

**DATE:** June 3, 2022

**TO:** Mayor and Members of Council

**FROM:** Zoran Postic, Deputy City Manager, Public Works

**RE: SEWER USE BY-LAW**

**Committee of the Whole (1), June 7, 2022**

**Report #27, Item #15**

---

### **Recommendation**

That Recommendation 1 in the report of the Deputy City Manager, Public Works, dated June 7, 2022 be amended to read as follows:

1. THAT a new Sewer Use By-law be enacted in accordance with Attachment 1 of this Communication and in a form satisfactory to the City Solicitor;

### **Background**

The City's Sewer Use By-Law must be routinely reviewed and updated as the City's wastewater and stormwater systems and their oversight evolve in response to community growth, ageing infrastructure improvements, environmental protection efforts, legislative requirements, and business process efficiencies.

The purpose of the Sewer Use By-law Report is to request approval to repeal and replace the City's Sewer Use By-law (By-law No. 087-2016, as amended). The recommended revisions will enhance the Sewer Use By-law by adding clarity to various definitions, increasing alignment with York Region's Sewer Use By-law and provincial and federal regulations/legislation, strengthening the administration of fair and equitable penalties for Sewer Use By-law infractions, and improving transparency with respect to activities requiring approval or a permit from the City.

Attachment 1 of this Communication is intended to enhance clarity by ensuring the entirety of the proposed changes are presented in the form of a comprehensive draft By-law due to the length and technical nature of the Sewer Use By-law.

For more information, contact Emilie Alderman, Acting Director, Environmental Services, ext. 6116

Respectfully submitted by

A handwritten signature in blue ink, appearing to be 'Zoran Postic', written in a cursive style.

Zoran Postic, Deputy City Manager, Public Works

# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER XXX-2022**

**A By-law to enact rules and regulations for the installation and *Connection to Sewage Works*, and the *Discharge of Sewage, Storm Water*, and land drainage within the serviced area of the Corporation of the *City of Vaughan*, and to repeal the previous **Sewer Use By-law 087-2016** and amending by-laws, **156-2021** and **157-2021**.**

**WHEREAS** The Corporation of the *City of Vaughan* (the "*City*") is a lower tier municipality within the *Regional Municipality of York* in the Province of Ontario;

**AND WHEREAS** section 11(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, authorizes a municipality to pass by-laws respecting matters concerning public utilities;

**AND WHEREAS** the *City* has the responsibility for the *City's* sewer infrastructure to maintain and protect the integrity of the *City's* sewer infrastructure; control the quality and quantity of *Sewage or Storm Water* or land drainage entering *Sewage Works*; and prevent *Adverse Effects* to *Persons, Property*, and the *Natural Environment* from *Discharges* to the *City's* infrastructure;

**AND WHEREAS** section 391(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a municipality may pass by-laws imposing fees or charges on *Persons* for services or activities provided or done by or on behalf of it;

**AND WHEREAS** section 398(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that fees and charges imposed by a municipality on a *Person* constitute a debt of the *Person* to the municipality;

**AND WHEREAS** section 398(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a municipality may add fees and charges to the tax roll of the *Property* to which the public utility is supplied and collect them in the same manner as municipal taxes;

**AND WHEREAS** Section 436(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a municipality may pass by-laws providing for the entry onto land at any reasonable time for the purpose of carrying out an inspection to determine compliance with a by-law;

**AND WHEREAS** Section 429(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a municipality may establish a system of fines for a by-law passed under this Act;

**AND WHEREAS** Section 446 of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a municipality may proceed to do things at a *Person's* expense which that *Person* is otherwise required to do under a by-law but has failed to do and the costs incurred by a municipality may be recovered by adding the costs to the tax roll and collecting them in the same manner as taxes.

**NOW THEREFORE** the *Council* of the Corporation of the *City of Vaughan* enacts as follows:

### **1.0 Short Title**

(1) This By-law shall be known and may be cited as the "Sewer Use By-law".

### **2.0 Applicability and Scope**

(1) This By-law applies to *City Storm Sewers* and *Sanitary Sewers*.

(2) Where any provision of this By-law is in conflict with a provision of any other *City* or Canadian *Government Entity* by-law or regulation, the more restrictive provision shall prevail.

(3) No *Person* shall perform the following activities without an *Approval* or *Permit* from the *City*:

- (a) *Discharge* into *Sanitary Sewers*, in accordance with section 5.1;
- (b) *Discharge* into *Storm Sewers*, in accordance with section 6.1;
- (c) Enter into a *Compliance Program* to prevent, reduce or control a *Discharge of Sewage* which does not comply with the requirements of this By-law, in accordance with section 10.0;
- (d) Make a Private Sewer *Connection* to any Municipal Sewer *Connection*, in accordance with subsection 21.0(1);
- (e) Make a *Connection* of any roof *Water Leader* into the storm drainage system, in accordance with subsection 21.0(16);
- (f) Enter into *Sewage Works*, in accordance with subsection 23.0(3).

### 3.0 Definitions and Interpretation

- (1) In this By-law and attached Schedules, unless the context otherwise requires, words imparting the singular number shall include the plural, and words imparting the masculine gender shall include the feminine and further, the converse of the foregoing also applies where the context requires.
- (2) Wherever a word is used in this By-law with its first letter capitalized and the whole word italicized, the term is being used as it is defined in subsection 3.0(1) of this Bylaw. Where any word appears in ordinary case, the commonly applied English language meaning is intended.
- (3) For the purposes of this By-law:

“*Accredited Laboratory*” means any laboratory accredited by an authorized accreditation body in accordance with a standard based on "ISO/IEC/EN 17025: General Requirements For Competence Of Calibration and Testing Laboratories" established by the International Organization For Standardization, as amended.

“*Administrative Monetary Penalties By-law*” refers the Administrative Monetary Penalties By-law 063-2019, as amended, or its successor by-law;

“*Adverse Effect*” has the same meaning as in the *Environmental Protection Act*, and includes one or more of the following:

- (a) *Impairment* of the quality of the *Natural Environment* for any use that can be made of it;
- (b) injury or damage to *Property* or to plant or animal life;
- (c) harm or material discomfort to any *Person*;
- (d) an *Adverse Effect* on the health of any *Person*;
- (e) *Impairment* of the safety of any *Person*;
- (f) rendering any *Property* or plant or animal life unfit for human use;

(g) loss of enjoyment of normal use of *Property*; and

(h) interference with the normal conduct of business.

“*Approval*” or “*Permit*” means, in the context of this By-law, an approval from the *City* to undertake activities related to the *Sewage System*, such as, but not limited to, any *Discharge*, *Connection* or entry into *Sewage Works*;

“*Backwash Water*” means water and other materials released from a *Swimming Pool* filter during its cleaning;

“*Biochemical Oxygen Demand*” or “*BOD*” means the molecular oxygen utilized in a sample, including *Sewage*, *Storm Water*, *Uncontaminated Water*, and any other *Substance* to which this By-law applies during a 5-day incubation period for the biochemical degradation of organic material (carbonaceous demand), and the oxygen used to oxidize inorganic material such as sulphides, 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*;

“*Biosolids*” means organic solid material recovered from the *Sewage* treatment process;

“*Blowdown Water*” means recirculated water that is *Discharged* from a cooling or heating water system for the purpose of controlling the level of water in the system or for the purpose of discharging from the system materials contained in the system, the further build-up of which may impair the operation of the system;

“*Building Code Act*” means the Ontario *Building Code Act*, 1992, S.O. 1992, c.23, as amended, or any successor legislation;

“*CAN/CSA B481 Standards*” means the Canadian Standard Association (CSA) Group B481 Series of Standards for grease *Interceptors*, or their successor standards;

“*City*” means The Corporation of the *City* of Vaughan and its designated representatives;

“*Combustible Liquid*” means any liquid having a flash point not less than 37.8 degrees Celsius and not greater than 93.3 degrees Celsius;

“*Commercial*” means lands, buildings or structures used or designed or intended for use for activities involving the production, processing, manufacturing, or sale of goods or services;

“*Compliance Program*” means the necessary steps undertaken by a *Discharger* to bring *Sewage Discharged* into the *Sewage Works* into compliance with the provisions of this By-law or the terms and conditions of the *Permit*;

“*Composite Sample*” means two or more *Grab Samples* of a *Discharge* to the *Sewage Works* taken at intervals during the sampling that have been combined;

“*Connection*” means that part or those parts of any pipe or system of pipes leading directly or indirectly to *Sewage Works*;

“*Contact Cooling Water*” means water that is used in an *Industrial* process, for the purpose of removing heat, that comes into contact with any raw material, intermediate product, waste product or finished product, but does not include *Blowdown Water*;

“*Council*” means the *Council* of the Corporation of the *City* of Vaughan;

“*Dental Amalgam*” means a dental filling material consisting of an amalgam of mercury, silver and other materials such as copper, tin or zinc;

“*Dentistry Act*” means the *Dentistry Act*, 1991, S.O. 1991, c. 24, as amended, or its successor legislation;

“*Dental Amalgam Separator*” means any technology, or combination of technologies, designed to separate *Dental Amalgam* particles from dental operation *Sewage*;

*“Discharge Activity”* means the *Discharge of Private Water* to the *Sewage Works*;

*“Director of Development Engineering”* means the *Person* designated as the *Director* for the Department of *Development Engineering* of the *City* or his or her designate;

*“Director of Environmental Services”* means the *Person* designated as the *Director* for the Department of Environmental Services of the *City* or his or her designate;

*“Discharge”* when used as a verb, includes add, deposit, emit, release or leak and, when used as a noun, includes addition, deposit, emission, release or leakage;

*“Discharger”* includes a *Person*, a *Person* who is the *Owner*, is in occupation of, or has charge, management or control of a *Site* that *Discharges Sewage, Storm Water, Uncontaminated Water* or other *Substance* or thing to which this By-law applies to *Sewage Works*;

*“Drain”* means that part or those parts of any pipe or system of pipes leading directly or indirectly to *Sewage Works*;

*“Easement”* means an interest in land owned by another *Person*, consisting in the right to use or control the land, or an area above or below it, for a specific limited purpose, but does not include an interest created by a licence or a *Permit*;

*“Emergency”* means a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to *Persons* or substantial damage to *Property* and that is caused by the forces of nature, a disease or other health risk, an accident, or an act whether intentional or otherwise;

*“Environmental Protection Act”* means the Ontario *Environmental Protection Act*, R.S.O. 1990, c. E.19, as amended, or its successor legislation;

*“Every Person Having Control of a Pollutant”* means the *Person* and the *Person’s* employee or agent, if any, having the charge, management, or control of a pollutant immediately before the first *Discharge* of the pollutant, whether into the *Natural Environment* or not, in a quantity or with a quality abnormal at the location where the *Discharge* occurs, and *“Person Having Control of the Pollutant”* has a corresponding meaning, as per the *Environmental Protection Act*;

*“Fees and Charges By-law”* means the *City’s Fees and Charges By-law*, 158-2021, as amended, or its successor by-law;

*“Fisheries Act”* means the *Fisheries Act* (R.S.C., 1985, c. F-14), as amended, or its successor legislation;

*“Flammable Liquid”* means a liquid having a flash point below 37.8 degrees Celsius and a vapour pressure not more than 275.8 kPa (absolute) at 37.8 degrees Celsius as determined by the American Society for Testing and Materials D323-99a, Standard Test Method for Vapor Pressure of Petroleum Products (Reid Method);

*“Flow Meter”* means a device used to measure the flow rate and quantity of water moving through a pipe;

*“Foundation Drain”* means a perforated pipe installed beneath the foundation of a building or structure for the purpose of collecting flows from *Groundwater* infiltration and conveying the flows to a sump pump for disposal on the surface of the ground or to a private service *Connection* or drainage system for disposal in a municipal sewer;

*“Fuel”* includes alcohol, gasoline, naphtha, diesel *Fuel*, *Fuel* oil or any other ignitable *Substance* intended for use as a *Fuel*;

*“General Waste Management Regulation”* means *General Waste Management Regulation*, R.R.O. 1990, Reg. 347, as amended, or its successor regulation;

*“Governmental Entity”* means the government of a jurisdiction, any political subdivision of a jurisdiction, such as a federal, provincial, or municipal body, performing a function of the government;

*“Grab Sample”* means a sample of a *Discharge* into a *Sewage Works*, which is collected over a period not exceeding fifteen (15) minutes;

*“Groundwater”* means subsurface water including water held in soil, in pores, cracks or crevices in rocks or as a free-standing body beneath the existing ground surface;

*“Hauled Sewage”* includes *Sewage* which is removed from a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet, a *Sewage* holding tank or any *Sewage* infrastructure and is transported for *Discharge*, but does not include *Hauled Waste*;

*“Hauled Waste”* means liquid *Industrial* waste that is transported for *Discharge* and that must be transported in accordance with *General Waste Management Regulation*, but does not include *Hauled Sewage*;

*“Hazardous Waste”* includes a waste that is an acute *Hazardous Waste* chemical, hazardous *Industrial* waste, *Hazardous Waste* chemical, corrosive waste, ignitable waste, pathological waste, reactive waste, radioactive waste, PCB waste, *Leachate* toxic waste or severely toxic waste, or any combination thereof, each as defined by the *General Waste Management Regulation*;

*“Impairment”* has the same meaning as in *Environmental Protection Act*, means the quality of water shall be deemed to be impaired by the *Discharge* of material if the material or a derivative of the material enters or may enter the water, directly or indirectly, and,

(a) the material or derivative causes or may cause injury to or interference with any living organism that lives in or comes into contact with:

- (i) the water, or
- (ii) soil or sediment that is in contact with the water;

(b) the material or derivative causes or may cause injury to or interference with any living organism as a result of it using or consuming:

- (i) the water;
- (ii) soil or sediment that is in contact with the water;
- (iii) any organism that lives in or comes into contact with the water or soil or sediment that is in contact with the water;

(c) the material or derivative causes or may cause a degradation in the appearance, taste or odour of the water;

(d) a scientific test that is generally accepted as a test of aquatic toxicity indicates that the material or derivative, in diluted or undiluted form, is toxic;

(e) peer-reviewed scientific publications indicate that the material or derivative causes injury to or interference with organisms that are dependent on aquatic ecosystems; or

(f) the material or derivative has a prescribed characteristic or is a prescribed material.

