

THE MUNICIPALITY OF NORTH PERTH**BY-LAW NO. 59-2022****A BY-LAW TO PROVIDE FOR THE REGULATION OF WASTEWATER AND STORMWATER SERVICES TO MUNICIPAL SEWERS FOR THE MUNICIPALITY OF NORTH PERTH.**

WHEREAS the Council of the Municipality of North Perth is authorized by sections 8 and 11, as well as sections 78 to 93 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended ("Municipal Act, 2001"), to pass by-laws for services that the municipality considers necessary or desirable for the public, which includes public utility services including but not limited to prohibiting, regulating and inspecting the discharge of any gaseous, liquid or solid matter to any sewer works or stormwater works;

AND WHEREAS the Council of the Municipality of North Perth is able to determine the services or things that are necessary or desirable for the public and impose fees and charges for services or activities provided or done on behalf of the municipality, and for the use of the municipality's property;

AND WHEREAS subsections 425(1) and 429(1) of the Municipal Act, 2001, authorizes the municipality to pass by-laws providing that a person who contravenes a by-law passed under that Act is guilty of an offence and to establish a system of fines for offences under a by-law;

NOW THEREFORE, the Council of the MUNICIPALITY OF NORTH PERTH hereby enacts as follows:

- Part 1: Definitions
- Part 2: Sewer Services
- Part 3: Operation and Maintenance
- Part 4: Discharges to Sewage Works
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Part I – Definitions:

In this by-law unless the context specifically indicates otherwise:

“**Accredited lab**” 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 from time to time, or an equivalent standard that is acceptable to the municipality;

“**Acute hazardous waste chemical**” means acute hazardous waste chemicals within the meaning of O.Reg.347, as amended from time to time, made under the *Environmental Protection Act*, R.S.O. 1990 c.E. 19 (EPA);

“**Appurtenance**” means an accessory that forms part of a system;

“**Biochemical oxygen demand (BOD)**” means the 5-day BOD which is the determination of the molecular oxygen utilized during a 5-day incubation period for the biochemical degradation of organic material (carbonaceous demand), and the oxygen used to oxidize inorganic material such as sulphides and ferrous iron, and the amount of oxygen used to oxidize reduced forms of nitrogen (nitrogenous demand);

“**Biomedical waste**” means biomedical waste as defined in the Ontario Ministry of Environment Guideline C-4 entitled “The Management of Biomedical Waste in Ontario” dated November 2009, as amended from time to time;

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

“**Blowdown**” means 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 would impair the operation of the system;

“Building” means a structure connected to the sanitary sewer including the plumbing appurtenant thereto;

“Building Code” means the Building Code for the Province of Ontario as prescribed in accordance with the *Building Code Act, 1992*;

“Chemical oxygen demand (COD)” means the oxygen equivalent of the organic matter content of a sample that is susceptible to oxidation by a strong chemical oxidant;

“Combustible liquid” means a liquid that has a flash point not less than 37.8 degrees Celsius and not greater than 93.3 degrees Celsius;

“Composite sample” means a volume of sewage, stormwater, uncontaminated water or effluent made up of 3 or more grab samples that have been combined automatically or manually at approximately equal time or volume intervals over a sampling period;

“Contractor” means a person, partnership, or corporation who contracts to undertake the execution of work commissioned by the owner or the Municipality of North Perth to install or maintain sewer mains, service mains, services, and other appurtenances;

“Cross connection” means any temporary or permanent connection between a sanitary sewer and a storm sewer;

“Developer” means the owner or party specifically named in a Development Agreement, Site Plan Agreement, or in a Subdivision Agreement;

“Extra Strength Surcharge Agreement” means an agreement between the municipality and a person entered into in accordance with the provisions of Part 8 of this by-law;

“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);

“Flushing” means the procedure of using pressurized water to clean a sewer;

“Fuel” means alcohol, gasoline, naphtha, diesel fuel, fuel oil or any ignitable substance intended for use as a fuel;

“Foundation drain” means a pipe or series of pipes that collect groundwater around the foundation or footing of a building for protection against hydrostatic pressure;

“Grab sample” means a volume of the flow being sampled taken at one particular time and place;

“Groundwater” means water beneath the earth’s surface accumulating as a result of seepage;

“Hauled sewage” means waste, other than industrial waste, removed from a sewage works or sewage system, including a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet, or a sewage holding tank;

“Hauled waste” means any industrial waste, other than hauled sewage, which is transported to and deposited into any location in the sewage works excluding hauled sewage;

“Hazardous industrial waste” means hazardous industrial waste within the meaning of O.Reg.347, as amended from time to time, made under the *Environmental Protection Act*, R.S.O. 1990 c.E. 19 (EPA);

“Hazardous waste chemicals” means hazardous waste chemicals within the meaning of O.Reg.347, as amended from time to time, made under the *Environmental Protection Act*, R.S.O. 1990 c.E. 19 (EPA);

“Hauled wastewater treatment agreement” means an agreement between the municipality and a person entered into in accordance with the provisions of Part 8 of this by-law;

“Ignitable waste” means:

- a) a liquid, other than an aqueous solution containing less than 24 per cent alcohol by volume and has a flash point less than 61 degrees Celsius, as determined by the Tag Closed Cup Tester (ASTM D-56-97a), the Setaflash Closed Cup Tester (ASTM D-3828-97 or ASTM D-3278-96e1), the Pensky-Martens Closed Cup Tester (ASTM D-93-97), or as determined by an equivalent test method,
- b) a solid and that is capable, under standard temperature and pressure, of causing fire through friction, absorption of moisture or spontaneous chemical changes and, when ignited, burns so vigorously and persistently that it creates a danger,
- c) an ignitable compressed gas (Class 2, Division D) as defined in the regulations under the *Transportation of Dangerous Goods Act*, 1992, S.C. 1992, as amended, or
- d) an oxidizing substance (Class 5, Divisions 1 and 2) as defined in the regulations under the *Transportation of Dangerous Goods Act*, 1992, S.C. 1992, as amended;

“Industrial” means of or pertaining to manufacturing, commerce, trade, business, or institutions as distinguished from domestic or residential;

“industry” means any owner or operator of industrial or commercial premises from which there is a discharge of any matter directly or indirectly into a municipal sanitary sewer, combined sewer or storm sewer;

“Inspection” means an audit; physical, visual or other examination; survey; test; or inquiry;

“Interceptors” sometimes referred to as grease/sediment traps means a device designed to separate and retain oil, grease, fatty substances as well as sediments from discharged wastewater;

“Land” means all real property, including buildings or any part of any building and all structures, machinery and fixtures erected or placed upon, in, over, under or affixed to land and in the case of utility service providers and the municipality, all buildings or any part of any building erected or placed upon, in, over, under or affixed to land but shall not include machinery whether fixed or not, nor the foundation on which it rests, works structures other than buildings, substructures, poles, towers, lines, nor any of the things exempted from taxation, nor to any easement or the right use or occupation or other interest in land not owned by utility service providers or the municipality;

“Maintenance access hole” means an access point in a private sewer connection to allow for observation, sampling and flow measurement of the sewage, uncontaminated water or stormwater therein;

