitary Sewer in excess of the limits in this By-law;
- b) install, operate and properly maintain an oil and grease Interceptor in any piping system at its premises that connects directly or indirectly to a Sewer;
- c) ensure that a building permit is obtained prior to installation of an oil and grease Interceptor;
- d) ensure that the oil and grease Interceptors are installed in compliance with the most current requirements of the Ontario Building Code and be maintained as recommended by the Canadian Petroleum Products Institute (CPPI), in good working order and according to the

manufacturer's recommendations;

- e) inspect oil and grease Interceptors regularly to ensure performance is maintained to the manufacturer's specifications for performance and to ensure the surface oil and sediment levels do not exceed the recommended level;
- f) ensure that a maintenance schedule and record of maintenance is submitted to the Environmental Protection Officer annually for each oil and grease Interceptor installed;
- g) keep the document of proof for Interceptor clean-out and oil and grease disposal for a minimum of two years; and
- h) ensure that no Person uses emulsifiers, enzymes, bacteria, solvents, hot water or other agents to facilitate the passage of oil and grease through a grease Interceptor.

### 9.3 **Sediment Interceptors**

9.3.1 Every Owner of a premises from which sediment may directly or indirectly enter a Sewer, including premises using a ramp drain or area drain and vehicle wash establishments, shall:

- a) ensure that such sediment is prevented from entering the drain or Sewer in excess of the limits in this By-law;
- b) ensure that Catch Basins installed on private property for the purposes of collecting Stormwater and carrying it into the Storm Sewers shall be equipped with an Interceptor;
- c) ensure the installation of these Catch Basins on private property comply with the City's Linear Infrastructure Standards, as may be amended from time to time;
- d) ensure all sediment Interceptors are maintained in good working order according to manufacturer's recommendations;
- e) inspect sediment Interceptors regularly to ensure performance is maintained to the manufacturer's specifications for performance;
- f) keep all documentation of Interceptor clean-out and sediment disposal for a minimum of two years; and
- g) submit the maintenance schedule and record of maintenance to the Environmental Protection Officer upon request for each sediment Interceptor installed.

### 9.4 **Dental Waste Amalgam Separator**

9.4.1 Every Owner of a dental practice shall install and maintain a Dental Amalgam Separator and comply with the *Dentistry Act, 1991*, S.O. 1991, c.24, and the regulations made thereunder, as amended from time to time, for the management and disposal of amalgam waste.

9.4.2 Every Owner of a dental practice shall ensure that all Dental Amalgam Separators are maintained in good working order and according to the manufacturer's recommendations.

9.4.3 Every Owner of a dental practice shall provide a maintenance schedule and record of maintenance to the Environmental Protection Officer upon request for each Dental Amalgam Separator installed and keep all maintenance documentation for a minimum of three years.

### 9.5 **Food Waste Grinders**

9.5.1 No Person shall install or operate any food waste grinding devices, the effluent from which discharges directly or indirectly into a Sanitary Sewer or Storm Sewer.

## 10. **Hauled Sewage**

10.1 No Person shall discharge Hauled Sewage to the Sewage Works unless:

- a) the carrier of the Hauled Sewage operating as a waste management system has a Certificate of Approval or Provisional Certificate of Approval issued by the Ministry of Environment, Conservation and Parks or is exempt from the requirement to have a Certificate or Provisional Certificate of Approval;
  - b) a copy of the most recent Certificate of Approval or Provisional Certificate and any amendment is provided to the City; and
  - c) the carrier meets all conditions for discharge that are or may be set from time to time with respect to the haulage of Sewage by the City.
- 10.2 No Person shall discharge or permit the discharge of Hauled Sewage:
- a) at a location other than a Hauled Sewage discharge location approved by the City;
  - b) to the Drainage Works or Surface Water Features;
  - c) without a permit, as set out in Schedule 'C', approved by the City, completed and signed by the carrier and deposited in an approved location at the time of discharge; or
  - d) without the use of a discharge hose placed securely in the discharge portal at the approved location.
- 11. Hauled Sewage Discharge Permit**
- 11.1 The General Manager is hereby authorized to issue Hauled Sewage Discharge Permits to allow the discharge of Hauled Sewage at the Water Resource Recovery Centre or at such other location as may be determined from time to time by the General Manager.
- 11.2 A Hauled Sewage Discharge Permit shall be in the form set out in Schedule 'C' to this By-law.
- 11.3 In addition to the conditions set out in Schedule 'C', the City may impose such other conditions as part of the Hauled Sewage Discharge Permit as may be necessary and appropriate in the circumstances to ensure the safe and proper operation of the Sewage Works.
- 11.4 A Hauled Sewage Discharge Permit shall remain in effect for a period of one (1) year, unless rendered invalid by suspension or termination pursuant to this section.
- 11.5 The applicant may apply for a renewal of a valid Hauled Sewage Discharge Permit no later than sixty (60) days prior to the expiration of the permit.
- 11.6 The City is authorized, upon application by the holder of a valid Hauled Sewage Discharge Permit, to amend the information contained in the permit, provided, that none of the standard terms set out in permit, as shown in Schedule 'C' to this By-law, may be amended except with the approval of Council. Unless otherwise stated, an amendment to a valid permit shall not affect the expiry date of the permit.
- 11.7 No Hauled Sewage Discharge Permit shall be issued, renewed or amended without:
- a) payment of the appropriate fee having been received by the City; and
  - b) the submission of a completed application and supporting documentation.
- 11.8 The General Manager may, in addition to any other remedy available at law, immediately suspend or terminate a Hauled Sewage Discharge Permit forthwith, in any of the following circumstances:
- a) where, in the opinion of the General Manager, the discharge of the Hauled Sewage causes or may cause a health or safety hazard to a City employee;
  - b) where, in the opinion of the General Manager, the discharge of Hauled Sewage causes or may cause damage to or causing a dangerous condition

in the Sewage Works;