*“Industrial”* means lands, buildings or structures used or designed or intended for use

for activities involving the manufacturing, processing, fabrication, storage, transportation, distribution or wholesaling of goods and services;

*“Institutional”* means lands, buildings or structures used or designed or intended for use by an organized body, society, health care organization or religious group and shall include, without limiting the generality of the foregoing, places of worship, senior’s residences and special care facilities;

*“Interceptor”* means a receptacle that is designed and installed to prevent oil, grease, sand or other materials from passing into *Sewage Works*;

*“Land Drainage Works”* includes a *Drain* constructed by any means which is owned by the *City* and is located within the limits of a public road allowance or other *Public Lands* or public land interests held for public utility purposes which may or may not connect to a *Storm Sewer*, or a *Drain* constructed by any means that connects directly or indirectly to a *City’s Storm Sewer* or any other *Sewage Works*;

*“Leachate”* means the liquid produced by water or other liquids percolating through waste or by liquid in the waste;

*“Maintenance Access Hole”* means an access point in a sewer *Connection* to a municipal *Sewage Works* that allows for the observation, monitoring, sampling, flow measurement and other related activities of the *Sewage*, *Storm Water*, *Uncontaminated Water* or other *Substance* therein;

*“Municipal Act”* means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, or its successor legislation;

*“Municipal Law Enforcement Officer”* or *“MLEO”* means a *Person* appointed or employed by the *City* as a *Municipal Law Enforcement Officer* under the *Police Services Act*, R.S.O. 1990, c.P.15, as amended;

*“Municipal Sewer Connection”* means that part of any *Drain* leading from the *Private Sewer Connection* and connected to the municipal *Sewage Works* and located within the limits of the public road allowance, or other *Public Lands* or public land interests held for public utility purposes;

*“Natural Environment”* means the air, land and water, or any combination or part thereof;

*“Non-Contact Cooling Water”* means water that is used in an *Industrial* process, for the purpose of removing heat, that has not come into contact with any raw material, intermediate product, waste product or finished product of the *Industrial* process other than heat, but does not include *Blowdown Water*;

*“Nutrient Management Act”* refers to the *Nutrient Management Act, 2002*, S.O. 2002, c. 4, as amended, or its successor legislation;

*“Obstruction”* means with respect to *Sanitary Sewers* or *Storm Sewers* includes, but is not limited to, a *Discharge* containing solid or viscous *Substances* in quantities or of such size as to be capable of causing blockages or hindrances to the flow in a sewer such as ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, masks, gloves, feathers, tar, plastic, feminine hygiene products, wood, dental floss, condoms, animal parts, and wipes;

*“Order”* includes an *Order* made under this By-law or the *Municipal Act*;

*“Ontario Water Resources Act”* means the *Ontario Water Resources Act*, R.S.O. 1990, c. 0.40, as amended, or its successor legislation;

*“Owner”* includes:

(a) the *Person* having the right, title, interest or equity in the land, or his or her agent

authorized in writing;

(b) the *Person* for the time being managing or receiving the rent of the land or premises in



*Connection* with which the word is used;

- (c) whether on the *Person's* own account or as agent or trustee of any other *Person*, or who would receive the rent if the land and premises were let; or
- (d) a lessee or occupant of the *Property*.

"*PCBs*" means any monochlorinated or polychlorinated biphenyl or any mixture of them or mixture that contains one or more of them and includes PCB waste as defined by R.R.O. 1990, Reg. 362 (Waste Management-*PCBs*) made under the *Environmental Protection Act*, as amended, or its successor regulation;

"*Permanent (Long-Term) Private Water Discharge*" means *Discharge Activities* where the structure or building will *Discharge* to the *Storm Sewer* for the lifetime of a structure or building;

"*Person*" includes an individual, association, organization, partnership, municipality or other corporation and includes an agent or employee of any of them;

"*Pesticide*" means any organism, *Substance* or thing that is manufactured, represented, sold or used as a means of directly or indirectly controlling, preventing, destroying, mitigating, attracting or repelling any pest or of altering the growth, development or characteristics of any plant life that is not a pest and includes any organism, *Substance* or thing registered under the *Pest Control Products Act* of Canada, as per *Pesticides Act*, R.S.O. 1990, c. P.11, as amended, or its successor regulation;

"*pH*" means the logarithm of the reciprocal of the concentration of hydrogen ions in grams per litre of solution;

"*Phenolics*" or "*Phenolic Compounds*" means those hydroxyl derivatives of benzene, or its condensed nuclei, which can be identified by the 4-Aminoantipyrine method in accordance with *Standard Methods*, or the Gibbs procedures, as set out in the *Standard Methods*;

"*Pollution Prevention*" means the use of processes, practices, materials or products that avoid, reduce or control pollution, which may include recycling, treatment, process changes, control mechanisms, efficient use of resources and material substitution;

"*Pollution Prevention Plan*" means a detailed plan that identifies operation or activities of a *Discharger* and identifies specific *Pollution Prevention* methods to be implemented within a specific timeframe;

"*Pre-Treatment*" means the reduction, elimination or alteration of pollutants in *Sewage* or *Storm Water* prior to *Discharge* into a *Sewage Works*. This reduction or alteration can be achieved by physical, chemical, or biological processes, through *Pollution Prevention*, or by other means, except by diluting the concentration of the pollutants;

"*Private Sewage Disposal System*" means a *Sewage* system that is not owned and operated by a *Governmental Entity* and is acceptable to the *Director of Environmental Services* who is responsible for issuing a *Certificate of Approval* under the *Ontario Water Resources Act* and may include any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of *Sewage*;

"*Private Sewer Connection*" means that part of any *Drain* or system of *Drains*, including *Drains* or *Subsurface Drainage Pipe* for surface or subsurface drainage of the land in or adjacent to a building lying within the limits of the private lands and leading to a *Municipal Sewer Connection* whose responsibility for maintenance is the *Property Owner's*;

"*Private Storm Sewer*" means rear-yard catch basins, infiltration trenches/galleries, soak-away pits or other grassed swales located on private lands;

"*Private Water*" means water originating from:

- (a) *Storm Water* and/or *Groundwater* accumulating or collected on private lands; or

- (b) A Private Sewage Disposal System; or
- (c) A well or any other subsurface extraction of *Groundwater*; or
- (d) A permanent or temporary *Wastewater* pond, water retention *Site* or other area or *Site* of surface water collection, whether natural or man-made, created, used or caused by or for renovation, repair, maintenance, demolition, construction-related or land development activity or activities; or
- (e) A tank, tanker truck, vessel, or other means of water storage that contains water not supplied by the *City*; or
- (f) The permanent or temporary alteration of a natural or pre-existing drainage pattern; or
- (g) Any combination of the above-noted activities, where the water from such activity would be *Discharged* directly or indirectly to a municipal sewer or *Municipal Sewer Connection* thereto and such activity is related to renovation, repair, maintenance, demolition construction or land development activity or activities at a *Property*.

*"Private Water Drainage System"* means a subsurface drainage system which includes but not limited to weeping tile(s), *Foundation Drain(s)*, *Private Water* collection sump pits(s), *Private Water* pump or any combination thereof for the disposal of *Private Water* on the surface of the ground or to a *Private Sewer Connection* or drainage system for disposal in a municipal sewer;

*"Proof of Calibration"* means a document from an organization with certification under *ISO/IEC Standard 17025(2017): General Requirements For The Competence Of Testing And Calibration Laboratories*, or its successor standard, which states that the *Flow Meter* can measure accurately;

*"Property"* means any land, whether vacant or occupied by a building or structure and includes such building or structure or part of a building or structure, and all mobile homes, mobile buildings, mobile structures, outbuildings, fences and erections thereon whether heretofore or hereafter erected and includes a *Site*;

*"Public Lands"* means lands owned by the *City* or other *Governmental Entity*;

*"Region"* or *"Regional"* means the *Regional Municipality of York*, including *Municipal Law Enforcement Officers* and its designated representatives;

*"Salt Water"* in the context of this By-law, refers to water in a *Swimming Pool* which has dissolved salts, such as, but not limited to sodium chloride;

*"Sanitary Sewer"* means any part of the *Sewage Works* that is intended to collect and convey *Sewage* to a *Sewage* pumping station and treatment facility;

*"Sediment Interceptor"* means a device or structure that is utilized to separate sediment from the *Sewage*. It can include catch-basin sumps or manufactured oil/grit separators;

*"Sewage"* or *"Wastewater"* means any liquid containing organic, inorganic, animal, vegetable, mineral or chemical matter in solution or in suspension, including floating materials, water mixed with construction-related materials such as paints, grout, plaster, and concrete, but does not include *Storm Water* or *Uncontaminated Water* alone;

*"Sewage Works"* means any works for the collection, transmission, treatment and disposal of *Sewage*, *Storm Water* or *Uncontaminated Water*, including a *Sanitary Sewer* or *Storm Sewer*, or any part of such works, but does not include *Private Storm Sewers* or plumbing or other works to which the *Building Code Act*;

“*Site*” means a *Property* where a business activity takes place that is capable of discharging to a *Sewage Works*;

“*Spill*” means a *Discharge* of any *Substance* to a *Sewage Works* or to the *Natural Environment* which is abnormal in quantity or quality in light of all the circumstances of the *Discharge*;

“*Standard Methods*” means a procedure or method set out in “*Standard Methods* for the Examination of Water and *Wastewater*” published jointly by the American Public Health Association, American Water Works Association and the Water Environment Federation, as amended;

“*Storm Sewer*” means any part of the *Sewage Works* that is intended to collect and convey *Storm Water*, *Uncontaminated Water*, surface runoff or drainage from land, from a *Watercourse*, a *ditch* adjacent to an assumed *City* road, or any combination thereof;

“*Storm Water*” includes water from rainfall or other precipitation or from the melting of snow or ice;

“*Subsurface Drainage Pipe*” means a pipe that is installed underground to intercept and convey subsurface water and includes *Foundation Drains*;

“*Substance*” means any physical matter, whether solid, liquid or gas;

“*Swimming Pool*” means any structure, basin, or vessel containing or capable of containing a body of water exceeding 0.76 m in depth used or intended to be used for swimming, bathing, or related activities, in line with the definition of the *City’s Zoning By-law*, or its successor by-law;

“*Temporary (Short-Term) Private Water Discharge*” means temporary *Discharge Activities* to the *Sewage Works* related to any excavation, site remediation, or construction activities and which are not intended to be permanent in nature;

“*Total PAHs*” means the calculated total of all the polycyclic aromatic hydrocarbons listed under Canada Ontario Agreement Tier I and II *Substances* Lists, including anthracene, benzo(a)pyrene, benzo(a)anthracene, benzo(e)pyrene, benzo(b)fluoranthene, benzo(j)fluoranthene, benzo(k)fluoranthene, benzo(g,h,i)perylene, chrysene, dibenzo(a,h)anthracene, dibenzo(a,i)pyrene, dibenzo(a,j)acridine, 7Hdibenzo(c,g)carbazole, dinitropyrene, fluoranthene, indeno(1,2,3-c,d)pyrene, perylene, phenanthrene, and pyrene.

“*Uncontaminated Water*” means water with a level of quality which is typical of potable water normally supplied by the *City* or whose quality does not exceed the values in Table 2 - Limits for *Storm Sewer Discharge*”;

“*Water Leader*” means a pipe that is installed to carry *Storm Water* from a roof to a place of disposal;

“*Waste Radioactive Prescribed Substances*” means uranium, thorium, plutonium, neptunium, deuterium, their respective derivatives and compounds and such other *Substances* as the Canadian Nuclear Safety Commission, or its successor, may designate as being capable of releasing atomic energy or as being requisite for the production, use or application of atomic energy;

“*Watercourse*” means an open channel, ditch or depression, either natural or artificial in which flow of water occurs either continuously or intermittently;

“*Zoning By-law*” refers to the *City Zoning By-law* 1-88, as amended, or its successor by-law;

#### **4.0 Administration**

(1) Subject to the terms of this or other by-laws, or the directions of *Council*:

(a) Administration of this By-law shall be by the *Director of Environmental Services*; and

(b) Enforcement of this By-law shall be by *Persons* appointed for the purpose of enforcing the

provisions of this By-law, which shall include the following:

- (i) any *City* staff designated or delegated by the *Director of Environmental Services*; or
- (ii) Municipal Law Enforcement Officers.