“Main” means every sewer pipe, except services and portions of private mains as herein defined, installed on the public road allowance or on any other land upon which the Municipality of North Perth has obtained easements;

“Manager” means the Manager of Environmental Services for the Municipality of North Perth, or the Manager’s authorized representative;

“Matter” includes any solid, liquid or gas;

“Municipality” means the Municipality of North Perth;

“Municipal easement” means an easement in favor of the Municipality of North Perth;

“Municipal Right of Way” means any street, lane, road and public highway or right of way owned by the municipality;

“Occupant” means any lessee, tenant, owner, the agent of a lessee, tenant or owner or any person in possession of a premise;

“Owner” means any person, including a corporation, who is the registered owner of the property under consideration including a trustee in whom land is vested, a committee of the estate of a mentally incompetent person, an executor, an administrator or a guardian. The obligations of the owner under this by-law may not be transferred to a party which is not an owner;

“Pathological waste” means pathological waste within the meaning of O.Reg.347, as amended from time to time, made under the Environmental Protection Act, R.S.O. 1990 c.E. 19 (EPA);

“PCBs” means any mono-chlorinated or poly-chlorinated biphenyl or any mixture of these or mixture that contains one or more of them;

“Person” means an individual, association, partnership, corporation, municipality, provincial or federal agency, or an agent or employee thereof;

“Pesticide” means a pesticide as defined and regulated under the Pesticides Act, R.S.O. 1990, c.P. (PA);

“Premises” means any house, tenement, building, lot or part of a lot, or both, in, through, or past which sewer service pipes run;

“Reactive waste” means a substance that:

- a) is normally unstable and readily undergoes violent changes without detonating,
- b) reacts violently with water,
- c) forms potentially explosive mixtures with water,
- d) when mixed with water, generates toxic gases, vapours or fumes in a quantity sufficient to present danger to human health or the environment,
- e) is a cyanide or sulphide bearing waste which, when exposed to pH conditions between 2 and 12.5, can generate toxic gases, vapours or fumes in a quantity sufficient to present danger to human health or the environment,
- f) is capable of detonation or explosive reaction if it is subjected to a strong initiating source or if heated under confinement,
- g) is readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure, or
- h) is an explosive (Class 1) as defined in the regulations under the Transportation of Dangerous Goods Act, 1992, S.C. 1992, as amended;

“Rodding” means a manual procedure for clearing obstructions from sewer laterals;

“Roof drain” means a drain that conveys, stormwater, rainwater and snowmelt from a roof to a storm sewer lateral;

“Sanitary clean out” means a pipe with a cap that provides access to the sewer line to remove blockages;

“Sanitary sewer” means a sewer for the collection and transmission of domestic, commercial, institutional and industrial sewage or any combination thereof owned and operated by the municipality;

“Septage receiving station” means the North Perth Septage Receiving Station located at the Wastewater Treatment Plant;

“Service Connection Application” means approval by the Municipality of North Perth authorizing the applicant to connect to the sewage or stormwater works in accordance with the terms and conditions set out in the application;

“Service extension” means the portion of a sewer service pipe from the sanitary clean out to the inside of the exterior wall of a structure, ie. An extension of a service stub;

“Service stub” means the portion of a sewer service pipe from a main to the sanitary clean out;

“Severely toxic waste” means any contaminant listed in Schedule 3 of O.Reg.347, as amended from time to time, made under the Environmental Protection Act, R.S.O. 1990 c.E. 19 (EPA);

“Sewage” means any liquid containing organic, inorganic, animal, vegetable or mineral matter in solution or in suspension, including floating materials, but does not include stormwater or uncontaminated water alone;

“Sewage works” means any works owned by the municipality used for the collection, transmission, treatment or disposal of sewage, and includes sanitary sewers, sewage pumping stations and sewage treatment facilities;

“Sewer” means a pipe, conduit, drain, open channel, or ditch for the collection and transmission of sewage, stormwater and / or uncontaminated water or any combination thereof;

“Sewer lateral” means a pipe or other form of conduit and its appurtenances used to transport sewage from a building to the municipality’s sanitary sewer located in a Municipal Right of Way;

“Sewer related services” includes but is not limited to those items set out under the heading “Miscellaneous Charges” in Schedule “Q” of By-law #160-2015, as amended from time to time;

“Site plan” shall mean a graphical plan of a proposed development illustrating all the features of the development including dwellings, commercial establishments, roads, and other public or private infrastructure that has been approved by the municipality pursuant to the Planning Act;

“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 from time to time;

“Storm sewer” means any part of the infrastructure that is intended to collect and convey stormwater, treat and/or discharge, uncontaminated water, surface runoff or drainage from land or from a watercourse or any combination thereof;

“Stormwater” includes water from rainfall or other precipitation or from the melting of snow

or ice;

“Stormwater works” means any works owned by the municipality used for the collection, transmission, treatment or disposal of stormwater or uncontaminated water and includes a storm sewer and land drainage works;

“Storm sewer lateral” means a pipe or other form of conduit and its appurtenances used to transport stormwater from a building or land to the municipality’s storm sewer or sanitary sewer located in a Municipal Right of Way;

“Storm sewer lateral stub” means that portion of a storm sewer lateral from the sanitary sewer or storm sewer to the limit of a Municipal Right of Way;

“Structural defect” means when used in connection with a sewer lateral a collapsed, cracked, broken or missing pipe, or offset joints caused by settling;

“Subsequent conviction” means a conviction for an offence which offence occurs after the date of conviction for an earlier offence under this by-law;

“Total PAHs” means the total of all the polycyclic aromatic hydrocarbons listed under Canada Ontario Agreement Tier I and Tier II Substances Lists;

“Uncontaminated water” means potable water as supplied by the municipality that has not had any matter added to it after it has been supplied and any water having quality which meets or exceeds the requirements of the table “Limits for Storm Sewer Discharge” attached as Schedule “B”;

“Waste radioactive prescribed substances” means uranium, thorium, plutonium, neptunium, deuterium, their respective derivatives and compounds and such other substances as the Atomic Energy Control Board may designate as being capable of releasing atomic energy or as being requisite for the production, use or application of atomic energy; and

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

Part 2 – Sewer Services

2.1 Required connection to the Municipal Sewer

The owner of a building located on land fronting a sanitary sewer main or on land abutting a street or alley through which access to a sanitary sewer main is available, shall connect the building to the sanitary sewer system of the municipality.

- a) The owner, when required by a written notice, agreement or by-law from the municipality, shall connect to the sanitary sewer main within the time period as specified in the notice, agreement or by-law.

- b) If the owner fails to make the connection as required in the written notice within the time period specified, the municipality may make the connection at the expense of the owner and to recover the expense by action or in like manner such as municipal taxes.

2.2 Exemption from sewer servicing

The owner of a building which is existing as of the date of this by-law, and which building is affected by this by-law may be exempted from the connection requirement providing that the owner of the building pay to the municipality the minimum non-metered monthly/bimonthly sewer charge as stipulated in Schedule "Q" of By-law #160-2015, as amended from time to time. Previous by-laws or agreements arranged with the municipality may supersede this requirement.