- c) where, in the opinion of the General Manager, the discharge of Hauled Sewage causes or may cause the sludge or compost from the Sewage Works to fail to meet the criteria for utilizing the sludge or compost for beneficial use under O. Reg. 267/03 made under the *Nutrient Management Act, 2002*, S.O. 2002, c.4, as amended from time to time or any successor thereof or any applicable Provincial Guideline
- d) where, in the opinion of the General Manager, the discharge of Hauled Sewage causes or may cause the Sewage Works effluent to contravene any requirement of the *Ontario Water Resources Act*, the *Environmental Protection Act*, or of any other applicable law, regulation, published rules, guidelines or policies of any governmental entity having jurisdiction over the activities of Sewage Works;
- e) where the permit holder fails to comply with any applicable law or regulation, or any published rules, guidelines or policies of a governmental entity having jurisdiction over its activities;
- f) where the permit holder fails to maintain any insurance required by the City pursuant to the permit;
- g) where the permit holder fails to obtain or maintain any licence or approval required for the activities carried out by it in relation to Hauled Sewage; or
- h) where, in the opinion of the General Manager, there is an emergency situation or immediate danger to any person, property, plant or animal life or water.

11.8.1 The suspension or termination of a Hauled Sewage Discharge Permit under this section shall take effect immediately and without advance notice, after which the City shall provide written notification to the permit holder within forty-eight (48) hours of the suspension or termination, setting out the reasons therefor. The written notification referred to herein shall be sent to the permit holder by registered mail at the contact information set out in the permit.

11.8.2 The General Manager may reinstate a suspended Hauled Sewage Discharge Permit where the reason for suspension has been remedied to the satisfaction of the General Manager.

11.9 The General Manager may terminate a Hauled Sewage Discharge Permit upon written notice setting out a termination date of not less than thirty (30) days from the date of the notice and sent by registered mail to the contact information set out in the permit, if Hauled Sewage being discharged by the permit is:

- a) in any way contrary to this By-law other than as specifically stated in the permit;
- b) if the permit holder fails for more than two (2) months to pay any user or service fee required by the permit or any invoice or statement issued pursuant to this By-law in relation to the matters contained in the permit, but such termination does not relieve the permit holder from its liability to make such payment;
- c) if the permit holder fails to comply with any provision of the permit; or
- d) if any information provided to the City by the permit holder is at any time found to be untrue or misleading.

11.10 Every holder of a Hauled Sewage Discharge Permit shall ensure that all terms and conditions of such permit are complied with at all times.

11.11 A valid Hauled Sewage Discharge Permit shall not relieve any Person from complying with any provision of this By-law, except as specifically provided for in the permit.

**12. Non-contact Cooling Water**

- 12.1 No Person shall discharge Non-contact Cooling Water or Uncontaminated Water to a Sanitary Sewer from any residential property.
- 12.2 The discharge of Non-contact Cooling Water or Uncontaminated Water to a Sanitary Sewer from an Industrial, Commercial, or Institutional property is permissible where:
  - a) in the case of a proposed building, no Storm Sewer exists adjacent to the building and no opportunity exists to discharge to yard drainage; or
  - b) in the case of an existing building, no Storm Sewer Service Connection exists to the building.

**13. Outside Storage of Matter**

- 13.1 Every Owner shall ensure that all Matter stored outside of a Multi-Residential, Commercial, Institutional, or Industrial facility must be stored in a manner to prohibit its discharge into the Natural Environment, Storm Sewer, Watercourse, or where in the opinion of the City or Risk Management Official, a threat to the City's water supply may exist, or any combination thereof.
- 13.2 The Environmental Protection Officer may issue an abatement order requiring:
  - a) containment of Matter stored outside to be constructed to prevent a discharge;
  - b) spills contingency plan; and
  - c) any other action to prevent a discharge or release of the Matter being stored.

**14. Water Originating from a Source Other than the Municipal Water Supply**

- 14.1 Except for Wastewater originating from a City-approved Rainwater Harvesting System, no Person shall discharge water originating from a source other than the City water supply, directly or indirectly, to a Sanitary Sewer, unless:
  - a) the discharge is in accordance with a Discharge Agreement; and
  - b) the discharge does not exceed the limits set out under Schedule 'A'; or
  - c) in the event the discharge does exceed the limits set out under Schedule 'A', the discharge is in accordance with an Overstrength Surcharge Agreement or Overstrength Surcharge Compliance Agreement.
- 14.2 All construction sites within the City must comply with the Construction Specifications for Dewatering, OPSS.MUNI 517, November 2021, as amended.
- 14.3 Every Owner of a construction site from which water may directly or indirectly be discharged or deposited into a Storm Sewer, Watercourse, the Natural Environment or onto a highway or other City property, shall install, operate, and properly maintain controls to prevent such a discharge or deposit.
- 14.4 Any Stormwater or Groundwater collected within any excavation or in any completed or partially completed basement shall be drained by pumping if gravity drainage is not possible, subject to the conditions of a Discharge Agreement. If pumping to a naturalized Drainage Works (such as a ditch), erosion control measures shall be implemented at the point of discharge, subject to MECP approval.
- 14.5 Every Owner of a construction site shall have a copy of any site required documents or permits and shall provide a copy to the City upon request.