## 5.0 Sanitary Sewer Requirements

### *Prohibition of Discharge into Sanitary Sewers*

(1) No *Person* or *Discharger* shall *Discharge* or cause or permit the *Discharge* of a *Substance* to a *Sanitary Sewer* in circumstances where:

(a) to do so may cause or result in:

- (i) a health or safety hazard to a *Person* authorized to inspect, operate, maintain, repair or otherwise work on, in or around a *Sewage Works*;
- (ii) a hazard or other *Adverse Effect*, to any *Person*, animal, *Property*, vegetation or the *Natural Environment*;
- (iii) an offence under the *Ontario Water Resources Act* or the *Environmental Protection Act* or any regulation made thereunder;
- (iv) *Biosolids* from the *Sewage Works* to which *Sewage Discharges*, failing to meet the requirements set out in the *Nutrient Management Act*, thereunder, as amended.
- (v) dyes or colouring materials to pass through a *Sewage Works* which could discolour the *Sewage Works* effluent, except where the *City* is required to perform a dye test for a cross *Connection* inspection;
- (vi) interference with the inspection, operation, maintenance or repair of a *Sewage Works* or which may impair or interfere with any *Sewage* treatment process;
- (vii) an offensive odour to emanate from the *Sewage Works* that is detectable within the vicinity of the *Sewage Works*, and includes, without limiting the generality of the foregoing, *Sewage* containing hydrogen sulphide, carbon disulphide, other reduced sulphur compounds, amines or ammonia, paint thinners, gasoline, in such quantities as may cause an offensive odour;
- (viii) damage to a *Sewage Works* or any part thereof; and/or
- (ix) an *Obstruction* or restriction to the flow in the *Sanitary Sewer*;

(b) the *Sewage* has or exhibits:

- (i) a *pH* less than 6.0 or greater than 10.5;
- (ii) two or more separate liquid layers; and/or
- (iii) a temperature greater than 60 degrees Celsius.

(c) the *Sewage* contains or is likely to contain:

- (i) Combustible Liquid;
- (ii) Flammable Liquid;
- (iii) Fuel;
- (iv) Hauled Sewage;
- (v) Hauled Waste;
- (vi) Hazardous Waste;
- (vii) PCBs;
- (viii) a Pesticide;
- (ix) Waste Radioactive Prescribed Substances;
- (x) *Leachate*, unless otherwise allowed by the *City* or Canadian *Government Entity*;
- (xi) a liquid or material resulting from the pump-out or cleaning of a catch-basin, *Sediment Interceptor*, or *Maintenance Access Hole*;
- (xii) any quantity of matter capable of obstructing the flow in or interfering with the proper operation of any part of the *Sewage Works* and without limiting the generality of the foregoing, any such quantity of ashes, cinders, garbage, sand, straw, mud, shavings, metal, glass, rags, feathers, plastic, wood, cellulose, oil, fat and grease of animal or vegetable origin, oil grease and tar of mineral origin;
- (xiii) *Sewage* containing animal waste, and without limiting the generality of the foregoing, containing intestines, stomach casings, intestinal contents, hides, hooves, toenails, horns, bones or poultry heads or *Sewage* containing hair, wool, fur, feathers, paunch manure or fleshings in a quantity sufficient to interfere with the proper operation of the *Sewage Works*; and/or
- (xiv) any contaminant at a concentration that exceeds any one or more of the limits in Table 1 as set out in Schedule "A" of this By-law, entitled "Limits for

*Sanitary Sewer Discharge*", except where the *Discharge* is proceeding under and carried out in accordance with and only to the extent expressly permitted by all terms and conditions of a *Compliance Program* or *Pollution Prevention Plan* which has been previously authorized by the *City* and/or the *Regional* with respects to applicable section, prior to the *Discharge* in accordance with the provisions of this By-law.

(d) the *Discharge* is Storm Water, Non-Contact Cooling Water, water from a *Discharge Activity*, or Uncontaminated Water.

### **5.1 Request and Approval of Temporary Discharge into Sanitary Sewers**

(1) Notwithstanding subsection 5.0(1)(d) of this By-law, the *City* may give an *Approval* for the following activities:

- (a) temporary *Discharge of Storm Water*;
- (b) temporary *Discharge of Non-Contact Cooling Water*;
- (c) *Temporary (Short-Term) Private Water Discharge*;
- (d) temporary *Discharge of Uncontaminated Water*, to a Sanitary Sewer, where:
  - (i) the *Discharge* is requested as a result of a situation that the *City* considers to be an *Emergency*; or
  - (ii) in the case of a proposed building, no *Storm Sewer* exists adjacent to the building; or
  - (iii) in the case of an existing building, no storm *Connection* exists to the building.

(2) Subsections 5.1(3) to 5.1(11) apply to an *Approval* issued under subsection 5.1(1).

(3) The *City* may approve a *Discharge*, through an *Approval*, described in subsection 5.1(1) herein on such terms and conditions as it may deem appropriate, including but not limited to, terms and conditions in respect of protecting the *Sewage Works* and other infrastructure, compensating the *City* for costs related to the extra maintenance or repair of the *Sewage Works* and facilitating administration of the *Approval*. To assess a proposed *Discharge* under subsection 5.1(1), the *City* must be provided with:

- (a) written request to the *City* for the proposed *Discharge* which includes:
  - (i) the reason for the need for special *Discharge*;
  - (ii) the volume rate and duration of water to be *Discharged*;

- (iii) the location of the water source;
  - (iv) the address of the *Property* where the water is being used and from which it is being *Discharged*; and
  - (v) the details of the proposed *Discharge* plan to include sampling, monitoring and contingency plan
- (b) a copy of a valid Permit to Take Water issued by the *Ministry of the Environment, Conservation and Parks* in respect of the taking of the water that would be *Discharged*, where such Permit is required by the *Ontario Water Resources Act*;
- (c) a copy of approval(s) from other appropriate government agencies if applicable;
- (d) payment for any application fees for reviewing an *Approval* application and temporary *Discharge* fees under this section that may be imposed by the *City*; and
- (e) any other information requested by the *City*.
- (4) For the purposes of section 5.1, the *City* may require a *Person* to provide plans, erosion control measures, specifications, reports, studies, data, analytical results, documentation or other information to the satisfaction of the *City* to assess whether or not an actual or potential *Discharge* may or could interfere with the *City's Sanitary Sewer* works or contravene section 5.0 of this By-law.
- (5) If permission to *Discharge* is granted by the *City* and an *Approval* is issued to the *Discharger*, prior to beginning to *Discharge*, the *Discharger* shall:
- (a) obtain a *Flow Meter* for the purposes of monitoring the *Discharge*; and
  - (b) provide the *City* with a *Proof of Calibration* that certifies the *Flow Meter* is in good working condition.
- (6) The *Discharger* shall install and maintain in working order:
- (a) A *Flow Meter* that registers both flow rate and total volume *Discharged*;
  - (b) A sample port located downstream of the *Flow Meter* for the collection of *Wastewater* samples by the *City*.
- (7) The *Discharger* shall *Discharge* in accordance with the *Approval* to the *Discharge* location authorized by the *City*.
- (8) Discharge Activity to a Sanitary Sewer is prohibited unless:
- (a) the *Discharge Activity* is in accordance with the *Approval*; and

(b) a *Municipal Law Enforcement Officer* has not issued an *Order* relating to the *Discharge Activity*.

(9) Where there is a valid *Approval* and the *Discharge* is prohibited in accordance with subsection 5.1(7), the *Approval* shall be suspended for the duration of the prohibition.

(10) The *Discharger* of a *Discharge Activity* shall notify the *City* prior to commencing the *Discharge* according to the *Approval*.

(11) The *Discharger* of a *Discharge Activity* shall provide the required reports according to the *Approval* and any other information requested by the *City* during the term of the *Approval*.

## **6.0 Storm Sewer Requirements**

### ***Prohibition of Discharge into Storm Sewers***

(1) No Person or Discharger shall Discharge or cause or permit the Discharge of a Substance to a Storm Sewer or to *Land Drainage Works* in circumstances where:

(a) The *Discharge* is not *Storm Water* or not *Uncontaminated Water* in accordance with this By-law;

(b) to do so may cause or result in,

- (i) health or safety hazard to a *Person* authorized to inspect, operate, maintain, repair or otherwise work on, in or around a *Sewage Works*;
- (ii) interference with the proper operation of a *Storm Sewer* or *Land Drainage Works*; or
- (iii) an *Obstruction* or restriction to a *Storm Sewer* or *Land Drainage Works* or the flow therein;
- (iv) damage to a Storm Sewer or *Land Drainage Works*;
- (v) a hazard or other *Adverse Effect* to any *Person*, animal, *Property*, vegetation or the *Natural Environment*;
- (vi) *Impairment* of the quality of any water including water in any well, aquifer, lake, river, pond, spring, stream, reservoir or other *Watercourse*;
- (vii) an offence under the Ontario Water Resources Act, the *Environmental Protection Act* or the *Fisheries Act* with respect to the Storm Sewer or *Land Drainage Works* and/or the direct or indirect *Discharge* from the Storm Sewer or *Land Drainage Works* into any *Watercourse*; and/or
- (viii) not satisfying the criteria for environmentally sensitive water courses.



(c) the water has or exhibits:

- (i) two or more separate liquid layers;
- (ii) a visible film, sheen or discoloration;
- (iii) a temperature greater than 40 degrees Celsius; and/or
- (iv) a *pH* less than 6.0 or greater than 9.0;

(d) the *Discharge* contains or is likely to contain:

- (i) Blowdown Water;
- (ii) Contact Cooling Water;
- (iii) water from a *Discharge Activity*;
- (iv) Combustible Liquid;
- (v) Flammable Liquid;
- (vi) floating debris;
- (vii) Fuel;
- (viii) oil and/or grease;
- (ix) Hauled Sewage;
- (x) Hauled Waste;
- (xi) Hazardous Waste;
- (xii) PCBs;
- (xiii) Pesticides;
- (xiv) Sewage;
- (xv) Waste Radioactive Prescribed Substances;
- (xvi) Leachate;
- (xvii) a *Substance* from raw materials, intermediate or final materials, used or produced in, through or from an *Industrial* process;
- (xviii) Construction/Renovation *Wastewater* and residual of construction material;
- (xix) The *Backwash Water* from a *Swimming Pool*;
- (xx) a *Substance* used in the operation or maintenance of a *Site*;
- (xxi) any contaminant at a concentration that exceeds any one or more of the limits in Table 2 as set out in Schedule "A" of this By-law, entitled "*Limits for Storm Sewer Discharge*"; and/or
- (xxii) a liquid or material resulting from the pump-out or cleaning of a catch-basin,

*Sediment Interceptor, or Maintenance Access Hole;*

(xxiii) *Discharge from a Swimming Pool containing Salt Water.*

## **6.1 Request and Approval of Permanent or Temporary Discharge into Storm Sewers**

- (1) Notwithstanding subsections 6.0(1)(a) and 6.0(1)(d)(iii) of this By-law, the *City* may give an *Approval for Permanent (Long-Term) Private Water Discharge or Temporary (Short-Term) Private Water Discharge* on such terms and conditions as it may deem appropriate including but not limited to, terms and conditions in respect of protecting the *Sewage Works*, other infrastructure and the *Natural Environment*, standards for parameters in the *Discharge*, volume of the *Discharge*, compensating the *City* for costs related to extra maintenance or repair of the *Sewage Works* and facilitating administration of the *Approval*.
- (2) Subsections 6.1(3) to 6.1 (12) apply to an *Approval* issued under subsection 6.1(1).
- (3) With respect to Approvals for Permanent (Long-Term) Private Water Discharge:
  - (a) a *Discharger* shall obtain a valid *Approval for Permanent (Long-Term) Private Water Discharge* in accordance with this section;
  - (b) such *Approval* shall be valid on the date of issuance for a period of up to one (1) year at a time;
  - (c) a *Discharger* shall submit an application to the *City* to renew the *Approval for Permanent (Long-Term) Private Water Discharge* each year, two (2) months prior to expiry of the *Approval*.
- (4) Where the *City* has given *Approval* for a *Discharge* in accordance with subsection 6.1(1), a *Person* or *Discharger* may *Discharge* the water from a *Discharge Activity* to a *Storm Sewer* or *Land Drainage Works* only to the extent allowed by and where the *Person* or *Discharger* is complying with all terms and conditions of the *Approval*. To assess a proposed *Discharge* under subsection 6.1(1), the *City* must be provided with:
  - (a) written request to the *City* for the proposed *Discharge* which includes,
    - (i) the reason for the need for special *Discharge*;
    - (ii) the volume, rate and duration of water to be *Discharged*;
    - (iii) the location of the water source;
    - (iv) the address of the location where the water is being *Discharged*; and
    - (v) the details of the proposed *Discharge* plan to include sampling, monitoring and contingency plan;

- (b) a copy of a valid Permit to Take Water issued by the Ministry of the Environment, Conservation and Parks in respect of the taking of the water that would be *Discharged*, where such Permit to Take Water is required by the *Ontario Water Resources Act*;
  - (c) a copy of approval(s) from other appropriate government agencies if applicable;
  - (d) payment for any application fees for reviewing a request for a *Discharge* under this section that may be imposed by the *City*; and
  - (e) any other information requested by the *City*.
- (5) For the purposes of this section, the *City* may require a *Person* to provide plans, erosion control measures, specifications, reports, studies, data, analytical results, documentation or other information to the satisfaction of the *City* to assess whether or not an actual or potential *Discharge* may or could interfere with the *City's Storm Sewer* or contravene section 6.0 of this By-law.
- (6) If permission to *Discharge* is granted by the *City* and an *Approval* is issued to the *Discharger*, prior to beginning to *Discharge*, the *Discharger* shall:
- (a) obtain a *Flow Meter* for the purposes of monitoring the *Discharge*; and
  - (b) provide the *City* with *Proof of Calibration* that certifies the *Flow Meter* is in good working condition.
- (7) The *Discharger* shall install and maintain in working order:
- (a) A *Flow Meter* that registers both flow rate and total volume *Discharged*;
  - (b) A sample port located downstream of the *Flow Meter* for the collection of *Wastewater* samples by the *Discharger* and *City*.
- (8) The *Discharger* shall *Discharge* in accordance with the *Approval* to the *Discharge* location authorized by the *City*.
- (9) A *Discharge Activity* to a *Storm Sewer* is prohibited unless:
- (a) the *Discharge Activity* is in accordance with the *Approval*; and
  - (b) a *Municipal Law Enforcement Officer* has not issued an *Order* relating to the *Discharge Activity*.
- (10) Where there is a valid *Approval* and the *Discharge* is prohibited in accordance with subsection 6.1(8), the *Approval* shall be suspended for the duration of the prohibition.
- (11) The *Discharger* of a *Discharge Activity* shall notify the *City* prior to commencing the

*Discharge* according to the *Approval*.