2.3 Service Connection Application

The owner shall apply for a Service Connection prior to the installation, repair, renewal, removal, plugging, capping or disconnection of a sewer lateral or a sewer except where such a sewer connection has been specifically provided for and approved through the municipality's Subdivision or Site Plan Approval process, or municipal sewage works rehabilitation project.

2.4 Requirements for service connection

Applicants for a Service Connection shall complete and submit the appropriate forms, provide the required drawings and information, and pay the stipulated fees or charges to the satisfaction of the municipality. The installation or disconnection of a sewer lateral or a sewer shall not commence until a Service Connection Application is approved and all required payments have been received, as stipulated in Schedule "Q" of By-law #160-2015, as amended from time to time.

2.5 Service Connection Application Process

A Service Connection Application shall be available from the municipality and is to be submitted to the municipality along with any plans or drawings detailing the proposed connection, any other supporting information and required fees as stipulated in Schedule "Q" of By-law #160-2015, as amended from time to time. The municipality shall review the proposed alteration/connection proposed and shall impose any condition that is deemed advisable and appropriate to ensure the integrity and safety of the sewage works. Any conditions imposed will be identified in writing forming part of the approved permit and said conditions shall be complied with.

2.6 Sewer Connection/Disconnection

Except as may otherwise be approved by the municipality, no person shall connect/disconnect a building to/from the sewage works until all required permits have been issued and all required inspection fees, cut permit costs, and other related costs have been paid in full.

2.7 Sewer Fees and Charges – Owner to pay

The municipality is responsible for the billing and collection of all fees and charges for the

use of sewer services as well as any work or services performed by the municipality, as stipulated in Schedule "Q" of By-law #160-2015, as amended from time to time and will be paid by the owner. Any unpaid sewer service fees will be transferred to the tax roll and collected in the same manner as property taxes.

2.8 Extensions and connections

Extensions of and connections to the sewage works shall only be permitted where they conform to the Official Plan of the municipality.

2.9 Capital works

New sewer laterals and sewage works made in association with a capital works project of the municipality shall be subject to the entire application requirements of this by-law and to the charges and fees set out in applicable by-laws.

2.10 Sewer lateral stub replacements

As part of a sanitary sewer rehabilitation project the municipality shall renew sewer lateral stubs on public property at its expense and to its specifications when:

- a) piping is deemed by the municipality to be beyond repair and
- b) replace the sewer lateral stub with a pipe of the same diameter.

Replacement piping shall conform to the specifications of the municipality. If an owner requests a larger pipe size, the owner shall pay the difference in material and labour costs.

2.11 Installation - Municipal specifications

All sanitary sewer pipes and sewer laterals located within municipal property shall be constructed according to the Municipality of North Perth Municipal Development and Servicing Standards. All sewer laterals located on private property shall be constructed in accordance with the Ontario Building Code as revised from time to time and in accordance with good practices and shall be approved by the Chief Building Official. Where the Ontario Building Code is silent the municipality's specifications shall be applied and shall prevail.

2.12 Installation inspection - by Municipality

All sewers and appurtenances installed, including those required by a Municipal Subdivision, Site Plan or Development Agreement must be approved by the municipality or by persons authorized by the municipality.

2.13 Installation - access for inspection

The municipality and persons authorized by the municipality for inspection shall be, at all times, entitled to enter upon any lands or any buildings for the purposes of examining pipes, connections and fixtures which are used in connection with the sewer service pipe and/or sewer lateral.

2.14 Installation - notification

Prior to backfilling a trench containing a sewer lateral or storm sewer lateral notification to the municipality shall be provided.

2.15 Disconnection of service - temporary

When an owner temporarily discontinues the use of a sewer lateral to a building, the owner shall pay to the municipality a charge as indicated in the as stipulated in Schedule "Q" of By-law #160-2015, as amended from time to time.

2.16 Disconnection of service - permanent

When an owner permanently discontinues the use of a sewer lateral to a building or buildings the sewer lateral must be disconnected at the sanitary sewer and removed at the owner's expense. All work must be inspected by the municipality and the owner shall pay for such inspection as stipulated in Schedule "Q" of By-law #160-2015, as amended from time to time.

2.17 Multiple sewer laterals - prohibited

Only one sewer lateral per lot shall be permitted to connect to the sanitary sewer. In situations where a shared sewer lateral would result from a division of land the shared sewer lateral shall be eliminated and a separate sewer lateral from each lot to the sanitary sewer shall be installed at the owner's expense.

2.18 Cross Connections – prohibited

No owner, occupant or person shall use or cause to be used or permit a cross connection to occur.

2.19 Connections – capacity

Connection of a building to a sewer is only permissible where in the sole opinion of the municipality there is sufficient capacity in the sewage works for handling sewage from the building.

Part 3 – Operation and Maintenance**3.1 Maintenance of sewer lateral stub - Municipality**

The sewer lateral stub shall be maintained by the municipality at the municipality's expense. If flushing or rodding of a sewer lateral is required to remove an obstruction caused solely by a structural defect in the sewer lateral stub, the municipality shall be solely responsible for the cost of removing the obstruction.

3.2 Maintenance of sewer lateral – Owner

Every owner of a property to which sewer service is provided shall be responsible for the maintenance, repair, and replacement of the sewer lateral from the building to the sanitary clean out. Any and all structural defects of a sewer lateral shall be repaired by the owner of the property being serviced. Should the municipality become aware of any such structural defect, and upon written notification to the owner, the said structural defect is not repaired within thirty (30) days of the date of the notification or within such time as the municipality may deem necessary, then the municipality may turn off the municipal water supply to the property. If the municipality is ordered to restore the water supply, then the municipality may repair the structural defect in the sewer

lateral pipe at the owner's expense. In so doing the municipality shall only reinstate the property to a safe condition and all final restoration shall be the owner's responsibility. The municipality shall not be held responsible for any damages to the owner's property arising from such work such as damage to root systems or other landscaping features located along the sewer lateral. If flushing or rodding of a sewer lateral is required to remove an obstruction located anywhere between the building and the sewer lateral stub, the owner or occupier shall be solely responsible for the cost of removing the obstruction.

3.3 Conditions on sewer services

The municipality agrees to use reasonable diligence in providing a regular and uninterrupted sewer service, but does not guarantee a constant service and is not liable for damages to an owner or occupant caused by the breaking of any sewer, sewer lateral or a blockage of a sewer or sewer lateral. Where planned work on the sanitary sewer system is contemplated the municipality will make reasonable effort to provide two (2) days' notice, delivered to the lands affected, of the intention to disrupt or terminate service, save and except for emergency shut downs.

3.4 Unauthorized operation or interference – offence

No person, other than persons authorized by the municipality for that purpose shall remove, tamper with or in any way interfere with any sanitary sewer or sewer lateral stub or appurtenances in the sanitary sewer system, nor tap off or make any connection to a sanitary sewer.

3.5 Work on the system

The municipality shall perform all work having to do with the municipality's sanitary sewer system and with the installation, repair, renewal, or removal of the municipality's in-service sewer collection system. The municipality may delegate to any person the authority to perform work on the sanitary sewer system, on conditions acceptable to the municipality.