**15. Swimming Pools, Hot Tubs, Spas or Wading Pools**

- 15.1 No water or Wastewater from a swimming pool, hot tub, spa or wading pool,

including rainwater resting on a tarp which covers any of the foregoing, shall be discharged to the Natural Environment in a manner that may cause or causes erosion, soil instability, or injury to or destruction of trees and vegetation.

- 15.2 No Person shall discharge Wastewater from a non-saltwater swimming pool or hot tub/spa or wading pool:
- a) into Storm Sewers or Watercourses, unless treated to meet the limits in Schedule "A", for example, through the use of a dichlorination device;
  - b) in a manner that may cause or causes the Wastewater to flow onto an adjoining property;
  - c) in a manner that may cause or causes erosion, soil instability, injury to or destruction of trees and vegetation, or harm to wildlife; or
  - d) in a manner other than is permitted under this By-law.
- 15.3 A Person is permitted to discharge Wastewater from a non-saltwater swimming pool or hot tub/spa or wading pool either:
- a) by way of a temporary or permanent connection to the Private Sanitary Lateral on the Owner's property; or
  - b) by way of a controlled discharge to the Owner's property such that the discharge is at all times contained within the Owner's property until it evaporates or infiltrates into the ground.
- 15.4 No Person shall discharge Wastewater from a saltwater swimming pool or hot tub/spa or wading pool:
- a) into the Natural Environment or Drainage works
  - b) in a manner that may cause or causes the Wastewater to flow onto an adjoining property;
  - c) in a manner that may cause or causes erosion, soil instability, injury to or destruction of trees and vegetation, or harm to wildlife; or
  - d) in a manner other than is permitted under this By-law.
- 15.5 A Person is permitted to discharge Wastewater from a saltwater swimming pool or hot tub/spa or wading pool either:
- a) by way of a temporary or permanent connection to the Private Sanitary Lateral on the Owner's property; or
  - b) through an approved and licensed hauler.
16. **Spills**
- 16.1 Every Person having the charge, management or control of a Pollutant that is Spilled, and every Person who Spills or causes or permits the direct or indirect Spill of any Pollutant (in this section 16, the "Person responsible") to the Sewage Works, Drainage Works or to the Natural Environment from or out of a structure, vehicle or other container which is abnormal in quantity or quality in light of all the circumstances of the discharge shall forthwith notify:
- a) the Ministry of Environment Spills Action Center at 1 866 663 8477, as per applicable legislation;
  - b) the City, by contacting the Environmental Protection Officer;
  - c) any Person whom the Person reporting knows or ought to know may be directly affected by the Spill.
- 16.2 In circumstances where there is an immediate danger to human health or safety from a Spill, the Person responsible shall report the Spill to 911 emergency.
- 16.3 The Environmental Protection Officer may remove or cause to be removed any vehicle to prevent a discharge of a Pollutant into the Natural Environment, any Storm Sewer, and/or Watercourse at the vehicle owner(s) expense.

- 16.4 Where the Environmental Protection Officer has removed the vehicle under Section 16.3, the officer shall forthwith serve notice in writing of the removal on the owner of the vehicle at the latest address of the Ministry of Transportation at the time the officer causes the records to be examined, or at the address on the records on or in the vehicle, if any, unless the name and address of the owner cannot be determined.
- 16.5 A notice under Section 16.4 shall contain a description of:
- a) the place from which the vehicle and the site to which the vehicle was removed;
  - b) the date of removal; and
  - c) the identification of the officer who removed the vehicle or caused the removal of the vehicle.
- 16.6 Every Person responsible for a Spill shall provide a detailed report on the Spill to the City, within five (5) working days after the Spill, containing the following information to the best of their knowledge:
- a) location where Spill occurred;
  - b) name and telephone number of the Person who reported the Spill and the location and time where they can be contacted;
  - c) date and time of Spill;
  - d) material spilled;
  - e) characteristics and composition of material spilled;
  - f) volume of material spilled;
  - g) duration of Spill event;
  - h) work completed and any work still in progress in the mitigation of the Spill;
  - i) preventive actions being taken to ensure a similar Spill does not occur again;
  - j) copies of applicable Spill prevention and Spill response plans; and
  - k) any information as requested by the Environmental Protection Officer.
- 16.7 Every Person responsible and every Person having the charge, management and control of a Spill shall do everything reasonably possible to contain the Spill, protect the health and safety of citizens, minimize damage to property, protect the Natural Environment, clean up the Spill and contaminated residue, and restore the affected area to its condition prior to the Spill.
- 16.8 Nothing in this By-law relieves any Person from complying with any notification or reporting provisions of:
- a) other statutes or regulations or requirements of any government agencies, including federal and provincial agencies, as required and appropriate for the material and circumstances of the Spill; or
  - b) any other by-law of the City.
- 16.9 The City may invoice the owner of a Pollutant or Person having the charge, management and control of a Pollutant for all reasonable costs and expenses incurred with respect to time, materials and services arising as a result of the Spill.
17. **Disconnection of Sewer**
- 17.1 Where Wastewater which:
- a) is hazardous or presents an immediate danger to any Person;
  - b) endangers or interferes with the operation of the Sewage Works or Drainage Works; or
  - c) causes, or is capable of causing, an adverse effect on the Natural

Environment;

is discharged to a Sanitary Sewer or Storm Sewer, the Environmental Protection Officer may, in addition to any other remedy available, disconnect, plug or seal off the discharge of unacceptable Wastewater into the Sanitary Sewer or Storm Sewer or take such other action as is necessary to prevent such Wastewater from entering the system.