- (12) The *Discharger* of a *Discharge Activity* shall provide the required reports according to the *Approval* and any other information requested by the City during the term of the *Approval*.

## **7.0 Prohibition of Dilution**

- (1) No *Person* or *Discharger* shall *Discharge* or cause or permit the *Discharge* of a *Substance* into a *Sewage Works* in circumstances where water has been added to the *Discharge* for the purposes of dilution such that after dilution the *Discharge* does not contravene section 5.0 or section 6.0 of this By-law.

## **8.0 Discharger Information Request**

- (1) A *Discharger* shall complete a *Discharger* Information Report form provided by the *City* and submit it to the *City* within thirty (30) calendar days of written notification by the *City* that such report is required.
- (2) Where a *Discharger* is required by the *City* to complete a *Discharger* Information Report, the *Discharger* shall provide written notice of any change in the information requested in the *Discharger* Information Report a minimum of thirty (30) calendar days prior to the effective date of such change. Such notice shall include pertinent details of any change to the operation, process, or *Pre-Treatment* facilities and shall include any analyses of the *Sewage* and any other information related to the *Discharge* as may be required by the *City*.

## **9.0 Swimming Pool Water Discharge**

- (1) No *Person* shall *Discharge* from a *Swimming Pool* into a *Storm Sewer*, *Sanitary Sewer* or *Land Drainage Works* if the *Discharge*:
- (a) is in contravention of sections 5.0(1) or 6.0(1);
  - (b) contains any *Substances* at a concentration that exceeds any of the limits in Tables 1 and 2 of Schedule "A" of this By-law.

## **10.0 Compliance Program**

- (1) A *Discharger* may submit to the *City*, or submit and resubmit where required by the *City*, a proposed *Compliance Program* to prevent, reduce or control a *Discharge* of *Sewage* which does not comply with the requirements of this By-law.
- (2) Upon receipt and review of a proposed *Compliance Program* pursuant to section 10.0(1) herein,

the *City* may issue a *Compliance Program Approval* with such terms and conditions the *City* deems to be appropriate for any *Discharge* which would otherwise not comply with this By-law. A non-compliant *Discharge* authorized under an *Approval* is only authorized in the amount and to the extent set out in the *Approval*, during the period of planning, design, construction and installation of facilities or works necessary to implement the approved *Compliance Program*.

- (3) The *City* may terminate the *Compliance Program* by giving written notice to the *Discharger*:
  - (a) at any time where, in the opinion of the *City*, there is an immediate threat or danger to any *Person*, animal, the *Natural Environment*, *Property*, vegetation, in which case the termination shall be effective immediately upon receipt of the written notice of termination by the *Discharger*; and/or
  - (b) at any time where, in the opinion of the *City*, the *Discharger* fails or neglects to implement or pursue implementation of the actions required under the approved *Compliance Program* or otherwise fails to comply with the terms and conditions of an *Approval*, in which case the termination shall be effective immediately upon receipt of the written notice of termination.
- (4) Where required by the *City* pursuant to an approved *Compliance Program*, the *Discharger* shall install at the *Site*, and prior to the sampling point, a *Sewage Pre-Treatment* facility at the *Discharger's* expense and within specified timeframe.
- (5) A *Discharger* who is the subject of an approved *Compliance Program* in accordance with this section shall not be prosecuted for a contravention under section 5.0 of this By-law for the *Discharge* of *Sewage* to the extent set out in the approved *Compliance Program* during the term of the approved *Compliance Program*, provided that such *Discharge* is in compliance with the approved *Compliance Program*.
- (6) Where necessary, in the opinion of the *City*, the *Discharger* shall provide, at his expense, such preliminary treatments as may be necessary to reduce objectionable characteristics or constituents to within the limits established by the By-law.
- (7) Plans, specifications and any other pertinent information related to a *City Compliance Program* shall be submitted for the *Approval* of the *City* and no construction of such facilities shall be commenced until said *Approvals* are obtained in writing.

## **11.0 Pollution Prevention Plan**

- (1) The *City* may, by written notice, require a *Discharger* to develop a *Pollution Prevention Plan* for

the *Discharge* of one or more of any of the parameters listed in Schedule "A" of this By-law or any other parameter that may be designated by the *City* with respect to the *Site* from which the *Discharge* occurs, where:

- (a) the *Discharger* is or has been non-compliant with section 5.0 of this By-law;
- (b) the *Discharger* is or has been non-compliant with section 6.0 of this By-law;
- (c) the *Discharger* is or has been in an approved *Compliance Program* with the *City*; or
- (d) the *Discharger* is or has been responsible for one of more *Spill(s)* to a *Sewage Works*.

- (2) A *Pollution Prevention Plan* shall comply with any guidelines that the *City* may establish.
- (3) A *Pollution Prevention Plan* shall be completed by the *Discharger* and submitted to the *City* for *Approval* within six (6) calendar months of notification by the *City* that a *Pollution Prevention Plan* is required.
- (4) The *Discharger* shall keep a copy of the current approved *Pollution Prevention Plan* at the *Site* in respect of which it was prepared and shall make the approved *Pollution Prevention Plan* available for review by a *Municipal Law Enforcement Officer* and, upon request, shall provide a copy of the approved *Pollution Prevention Plan* in the requested manner and format at no charge to the *City*.
- (5) The *City* may exempt a *Discharger* from the requirements to develop a *Pollution Prevention Plan* where the *Discharger* has implemented and maintains a currently registered ISO 14001 Program which is accredited by the *Standard Council* of Canada or the Registrar Accreditation Board and which is currently accredited by a third-party auditor. If such an exemption is made, the *Discharger* shall keep a copy of the registered ISO 14001 Program at the *Site* and shall make it available for review by a *Municipal Law Enforcement Officer* and, upon request, shall provide a copy in the requested manner and format, at no charge to the *City*.

## **12.0 Sampling and Analytical Requirements**

- (1) The *City*, by written notice, may require a *Discharger*, at the *Discharger's* expense, to monitor, sample and/or analyze, in accordance with the procedures and methods set out in *Standard Methods* and through an *Accredited Laboratory*, one or more *Discharges* from a *Site* and submit the analysis, results and/or the samples to the *City* by the date set out in the notice.
- (2) The *City* may establish non-compliance with this By-law on the basis of a *Grab Sample* or a *Composite Sample* of a *Discharge*, which may contain additives for its preservation, that may be collected manually or by using an automatic sampling device and analyzed in accordance with

the procedures and methods set out in *Standard Methods*.

- (3) For each of the metals whose concentration is limited in Schedule "A", the analysis shall be for the quantity of total metal, which includes all metal both dissolved and particulate.
- (4) Where there is no *Maintenance Access Hole* meeting the requirements of section 19.0 of this By-law, the *City* may, by given a written notice to the *Discharger*, make use of an alternative device for the purpose of sampling a *Discharge* to the *Sewage Works*.

### 13.0 Spills

- (1) *Every Person Having Control of a Pollutant* that is spilled and every *Person* who spills or causes or allows a *Spill* of a pollutant shall forthwith notify the following persons of the *Spill*, of the circumstances thereof, and of the action that the *Person* has taken or intends to take with respect the *Spill*:
  - (a) the *City*;
  - (b) the Ministry of the Environment, Conservation and Parks;
  - (c) where the *Person* is not the *Owner* of the pollutant and knows or is able to ascertain readily the identity of the *Owner* of the pollutant, the *Owner* of the pollutant; and
  - (d) where the *Person* is not the *Person Having Control of the Pollutant* and knows or is able to ascertain readily the identity of the *Person Having Control of the Pollutant*, the *Person Having Control of the Pollutant*.
- (2) In the event of a *Spill* to a *Sewage Works*, *Every Person Having Control of a Pollutant* or the *Person* who caused or permitted the *Spill* shall provide any information with respect to the *Spill* which the *City* advises it requires and complete any work the *City* may require to mitigate the *Spill*.
- (3) Notwithstanding section 13.0(1) herein, the *Person* who caused or permitted the *Spill* shall do everything possible to stop and contain the *Spill*, protect the health and safety of the public and adjacent occupants, minimize damage to *Property*, protect the *Natural Environment*, mitigate actual and potential impacts, clean-up the *Spill* and remediate and restore the affected area to its condition prior to the *Spill* event.
- (4) Within five (5) calendar days after the first occurrence of the *Spill*, the *Person* who gave notice under section 13.0(1) herein shall provide a written report on the *Spill* to the *City* containing information to the best of the *Person's* knowledge including:
  - (a) location where the *Spill* occurred;

- (b) name and phone number of the *Person* who reported the *Spill* and location where such *Person* can be contacted;
  - (c) date and time of *Spill*;
  - (d) *Substance* that was Spilled;
  - (e) physical and chemical characteristics of the *Spilled Substance*;
  - (f) volume of the *Substance* Spilled;
  - (g) duration of the *Spill* event;
  - (h) any relevant information regarding the cause of the *Spill* or the circumstances surrounding the *Spill* event;
  - (i) work completed, in progress and/or to be undertaken to mitigate the *Spill*;
  - (j) prevention actions being taken to ensure the situation does not occur again; and
  - (k) impact of the *Spill* or any other information in relation to the *Spill* the *City* may indicate.
- (5) If a *Person* to whom this section applies is not able to provide or otherwise does not provide all of the information required by sections 13.0(1) and 13.0(3) herein, the *Person* shall take all reasonable steps to ascertain the missing information and provide it immediately to the *City*.
- (6) If a *Person* to whom this section applies becomes aware that any information provided to the *City* pursuant to sections 13.0(1) and 13.0(3) herein was inaccurate or is no longer accurate, the *Person* shall immediately notify the *City* of the inaccuracy and provide corrected information.
- (7) Industries, at whose premises a *Spill* to the municipal *Sewage Works* of a subject pollutant has occurred and who are required to have a *Pollution Prevention Plan* pursuant to section 11.0 shall prepare an updated plan incorporating the information and shall submit it, in writing, to the *City* within 30 days of the *Spill*.
- (8) The *Spill* reporting requirements set out in this section are in addition to and do not replace any other reporting obligations imposed upon a *Person* by federal or provincial legislation.

#### **14.0 Confidential Information**

- (1) All information submitted to and collected by the *City* under the authority of this By-law, including but not limited to information contained in or obtained through *Discharger* Information Reports, *Pollution Prevention Plans*, *Compliance Programs*, *kl Agreements*, applications, inspection, monitoring or sampling activities will, except where otherwise provided in this section, be available for disclosure to the public in accordance with the *Municipal Freedom of Information and Protection of Privacy Act, 2001*, S.O. 2001, c. 25 ("MFIPPA"), as amended.



- (2) In the event that any *Person* is submitting information, in any form, to the *City* as required under this By-law where such information is confidential or proprietary or otherwise may be exempt from disclosure under MFIPPA, the *Person* submitting the information shall so identify that information upon its submission to the *City* and shall provide sufficient details as to the reason for its purported exemption from disclose.

### **15.0 Dental Waste Amalgam Separators**

- (1) Every *Person* who owns or operates a dental practice shall comply with the *Dentistry Act*, for the management and disposal of amalgam waste.
- (2) A maintenance schedule and record of maintenance shall be made available for review by a *Municipal Law Enforcement Officer* and, upon request, a copy shall be provided to an *Municipal Law Enforcement Officer* in the manner and format requested, at no charge to the *City*, for each *Dental Amalgam Separator* installed.
- (3) A record of inspection and any documentation certifying the installation of a *Dental Amalgam Separator* shall be provided upon request to a *Municipal Law Enforcement Officer* and, a copy of the documentation shall also be provided in the requested manner and format at no charge to the *City*.

### **16.0 Food-related Oil and Grease *Interceptors***

- (1) Every *Discharger* whose *Site* is, or contains, a restaurant or other *Industrial* premises where food is cooked, processed or prepared shall take all necessary measures to ensure that oil and grease are prevented from discharging to:
- (a) a *Sanitary Sewer* in excess of the limits in Table 1 as set out in Schedule "A" of this By-law; or
  - (b) a *Storm Sewer* or *Land Drainage Works*.
- (2) A *Discharger* to whom this section applies shall install, operate, and properly maintain, in accordance with the requirements of this section, an oil and grease *Interceptor* in any piping system at its *Site* that connects directly or indirectly to a *Sewage Works*.
- (3) The installation and operation of each oil and grease *Interceptor* shall be:
- (a) in compliance with the current requirements of the *Building Code Act* and its regulations; and
  - (b) in accordance with the requirements of the *CAN/CSA B481 Standards*.