3.6 Shut off- repair

The municipality shall have the right at any time and without notice to shut off the supply of municipal water to any building if, in the opinion of the municipality, the sewer lateral located on the property is not being properly maintained, develops a significant leak, is structural defective or permits significant infiltration or in any way compromises the integrity of the municipality's sewage system, and not to restore the water service until such condition has been rectified to the satisfaction of the municipality.

3.7 Damage to sanitary sewer system – offence

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

3.8 Discharge to the Sewers

No person shall discharge sewage into the municipality's sewage works except in accordance with this by-law.

3.9 Unauthorized discharge sanitary sewer - offence

No person shall discharge or permit to be discharged anything other than sewage into a sanitary sewer.

3.10 Connections Prohibited - offence

No person shall permit the connection of a roof leader or foundation drain to a sanitary sewer.

3.11 Owner – notice to perform

An owner or operator of an industrial, commercial, institutional or multi-residential building may be required, by written notice from the municipality, to complete or perform one or more of the following activities addressing the discharge of stormwater or sewage from the owner's land or building:

- a) to complete a study on stormwater or sewage quality and / or quantity;
- b) to develop and implement a best management practice plan;
- c) to install and maintain a pre-treatment facility or holding tank on the premises so that the effluent will be reduced accordingly for any building discharging or proposing to discharge into the municipal sewage works effluent exceeding the strength, nature, quantity or quality parameters;
- d) to design, construct and maintain at their expense the pre-treatment facility or holding tank in accordance with good engineering practice and the requirements of the municipality, and shall be constructed and maintained by the owner or occupant of the building or land at their expense.
- e) to install and maintain at the owner's or occupant's expense, devices to monitor sewage, uncontaminated water or stormwater discharges and to submit to the municipality regular reports regarding the quantity and quality of discharges to the sewage works.

Part 4 –Discharges to Sewage Works**4.1 Deposit or discharge of sewage - prohibited**

No person shall cause or permit the deposit or discharge of sewage into the sewage works in circumstances where to do so may cause or result in:

- a) a health or safety hazard to a person authorized to inspect, operate, maintain, repair or otherwise work on a sewage works;
- b) an offence under the *Ontario Water Resources Act* or the *Environmental Protection Act*, as amended from time to time, or any regulation made thereunder from time to time;
- c) biosolids from the sewage works to which either sewage discharges, directly or indirectly, to fail to meet the objectives and criteria set out in the Ministry of the Environment publication entitled "Guidelines for the Utilization of Bio solids and Other Wastes on Agricultural Land" dated March 1996, as amended from time to time;

- d) interference with the proper operation or maintenance of a sewage works, or which may impair or interfere with any treatment process;
- e) a hazard to any person, animal, property or vegetation;
- f) an offensive odour to emanate from the sewage works, and without limiting the generality of the foregoing, sewage containing hydrogen sulphide, carbon disulphide, other reduced sulphur compounds, amines or ammonia in such quantity as may cause an offensive odour;
- g) damage to the sewage works; or
- h) an obstruction or restriction to the flow in the sewage works.

4.2 Characteristics of Sewage - prohibited

No person shall cause or permit the deposit or permit the discharge of sewage into the sewage works in circumstances where the sewage has one or more of the following characteristics:

- a) a pH less than 6.0 or greater than 10.5;
- b) two or more separate liquid layers; or
- c) a temperature greater than 60 degrees Celsius.

4.3 Sewage contains

No person shall cause or permit the deposit or permit the discharge of sewage into the sewage works in circumstances where the sewage contains:

- a) acute hazardous waste chemicals;
- b) biomedical waste;
- c) combustible liquid;
- d) dyes or colouring materials that pass through a sewage works and discolour the sewage works effluent;
- e) fuel;
- f) hauled sewage, except where:
 1. the carrier of the hauled sewage is a waste management system operating under a Certificate of Approval or Environmental Compliance Approval or Provisional Certificate issued under the *Environmental Protection Act* or is exempt from the requirement to have a Certificate of Approval or Environmental Compliance Approval or Provisional Certificate;
 2. a copy of the most recent Certificate of Approval or Environmental Compliance Approval or Provisional Certificate and any amendment is provided to the municipality;

3. the carrier meets all the conditions for discharge that are or may be required from time to time with respect to the haulage of sewage by the municipality;
 4. the discharge location is at the North Perth Waste Water Treatment Plant Septage Receiving Station or other location specifically authorized in writing by the municipality; and
 5. the carrier has entered into a Hauled Wastewater Treatment Agreement with the municipality
- g) hauled waste, except where:
1. the carrier of the hauled waste is a waste management system operating under a Certificate of Approval or Environmental Compliance Approval or Provisional Certificate issued under the *Environmental Protection Act* or is exempt from the requirement to have a Certificate of Approval or Environmental Compliance Approval or Provisional Certificate;
 2. a copy of the most recent Certificate of Approval or Environmental Compliance Approval or Provisional Certificate and any amendment is provided to the municipality;
 3. the carrier meets all the conditions for discharge that are or may be required from time to time with respect to the haulage of sewage by the municipality;
 4. the discharge location is at the North Perth Waste Water Treatment Plant Septage Receiving Station or other location specifically authorized in writing by the municipality; and
 5. the carrier has entered into a Hauled Wastewater Treatment Agreement with the municipality
- h) hazardous industrial waste;
- i) hazardous waste chemicals;
- j) ignitable waste;
- k) pathological waste;
- l) PCBs, except where:
1. the discharger has an Environmental Compliance Approval for a mobile site or PCB mobile waste disposal system issued under the Environmental Protection Act or where the person is claiming an exemption under a regulation, the discharger has demonstrated to the municipality that the conditions of the exemption are met;

2. a copy of the most recent certificate or provisional certificate and any amendment is provided to the municipality; and
3. the discharger has written approval from the municipality that the discharger has met a condition for an exemption under the regulations in relation to their discharge of PCBs to the sewage works:
 - m) pesticides;
 - n) reactive waste;
 - o) severely toxic waste;
 - p) waste radioactive prescribed substances, except where:
 1. the waste radioactive prescribed substances are being discharged under a valid and current licence issued by the Atomic Energy Control Board or its successor; and
 2. a copy of the licence has been provided to the municipality;
 - q) ground water remediation except where:
 1. the discharger has written approval from the municipality authorizing the discharge or deposit of the treated contaminated groundwater to the sewage works, in accordance with guidelines adopted by the municipality from time to time; and
 2. An Environmental Compliance Approval, Certificate of Approval, Provisional Certificate or order has been issued which includes a provision for the disposal of treated contaminated groundwater to a sewage works, a copy of the Environmental Compliance Approval, Certificate of Approval, Provisional Certificate or order is provided to the municipality, or where the person is claiming an exemption pursuant to a regulation, the person has received written notice from the municipality that the conditions of the exemption are being met;
 - r) a substance which appears on the most current Schedule 1 "Toxic Substances" list;

4.4 Sewage Concentration - prohibited

No person shall cause or permit the deposit or permit the discharge of sewage into the sewage works in circumstances where the sewage contains a concentration, expressed in milligrams per litre, which exceeds any one or more of the limits in the table "Limits for Sewage Works Discharge" attached as Schedule "A".