- 17.2 The City may by order prevent Wastewater from being discharged into the Sewage Works or Drainage Works until evidence satisfactory to the Environmental Protection Officer has been produced to assure that there will be no further discharge of hazardous Wastewater.

Where the Environmental Protection Officer has taken action pursuant to subsection 17.1, they may, by notice in writing, advise the Owner of the premises from which the Wastewater was being discharged of the cost of taking such action and the Owner shall forthwith reimburse the City for all such costs which were incurred.

**18. Overstrength Surcharges**

- 18.1 The discharge or deposit of Wastewater that would otherwise be prohibited by this By-law may be permitted to an extent fixed by an Overstrength Surcharge Agreement, including conditions for payment of additional costs of operation, repair and maintenance of the Sewage Works, and on other terms and conditions as may be deemed appropriate by the City.
- 18.2 An Overstrength Surcharge Agreement may only be entered into with respect to the discharge of the following treatable parameters in Wastewater: *Biochemical Oxygen Demand, Total Phosphorus, oil and grease of animal and vegetable origin, Total Suspended Solids, and Total Kjeldahl Nitrogen.*
- 18.3 Every Overstrength Surcharge Agreement shall provide that the Discharger shall pay the assessed surcharge fees per the terms established under the City's Water and Wastewater Rates and Charges By-law.
- 18.4 The surcharge fees to be paid to the City under an Overstrength Surcharge Agreement shall be based on the amount of non-complying effluent being discharged, according to the formula set forth in Schedule 'B'. Should testing of the Wastewater being discharged into the Sewage Works be required for the purpose of determining the surcharge fees, such testing shall be conducted by the Environmental Protection Officer, or by the Owner to the satisfaction of the Environmental Protection Officer, using automated sampling devices or sampling procedures approved by the City.
- 18.5 The General Manager is authorized to execute an Overstrength Surcharge Agreement in the form permitted and approved by the City.
- 18.6 Notwithstanding a provision of an Overstrength Surcharge Agreement, the Overstrength surcharge rate and the sanitary discharge rate may be reviewed and may be adjusted accordingly from time to time as determined by the City and set in the Water and Wastewater Rates and Charges By-law.
- 18.7 The General Manager may terminate an Overstrength Surcharge Agreement by written notice at any time, in accordance with the termination provisions of the agreement, for reasons including, but not limited to, the immediate threat or danger to any Person, property, plant or animal life, Natural Environment, Sewage Works or Drainage Works.
- 18.8 Every Person who is a party to an Overstrength Surcharge Agreement shall comply with all provisions of the agreement.
- 18.9 Notwithstanding the provisions of this section, Overstrength Surcharge Agreements will only be permitted for Dischargers that, at the time of passing of this By-law, do not comply with Schedule 'A' of this By-law.

**19. Overstrength Surcharge Compliance Agreement**

- 19.1 Any Industry may apply to the City for an Overstrength Surcharge



Compliance Agreement, such application to include the proposed activities to be undertaken that would result in compliance with this By-law.

- 19.2 Upon receipt of an application referred to in section 19.1, the City may approve an Overstrength Surcharge Compliance Agreement for the discharge of an effluent that does not comply with Schedule 'A' of this By-law. The agreement shall entitle the Industry to make non-complying discharges in the amount and to the extent set out in the approved Overstrength Surcharge Compliance Agreement. An Overstrength Surcharge Compliance Agreement may include a provision for the waiver of fees that would otherwise be payable by the Industry to the City pursuant to an Overstrength Surcharge Agreement, for such duration as set out in the Overstrength Surcharge Compliance.
- 19.3 Every Overstrength Surcharge Compliance Agreement shall be for a specified length of time during which Pretreatment facilities or other measures are to be installed or implemented and shall be specific as to the remedial actions to be implemented by the Industry, the dates of commencement and completion of the activity, and the materials or other characteristics of the Matter to which it relates. The final activity completion date shall not be later than the final compliance date in the Overstrength Surcharge Compliance Agreement.
- 19.4 The Industry to which an Overstrength Surcharge Compliance Agreement has been issued shall submit a progress report to the City within 14 days after the scheduled completion date of each activity listed in the Overstrength Surcharge Compliance Agreement.
- 19.5 The General Manager is authorized to execute an Overstrength Surcharge Compliance Agreement in the form permitted and approved by the City.
- 19.6 The General Manager may terminate an Overstrength Surcharge Compliance Agreement by written notice at any time, in accordance with the termination provisions of the agreement, for reasons including, but not limited to, failure or neglect by the Industry to carry out or diligently pursue the activities required of it under its Overstrength Surcharge Compliance Agreement.
- 19.7 The General Manager may require an Industry to restrict discharge during peak flow periods or restrict variation in flow and may require such other conditions as may be necessary to protect the Sewage Works or Drainage Works or to determine the Industry's compliance with its Overstrength Surcharge Compliance Agreement.
- 19.8 Every Person who is a party to a Overstrength Surcharge Compliance Agreement shall comply with all provisions of the agreement.

## 20. **Monitoring Access Points**

- 20.1 Every Owner of a Commercial, Institutional or Industrial premises or Private Sewage Collection System with one or more Service Connections to the Sewage Works, shall install and maintain in good repair in each Private Sanitary Lateral a suitable Monitoring Access Point to allow observation, sampling and flow measurement of the Wastewater therein, provided that, where installation of a Monitoring Access Point is not possible, an alternative device or facility, such as a sampling port, may be substituted with the prior written approval of the City.
- 20.2 The Monitoring Access Point, or alternative device or facility, shall be located on the property of the premises as close to the property line as possible, unless the City has given prior written approval for a different location.
- 20.3 Each Monitoring Access Point, or alternative device or facility, installed shall be designed and constructed in accordance with good engineering practice and the requirements of the City and shall be constructed and maintained by the Owner of the premises at the Owner's expense.
- 20.4 Every Owner of a premises with a Monitoring Access Point, or alternative device or facility, shall ensure that the Monitoring Access Point, alternative

device or facility is at all times accessible to the Environmental Protection Officer for the purposes of observing, sampling and obtaining flow measurement of the Wastewater therein.