- (4) The *Discharger* shall ensure all oil and grease *Interceptors* are maintained in good working order, including the requirements that every oil and grease *Interceptor* shall:
- (a) be tested and maintained in accordance with the requirements of *CAN/CSA B481 Standards*;
  - (b) have the maintenance requirements posted at the *Site* in a conspicuous location in proximity to the oil and grease *Interceptor*; and
  - (c) be cleaned before the thickness of the organic material and solids residuals becomes greater than twenty-five percent of the available volume, with a cleaning frequency of at least once every four weeks.
- (5) The *Discharger* must provide the maintenance schedule and record of maintenance for each oil and grease *Interceptor* upon request to a *Municipal Law Enforcement Officer* and, a copy shall also be provided in the requested manner and format at no charge to the *City* and must keep documentation of proof of *Interceptor* clean-out and oil and grease disposal at the *Site* for a minimum of two years.
- (6) Where a *Discharger* fails to adequately maintain the oil and grease *Interceptor* to the satisfaction of the *City*, the *City* may require an alarmed monitoring device or such other device to be installed at the expense of the *Discharger* which the *Discharger* shall then install at its expense, in accordance with specifications of *CAN/CSA B481 Standards*.
- (7) No *Discharger* shall *Discharge* or cause or permit the *Discharge* of emulsifier to an *Interceptor* to which this section applies.
- (8) No *Discharger* shall use or cause or permit the use of the following to facilitate the passage of oil and grease through an *Interceptor* to which this section applies, except where a fixture is installed in accordance with the *Building Code Act* and its regulations:
- (a) enzymes;
  - (b) bacteria;
  - (c) solvents;
  - (d) hot water; or
  - (e) other agents.

## **17.0 Vehicle and Equipment Service Facility Oil and Grease *Interceptors***

- (1) Every *Discharger* whose *Site* is a vehicle or equipment service station, repair shop, garage, or other *Industrial* premises where motor vehicles are repaired, lubricated, washed, or maintained

shall take all necessary measures to ensure that oil and grease are prevented from discharging to a *Sanitary Sewer* in excess of the limits in Table 1 as set out in Schedule "A" of this By-law or a *Storm Sewer* or *Land Drainage Works*.

- (2) A *Discharger* to whom this section applies shall install, operate, and properly maintain, in accordance with the requirements of this section, an oil and grease *Interceptor* in any piping system at its *Site* that connects directly or indirectly to a *Sewage Works*.
- (3) Each oil and grease *Interceptor* required to be installed under this section shall be installed in compliance with the current requirements of the *Building Code Act* and its regulations and in accordance with the requirements of *CAN/CSA B481 Standards*.
- (4) The *Discharger* shall ensure all oil and grease *Interceptors* are maintained in good working order, including the requirements that every oil and grease *Interceptor* shall:
  - (a) be maintained as recommended by the Canadian Petroleum Products Institute and in accordance with the manufacturer's guidance and recommendations;
  - (b) be inspected regularly to ensure performance is maintained and to ensure the surface oil, grease and sediment levels do not exceed the recommended level; and
  - (c) have the maintenance requirements posted at the *Site* in a conspicuous location in proximity to the oil and grease *Interceptor*.
- (5) The *Discharger* must provide the maintenance schedule and record of maintenance for each oil and grease *Interceptor* upon request to a *Municipal Law Enforcement Officer* and, a copy shall also be provided in the requested manner and format at no charge to the *City* and must keep documentation of proof of *Interceptor* clean-out and oil and grease disposal at the *Site* for a minimum of two years.
- (6) Where a *Discharger* fails to adequately maintain the oil and grease *Interceptor* to the satisfaction of the *City*, the *City* may require an alarmed monitoring device, or such other device be installed at the expense of the *Discharger*.
- (7) No *Discharger* shall *Discharge* or cause or permit the *Discharge* of emulsifier to an *Interceptor* to which this section applies.
- (8) No *Discharger* shall use or cause or permit the use of the following to facilitate the passage of oil and grease through an *Interceptor* to which this section applies except, where a fixture is installed in accordance with the *Building Code Act* and its regulations:
  - (a) enzymes;

- (b) bacteria;
- (c) solvents;
- (d) hot water; or
- (e) other agents.

### **18.0 Sediment Interceptors**

- (1) Where sediment may be *Discharged* to a *Sewage Works* from the *Site* of a *Discharger*, including but not limited to *Sites* using a ramp *Drain* or area *Drain* and vehicle wash establishments, the *Discharger* shall take all necessary measures including an installation of *Sediment Interceptor*, if required to ensure that such sediment is prevented from discharging to:
  - (a) a *Sanitary Sewer* in excess of the limits in Table 1 as set out in Schedule "A" of this By-law; or
  - (b) a *Storm Sewer* in excess of the limits in Table 2 as set out in Schedule "A" of this By-law.
- (2) A *Discharger* shall ensure that all *Sediment Interceptors* are maintained in good working order, including the requirements that every *Sediment Interceptor* shall be:
  - (a) maintained in accordance with the manufacturer's guidance and recommendations; and
  - (b) inspected regularly to ensure performance is maintained to the manufacturer's specifications.
- (3) The *Discharger* must provide the maintenance schedule and record of maintenance for each *Sediment Interceptor* upon request to a *Municipal Law Enforcement Officer* and, a copy shall also be provided to the *City* in the manner and format requested at no charge to the *City* and must keep documentation of *Interceptor* clean-out and sediment disposal at the *Site* for a minimum of two (2) years.

### **19.0 Maintenance Access Holes**

- (1) A *Discharger* of *Commercial*, *Institutional*, or *Industrial* premises or multi-storey residential buildings with one or more sewer *Connections* to a *Sewage Works*, at the *Discharger's* expense, shall install or cause to install a *Maintenance Access Hole* for each *Connection* for the purpose of inspection, sampling, maintenance, flushing, and measurement of the flow of *Discharges* therein in accordance with the requirements of this section.
- (2) Notwithstanding section 19.0(1) herein, where the installation of a *Maintenance Access Hole* is not possible or is not acceptable to the *City*, an alternative device may be substituted with an

*Approval or Permit of the City.*

(3) A *Maintenance Access Hole* or an alternative device shall be, located inside the *Property* line of the *Discharger's Site* as per the *City's* Engineering Design Criteria and Standards, unless the *City* provides written *Approval or Permit* for a different location:

- (a) designed and constructed as per the *City's* Engineering Design Criteria and Standards;
- (b) accessible at any time to the *City*, with a clear pathway free of *Obstructions*, for the purpose of inspection, sampling, and measurement of the flow of *Discharges* therein; and
- (c) maintained by the *Discharger* in good working condition, and when necessary, shall replace a *Maintenance Access Hole*, alternative device, or facility, at the *Discharger's* expense.

## **20.0 Private Sewage Disposal Systems**

- (1) Except as hereinafter provided, it shall be unlawful to construct or maintain any *Private Sewage Disposal System*.
- (2) Where no municipal *Sanitary Sewer* is available adjacent to a *Property*, the building sewer shall be connected to a *Private Sewage Disposal System* to contain the *Sewage* and the private disposal system shall be installed and maintained in compliance with all applicable acts, legislation, regulations, and by-laws.
- (3) The *Owner* or occupier of such *Property* shall operate and maintain the *Private Sewage Disposal System* facilities in a sanitary manner at all times and at no expense to the *City*.
- (4) At such time as a *Sanitary Sewer* becomes available to a *Property* served by a *Private Sewage Disposal System*, if notice has been given by the *City*, a direct *Connection* shall be made to the *Sanitary Sewer* in compliance with this By-law and the *Building Code Act* and its regulations, at the *Owner's* expense, and any private disposal facilities shall be abandoned and filled in compliance with all applicable legislation, regulations, and by-laws.

## **21.0 Sewer Connections**

### ***Application and Payment***

- (1) No *Person* shall connect or cause to or allow to connect any *Private Sewer Connection* to any *Municipal Sewer Connection*, including any reconnection of an existing *Private Sewer Connection*, without the written *Approval* of the *City* and compliance with the requirements of this By-law.
- (2) No sewer *Connection* shall be constructed on any road allowance, *Easement*, or other public

land, except by the *City* or, where authorized in writing by the *City*, under a written agreement satisfactory to the *City*.

- (3) The *Owner* or *Owner's* agent of the *Property* seeking a new *Municipal Sewer Connection* shall make an application on in the prescribed form to the *City*, shall make engineering submissions satisfactory to the *City*, and shall be responsible for all of the fees applicable which shall be determined by the *City*.
- (4) If the *Owner* or *Owner's* agent requests to use the existing *Connection*, the *City* will carry out a CCTV (closed circuit television) inspection, at the *Owner's* expense, along the entire municipal portion of the sewer *Connection*, and to ensure that the sewer *Connection* is free of structural and operational defects and it is in accordance with the *City's* current Engineering Design Criteria and Standard Drawings as well as the requirements of this By-law.
- (5) Whenever a building or structure on a *Property* is demolished, any unused *Municipal Sewer Connection(s)* serving the *Property* shall be disconnected and capped. The *Owner* or *Owner's* agent of the *Property* shall make an application in the prescribed form to the *City*, shall make engineering submissions satisfactory to the *City*, and shall be responsible for all of the fees applicable which shall be determined by the *City*.
- (6) A single *Municipal Sewer Connection* will be allowed for a *Property* with multiple units, subject to the *Approval* of the *City*.
- (7) Any *Person* who requires an additional *Municipal Sewer Connection* to be supplied to a *Property* or a change or an alteration to the existing *Municipal Sewer Connection* to a *Property* shall submit an application for such addition, change or alteration to the *City*. Such application shall be accompanied by engineering studies, monitoring reports, drainage plans, grading plans, engineering plans and other detailed documentation and information as may be required by the *City*.

#### **Installation of Sewer *Connection* and Disconnection Works**

- (8) Upon *Approval* by the *City* of an application submitted under section 21.0(1) herein, a *Municipal Sewer Connection* or disconnection works shall be performed by the *City*, at the expense of the *Owner*, in accordance with the standards and specifications and upon such conditions, rates, fees, charges and costs as may be prescribed or determined by the *City*.
- (9) The *City*, a *Municipal Sewer Connection* may be installed by the *Owner's* contractor who has been pre-qualified to carry out the work and the installation should be in accordance with the *City's* standards and specifications, as may be amended. The *Owner* of the *Property* shall pay

for the cost of the *City's* inspection and administration, the amount of which shall be determined by the *City*.

### **Sewer Connections through Neighboring *Private Lands***

- (10) Where an *Owner* or *Owner's* agent of a *Property* requires a sewer *Connection* through neighboring *Private Lands*, the *Owner* shall obtain a written authorization from those *Property Owners* and shall obtain a private *Easement* over the neighboring *Private Lands*, to the satisfaction of the *City*, for the construction, operation, maintenance and replacement of the sewer *Connection* and its appurtenances at the *Owner's* expenses.
- (11) No such sewer *Connection* shall be constructed without first obtaining the authorization from those *Property Owners* and a private *Easement* over the said *Properties*.

### **Inflow of Storm Water into a Sanitary Sewer**

- (12) The *Owner* of any building which has a roof leader discharging *Storm Water*, either directly or indirectly, into the *Sanitary Sewer* shall disconnect the down-spout pipe at grade and shall convey the *Storm Water* away from the building in such a way that the *Storm Water* will not accumulate at or near the building and will not have an *Adverse Effect* on adjacent *Properties*.

### **Storm Water Drainage**

- (13) An *Owner* of the premises shall *Discharge Storm Water*, at grade away from any building or structure on that *Property* in such a manner that the *Storm Water* will not accumulate at or near the building or structure and will not have an *Adverse Effect* on adjacent *Properties* or create a hazardous condition.
- (14) For any new or reconstructed buildings, no *Person* shall construct, install, maintain, or cause or permit to be constructed installed or maintained, the direct or indirect *Connection* of any *Roof Water Leader* into storm drainage system.
- (15) Buildings designed with *City-approved* clean water collection systems may not be subject to 21.0(13) and 21.0(14), with such determination being made by the *Director of Environmental Services* or the *Director of Development Engineering*.
- (16) Unless approved by the *City*, no *Person* shall permit or maintain the direct or indirect *Connection* of any *Roof Water Leader* into the storm drainage system.
- (17) An *Owner* may make an application to the *City* for an exemption from the terms and conditions of section 21.0(15) herein, where compliance with those provisions would create a hazardous condition or is not technically feasible.

- (18) Where an *Owner* makes an application for an exemption under the terms and conditions of section 21.0(17) herein, the *Owner* shall supply such plans, photographs, and other documentation as the *City* may request.
- (19) The *Owner* shall be responsible for maintenance of rear-yard catch basins, infiltration trenches/galleries, soak-away pits or other grassed swales located on private lands.
- (20) Any *Discharge to Storm Sewer* must meet quantity and erosion requirements as per *City-approved* Engineering Design Criteria, and shall be consistent with the approved watershed requirements, as provided by the *City* and other approval agencies having jurisdiction.
- (21) No *Owner* of *Industrial, Commercial* or *Institutional* premises shall alter any *Storm Water* control installed on the *Property* which may increase design peak flow rates of *Storm Water* or impair the quality of *Storm Water Discharged* to a *Storm Sewer*.
- (22) *Discharge* from *Storm Sewer* systems not connecting to end-of-pipe quality treatments shall, in addition to meeting the contaminant limits in Table 2 as set out in Schedule "A" of this By-law, meet Enhanced Level of protection (80% long term Suspended Solid removal) as per the *Ministry of the Environment, Conservation and Parks' Storm Water* Management Planning and Design Manual (2003), as amended.