4.5 Termination of Privileges - notice

The municipality may terminate at its sole discretion privileges granted under Sections 4.3 (f), (g), (l), (p), and (q) at any time under circumstances deemed reasonable and the termination will be effective within 30 days of a written notice of termination.

4.6 Termination of Privileges - emergency

The municipality may terminate privileges granted under Sections 4.3.(f), (g), (l), (p), and (q) by written notice at any time where there is an emergency situation of immediate threat or danger to any person, property, plant or animal life, waters or the sewage works and the termination will be effective immediately.

4.7 Extra Strength Surcharge Agreement

The provisions of subsection 4.4 do not apply to those parameters allowed by an Extra Strength Surcharge Agreement where the discharge is in accordance with an Extra Strength Surcharge Agreement or expressly authorized in writing by the municipality in accordance with this by-law prior to the discharge.

4.8 Hauled Wastewater Treatment Agreement

The provisions of subsection 4.4 do not apply to those parameters allowed by a Hauled Wastewater Treatment Agreement where the discharge is in accordance with a Hauled Wastewater Treatment Agreement or expressly authorized in writing by the municipality in accordance with this by-law prior to the discharge.

Part 5 – Discharges to Stormwater Works

5.1 Deposit or Discharge of Sewage - prohibited

No person shall, whether directly or indirectly, discharge or deposit or cause or permit the discharge or deposit into the Stormwater works which may:

- a) interfere with the proper operation of a storm sewer;
- b) obstruct or restrict a storm sewer or the flow therein;
- c) damage the storm sewer;
- d) result in any hazard or other adverse impact, to any person, animal, property, or vegetation;
- e) impair or is likely to impair the quality of the water in any well, lake, river, pond, spring, stream, reservoir or other water or watercourse;
- f) contravene or result in the contravention of a certificate or provisional Environmental Compliance Approval or order issued under the Ontario Water Resources Act or the Environmental Protection Act with respect to the storm sewer and or its discharge;
- g) have one or more of the following characteristics:
 - 1. two or more separate layers;
 - 2. a pH less than 6.0 or greater than 9.5;
 - 3. a visible film, sheen or discolouration; or
 - 4. a temperature greater than 40 degrees Celsius.

- h) contain one or more of the following:
1. acute hazardous waste chemicals;
 2. biomedical waste;
 3. blowdown;
 4. combustible liquids;
 5. floating debris;
 6. fuel;
 7. hauled sewage;
 8. hauled waste;
 9. hazardous industrial waste;
 10. hazardous waste chemicals;
 11. ignitable waste;
 12. pathological waste;
 13. PCBs;
 14. pesticides;
 15. reactive waste;
 16. severely toxic waste;
 17. sewage;
 18. waste radioactive prescribed substances;
 19. waste disposal site leachate;
 20. a substance from raw materials, intermediate or final materials, used or produced in, through or from an industrial process; or
 21. a substance used in the operation or maintenance of an industrial site.
- i) contain E. coli colonies in excess of 200 per 100mL;
- j) contain a concentration, expressed in mg/L, in excess of any one or more of the limits in the table entitled "Limits for Stormwater Works Discharge" attached hereto as Schedule "B".

Part 6 – Prohibition Of Dilution

6.1 Dilution - offence

No person shall discharge directly or indirectly or deposit or cause or permit the discharge or deposit of sewage into the Sewage Works or Stormwater Works in circumstances where water or other material has been added to the discharge for the purposes of dilution to achieve compliance with this by-law.

Part 7 – Reports

7.1 Requirement for report

Every owner or occupant of an industrial, commercial or institutional premise shall complete and submit to the municipality a “Discharger Information Report” prior to any discharge of sewage, stormwater, cooling water or uncontaminated water to the sewage works. Discharger Information Report forms shall be available from the municipality and are to be submitted to the municipality along with any other supporting information. The municipality shall review the proposed Discharger Information Report and shall impose any condition that is deemed advisable and appropriate to ensure the integrity and safety of the sewage works. Any conditions imposed will be identified in writing forming part of the approved permit and said conditions shall be complied with.

7.2 Requirement to report - a change

An owner or occupant of an industrial, commercial or institutional premise who is discharging or depositing sewage, stormwater, cooling water or uncontaminated water to a sewage works shall provide written notice of any change in the information in the reports required under Sections 7.1 or 7.2 and such notice shall include details of the nature of the change of the discharge and its potential effect on the municipal sewage works into which it is being discharged or deposited.

Part 8 –Agreements

A person may discharge or deposit sewage into or in any connection to the sewage works, otherwise prohibited by this by-law, where authorized, and only to the extent of such authorization, by:

- a) An Extra Strength Surcharge Agreement including conditions for payment of additional costs of operation, repair and maintenance of the wastewater works, restrictions of the discharge, and such other terms and conditions as may be deemed appropriate by the municipality.
- b) A Hauled Wastewater Treatment Agreement including conditions for payment of additional costs of operation, repair and maintenance of the wastewater works, restrictions of the discharge, and such other terms and conditions as may be deemed appropriate by the municipality.

8.1 a) Extra Strength Surcharge Agreements

Where sewage is discharged to the sewage works, the municipality may enter into an Extra Strength Surcharge Agreement with a discharger to permit exceedances of the limits set out in Schedule “A” of this by-law for any one or more of the following parameters;

- a) Biochemical Oxygen Demand (5 Day)
- b) Phenolics
- c) Solvent Extractables – animal or vegetable in origin
- d) Phosphorus, Total

- e) Suspended Solids, Total
- f) Total Kjeldahl Nitrogen
- g) Sulphides (as H₂S)

b) Allowable Parameters - calculation

Biochemical Oxygen Demand, Total Suspended Solids, Total Phosphorus, Total Kjeldahl Nitrogen, Sulphides and Solvent Extractable concentrations shall be determined as follows:

- h) No less than two composite samples shall be collected in accordance with section 10.5 of this by-law by municipal staff or, upon written approval from the municipality, by an alternate person.
- i) Laboratory analysis of the collected samples shall be done in accordance with section 10.5 of this by-law.
- j) The average concentration of all composite samples taken over the specified two (2) month period will be used in calculating the surcharge; or, by any other method as approved in writing by the municipality.

c) Rates

Extra strength surcharge rates shall be those established in Schedule "Q" of By-law #160-2015, as amended from time to time.

d) Deemed Compliant

A person who has entered into an Extra Strength Surcharge Agreement shall be deemed not to have contravened the provisions of Section 4 of this by-law with respect to those parameters specified in the agreement provided that all of the terms and conditions of the Extra Strength Surcharge Agreement are complied with, but in all other respects, this by-law shall continue to apply to the person's waste.

e) Sewage Service rates - lien

In accordance with subsection 221(27) of the Municipal Act, the sewage service rate and the extra strength sewage surcharge rate imposed under this Section is a lien and charge upon the land against which it is assessed and if any owner and/or occupant of the land fails to pay the said rate on or before the due date, the amount unpaid may be collected by distress upon the goods and chattels of such owner and/or occupant, or by action in any competent court and shall be charged against the property and collectable in the same way, as nearly as may be, as municipal taxes are collectable.