**21. Access To Information**

21.1 All information submitted to and collected by the City in the administration of this By-law including information contained in any report, permit, agreement, program, survey, monitoring, inspection and sampling activities is subject to the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M-56, ("MFIPPA") as amended.

21.2 Where information submitted is considered confidential or proprietary in nature or otherwise may be exempt from disclosure under MFIPPA, the Person submitting the information shall so identify that information upon its submission and shall provide sufficient details as to the reason for its purported exemption from disclosure.

**22. Protection of the Sewage Works and Drainage Works**

22.1 No Person shall enter, uncover, connect to, open, use alter or disturb any Sewage Works or Drainage Works unless specifically authorized to do so by the City.

22.2 No Person shall break, damage, destroy, deface, remove or tamper, or cause or permit the breaking, damaging, destroying, defacing, removal or tampering of:

- a) any part of the Sewage Works or Drainage Works, including any maintenance hole cover, grate, cap, Interceptor, Catch Basin or Sewer lateral inspection tee; or
- b) any permanent or temporary device installed in the Sewage Works or Drainage Works for the purposes of flow measuring, sampling and testing of Wastewater, Uncontaminated Water or Stormwater.

22.3 No Person shall conceal, interfere with, construct or maintain, or cause or permit to be concealed or interfered with or constructed or maintained, anything that has the effect of concealing or interfering with access to a municipal or private maintenance hole, cover, grate, cap, Interceptor, Catch Basin or Sewer lateral inspection tee.

22.4 An Owner of an abutting property or agent acting on behalf of such Owner may without approval enter a drainage ditch of the Drainage Works for the purpose of clearing the ditch of growth or debris, or to clear an obstruction or blockage. Such cleaning or clearing shall not alter the invert of the ditch.

22.5 Upon the provision of reasonable notice permitted by the requirement or circumstance, the City may temporarily restrict the use of the Sewage Works or Drainage Works, including the temporary shut-off of water from the City supply system, from time to time as necessary, to carry out inspections, cleaning, maintenance, repairs, Service Connection, modifications, replacement, relocation or rehabilitation to any part of the Sewage Works or Drainage Works.

**23. Enforcement and Orders**

23.1 The General Manager or Environmental Protection Officer may at all reasonable times enter upon and inspect or cause to be inspected any land, building or equipment for the purposes of ensuring compliance with this By-law, a direction or order made under this By-law, or the terms and conditions of a Overstrength Surcharge Agreement or a Overstrength Surcharge Compliance Agreement.

23.2 The General Manager or Environmental Protection Officer may, for the purposes of an inspection:

- a) require information in writing or otherwise required by the City from any Person concerning a matter related to the inspection; or

- b) alone or in conjunction with a Person possessing special or expert knowledge, undertake an inspection to determine compliance with this By-law.
- 23.3 The General Manager or Environmental Protection Officer may issue an order to any person in violation of this By-law, or any agreement entered into thereunder.
- 23.4 An order may be served on an Owner by:
  - a) handing it to the Owner;
  - b) handing it to a Person on the Owner's property who appears to be an adult;
  - c) posting it in a conspicuous place upon some part of the Owner's property and by sending a copy by regular mail; or
  - d) sending it by prepaid registered mail to the Owner at the address where the Owner resides or the Owner's head/registered office address.
- 23.5 If an order is served by regular mail or registered mail, the service shall be deemed to have been made on the 5<sup>th</sup> day after the date of mailing.
- 23.6 An order shall set out:
  - a) reasonable particulars of the contravention adequate to identify the contravention;
  - b) the work to be completed; and
  - c) the date by which the work must be completed.
- 23.7 Where an Owner fails to comply with an order issued under this By-law within the time specified for compliance, the Environmental Protection Officer, with such assistance by others as may be required, may take steps to bring the property into compliance with any section of this By-law.
- 23.8 Where the City, its employees, authorized agents, or contractors have performed work required to bring a property into compliance with this By-law, all expenses incurred by the City in doing the work as well as any related fees shall be deemed to be a debt to the City and may be collected by action or the cost may be added to the tax roll for the property and collected in the same manner as municipal taxes.
- 23.9 No Person shall hinder, obstruct or interfere with the General Manager, Environmental Protection Officer or other By-law Enforcement Officer, or any employee, agent or contractor of the City with the carrying out of powers or duties under this By-law, including, but not limited to, performance of inspections or the completion of any work required to bring a property into compliance with this By-law.
- 24. **Penalties**
- 24.1 Every individual or unincorporated Person who contravenes any provision of this By-law, fails to comply with an order issued under this By-law or fails to comply with a term or provision of any agreement entered into under this By-law is guilty of an offence and upon conviction is liable, for every day or part thereof upon which such offence occurs and continues to occur, to a fine of not more than \$10,000.00 for a first offence and \$25,000.00 for any subsequent offence.
- 24.2 Every corporation that contravenes any provision of this By-law, fails to comply with an order issued under this By-law or fails to comply with a term or provision of any agreement entered into under this By-law is guilty of an offence and upon conviction is liable, for every day or part thereof upon which such offence occurs or continues to occur, to a fine of not more than \$50,000.00 for a first offence and \$100,000.00 for any subsequent offence.
- 24.3 Every Person who, by act, offence, default, neglect or omission, occasions any loss, cost, damage or injury to the Sewage Works or Drainage Works, or any part or Appurtenance thereof, is liable to the City for any and all

financial losses and costs incurred as a result.