### ***Discharge from Groundwater Drainage Systems***

- (23) No direct or indirect *Connection* between a *Groundwater* drainage system and the private sanitary drainage system is permitted, unless permitted by the *City* prior to the enactment of this By-law.
- (24) No *Owner* of *Industrial, Commercial* or *Institutional* premises shall do anything which may increase design peak flow rates of *Storm Water* or impair the quality of *Storm Water Discharged* to a *Storm Sewer*.
- (25) The *Groundwater* drainage system set out in this section shall be installed and maintained by the *Owner* or operator of the *Property*, at his or her sole expense.
- (26) The *Discharger* shall ensure any temporary and permanent *Discharge* facilities shall abide by the *Approval* requirements in the *City-approved* Engineering Design Criteria, and *Discharge Activities* discharging into the *City's Sewage Works* shall be subject to an *Approval* for either *Permanent (Long-Term) Private Water Discharge* or *Temporary (Short-Term) Private Water Discharge* issued in accordance with sections 5.1 or 6.1 of this By-law.

## **22.0 Sewage Rates and Charges**



- (1) No *Person* may own or maintain any private sewer line or *Connection* that *Drains* or *Discharges* into *Sewage Works* without paying the applicable service fees to the *City* in the amount as set-out in the *Fees and Charges By-law*.

## **23.0 General Prohibition and Liability for Damages**

### **Protection from Damage or Alteration**

- (1) No *Person* shall uncover, make any *Connection* with, open into, break, alter, damage, destroy, deface, or tamper or cause or permit the breaking, damaging, destroying, defacing, or tampering with any part of a *Sewage Works*; or any permanent or temporary device installed in any part of the *Sewage Works* for the purposes of flow measuring, flow control, sampling and testing of *Sewage*, *Uncontaminated Water* or *Storm Water*.

### **Damage to the Sewage Works**

- (2) Any *Person* or *Discharger* discharging *Sewage*, *Uncontaminated Water* or *Storm Water* to the municipal *Sewage Works* shall be responsible for ensuring that such *Sewage*, *Uncontaminated Water* or *Storm Water* conforms at all times to the provisions of this By-law and shall be liable for any damages or expense arising out of his failure to properly check and control such *Discharge*, including the cost of investigation, repairing or replacing any part of any municipal *Sewage Works* damaged thereby and for any damages or injury to any *Person* or *Property* caused by such *Discharge*.

### **Unauthorized Entry to Sewage Works**

- (3) No *Person* shall enter the *Sewage Works* unless specifically authorized by the *City* in writing.

### **Removal of *Maintenance Access Hole* Covers**

- (4) No *Person* shall remove or tamper with, or cause or permit the removal of or tampering with, any *Maintenance Access Hole* cover or other opening into the *Sewage Works* unless specifically authorized by the *City* in writing.

## **24.0 Rebuttable Presumption**

- (1) In a prosecution by the *City* for a contravention of this By-law, unless rebutted by evidence to the contrary on a balance of probabilities, a *Person* who owns, is in occupation of or who has charge management or control of a *Property* from which a *Discharge* occurs or who has charge, management or control of *Sewage*, *Storm Water*, *Uncontaminated Water*, or other *Substance* regulated by this By-law, shall be presumed to have *Discharged*, caused, or permitted a

*Discharge.*

## **25.0 Fees**

- (1) Any municipal service fees for the administration and enforcement of this By-law shall be in accordance with the *Fees and Charges By-law*.
- (2) Additional fees applicable to this By-law, not noted in the *Fees and Charges By-law*, may be imposed by the *City*.
- (3) Service fees for the administration and enforcement of this By-law may be applied when a contravention has been confirmed by a *Municipal Licensing Enforcement Officer*.

## **26.0 Offences**

- (1) Every *Person* who does the following is guilty of an offence and is liable, upon conviction, of the penalties and fine stated in this By-law:
  - (a) contravenes any of the provisions of this By-law, or
  - (b) fails to comply with an *Order* issued under this By-law, or
  - (c) obstructs or attempts to obstruct a *Municipal Law Enforcement Officer* or any employee or agent of the *City* in carrying out his duties under this By-law.
- (2) If there is a contravention of any provision of this By-law, and the contravention has not been corrected, the contravention of the provision shall be deemed to be a continuing offence for each day or part of a day that the contravention remains uncorrected.
- (3) If an *Order* has been issued under this By-law, and the *Order* has not been complied with, the contravention of the *Order* shall be deemed to be a continuing offence for each day or part of a day that the *Order* is not complied with.
- (4) For the purposes of this By-law, an offence is a second or subsequent offence if the act giving rise to the offence occurred after a conviction had been entered at an earlier date for the same offence.

## **27.0 Penalties**

- (1) Pursuant to Section 429 of the *Municipal Act*, every *Person* who is guilty of an offence under this By-law shall be subject to the following penalties:
- (2) Upon a first conviction, to a fine not more than \$25,000.00;
- (3) Upon a second or subsequent conviction for the same offence, to a fine not more than \$50,000.00;

- (4) Upon conviction for a continuing offence, to a fine of not more than \$10,000.00 for each day or part of a day that the offence continues and the total of all daily fines for the offence shall not be limited to \$100,000.00.
- (5) Where a *Person* convicted of an offence under this By-law is a corporation, then the corporation is liable:
- (6) Upon a first conviction, to a fine not more than \$50,000.00;
- (7) Upon a second or subsequent conviction for the same offence, to a fine not more than \$100,000.00;
- (8) Upon conviction for a continuing offence, to a fine of not more than \$10,000.00 for each day or part of a day that the offence continues and the total of all daily fines for the offence shall not be limited to \$100,000.00.

## **28.0 Administrative Monetary Penalties**

- (1) Instead of laying a charge under the *Provincial Offences Act*, R.S.O. 1990, c. P.33 for a breach of any provisions of this By-law, a *Municipal Law Enforcement Officer* may issue an administrative monetary penalty to the *Person* who has contravened this By-law.
- (2) If a *Person* is required to pay an administrative monetary penalty under section 27.0(1), no charge shall be laid against that same *Person* for the same violation.
- (3) The amount of the administrative monetary penalty for a breach under this By-law is listed in Schedule "B".
- (4) A *Person* who is issued an administrative monetary penalty shall be subject to the procedures provided for in the *Administrative Monetary Penalties By-law*.
- (5) An administrative monetary penalty imposed on a *Person* that becomes a debt to the *City* under the *Administrative Monetary Penalties By-law* may be added to the municipal tax roll and collected in the same manner as municipal taxes.

## **29.0 Special Fine**

- (1) In addition to any other penalties under sections 27.0 and 28.0, or a combination of the foregoing, every *Person* who gains an economic advantage or economic gain from contravening this by-law shall be liable to a special fine in an amount equal to the fair market value of the economic advantage or economic gain so obtained from contravention.

## **30.0 Powers of Entry, Inspection and Enforcement**

(1) Pursuant to Sections 435, 436 and 438 of the *Municipal Act*, the *City* may enter on a *Property* or lot at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:

- (a) the provisions of this By-law;
- (b) a *Compliance Program* or *Pollution Prevention Plan* approved or authorized under this By-law;
- (c) an *Order* issued under this By-law; or
- (d) any other *Approval* or *Permit* issued by the *City* under section 5.1 or section 6.1 of this By-law to permit the *Discharge* of a *Substance* that would otherwise be prohibited by this By-law.

(2) Pursuant to Section 435 of the *Municipal Act*, the *City's* power of entry may be exercised by an employee, officer, or agent of the *City*, or by a member of the York *Regional* Police Service, as well as by any *Person* under his direction.

(3) When entering a *Property* under this By-law, the *Person* exercising the power of entry:

- (a) shall provide identification to any *Person* requesting identification during the course of the entry;
- (b) may be accompanied by a *Person* or *Persons* under his direction; and
- (c) shall not enter or remain in any room or place actually used as a dwelling unless at least one of the conditions set out in section 437 of the *Municipal Act* is met.

(4) Where an inspection is conducted by the *City*, the *Person* conducting the inspection may:

- (a) require the production for inspection of documents or things relevant to the inspection;
- (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
- (c) require information from any *Person* concerning a matter related to the inspection including their name, address, phone number and identification; or
- (d) alone or in conjunction with a *Person* possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

(5) No *Person* shall refuse or neglect to give, produce or deliver any access, information, document, or other thing that is requested by a *Municipal Law Enforcement Officer* in the performance of their duties.

- (6) No *Person* shall hinder or obstruct or attempt to hinder or obstruct the *City*, its *Municipal Law Enforcement Officers*, employees, or agents from carrying out any powers or duties under this By-law.
- (7) No *Person* shall orally, in writing or electronically, give or submit false or misleading information in any statement, document or data, to any *Municipal Law Enforcement Officer*, the *City*, any employee or agent of the *City* or any *Person* involved in any matter related to this by-law.
- (8) No *Person* shall include false or misleading information in any document or data required to be created, stored, or submitted under this by-law.

### **Cost Recovery**

- (9) Where the *City*, its employees or authorized agents have performed the work required to bring the *Property* into compliance with the 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 costs may be added to the tax roll for the *Property* and collected in the same manner as taxes.

### **Collection of Unpaid Fines**

- (10) Pursuant to Section 441.1 of the *Municipal Act*, the treasurer of a municipality may add any part of a fine for a commission of a provincial offence that is in default under Section 69 of the *Provincial Offences Act* to the tax roll for any *Property* in the local municipality of which all of the *Owners* are responsible for paying the fine and collect it in the same manner as municipal taxes.

### **31.0 Order to Comply**

- (1) An Officer who finds a contravention of this By-law may give a written *Order* to the *Owner* of the *Property* requiring immediate compliance with this By-law and/or to do work to correct the contravention of this By-law within the time period specified in the *Order*.
- (2) The *Order* in 31.0(1) may be served personally on the *Person* to whom it is directed or by registered mail to the last known address of that *Person*, including but not limited to, the registered *Property Owner* or the *Person* in control or possession of the *Property*, in which case it shall be deemed issued on the fifth day after it is mailed.

### **32.0 Limitation**

- (1) Nothing in this By-law shall be so construed as to permit anything, which by the provisions of

any applicable act, regulation or by-law is otherwise prohibited.

(2) This By-law shall not apply to *Discharges*, activities or matters undertaken by the *Region* or the *City*.

(3) Nothing in this By-law shall be deemed to be contrary to the *Regional Sewer Use By-law*.

### **33.0 Severability**

(1) Notwithstanding any section or sections of this By-law, or any part or parts thereof, may be found by a court of competent jurisdiction to be invalid or beyond the power of the *Council* to enact, such section or sections or part or parts thereof shall be deemed to be severable, and all other sections of this By-law, or parts thereof, are separate and independent there from and shall continue to be enforceable.

### **34.0 Schedules**

(1) Schedule "A" and "B" form part of this By-law.

### **35.0 Repeal**

(1) By-laws 087-2016, and amending by-laws, 156-2021 and 157-2021 are hereby repealed.

### **36.0 Force and Effect**

(1) This By-law shall come into force and effect upon the date it is passed by *Council*.

Enacted by *City of Vaughan Council* this 28th day of June, 2022.

---

Hon. Maurizio Bevilacqua, Mayor

---

Todd Coles, *City Clerk*

Authorized by Item No. # of Report No. #  
Of the Committee of #  
Adopted by Vaughan *City Council* on June 28, 2022.