8.2 a) Hauled Wastewater Treatment Agreement

Where hauled sewage or hauled waste is transported to and deposited at the North Perth Septage Receiving Station, the municipality may enter into an Hauled Wastewater Treatment Agreement with a discharger to permit exceedances of

the limits set out in Schedule "A" of this by-law for any one or more of the following parameters;

- a) Biochemical Oxygen Demand (5 Day)
- b) Phenolics
- c) Solvent Extractables – animal or vegetable in origin
- d) Phosphorus, Total
- e) Suspended Solids, Total
- f) Total Kjeldahl Nitrogen
- g) Sulphides (as H₂S)

b) Allowable Parameters - calculation

Biochemical Oxygen Demand, Total Suspended Solids, Total Phosphorus, Total Kjeldahl Nitrogen, Sulphides and Solvent Extractable concentrations shall be determined as follows:

- h) No less than two composite samples shall be collected in accordance with section 10.5 of this by-law by municipal staff or, upon written approval from the municipality, by an alternate person.
- i) Laboratory analysis of the collected samples shall be done in accordance with section 10.5 of this by-law.
- j) The average concentration of all composite samples taken will be used in calculating the surcharge rates.

c) Rates

Hauled Wastewater Treatment Agreement rates shall be those established in Schedule "Q" of By-law #160-2015, as amended from time to time.

Part 9 – Compliance Program

9.1 Compliance Agreement

At the sole discretion of the municipality, any person discharging or planning to discharge Sewage to the Sewage Works that does not meet the sewage discharge limits in Schedule 'A', or in an approved Extra Strength Surcharge Agreement or a Hauled Wastewater Treatment Agreement, and where not provided an exemption in any part of this by-law, may enter in a Compliance Agreement with the municipality for the discharge of non-compliant sewage.

9.2 Contents of Agreement

The Compliance Agreement shall include such measures as may be required, as determined by the municipality, to bring the Sewage into compliance with the provisions

Compliance Agreement will include the program goals, details of any facilities that are to be installed, the specifics of the remedial and interim measures to be implemented, the dates and timelines for commencement and completion, any milestones to be achieved, and the characteristics of the sewage to which the Compliance Agreement relates. The Agreement may also include any additional surcharges applicable during the compliance period.

9.3 Progress Report

Any person who has entered into an approved Compliance Agreement with the municipality shall submit a Compliance Program Progress Report within 14 days of any milestone dates identified in the Agreement, and again after the scheduled completion date for each activity listed in the approved Compliance Agreement.

9.4 Deemed Compliant

Any person to whom an approved Compliance Agreement applies shall be deemed not to have contravened the provisions of Section 4 above for the discharge or deposit of any matter specified in the approved Compliance Agreement during the period within which the approved Compliance Agreement is in effect and provided the approved Compliance Agreement is being fully complied with.

9.5 Surcharge

The municipality may levy a surcharge in respect of non-compliant sewage specified in the approved Compliance Agreement during the period within which the approved Compliance Agreement is applicable. The surcharge shall be specified in the contents of the Agreement.

9.6 Self-Monitoring - provisions

The municipality may require the person to self-monitor for such parameters as specified in the approved Compliance Agreement for the duration in which the approved Compliance Program is applicable.

9.7 Self-Monitoring - costs

All costs associated with self-monitoring shall be the responsibility of the person to whom the approved Compliance Agreement is issued.

9.8 Termination

The municipality may terminate a Compliance Agreement at any time in the event that the person who is party to Compliance Agreement fails or neglects to carry out or diligently pursue the activities required under the approved Compliance Agreement, and the termination will be effective within 30 days of a written notice of termination whereupon the person may be deemed to be in contravention of this by-law.

9.9 Emergency

An approved Compliance Agreement may be terminated by the municipality by written notice at any time where there is an emergency situation of immediate threat or danger to any person, property, plant or animal life, waters or the sewage works, and the termination will be effective immediately.

Part 10 – Sampling and Analysis

10.1 Access for Sampling - required

The owner or occupant of industrial, commercial or institutional premises with one or more connections to a sewage works shall install and maintain in good repair in each connection a suitable maintenance access hole to allow observation, sampling and measurement of the flow of sewage, uncontaminated water or stormwater therein, provided that where installation of a maintenance access hole is not possible, an alternative device or facility may be substituted with the written approval of the municipality.

10.2 Access for Sampling - location

The maintenance access hole or alternative device shall be located on the property of the premises, as close to the property line as possible, unless the municipality has issued written approval for an alternate location.

10.3 Access for Sampling - standards

Each maintenance access hole, device or facility installed as required by subsection 10.1 shall be designed and constructed in accordance with good engineering practice and the requirements of the municipal standard, as established by the municipality from time to time, and shall be constructed and maintained by the owner or occupant of the premises at his expense.

10.4 Access - unrestricted

The owner or occupant of the commercial, institutional or industrial premises shall at all times ensure that every maintenance access hole, alternative device or facility installed as required by subsection 10.1 is accessible to the municipality for purposes of maintaining, observing, sampling and flow measurement of the sewage, uncontaminated water or stormwater therein.

10.5 Sampling – standards

The sampling and analysis required by this by-law shall be carried out in accordance with the procedures, modified or unmodified, as described in Standard Methods or the “Guidance Document for the Sampling and Analysis of Wastewater for the 1999 Model Sewer Use By-law”, or as noted in the applicable North Perth Amended Environmental Compliance Approval.

10.6 Compliance Programs - emergency

Compliance or non-compliance with this by-law may be determined by the analysis of a grab sample or a composite sample done in accordance with Standard Methods and may contain additives for its preservation and may be collected manually or by using an automatic sampling device.

Part 11 – Spills

11.1 Notification

In the event of a spill to a sewage works, the person responsible and/or the person having the charge, management and control of the spill shall

immediately notify the Ontario Spills Action Centre, and the municipality and provide the following information:

- a) Company name and address and location of the spill;
- b) Date, time and duration of the spill event;
- c) Complete description of the spill, including type and volume of material discharged and any associated hazards as would be outlined on a safety data sheet;
- d) A copy of the SDS for the spilled material if available;
- e) Details of clean up actions that have been initiated including actions taken to prevent the material from leaving the property, and the name(s) of any contractors that may be on site assisting with clean up;
- f) If spilled material is being vacuumed or captured by another method, the destination of the captured material;
- g) Agencies notified of the spill and corresponding notification times;
- h) Name and phone number of the person reporting the spill and location where that person can be reached;
- i) Name and phone number of the person in charge of cleaning up the spill and location where that person can be reached.

11.2 Reporting - requirement

The person reporting the spill shall provide a written report containing the above information with respect to the spill to be received by the municipality within 5 days after the spill. The written report shall also include the following:

- a) Detailed description of clean-up procedures on or off the property including dates, times and a list of the names of any contracted assistance utilized during the clean-up;
- b) Weather conditions at the time of the spill and clean-up;
- c) Corrective actions to prevent a similar occurrence in the future.

11.3 Corrective Action

The person responsible for the spill and / or the person having the charge, management and control of the spill shall do everything reasonably possible to contain the spill, protect the health and safety of citizens, minimize damage to property, protect the environment, clean up the spill and contaminated residue and restore the affected area to its condition prior to the spill.

