BY-LAW No. 2009-118

OF THE

CORPORATION OF THE TOWN OF COLLINGWOOD

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Being a by-law to prohibit, regulate and control the discharge of water and wastes into the municipal sanitary, combined or storm sewer systems and wastewater treatment works, including industrial wastes; and to regulate and control extensions, alterations or enlargements to the sewer system within the municipality.

WHEREAS Council deems it expedient and necessary to regulate the management of sewers, sewer system, wastewater works and watercourses and to regulate the manner, extent and nature of the reception and disposal of wastewater and land drainage within the municipality, and every other matter related to or connected therewith;

AND WHEREAS the objectives of this By-law are to:

- Protect the sewer collection system from corrosion, other damage and obstruction;
- Protect the wastewater treatment process from upset;
- Protect the public, municipal workers and property from hazardous conditions (such as explosions);
- Assist optimum wastewater system efficiency by preventing uncontaminated water from entering the system;
- Protect wastewater sludge quality;
- Protect the environment from contaminants that are not removed by the public treatment system; and
- Assist the municipality in maintaining compliance with the operating conditions established by the Province of Ontario;

AND WHEREAS it is necessary and proper to regulate such matters outlined above in order to secure for the inhabitants of the Municipality an adequate system of *wastewater*

and land drainage disposal in accordance with the powers described in the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF COLLINGWOOD ENACTS AS FOLLOWS:

1. **Definitions**

As used in this By-law, the following terms mean:

"Accredited Laboratory" Any laboratory accredited by an authorized accreditation body in accordance with a standard based on "CAN-P-1585: Requirements for the Accreditation of Environmental Testing Laboratories" established by the Standards Council of Canada, as amended, or "ISO/IEC/EN 17025: General Requirements for Competence of Calibration and Testing Laboratories" established by the International Organization for Standardization, as amended.

"Acute Hazardous Waste Chemical" A material which is an acute hazardous waste chemical within the meaning of R.R.O. 1990, Regulation 347, as amended, made under the Environmental Protection Act, R.S.O. 1990, c. E.19.

"Authorized Representative Of The Owner Or Operator"

(i) A principal executive officer of at least the level of vice president, if the owner or operator is a corporation; or

(ii) A general partner or proprietor if the owner or operator is a partnership or proprietorship, respectively; or

(iii) A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the wastewater discharge originates.

"Automatic Sampling Device" A device used to collect liquid samples automatically using preset conditions such as time, frequency or quantity.

"Biochemical Oxygen Demand (Bod)" The five-day BOD which is the determination of the molecular oxygen utilized during a five-day incubation period for the biochemical degradation of organic material (carbonaceous demand), and the oxygen used to oxidize inorganic material such as sulphides and ferrous iron, and the amount of oxygen used to oxidize reduced forms of nitrogen

(nitrogenous demand) as determined by the appropriate procedure in Standard Methods.

“Biomedical Waste” Biomedical waste as defined in the Ontario Ministry of the Environment Guideline C-4 entitled "the Management of Biomedical Waste in Ontario" dated April 1994, as amended.

“Blowdown Water” Recirculating 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 or might impair the operation of the system.

“Building Code” The Building Code Act, 1992, S.O. 1992, c. 23, as amended, and any and all regulations issued under such Act.

“Chemical Oxygen Demand (Cod)” A measure of the capacity of water to consume oxygen as a result of oxidation of inorganic chemicals and decomposition of organic matter.

“Clear-Water Waste” Includes non-contact cooling water and other water that has not come into contact with wastewater contaminant sources.

“Coliform Count” The number of all coliform bacteria and expressed in number of coliform bacteria per 100 millilitres as determined in accordance with Standard Methods.

“Colour Of Liquid” The appearance of a liquid from which the suspended solids have been removed, as determined in accordance with Standard Methods.

“Combined Sewer” A sewer intended to function simultaneously as a storm sewer and a sanitary sewer.

“Combustible Liquid” A liquid that has a flash point not less than 37.8 degrees Celsius and not greater than 93.3 degrees Celsius.

“Commercial Waste Chemical” A material which is a commercial waste chemical within the meaning of R.R.O. 1990, Regulation 347, as amended, made under the Environmental Protection Act, R.S.O. 1990, c. E.19.

“Compliance Program” The necessary steps undertaken by a discharger to bring wastewater discharged into the municipal sewer into compliance with the

terms and conditions as described in section 17 of this By-law. Compliance programs are applicable to existing dischargers only; new discharges must fully comply with the requirements of this By-law.