24.4 No action or proceeding under the provisions of this By-law shall preclude the City from the right and power to exercise any other right or remedy available to the City.

**25. General Provisions**

25.1 This By-law shall not be interpreted to permit anything which by the provision of any applicable federal or provincial Act or Regulation is prohibited.

25.2 Where there is a conflict between the provisions of this By-law and the provisions of a federal or provincial Act or Regulation, the provisions of the applicable Act or Regulation are to prevail.

25.3 Should a Court of competent jurisdiction declare a part or a whole of any provision of this By-law to be invalid, or of no force or effect, the provision is deemed severable from this By-law, and it is the intention of Council that the remainder survive and be applied and enforced in accordance with its terms to the extent possible under the law.

25.4 Every Person shall provide written notice to the City of any change to information provided under this By-law or an agreement made hereunder within 30 days of the change, or any other time period specified in an agreement.

25.5 All Schedules attached hereto form part of this By-law.

**26. Repeal and Enactments**

26.1 This By-law comes into force and into effect on the date of its passing and enactment.

26.2 By-law Number (1995) – 15202 and its amending by-laws are hereby repealed and replaced by this By-law as of the date and time of this By-law coming into effect.

26.3 Notwithstanding section 26.2 of this By-Law, any agreements entered into pursuant to By-Law (1995) – 15202 in effect on the date on which such By-law is repealed, shall survive and remain in force and effect unless otherwise terminated.

**27. Short Title**

27.1 This By-law (2024)-20911 may be known and referred to as the "Sewer Use By-law".

**Schedules:**

Schedule 'A': Restricted Waste - Sanitary and Storm Sewer Discharges

Schedule 'B': Overstrength Surcharge Fee Formula

Schedule 'C': Haulage Sewage Discharge Permit

Schedule 'D': Part I Provincial Offences Act Short Form Wording

**Passed this sixteenth day of April, 2024.**

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**Cam Guthrie, Mayor**

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**Dylan McMahon, Acting City Clerk**

## **Schedule 'A' – Restricted Waste – Sanitary & Storm Sewer Discharges**

**Table 1 - Conventional Contaminants and Physical Parameters, Sanitary Sewer Discharge**

Substance	Concentration Limit (mg/L, except as noted)
Biochemical Oxygen Demand	300
Chemical Oxygen Demand	600
Total Kjeldahl Nitrogen	100
Oil & Grease - animal & vegetable	100
Oil & Grease - mineral & synthetic / hydrocarbon	15
Total Suspended Solids	350
pH (unitless)	6.0 - 9.5
Temperature (deg C)	60

**Table 2 - Organic Contaminants, Sanitary Sewer Discharge**

Substance	Concentration Limit (mg/L, except as noted)
Benzene	0.01
Chloroform	0.04
Dichlorobenzene (1,2-)	0.05
Dichlorobenzene (1,4)	0.08
Ethylbenzene	0.06
Hexachlorobenzene	0.0001
Methylene chloride (dichloromethane)	0.09
PCBs (chlorobiphenyls)	0
Phenols, Total (or Phenolic compounds)	0.1
Tetrachloroethylene (1,1,2,2-)	0.06
Tetrachloroethylene	0.06
Toluene	0.02
Trichloroethylene	0.05
Xylenes, total	0.3
Bis (2-ethylhexyl) phthalate	0.012
Chlordane	0.1
Dichlorobenzidine 3,3'	0.002
Dichlorodiphenyltrichloroethane (DDT)	0.0001
Dichloroethylene cis -1, 2	4.0
Dichloropropylene trans-1,3	0.14
Di-n-butyl phthalate	0.08
Hexachlorocyclohexane (Lindane)	0.1
Mirex	0.1
Nonylphenol ethoxylates	0.2
Nonylphenols	0.02
Pentachlorophenol (PCP)	0.005
Phenolics (4AAP)	1.0
Polycyclic aromatic hydrocarbons (PAHs), total	0.005

**Table 3 - Inorganic Contaminants, Sanitary Sewer Discharge**

Substance	Concentration Limit (mg/L, except as noted)
Arsenic, total	1.0
Cadmium, total	0.7
Chromium, total	2.8
Cobalt, total	5.0
Copper, total	2.0
Cyanide, total	1.2
Lead, total	0.7
Mercury	0.01
Molybdenum, total	5.0
Nickel, total	2.0
Phosphorus, total	10.0
Selenium, total	0.8
Silver, total	0.4
Sulphide (as H <sub>2</sub> S)	0.5
Zinc, total	2.0
Aldrin / dieldrin	0.0002
Aluminum	50
Antimony	5.0
Barium	5.0
Bismuth	5.0
Chloride	1500
Chromium, hexavalent	2.0
Fluoride	10.0
Gold	5.0
Iron	50
Manganese	5.0
PAH	0.005
Platinum	5.0
Rhodium	5.0
Sulphate (SO <sub>4</sub> )	1500
Tin	5.0
Titanium	5.0
Vanadium	5.0
Xylenes, Total	0.3

**Table 4 – Contaminant Limits, Storm Sewer Discharge**

Substance	Concentration Limit (mg/L, except as noted)
Total Suspended Solids	15
Biochemical Oxygen Demand	15
Chromium	0.2
Zinc	0.05
Lead	0.05
Nickel	0.05
Copper	0.01
Cadmium	0.001
Mercury	0.001
Fecal coliforms (CPU/100mL)	200
Chemical Oxygen Demand	50
Phosphorus, Total	0.4
Phenolic compounds	0.02
Chlorine	0.002