Schedule “A” – Limits for Sewer Discharge

Table 1 - Limits for Sanitary Sewer Discharge

Type of Parameter	Parameter	Limit
Conventional	Biochemical Oxygen Demand (BOD)	300.0 mg/L
	Total Kjeldahl Nitrogen	100.0 mg/L
	Oil & Grease - Mineral & Synthetic	15.0 mg/L
	Oil & Grease - Animal & Vegetable	150.0 mg/L
	Phenolics (4AAP)	1.0 mg/L
	Phosphorus (Total)	10.0 mg/L
	Suspended Solids (Total)	350.0 mg/L
Other	Cyanide (Total)	2.0 mg/L
	Fluoride	10.0 mg/L
	Sulphate	1500.0 mg/L
	Chlorides	1500.0 mg/L
Metals	Aluminum (Total)	50.0 mg/L
	Antimony (Total)	5.0 mg/L
	Arsenic (Total)	1.0 mg/L
	Cadmium (Total)	0.7 mg/L
	Chromium (Total)	2.0 mg/L
	Cobalt (Total)	5.0 mg/L
	Copper (Total)	3.0 mg/L
	Lead (Total)	1.0 mg/L
	Manganese (Total)	5.0 mg/L
	Mercury (Total)	0.01 mg/L
	Molybdenum (Total)	5.0 mg/L
	Nickel (Total)	2.0 mg/L
	Selenium (Total)	1.0 mg/L
	Silver (Total)	5.0 mg/L
	Tin (Total)	5.0 mg/L
	Titanium (Total)	5.0 mg/L
	Zinc (Total)	2.0 mg/L
Organics	Benzene	10.0 ug/L
	Chloroform	40.0 mg/L
	1,2-dichlorobenzene	50.0 ug/L
	1,4-dichlorobenzene	80.0 ug/L
	Cis-1,2-dichloroethylene	4,000.0 ug/L
	Trans-1,3-dichloropropylene	140.0 ug/L
	Ethylbenzene	160.0 ug/L
	Methylene chloride	2,000.0 ug/L
	1,1,2,2,-tetrachloroethane	1,400.0 ug/L
	Tetrachloroethylene	1,000.0 ug/L
	Toluene	270.0 ug/L
	Trichloroethylene	1,000.0 ug/L
	Xylenes (Total)	1,400.0 ug/L
	Di-n-butyl phthalate	80.0 ug/L
	Bis(2-ethylhexyl) phthalate	12.0 ug/L
	PCBs	1.0 ug/L
	Methyl Ethyl Ketone	8000.0 ug/L
	Styrene	200.0 ug/L
	Nonylphenols	20.0 ug/L
	Nonylphenol ethoxylates	200.0 ug/L
	Total PAH's	5.0 ug/L

Table 2 - Limits for *Storm Sewer Discharge*

Type of Parameter	Parameter	Limit
Conventional	<i>Biochemical Oxygen Demand (BOD)</i>	15.0 mg/L
	Total Kjeldahl Nitrogen	1.0 mg/L
	<i>Phenolics</i> (4AAP)	0.008 mg/L
	Phosphorus (Total)	0.400 mg/L
	Suspended Solids (Total)	15.0 mg/L
Other	Cyanide (Total)	0.020 mg/L
	Fluoride	1.0 mg/L
	Sulphate	150 mg/L
	Chlorides	150 mg/L
	Chlorine	0.010 mg/L
Metals	Aluminum (Total)	5.0 mg/L
	Antimony (Total)	0.500 mg/L
	Arsenic (Total)	0.020 mg/L
	Cadmium (Total)	0.008 mg/L
	Chromium (Total)	0.080 mg/L
	Cobalt (Total)	0.500 mg/L
	Copper (Total)	0.050 mg/L
	Lead (Total)	0.120 mg/L
	Manganese (Total)	0.150 mg/L
	Mercury (Total)	0.0004 mg/L
	Molybdenum (Total)	0.500 mg/L
	Nickel (Total)	0.080 mg/L
	Selenium (Total)	0.020 mg/L
	Silver (Total)	0.120 mg/L
	Tin (Total)	5.0 mg/L
	Titanium (Total)	0.500 mg/L
	Zinc (Total)	0.040 mg/L
Organics	Benzene	2.0 ug/L
	Chloroform	2.0 mg/L
	1,2-dichlorobenzene	5.6 ug/L
	1,4-dichlorobenzene	6.8 ug/L
	Cis-1,2-dichloroethylene	5.6 ug/L
	Trans-1,3-dichloropropylene	5.6 ug/L
	Ethylbenzene	2.0 ug/L
	Methylene chloride	5.2 ug/L
	1,1,2,2,-tetrachloroethane	17 ug/L
	Tetrachloroethylene	4.4 ug/L
	Toluene	2.0 ug/L
	Trichloroethylene	8.0 ug/L
	Xylenes (Total)	4.4 ug/L
	Di-n-butyl phthalate	15.0 ug/L
	Bis(2-ethylhexyl) phthalate	8.8 ug/L
	<i>PCBs</i>	0.4 ug/L
	Methyl Ethyl Ketone	2.0 ug/L
	Styrene	20.0 ug/L
	Nonylphenols	2.0 ug/L
	Nonylphenol ethoxylates	20.0 ug/L
	Total PAH's	2.0ug/L



**Schedule “B” – Offences and Corresponding Administrative Monetary Penalties**

<b>Section</b>	<b>Description</b>	<b>Fine Amount</b>
5.0(1)(a)(i)	<i>Discharge</i> of a <i>Substance</i> that may cause or result in a health or safety hazard to a <i>Person</i> authorized to inspect, operate, maintain, repair or otherwise work on, in or around a <i>Sewage Works</i>	\$600
5.0(1)(a)(ii)	<i>Discharge</i> a <i>Substance</i> that may cause or result in a hazard or other <i>Adverse Effect</i> to any <i>Person</i> , animal, <i>Property</i> , vegetation or the <i>Natural Environment</i>	\$600
5.0(1)(a)(iii)	<i>Discharge</i> a <i>Substance</i> that may cause or result in an offence under the <i>Ontario Water Resources Act</i> or the <i>Environmental Protection Act</i> or any regulation made thereunder	\$600
5.0(1)(a)(iv)	<i>Discharge</i> of <i>Biosolids</i> from the <i>Sewage Works</i> to which <i>Sewage Discharges</i> , failing to meet the requirements set out in the <i>Nutrient Management Act</i>	\$600
5.0(1)(a)(v)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of a <i>Substance</i> contain dyes or coloring material	\$300
5.0(1)(a)(vi)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of a <i>Substance</i> that may interfere with an inspection, operation or maintenance	\$300
5.0(1)(a)(vii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of a <i>Substance</i> where offensive odour emanates	\$300
5.0(1)(a)(viii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of a <i>Substance</i> damage the <i>Sewage Works</i>	\$400
5.0(1)(a)(ix)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of a <i>Substance</i> <i>Obstruction</i> or restriction to the flow	\$400
5.0(1)(b)(i)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of a <i>Substance</i> with a <i>pH</i> less than 6.0 or greater than 10.5	\$600
5.0(1)(b)(ii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of a <i>Substance</i> two or more separate liquid layers	\$400
5.0(1)(b)(iii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of a <i>Substance</i> temperature greater than 60°C	\$400
5.0(1)(c)(i)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Combustible Liquid</i>	\$600
5.0(1)(c)(ii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Flammable Liquid</i>	\$600
5.0(1)(c)(iii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Fuel</i>	\$600
5.0(1)(c)(iv)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Hauled Sewage</i>	\$400
5.0(1)(c)(v)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Hauled Waste</i>	\$600
5.0(1)(c)(vi)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Hazardous Waste</i>	\$600
5.0(1)(c)(vii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>PCBs</i>	\$600
5.0(1)(c)(viii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain a <i>Pesticide</i>	\$300
5.0(1)(c)(ix)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Waste Radioactive Prescribed Substances</i>	\$600
5.0(1)(c)(x)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Leachate</i>	\$400
5.0(1)(c)(xi)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain a liquid or material resulting from the pump-out or cleaning of a catch-basin, <i>Sediment Interceptor</i> , oil and grease <i>Interceptor</i> , or <i>Maintenance Access Hole</i>	\$400
5.0(1)(c)(xii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain any quantity of matter capable of obstructing the flow in or interfering with the proper operation of any part of the <i>Sewage Works</i>	\$400
5.0(1)(c)(xiii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains animal waste	\$400
5.0(1)(c)(xiv)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains any contaminant at a concentration that exceeds any one or more of the limits in Table 1 as set out in Schedule "A" of this By-law, entitled "Limits for <i>Sanitary Sewer Discharge</i> "	\$600
5.0(1)(d)	<i>Discharge</i> or cause or permit to <i>Discharge</i> <i>Storm Water</i> , <i>Non-Contact Cooling Water</i> , water from a <i>Discharge Activity</i> , or <i>Uncontaminated Water</i> .	\$400
5.1(4)	Failure to provide plans, erosion control measures, specifications, or other documents related to <i>Discharge</i> may or could interfere with the <i>City's Sanitary Sewer</i> works	\$200
5.1(5)(a)	Failure to obtain a <i>Flow Meter</i>	\$200

Section	Description	Fine Amount
5.1(5)(b)	Failure to provide <i>Proof of Calibration</i>	\$200
5.1(6)(a)	Failure to install and maintain a <i>Flow Meter</i>	\$200
5.1(6)(b)	Failure to install and maintain a sample port	\$200
5.1(7)	<i>Discharge</i> not in accordance with <i>Approval Discharge</i> location	\$400
5.1(8)	Prohibited <i>Discharge</i> to a Municipal Sanitary Sewer	\$400
5.1(10)	Failure to notify the <i>City</i> prior to commencing a Discharge	\$200
5.1(11)	Failure to provide the required reports or other information for an <i>Approval</i>	\$200
6.0(1)(a)	<i>Discharge</i> or permit the <i>Discharge</i> of water which is not <i>Storm Water</i> or not <i>Uncontaminated Water</i>	\$400
6.0(1)(b)(i)	<i>Discharge</i> a <i>Substance</i> which may cause health or safety hazard to a <i>Person</i> authorized to inspect the <i>Sewage Works</i>	\$400
6.0(1)(b)(ii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of a <i>Substance</i> interference with operation of a <i>Storm Sewer</i> or <i>Land Drainage Works</i>	\$400
6.0(1)(b)(iii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of a <i>Substance</i> <i>Obstruction</i> or restriction to the flow	\$400
6.0(1)(b)(iv)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of a <i>Substance</i> which damaged a <i>Storm Sewer</i> or <i>Land Drainage Works</i>	\$400
6.0(1)(b)(v)	<i>Discharge</i> of a <i>Substance</i> that may cause a hazard or <i>Adverse Effect</i> to any <i>Person</i> , animal, <i>Property</i> , vegetation or the <i>Natural Environment</i>	\$500
6.0(1)(b)(vi)	<i>Discharge</i> of a <i>Substance</i> that may cause <i>Impairment</i> of the quality of any water including water in any well, aquifer, lake, river, pond, spring, stream, reservoir or other <i>Watercourse</i>	\$500
6.0(1)(b)(vii)	<i>Discharge</i> which is an offence under the <i>Ontario Water Resources Act</i> , the <i>Environmental Protection Act</i> or the <i>Fisheries Act</i>	\$600
6.0(1)(b)(viii)	<i>Discharge</i> not satisfying criteria for environmentally sensitive water courses	\$600
6.0(1)(c)(i)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of water with two or more separate liquid layers	\$500
6.0(1)(c)(ii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of water with a visible film, sheen or discoloration	\$500
6.0(1)(c)(iii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of a water with a temperature greater than 40°C	\$400
6.0(1)(c)(iv)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of a water a <i>pH</i> less than 6.0 or greater than 9.0	\$600
6.0(1)(d)(i)	The <i>Discharge</i> contains or is likely to contain <i>Blowdown Water</i>	\$300
6.0(1)(d)(ii)	The <i>Discharge</i> contains or is likely to contain <i>Contact Cooling Water</i>	\$400
6.0(1)(d)(iii)	The <i>Discharge</i> contains or is likely to contain water from a <i>Discharge Activity</i>	\$600
6.0(1)(d)(iv)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Combustible Liquid</i>	\$600
6.0(1)(d)(v)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Flammable Liquid</i>	\$600
6.0(1)(d)(vi)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain floating debris	\$300
6.0(1)(d)(vii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Fuel</i>	\$600
6.0(1)(d)(viii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain oil and/or grease	\$400
6.0(1)(d)(ix)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Hauled Sewage</i>	\$400
6.0(1)(d)(x)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Hauled Waste</i>	\$400
6.0(1)(d)(xi)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Hazardous Waste</i>	\$500
6.0(1)(d)(xii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>PCBs</i>	\$500
6.0(1)(d)(xiii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Pesticides</i>	\$500

Section	Description	Fine Amount
6.0(1)(d) (xiv)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Sewage</i>	\$400
6.0(1)(d) (xv)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Waste Radioactive Prescribed Substances</i>	\$500
6.0(1)(d) (xvi)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Leachate</i>	\$500
6.0(1)(d) (xvii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain a <i>Substance</i> from raw materials, intermediate or final materials, used or produced in, through or from an <i>Industrial</i> process	\$500
6.0(1)(d) (xviii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain Construction/Renovation <i>Wastewater</i> and residual of construction material	\$500
6.0(1)(d) (xix)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain the <i>Backwash Water</i> from a <i>Swimming Pool</i>	\$400
6.0(1)(d) (xx)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain a <i>Substance</i> used in the operation or maintenance of a <i>Site</i>	\$300
6.0(1)(d) (xxi)	<i>Discharge</i> contains any contaminant at a concentration that exceeds any one or more of the limits in Table 2 as set out in Schedule "A" of this By-law	\$600
6.0(1)(d) (xxii)	<i>Discharge</i> of a liquid or material resulting from the pump-out or cleaning of a catch-basin, oil and grease <i>Interceptor</i> , <i>Sediment Interceptor</i> or <i>Maintenance Access Hole</i>	\$500
6.0(1)(d) (xxiii)	<i>Discharge</i> or cause or permit to <i>Discharge</i> of <i>Sewage</i> contains or likely to contain <i>Salt Water</i> from a <i>Swimming Pool</i>	\$400
6.1(5)	Failure to provide plans, erosion control measures, specifications, or other documents related to <i>Discharge</i> may or could interfere with the <i>City's Storm Sewer</i> works	\$200
6.1(6)(a)	Failure to obtain a <i>Flow Meter</i>	\$200
6.1(6)(b)	Failure to provide <i>Proof of Calibration</i>	\$200
6.1(7)(a)	Failure to install and maintain a <i>Flow Meter</i>	\$200
6.1(7)(b)	Failure to install and maintain a sample port	\$200
6.1(8)	<i>Discharge</i> not in accordance with <i>Approval Discharge</i> location	\$400
6.1(9)	Prohibited <i>Discharge</i> to a <i>Municipal Sanitary Sewer</i>	\$400
6.1(11)	Failure to notify the <i>City</i> prior to commencing a <i>Discharge</i>	\$200
6.1(12)	Failure to provide the required reports or other information for an <i>Approval</i>	\$200
7.0(1)	<i>Discharge</i> of diluted <i>Substance</i> into <i>Sewage Works</i>	\$300
8.0(1)	Failure to complete or submit an Information Report to the <i>City</i> within 30 calendar days	\$200
8.0(2)	Failure to provide written notice of change in the information	\$200
9.0(1)(a)	<i>Discharge</i> from a <i>Swimming Pool</i> into a <i>Storm Sewer</i> , <i>Sanitary Sewer</i> or <i>Land Drainage Works</i> in contravention of sections 5.0(1) or 6.0(1)	\$300
9.0(1)(b)	<i>Discharge</i> from a <i>Swimming Pool</i> into a <i>Storm Sewer</i> , <i>Sanitary Sewer</i> or <i>Land Drainage Works</i> <i>Substances</i> at a concentration that exceeds any of the limits in Tables 1 and 2 of Schedule "A" of this By-law	\$300
12.0(1)	Failure to monitor, sample and/or analyze one or more <i>Discharges</i> from a <i>Site</i> and submit the analysis, results and/or the samples to the <i>City</i> by the date set out in the notice	\$300
13.0(1)	Failure to immediately notify the <i>City</i> or other required parties of a <i>Spill</i>	\$300
13.0(2)	Failure to provide requested information about <i>Spill</i> and /or complete any work the <i>City</i> may require to mitigate the <i>Spill</i>	\$300
13.0(3)	Failure to stop and contain the <i>Spill</i> and/or complete work to mitigate the <i>Spill</i>	\$300
13.0(4)	Failure to provide a complete written report on the <i>Spill</i> to the <i>City</i> within five days	\$500
13.0(5)	Failure to take all reasonable steps to ascertain the missing information and provide it immediately to the <i>City</i>	\$300

