ATTACHMENT 2

Recommended Change and Associated Impact

NO	CURRENT STATE	RECOMMENDED CHANGE	IMPACT
1	The By-law does not define the scope of its applicability or how regulations at different levels of government apply.	To add a scope statement that advises that the By-law applies to all serviced properties within the City and a provision advising that if the 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.	This will provide residents and businesses with clear instruction on sewer usage.
2	Members of the public require permission for a number of sewer-related activities however, there is not a central list of these activities in the By-law which may make it challenging for residents and businesses to find information.	To create a section in the By-law which lists all sewer-related activities that require approval or a permit from the City, and where to find them, such as: (a) *Discharge* into *Sanitary Sewer*s, as per 5.1; (b) *Discharge* into *Storm Sewer*s, as per 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, as per 10.0*;* (d) Make a Private Sewer *Connection* to any Municipal Sewer *Connection*, as per section 21.0(1); (e) Make a *Connection* of any roof *Water Leader* into the storm *Drainage* system, as per section 21.0(16); (f) Enter into *Sewage Works*, as per section 23.0(3).	This will provide greater clarity and facilitate easier navigability for members of the public.
3	There are several terms that are not defined in the By-law, that could be updated to provide further clarity, and that could be removed as they are no longer used in the By-law.	To add or amend the following definitions listed in Attachment 1.	This will enable residents and businesses to better understand the requirements of the By-law by adding clarity to the definitions and the common language used in both municipal and regional regulation.

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4	The By-law refers to standards for biosolid evaluation in the "Guidelines for the Utilization of Biosolids and Other Wastes on Agricultural Land" which staff no longer refer to.	To change the reference from "Guidelines for the Utilization of Biosolids and Other Wastes on Agricultural Land" to the "Nutrient Management Act".	This will provide greater transparency on the standards and regulations staff defer to.
5	In a review of By-law language, staff suggest updating some language for greater clarity using common terms and removal of terms that are not referenced in the By-law.	To delete "from time to time as amended" and replaced with "as amended", and to delete, "in its sole discretion".	This will enable readers to more easily understand the provisions and terms used throughout the By-law.
6	The By-law allows *Temporary (Short-Term) Private Water Discharge* to *Sanitary Sewers* or *Storm Sewers*, such as during construction projects. Ongoing or *Permanent (Long-Term) Private Water Discharge* into *Storm Sewers* is already taking place in the City however, this type of permanent *Discharge* is not clearly addressed within the By-law.	To add sections 5.1 (*Approval* of temporary *Discharge* into *Sanitary Sewers*) and 6.1 (*Approval* of permanent or temporary *Discharge* into *Storm Sewers*) to the By-law.	This will provide greater clarity to those developing, constructing or maintaining infrastructure with respect to the requirements when applying for *Approval* to *Discharge Private Water* into the *City's Sewage Works* as well as the ongoing requirements *Dischargers* must comply with.
7	The By-law allows the City to grant various *Approvals* for *Discharge* into both *Sanitary Sewers* and *Storm Sewers*. The City currently requires *Dischargers* to use *Flow Meters* to monitor the volume of *Discharge* and sample ports to collect discharge quality samples, however this is not explicitly captured in the By-law.	To add a requirement to the By-law for *Dischargers* with *Approvals* for *Temporary (Short-Term) Private Water Discharge* or *Permanent (Long-Term) Private Water Discharge* to use *Flow Meters* to measure the velocity and volume of discharge, which must be certified that they are measuring flow accurately. These meters will be paid for by *Discharger* and thus, not create an additional expense to the *City*. To add a requirement to the By-law for *Dischargers* with *Approvals* for *Temporary (Short-Term) Private Water Discharge* or *Permanent (Long-Term) Private Water Discharge* to install and maintain a sample port, located downstream of the flow meter, for the collection of samples by the *City*. These meters will be paid for by *Dischargers* and thus, not create an additional expense to the *City*.	This will strengthen the City's ability to assess compliance of *Dischargers* and to assess whether corrective actions are needed.

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		To add provisions that if *Discharges* are being made that are not in line with the *Approval*, that the *Approval* will be suspended.	
8	During *Discharge*, erosion of the natural environment can occur.	To require applicants seeking *Approval* for *Discharge Activities* to provide erosion control plans.	This better protects the natural environment from erosion and sedimentation concerns.
9	Staff have noticed that some residents release untreated *Swimming Pool* water into sewers, which can be harmful to the sewer system if high concentrations of salt, chlorine or other substances are present.	To add prohibitions that *Swimming Pool* water cannot be discharged into sewers if it is not in compliance with the substance levels as stipulated in the By-law.	This will support the proper treatment of *Swimming Pool* water prior to release into sewers.
10	The Province stipulates *Spill* response notification requirements which are not currently captured in the By-law.	To amend the By-law to mirror the Provincial notification requirements in the event of an environmental spill, requiring that every *Person* who S*pills* or causes or allows a *Spill* of a pollutant is required to contact the City, the Ministry of the Environment, Conservation and Parks, the *Owner* of the pollutant, and the *Person* having control of the pollutant.	This ensures the City and Province are working in tandem to protect the environment.
11	The By-law currently prohibits the use of various substances to facilitate the passage of oil through a grease and oil interceptor which are all listed together.	To list each prohibited substance separately, rather than together, that is, listing out the prohibition in the use of: (a) enzymes; (b) bacteria; (c) solvents; (d) hot water; or (e) other agents.	This will make each instance of non-compliance an infraction for which fines and charges can be laid, creating another option for enforcement if needed.
12	The By-law allows buildings and structures designed with clean water collection systems to drain directly into storm sewers.	To add that these water collection systems must be City-approved.	This will give the City the authority to inspect systems, as needed, to verify whether prohibited substances are being released into sewers.
13	Connections between *Groundwater Drainage* systems and private sanitary *Drainage* system connections do not align with the City's commitment to York Region to reduce inflow and infiltration to the *Sanitary Sewer*.	To add that *Connections* between a *Groundwater Drainage* system and the private sanitary *Drainage* system connection are prohibited unless permitted by the *City* prior to the date this By-law is repealed and replaced (anticipated: June 28, 2022).	This will ensure previously permitted *Connections* are honoured under this By-law while also ensuring future *Connections* align with the *City's* inflow and infiltration reduction commitments.

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14	Other regulatory agencies, Regions, and Municipalities have revised prohibited and limited substances according to updated guidance.	To add additional limits to Schedule “A” for various prohibited *Substances* (as shown in Attachment 1).	This will align the By-law with regulatory best practices.
15	Approved fees associated with this By-law are not captured in the *Fees and Charges By-law*.	To repeal By-laws 156-2021 and 157-2021 and add the approved fees to the *Fees and Charges By-law*, as amended, in the Environmental Services section.	This will help to ensure they can be easily accessed by the public.
16	The By-law currently allows provincial fines for infractions but not lower municipal Administrative Monetary Penalties.	To allow Administrative Monetary Penalties for infractions to be listed in a new schedule, Schedule “B” (as shown in Attachment 1) and to amend the *Administrative Monetary Penalties By-law*, 063-2019, as amended.	This will allow Enforcement Services to have a larger range of tools by which to achieve compliance.
17	The By-law does not state an *Enforcement Officer’s* authority to give *Orders* or information about serving *Orders*.	To add provisions to state that an *Enforcement Officer* may issue *Orders* to do work to correct a contravention of this By-law, to serve notices by registered mail, and to place placards on an *Owner's Property* if the *Owner* cannot be located.	This will provide clearer information to the public about *Enforcement Officers’* authority to issue *Orders*.