## Schedule 'B' – Overstrength Surcharge Fee Formula

For purposes of determining the fees to be paid under an Overstrength Surcharge Agreement, the following formula shall apply. The fee formula will be updated annually to reflect cost recovery using data provided from the previous year.

$$\text{Actual Concentration, } \frac{mg}{L} - \text{Allowable Limit, } \frac{mg}{L} \times (\text{Volume, m}^3) \times R, \frac{\$}{kg}$$

The presentation of the formula is presented as follows:

$$\text{Cost} = F \times Q \times R$$

Where :

- F is the difference of: *Actual Concentration - Allowable Concentration (mg/L)*  
For each parameter in excess of the respective By-law limits (mg/L);
- Q is the volume of discharge of sewage flow in m<sup>3</sup>
- R is the rate for sewage treatment in \$/kg of sewage flow for each parameter,  
as determined by the City annually, to reflect cost recovery based off the  
previous years data

<u>Example :</u>	BOD	857 mg/L
	TSS	382 mg/L
	TP	18 mg/L
	TKN	50 mg/l
	O&G	55 mg/l
	Flow	7,563 m <sup>3</sup> /month

$$\text{BOD : } (857 - 300 \text{ mg/L})/1000 * 7,563 \text{ m}^3/\text{month} * \$0.90/\text{kg} = \$3,791.33$$

$$\text{TSS : } (382 - 350 \text{ mg/L})/1000 * 7,563 \text{ m}^3/\text{month} * \$0.75/\text{kg} = \$181.51$$

$$\text{TP : } (18 - 10 \text{ mg/L})/1000 * 7,563 \text{ m}^3/\text{month} * \$15.21/\text{kg} = \$920.27$$

$$\text{Total Surcharge} = \$4,893.11$$

## Schedule "C" – Hauled Sewage Discharge Permit

Permit Number			
Permit Holder	hereinafter <b>"Company"</b>		
Date of Issue		Date of Expiration	
Date of Amendment		Date of Renewal:	

### CONTACT INFORMATION

Company					
Company Mailing					
City		Province		Postal Code	
Telephone		Facsimile		Email	

Name of Company					
Name of Company					
Position /					
Company Contact Mailing Address: (if different than above)					
City		Province		Postal Code	
Telephone		Facsimile		Email	

Name of Company					
Emergency Contact					
Position /					
Telephone		Cellular		Home	

**DOCUMENTATION**

<b>Ministry of the Environment <del>CofA</del> for a Waste Management System (Hauled Sewage)</b>		
Certificate Number	Date of Issue	
<b>Ministry of Municipal Affairs and Housing – Building Code License – Sewage Systems</b>		
License Number	Date of Issue	Date of Expiry
<b>N/A</b>	<b>N/A</b>	<b>N/A</b>

**VEHICLE INFORMATION**

Vehicle #	Make	Mode	Year
License Plate Number	VIN		Rated Tank Capacity

Vehicle #	Make	Mode	Year
<b>N/A</b>			
License Plate Number	VIN		Rated Tank Capacity

Vehicle #	Make	Mode	Year
<b>N/A</b>			
License Plate Number	VIN		Rated Tank Capacity

Vehicle #	Make	Mode	Year
<b>N/A</b>			
License Plate Number	VIN		Rated Tank Capacity

Company must possess automobile insurance for the above noted vehicles. Such insurance must be maintained in force for the duration of the hauled sewage discharge permit (including any renewal of such permit), and proof of renewal of such insurance must be provided to the City during such time.

### **Notification of Change of Information**

The Company shall within fourteen (14) days notify the City in writing of any change of information associated with this permit by way of submitting correct information using the Application for Hauled Sewage Discharge Permit Form. Notification of change of information should be forwarded to:

Environmental Services Department,  
Wastewater Services Division  
Water Resource Recovery Centre  
530 Wellington Street West  
Guelph, ON N1H 3K5  
Attention: General Manager of Environmental Services

All changes in information, other than Contact Information, shall be considered as a request to amend a valid permit and shall be subject to a fee as set out in Section 11 of By-law Number (2024) – 20911

### **TERMS AND CONDITIONS**

In accordance with the provisions in clauses 2.-(8)(a) through 2.-(8)(c) and Section 11 of Bylaw (2024)-20911 you are hereby permitted to discharge hauled sewage, as defined in Section 1 of By-law Number (2024)-20911, as may be amended from time to time (hereinafter "hauled sewage") at the City of Guelph Water Resource Recovery Centre (hereinafter "WRRC"), 530 Wellington Street West, Guelph, Ontario (or such other location as may be determined by the General Manager of Environmental Services), subject to the following terms and conditions:

1. This hauled sewage discharge permit (hereinafter "permit") is valid for a period of one calendar (1) year from the time of issue.
2. Pursuant to Section 11 of By-law Number (2024)-20911 Company may apply for approval to renew no later than a minimum of sixty (60) days prior to the expiration of a valid permit.
3. Company shall only transport to and discharge at the WRRC hauled sewage that is generated from within the municipal boundaries of the City of Guelph, unless expressly authorized in writing by the General Manager of Environmental Services or his or her designate.
4. Company shall not transport to or discharge of any material other than hauled sewage which is otherwise compliant in all respects with the provisions of By-law (2024)-20911