Section	Description	Fine Amount
13.0(6)	Failure to immediately notify the <i>City</i> of <i>Spill</i> -related information that was provided to the <i>City</i> was inaccurate or is no longer accurate	\$300
13.0(7)	Failure to notify the <i>City</i> of inaccurate information and/or provide corrected information	\$300
15.0(1)	Failure to comply with <i>Dentistry Act</i> for the management and disposal of amalgam waste	\$600
15.0(2)	Failure to provide a maintenance schedule and record of maintenance for <i>Dental Amalgam Separators</i>	\$300
15.0(3)	Failure to provide a record of inspection and any documentation certifying the installation of a <i>Dental Amalgam Separator</i>	\$500
16.0(1)(a)	Failure to take all necessary measures to ensure that oil and grease are prevented from discharging to a <i>Sanitary Sewer</i> in excess of Schedule "A" Table 1	\$600
16.0(1)(b)	Failure to take all necessary measures to ensure that oil and grease are prevented from discharging to a <i>Storm Sewer</i> or <i>Land Drainage Works</i>	\$600
16.0(2)	Failure to install, operate, and properly maintain an oil and grease <i>Interceptor</i> in any piping system that connects directly or indirectly to the <i>Sewage Works</i>	\$600
16.0(3)(a)	Failure to comply with the current requirements of the <i>Building Code Act</i> and its regulations	\$300
16.0(3)(b)	Failure to comply with <i>CAN/CSA B481 Standards</i>	\$300
16.0(4)	Failure to ensure all oil and grease <i>Interceptors</i> are maintained in good working <i>Order</i>	\$400
16.0(4)(a)	Failure to test and maintain oil and grease <i>Interceptor</i> in accordance with the requirements of <i>CAN/CSA B481 Standards</i>	\$300
16.0(4)(b)	Failure to have oil and grease <i>Interceptor</i> maintenance requirements posted on <i>Site</i>	\$200
16.0(4)(c)	Failure to have the oil and grease <i>Interceptor</i> cleaned before the thickness of organic material and solids residuals is 25% of the volume	\$300
16.0(5)	Failure to provide the maintenance schedule and record of maintenance for each oil and grease <i>Interceptor</i> and/or keep records on <i>Site</i> for past 2 years	\$300
16.0(6)	Failure to install an alarmed monitoring device when required by <i>City</i>	\$300
16.0(7)	<i>Discharge</i> or cause or allow the <i>Discharge</i> of emulsifier to an <i>Interceptor</i>	\$400
16.0(8)(a)	<i>Discharge</i> or cause or permit the <i>Discharge</i> of enzyme to an oil and grease <i>Interceptor</i>	\$400
16.0(8)(b)	<i>Discharge</i> or cause or permit the <i>Discharge</i> of bacteria to an oil and grease <i>Interceptor</i>	\$400
16.0(8)(c)	<i>Discharge</i> or cause or permit the <i>Discharge</i> of solvents to an oil and grease <i>Interceptor</i>	\$400
16.0(8)(d)	<i>Discharge</i> or cause or permit the <i>Discharge</i> of hot water to an oil and grease <i>Interceptor</i>	\$400
16.0(8)(e)	<i>Discharge</i> or cause or permit the <i>Discharge</i> of other agents to an oil and grease <i>Interceptor</i> to facilitate the passage of oil and grease	\$400
17.0(1)	Failure to take all necessary measures to ensure that oil and grease are prevented from discharging to a <i>Sanitary Sewer</i> in excess of the limits in Table 1 as set out in Schedule "A" of this By-law or a <i>Storm Sewer</i> or <i>Land Drainage Works</i>	\$400
17.0(2)	Failure to install, operate and properly maintain an oil and grease <i>Interceptor</i> in any piping system that connects directly or indirectly to the <i>Sewage Works</i>	\$400
17.0(3)	Failure to install and operate each oil and grease <i>Interceptor</i> in compliance with the <i>Building Code Act</i> and <i>CAN/CSA B481 Standards</i> .	\$300
17.0(4)	Failure to ensure all oil and grease <i>Interceptors</i> are maintained in good working <i>Order</i>	\$300
17.0(4)(a)	Failure to maintain oil and grease receptors as recommended by the Canadian Petroleum Products Institute and in accordance with the manufacturer's guidance and recommendations	\$200
17.0(4)(b)	Failure to have oil and grease receptor inspected regularly to ensure performance is maintained and to ensure the surface oil, grease and sediment levels do not exceed the recommended level	\$300
17.0(4)(c)	Failure to have the maintenance requirements posted at the <i>Site</i> in a conspicuous location in proximity to the oil and grease <i>Interceptor</i> .	\$400
17.0(5)	Failure to provide the maintenance schedule and record of maintenance for each oil and grease <i>Interceptor</i> and/or keep records on <i>Site</i> for past 2 years	\$300
17.0(6)	Failure to install an alarmed monitoring device when required by <i>City</i>	\$300
17.0(7)	<i>Discharge</i> or cause or allow the <i>Discharge</i> of emulsifier to an <i>Interceptor</i>	\$400

Section	Description	Fine Amount
17.0(8)(a)	<i>Discharge</i> or cause or permit the <i>Discharge</i> of enzyme to an oil and grease <i>Interceptor</i>	\$400
17.0(8)(b)	<i>Discharge</i> or cause or permit the <i>Discharge</i> of bacteria to an oil and grease <i>Interceptor</i>	\$400
17.0(8)(c)	<i>Discharge</i> or cause or permit the <i>Discharge</i> of solvents to an oil and grease <i>Interceptor</i>	\$400
17.0(8)(d)	<i>Discharge</i> or cause or permit the <i>Discharge</i> of hot water to an oil and grease <i>Interceptor</i>	\$400
17.0(8)(e)	<i>Discharge</i> or cause or permit the <i>Discharge</i> of other agents to an oil and grease <i>Interceptor</i> to facilitate the passage of oil and grease	\$400
18.0(1)(a)	Failure to take all necessary measures, including an installation of <i>Sediment Interceptor</i> , to prevent discharging to a <i>Sanitary Sewer</i> in excess of the limits in Schedule "A" Table 1	\$400
18.0(1)(b)	Failure to take all necessary measures, including an installation of <i>Sediment Interceptor</i> , to prevent discharging to a <i>Storm Sewer</i> in excess of the limits in Schedule "A" Table 1	\$400
18.0(2)	Failure to ensure all <i>Sediment Interceptors</i> are maintained in good working <i>Order</i>	\$400
18.0(2)(a)	Failure to ensure that all <i>Sediment Interceptors</i> are maintained in accordance with the manufacturer's guidance and recommendations	\$400
18.0(2)(b)	Failure to ensure that all <i>Sediment Interceptors</i> are inspected regularly to ensure performance is maintained to the manufacturer's specifications	\$400
18.0(3)	Failure to provide the maintenance schedule and record of maintenance for each <i>Sediment Interceptor</i> and /or keep it on <i>Site</i> for past 2 years	\$400
19.0(1)	Failure to install or cause to install a <i>Maintenance Access Hole</i> for each <i>Connection</i> to the <i>Sewage Works</i> for the purpose of inspection, sampling, maintenance, flushing, and measurement of the flow of <i>Discharges</i>	\$400
19.0(3)(a)	Failure to design and construct in accordance as per the <i>City's</i> Engineering Design Criteria and Standards	\$400
19.0(3)(b)	Failure to ensure a <i>Maintenance Access Hole</i> or an alternative device is accessible at any time to the <i>City</i> , with a clear pathway free of <i>Obstructions</i>	\$400
19.0(3)(c)	Failure to ensure a <i>Maintenance Access Hole</i> or an alternative device is maintained by the <i>Discharger</i> in good working condition	\$400
20.0(1)	Unlawful construction or maintenance of any <i>Private Sewage Disposal System</i>	\$400
20.0(2)	Failure to install and maintain a private disposal system in compliance with all applicable acts, legislation, regulations and by-laws.	\$400
20.0(3)	Failure to operate and maintain the private <i>Sewage</i> disposal facilities in a sanitary manner at all times and at no expense to the <i>City</i>	\$400
21.0(1)	Connect, cause or permit to connect any <i>Private Sewer Connection</i> to any <i>Municipal Sewer Connection</i> without the written <i>Approval</i> of the <i>City</i> and compliance with the requirements of this By-law	\$400
21.0(2)	Construct or permit a <i>Sewer Connection</i> to be constructed on a road allowance, <i>Easement</i> , or other public land without <i>City</i> authorization.	\$400
21.0(3)	Failure to operate and maintain the Private Sewage Disposal System facilities in a sanitary manner at all times and at no expense to the <i>City</i>	\$400
21.0(5)	Failure to submit an application and other documents, and to pay fees to disconnect and/or cap a <i>Municipal Sewer Connection</i> when a building or structure on a <i>Property</i> is demolished.	\$400
21.0(11)	Construction of a <i>Sewer Connection</i> without first obtaining the authorization from those <i>Property Owners</i> and a private <i>Easement</i> over the said <i>Properties</i>	\$400
21.0(14)	Construct, install, maintain, or cause or allow a direct or indirect <i>Connection</i> of any <i>Roof Water Leader</i> into storm drainage system	\$300
21.0(16)	Construct, install, or maintain a direct or indirect <i>Connection</i> of any <i>Roof Water Leader</i> into storm drainage system without <i>City's Approval</i>	\$400
21.0(19)	Failure to maintain rear-yard catch basins, infiltration trenches/galleries, soak-away pits or other grassed swales located on private lands.	\$300
21.0(20)	<i>Discharge</i> to <i>Storm Sewer</i> that does not meet quantity and erosion requirements as per <i>City</i> -approved Engineering Design Criteria, or is not consistent with the approved watershed requirements, as provided by the <i>City</i> and other <i>Approval</i> agencies having jurisdiction.	\$400
21.0(21)	Alteration of <i>Storm Water</i> control on the premises which increased design peak flow rates of <i>Storm Water</i> or impaired the quality of <i>Storm Water Discharged</i> to a <i>Storm Sewer</i> .	\$300
21.0(23)	Make direct or indirect <i>Connection</i> between a <i>Groundwater</i> drainage system and the private sanitary drainage system	\$600

Section	Description	Fine Amount
21.0(23)	Increase the design peak flow rates of <i>Storm Water</i> and/ or impair the quality of <i>Storm Water Discharged</i> to a <i>Storm Sewer</i> .	\$300
21.0(26)	Temporary and/or permanent <i>Discharge</i> facilities not abiding by the <i>Approval</i> requirements in the <i>City's</i> latest Engineering Design Criteria	\$400
22.0(1)	Failure to pay the applicable <i>Sewage</i> service fees	\$400
23.0(1)	Uncover, make any <i>Connection</i> with, open into, break, alter, damage, destroy, deface, or tamper or cause or allow the breaking, damaging, destroying, defacing, or tampering with any part of a <i>Sewage Works</i> or any permanent or temporary device installed in any part of the <i>Sewage Works</i>	\$400
23.0(2)	<i>Discharger</i> not ensuring <i>Sewage</i> , water or <i>Storm Water</i> conforms to the provisions of this By-law or failure to properly check and control such <i>Discharge</i> , including the cost of investigation, repairing or replacing any part of any municipal <i>Sewage Works</i> .	\$400
23.0(3)	Unauthorized entry into <i>Sewage Works</i>	\$400
23.0(4)	Remove or tamper with, or cause or permit the removal of or tampering with, any <i>Maintenance Access Hole</i> cover or other opening into the <i>Sewage Works</i>	\$400