11.4 Costs

All costs incurred by the municipality as a result of such discharge shall be borne by the person responsible for the spill.

Part 12 – Garbage Grinders

12.1 Garbage Grinders - prohibited

No person shall install any garbage-grinding device for industrial, institutional, commercial or residential purposes, the effluent from which will discharge directly or indirectly into the sewage works.

12.2 Garbage Grinders Replacement - prohibited

No person shall replace any existing garbage grinding devices for industrial, commercial or residential purposes installed prior to the passage of this by-law.

12.3 Garbage Grinders – non-conforming

Garbage grinding devices installed prior to the passing of this by-law for industrial, commercial or residential purposes, the effluent from which will discharge directly or indirectly into the sewage works can remain in operation under the following conditions:

- a) The owner or occupant of the garbage grinding device has a permit issued by the Municipal Building Inspector at the time the garbage grinding device was originally installed, if a permit was required at the time of original installation;
- b) The quantity of waste to be processed does not have an adverse effect on the sewage works;
- c) In the event that accumulations of solid wastes are detected in a sewer and such accumulations are being caused by the operation of a garbage grinding device:
 1. The sewer shall be cleaned at the expense of the owner of the establishment or residence operating the garbage grinder; and
 2. The owner of the garbage grinder shall be required to make such improvements to the operation or maintenance of the garbage grinder as the municipality deems necessary in order to prevent further accumulations;
 3. The owner of the garbage grinder may be required by the Operating Authority to discontinue the use of the garbage grinder.

Part 13 – Grease/Sediment Interceptors

13.1 Interceptors for oil and grease - required

Every owner or occupant of a restaurant or other industrial, commercial or institutional premises where food is cooked, processed or prepared, which premises is connected directly or indirectly to a sewer, shall take all necessary measures to ensure that oil and grease are prevented from entering the sewer and, without limiting its generality, shall install, operate and properly maintain a grease interceptor in any piping system at its premises that connects directly or indirectly to a sewer.

13.2 Interceptors for oil and lubricating grease - required

Every owner or occupant of a commercial, industrial or institutional premise at which

floor drains of a service garage are connected directly or indirectly to a sewer shall install and maintain an oil interceptor designed to prevent motor oil and lubricating grease from passing into drainage piping which is connected directly or indirectly to a sewer.

13.3 Interceptors for sediment - required

Every owner or occupant of a commercial, industrial or institutional premise from which sediment may directly or indirectly enter a sewer, including, but not limited to premises using ramp drains or area drains, and car and vehicle washing establishments shall take all necessary measures to ensure that such sediment is prevented from entering the sewer.

13.4 Interceptors – maintenance and inspection required

Every grease interceptor and sediment interceptor shall be installed, operated and maintained in accordance with the manufacturer's instructions, and shall be inspected and cleaned frequently to ensure that it is operating effectively.

13.5 Interceptors – records required

owner's or occupant's of premises having grease or sediment interceptors shall keep a record of interceptor maintenance including the date(s) on which cleaning / maintenance occurred, the person or contractor responsible, and the method and destination of waste disposal, and upon request these records shall be made available to the municipality.

Part 14 – Inspection and access to property

14.1 Inspection powers

The municipality or any person designated by it as inspector for purposes of this by-law may, at reasonable times enter onto any land on which the municipality supplies sewer services for the following purposes:

- a) to inspect, repair, alter, or disconnect the sewer lateral or storm sewer lateral, machinery, equipment and other works used to supply sewer services to the building or land;
- b) to inspect, install, repair, replace or alter any related metering equipment;
- c) to inspect the discharge of any matter into the sewage system of the municipality or into any other sewage system the contents of which ultimately empty into the municipal sewage system and may conduct tests, measure flow and take samples for this purpose; or
- d) to investigate or determine if this by-law, an order, or condition to any permit or agreement is being complied with.

14.2 Reduce supply of water

For the purpose of carrying out an installation, inspection, repair, disconnection or other

work the municipality may shut off or reduce the supply of water to any building or land.

14.3 Access to dwellings

An inspector shall not enter a place being used as a dwelling unless:

- a) the consent of the occupier is first obtained, ensuring the occupier is first advised that entry may be denied and, in such circumstance, entry can only occur thereafter under authority of a warrant;
- b) a warrant under section 158 of the Provincial Offences Act is obtained;
- c) the delay necessary to obtain a warrant or the consent of the occupier would result in the immediate danger to the health or safety of any person; or
- d) the entry is for the purpose of section 4.1 and the notice provisions of this by-law have been complied with.

14.4 Entry on land – notice requirements

Whenever an inspector exercises a power of entry pursuant to this by-law, the inspector shall:

- a) provide reasonable notice of the proposed entry to the occupier of the land by personal service or prepaid mail or by posting the notice on the land in a conspicuous place for three consecutive days prior to entry;
- b) where the proposed entry is an inspection to determine compliance with this by-law the inspector must provide reasonable notice by means of personal service only;
- c) in so far as is practicable, restore the land to its original condition where any damage is caused by the inspection; and
- d) provide compensation for any damage caused and not remedied.

14.5 Municipality expenses

All costs incurred by the municipality to perform work required by this by-law shall be charged to the owner of the property where such work is performed and shall be collected according to law, and until paid, such cost shall remain a lien on such property, and may also be collected in the like manner as taxes. The municipality shall not be held responsible for the cost of restoration.

14.6 Access – industrial-commercial property

The municipality or any person designated by it as inspector for purposes of this by-law may upon production of his or her identification enter any industrial or commercial building or land on which the municipality supplies sewer services for the following purposes:

- a) to inspect, repair, alter, or disconnect the sewer lateral or storm sewer lateral, machinery, equipment and other works used to supply sewer services to the building or land;
- b) to inspect, install, repair, replace or alter any related metering equipment;

- c) to inspect the discharge of any matter into the sewage system of the municipality or into any other sewage system the contents of which ultimately empty into the municipal sewage system and may conduct tests, measure flow and take samples for this purpose; or
- d) to investigate or determine if this by-law, an order, or condition to any permit or agreement is being complied with.

Part 15 – Damage to Sewer and Stormwater Works

15.1 Liability for Damage – Failure to Comply with By-Law

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

15.2 Liability for Damage – Meters

Every person who damages or causes or permits to be damaged any meter, sewer lateral, conduit, wire, rod or fitting belonging to the municipality or impairs or causes or permits the same to be altered or impaired, so that the meter indicates less than the actual amount of the material that passes through it, shall be liable for any damage or expense arising out of any such damage, including the cost of investigating, repairing, cleaning or replacing any part of any municipal sewage works damaged thereby.

Part 16 – Application, Administration and Enforcement

16.1 Application

This by-law shall apply to all sewage and stormwater works and any connections thereto which directly or indirectly enter into such sewers or sewage works, which are publicly or privately owned or operated and are located within the boundaries of the municipality.

16.2 Exception

This by-law does not apply to the discharge of any matter or sewage, in an emergency, as determined by and approved by the Medical Officer of Health in the exercise of their authority under the Health Protection and Promotion Act, R.S.O. 1990. c.H.7, as amended.