5. The discharge of said hauled sewage by Company shall only occur at the WRRRC unless expressly authorized in writing by the General Manager of Environmental Services or his or her designate.
6. Only the vehicles approved as identified in the Vehicle Information section of this permit are permitted to access and discharge hauled sewage at the WRRRC.
7. Company shall ensure that all hauled sewage collected by Company for discharge at the WRRRC is manifested in the form as provided by the City of Guelph from time to time. The manifest must be completed legibly, accurately and in full for each independent customer load. Completed manifests must be submitted in person to the Administration Office of the WRRRC prior to discharge. Manifest forms can be obtained from the Administration Office of the WRRRC.
8. As a condition of this permit Company understands that City staff may conduct periodic audits which may include sample collection and analysis, volume measurements, review of manifests and confirmation of sources of the material transported to and discharged at the WRRRC. Company agrees to cooperate with the City in conducting such audits and to provide information as may be required by the City in order to carry out any such audit.
9. Standard Operating Procedures for but not limited to; manifesting, sample collection and identification, record keeping and discharge as may be amended from time to time by the City of Guelph will be provided to Company. Company must ensure that all of its servants, agents, officers and employees engaged in the transport and discharge of hauled sewage are made aware of and abide by the requirements of the Standard Operating Procedures.
10. All Company servants, agents, officers and employees engaged in the transport and discharge of hauled sewage must attend a mandatory orientation and training session conducted by City staff. An orientation and training package as amended from time to time by the City of Guelph will be provided to Company.
11. This permit does not relieve Company its servants, agents, officers and employees of their legal responsibilities under any municipal, provincial or federal legislation. For greater certainty and without limiting the foregoing, this permit does not relieve Company from complying with the provisions of By-law Number (2024)-20911, except as specifically stated herein. Company shall ensure that it complies at all times with all applicable laws and regulations, and all published rules, guidelines and policies of all governmental entities having jurisdiction over its activities. Without limiting the foregoing, it shall be the responsibility of Company to ensure that it obtains and maintains all licenses and approvals required for the activities carried out by it in relation to hauled sewage, including but not limited to collection, transportation and discharge of such hauled sewage.

12. Company shall for the duration of this permit, provide the City with evidence of renewal of all licenses and approvals required by law for the activities carried out by Company in relation to hauled sewage.
13. Failure to comply with the terms and conditions of this permit, including without limiting the generality of the foregoing, the procedures for discharge of hauled sewage as set out in the Standard Operating Procedures from time to time, may result in the termination of the permit by the Director of Environmental Services or his or her designate and prosecution under the City of Guelph By-law (2024)-20911 in addition to any other remedies available to the City at law.
14. The Company shall indemnify and save harmless The Corporation of the City of Guelph, its servants, agents, officers and employees against any and all liabilities, loss, damages, costs (including legal costs) or claims arising directly or indirectly from the discharge of matter pursuant to this permit, or from any act or omission of the Company, its servants, agents, officers or employees, that relates to the matters contained in this permit.
15. The Company shall supply proof of comprehensive general liability insurance and environmental liability insurance in an amount of not less than \$1,000,000.00 and shall maintain such insurance in force for the duration of this permit or any renewal hereof. The City of Guelph must also be added as an additional named insured. Company shall provide proof of renewal of such insurance to the City for the duration of this permit.
16. Company shall provide the City with a current "Certificate of Clearance" from the Workplace Safety and Insurance Board and the City may, at any time during the term of this permit or any renewal hereof or upon the termination or expiry of this permit, require a further declaration that assessments or compensation required to be paid pursuant to the Workers' Compensation Act, as amended from time to time, or any successor thereof.
17. Without limiting the generality of any other provision of this permit, Company shall conform to and enforce strict compliance with the Occupational Health and Safety Act, R.S.O. 1990, c. O.1, as amended from time to time, or any successor thereof (hereinafter "OHSA"), including, without restricting the generality of the foregoing, "Company's" obligations as an "employer" under section 25 and 26 thereof, and with all regulations made under the OHSA. In connection with the obligation of an "employer" under clause 25(2)(I) of the OHSA as to a written occupational health and safety policy, Company shall at a minimum comply with the City's Health and Safety Policy. Company shall not bring onto the WRRC site any hazardous material as defined in the OHSA. During the term of this permit or any renewals hereof, Company shall, in a timely manner, furnish the City with a copy of all correspondence, reports, compliance orders or charges or the like under the OHSA and regulations that apply to any of the activities conducted under this permit.

18. Company may terminate this permit at any time upon thirty (30) days written notice sent by registered mail to the Director of Environmental Services, The Corporation of the City of Guelph, 530 Wellington St W, Guelph, Ontario, N1H 3K5. In the event that Company terminates the permit as set out herein, the application or renewal fee, as the case may be, shall be refunded on a pro-rated basis for the unexpired portion of the term of the permit, calculated from the expiry of the thirty  
(30) day notice period to the expiry date set out on the face of the Permit.
19. In addition to the fees set out in By-law Number (2024)-20911 relating to the issuance, renewal and amendment of the permit, Company acknowledges that the City may by by-law impose a fee to recover the full cost of treating hauled sewage and agrees to pay any such fee as may be imposed by the City from time to time.
20. In the event that the Director of Environmental Services or his or her designate determines that the hauled sewage of Company is to be discharged at a location other than the WRRRC, Company shall discharge the hauled sewage at the location as directed by the General Manager of Environmental Services or his or her designate. All terms and conditions of this permit, other than Section 5 herein, shall continue to apply with respect to discharge at the new location.
21. This permit is issued to Company and cannot be assigned or transferred to another party or authority.
22. Additional Conditions: (if applicable)

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General Manager of Environmental Services  
or his or her designate

Date (Month/Day/Year)