16.3 Administration and Enforcement

This by-law shall be administered and enforced by the municipality and any Municipal By-law Enforcement Officers of the municipality appointed for this purpose.

Part 17- Offence and Penalty Provisions

17.1 Prohibitions under this By-Law

No person shall:

- a) contravene any provision of this by-law or agreement or any order or notice issued pursuant to this by-law;
- b) hinder or interrupt, or cause or procure to be hindered or interrupted, the corporation or any of its officers, contractors, agents, servants or workers, in the exercise of any of the power conferred by this by-law.
- c) Discharge or permit to be discharged anything other than sewage into a sanitary sewer;
- d) Deposit or discharge any injurious or offensive matter into the sewage that is not in compliance with this by-law or objects or material that will impede or obstruct the collection or flow of sewage in the sewers; or
- e) Alter any meter placed upon any service pipe or connected therewith, within or without any building or other place, so as to lessen or alter the amount of water registered.

17.2 Designation – Continuing Offence

Every person who contravenes any provision of Part 4, Part 5, or Part 6 of this by-law is guilty of an offence, and all such offences are designated as continuing amended from time to time.

17.3 Penalty – Continuing Offence

Every person who is convicted of an offence under any provision of Part 4, Part 5, or Part 6 of this by-law is liable, for each day or part of a day that offence continues, to a fine of not more than \$10,000.00 per day, as provided for in subsection 429(3) of the Municipal Act, 2001 as amended from time to time.

17.4 Penalty – Person

Despite subsection 17.2 and 17.3 every person who contravenes any provision of any other section of this by-law is guilty of an offence and on conviction is liable to a fine of not more than \$10,000.00 for a first offence and \$25,000.00 for any subsequent offence, as provided for in subsection 429(2) (c) of the Municipal Act, 2001 as amended from time to time

17.5 Penalty – Corporation

Despite subsection 17.2, 17.3 and 17.4, every corporation that contravenes any other section of this by-law and every officer or director of a corporation who knowingly concurs in such contravention is guilty of an offence and on conviction is liable to a fine of not more than \$50,000.00 for a first offence and \$100,000.00 for any subsequent offence, as provided for in subsections 425(3) and 429(2) (a) of the Municipal Act, 2001

as amended from time to time.

17.6 Prohibition Order

The court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted directed toward the continuation or repetition of the offence, and such order shall be in addition to any other penalty imposed on the person convicted.

18 - Validity

In the event any provision, or part thereof, of this by-law is found by a court of competent jurisdiction to be ultra vires, such provision, or part thereof, shall be determined to be severed, and the remaining portion of such provision and all other provisions of this by-law shall remain in full force and effect.

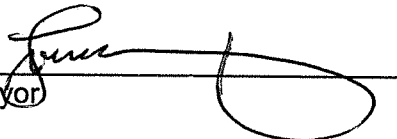
19 - Commencement

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

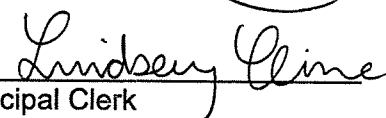
20- Existing By-law Repealed

By-law NO. 49-PW-2003, as amended is hereby repealed as of the date and time of this by-law coming into effect.

PASSED THIS 11th day of April 2022



Mayor



Municipal Clerk

SCHEDULE A
Limits for Sewage Works Discharge

| Parameter | limit (mg/l) |
|-----------------------------|--------------|
| BOD | 300 |
| 1,1,2,2 - Tetrachloroethane | 0.9 |
| 1,2 - Dichlorobenzene | 0.05 |
| 1,4 - Dichlorobenzene | 0.08 |
| Aldrin / Dieldrin | 0.0002 |
| Aluminum | 50 |
| Antimony | 5 |
| Arsenic (total) | 1 |
| Benzene | 0.01 |
| Cadmium (total) | 0.2 |
| Chloroform | 0.04 |
| Chromium (total) | 0.5 |
| Cis- 1,2 dichloroethylene | 0.4 |
| Cobalt (total) | 5 |
| Copper (total) | 2 |
| Cyanide | 2 |
| Ethylbenzene | 0.06 |
| Fluoride | 10 |
| Formaldehyde | 0.4 |
| Hexachlorobenzene | 0.0001 |
| Lead (total) | 1 |
| Manganese | 5 |
| Mercury | 0.1 |
| Methyl Ethyl Ketone | 8 |
| Methylene chloride | 0.21 |

| | |
|--|-------|
| Molybdenum (total) | 5 |
| Nickel (total) | 2 |
| Nonylphenol ethoxylates | 0.2 |
| Nonylphenols | 0.02 |
| Oil and Grease (animal and veg.) | 150 |
| Oil and Grease (mineral and synthetic) | 15 |
| PCB's | 0.001 |
| Phenolics | 1 |
| Selenium (total) | 1 |
| Silver (total) | 5 |
| Styrene | 0.04 |
| Sulphates | 1500 |
| Sulphides (as H ₂ S) | 2 |
| Tetrachloroethylene | 0.5 |
| Tin | 5 |
| Titanium | 5 |
| TKN | 100 |
| Toluene | 0.016 |
| Total PAH's | 0.005 |
| TP | 10 |
| Trans- 1,3 - dechloropropylene | 0.14 |
| Trichloroethylene | 0.07 |
| TSS | 350 |
| Vinyl Chloride | 0.04 |
| Xylenes (Total) | 0.94 |
| Zinc (total) | 2 |

SCHEDULE B

Limits for Stormwater Works Discharge

| Parameter | limit (mg/l) |
|-----------------------------|--------------|
| | |
| BOD | 15 |
| 1,1,2,2 - Tetrachloroethane | 0.017 |
| 1,2 - Dichlorobenzene | 0.005 |
| 1,4 - Dichlorobenzene | 0.008 |
| Aldrin / Dieldrin | 0.00008 |
| Arsenic (total) | 0.02 |
| Benzene | 0.002 |
| Cadmium (total) | 0.008 |
| Chloroform | 0.002 |
| Chromium (total) | 0.08 |
| Cis- 1,2 dichloroethylene | 0.006 |
| Copper (total) | 0.04 |
| Cyanide | 0.02 |
| Ethylbenzene | 0.002 |
| Hexachlorobenzene | 0.00004 |
| Lead (total) | 0.12 |
| Manganese | 0.05 |
| Mercury | 0.0004 |

| | |
|--------------------------------|--------|
| Methylene chloride | 0.006 |
| Nickel (total) | 0.08 |
| Nonylphenol ethoxylates | 0.01 |
| Nonylphenols | 0.001 |
| PCB's | 0.0004 |
| Phenolics | 0.008 |
| Selenium (total) | 0.02 |
| Silver (total) | 0.12 |
| Tetrachloroethylene | 0.004 |
| Toluene | 0.002 |
| Total PAH's | 0.002 |
| TP | 0.4 |
| Trans- 1,3 - dechloropropylene | 0.006 |
| Trichloroethylene | 0.007 |
| TSS | 15 |
| Xylenes (Total) | 0.004 |
| Zinc (total) | 0.04 |