"Composite Sample" A volume of wastewater, storm water, uncontaminated water or effluent made up of three or more grab samples that have been combined automatically or manually and taken at intervals during the sampling periods.

"Connection Or Drain" That part or those parts of any pipe or system of pipes leading directly to a wastewater works.

"Council" The Council of The Corporation of the Town of Collingwood.

"Cooling Water" Water that is used in a process for the purpose of removing heat and that has not, by design, come into contact with any raw material, intermediate product, waste product or finished product, but does not include blowdown water.

"De Minimis Dose" A dose of radiation to an individual of 0.05 millisieverts or less per year.

De Minimis Waste" Any waste radioactive material that will not result in a dose of radiation exceeding the de minimis dose regardless of the quantity of the material or how it is used or managed.

"Dental Amalgam" A dental filling material consisting of an amalgam of mercury, silver and other materials such as copper, tin or zinc.

"Dental Amalgam Separator" Any technology, or combination of technologies, designed to separate dental amalgam particles from dental operation wastewater.

"Designated Representative" The person appointed by Council as Executive Director of Public Works, or his or her duly authorized representative, who shall administer this By-law and carry out the duties and responsibilities described herein.

"Discharger" Any owner or operator of industrial, commercial or institutional premises from which there is a release of any matter or contaminated water directly or indirectly into a sanitary sewer, combined sewer or storm sewer of the

Municipality.

“Discharger Abatement Order” An order issued by the Designated Representative to a non-domestic wastewater discharger of non-domestic waste to alter or cease non-domestic wastewater discharge into the sanitary system sewer.

“Domestic Wastewater” Waste produced on a residential premises, or sanitary waste and wastewater from showers and restroom washbasins produced on non-residential property.

“Double Municipal Sewer Connection” A municipal sewer connection providing service to two or more premises.

“Extra Strength” Refers to wastewater released to the wastewater works that is higher in concentration for one or more concentrations set out in section 5.1.

“Extra Strength Surcharge Agreement (“Essa”)” An agreement entered into between the Discharger and the Municipality to permit the conditional release of wastewater to the wastewater works at concentrations exceeding the limits for conventional contaminants and/or physical parameters set out in section 5.1.

“Flow Monitoring Point” An access place to the sewer service for the purpose of:

1. Measuring the rate or volume of wastewater, storm water, clear-water waste or subsurface water released from the premises; and
2. Collecting representative samples of the wastewater, storm water, clear-water waste or subsurface water released from the premises.

“Fuels” Alcohol fuel, gasoline, naphtha, diesel fuel, fuel oil or any other ignitable substance intended for use as a fuel.

“Garbage” Solid wastes from the preparation, cooking or dispensing of food from the handling, storage or / and sale of produce.

“Grab Sample” A volume of wastewater, storm water, uncontaminated water or effluent of at least 100 milliliters which is collected over a period not exceeding 15 minutes.

“Ground Water” Water beneath the earth's surface accumulating as a result of seepage.

“Hauled Wastewater” Waste removed from a wastewater system, including a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet or a wastewater holding tank.

“Hauled Waste” Any industrial waste which is transported to and deposited into any location in the wastewater works, excluding hauled wastewater.

“Hazardous Substances”

A. Any substance or mixture of substances, other than a pesticide, that exhibits characteristics of flammability, corrosivity, reactivity or toxicity; and

B. Any substance that is designated as a hazardous substance within the meaning of R.R.O. 1990,. Reg. 347, as amended, made under the Environmental Protection Act, R.S.O. 1990, c. E.19.

“Hazardous Waste” Any Hazardous Substance disposed of as waste.

“Ignitable Waste” A substance that:

A. Is a liquid, other than an aqueous solution containing less than 24 percent alcohol by volume and has a flash point less than 93 degrees Celsius, as determined by the Tag Closed Cup Tester (ASTM D-56-97a), the Setaflash Closed Cup Tester (ASTM D-3828-97 or ASTM D-3278-96e1), the Pensky-Martens Closed Cup Tester (ASTM D-93-97), or as determined by an equivalent test method;

B. Is a solid and is capable, under standard temperature and pressure, of causing fire through friction, absorption of moisture or spontaneous chemical changes and, when ignited, burns so vigorously and persistently that it creates a danger;

C. Is an ignitable compressed gas (Class 2, Division D) as defined in the regulations under the Transportation of Dangerous Goods Act, 1992, S.C. 1992, c. 34, as amended; or

D. Is 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, c. 34, as amended.

“Industrial” Of or pertaining to manufacturing, commerce, trade, business or institutions as distinguished from domestic or residential.

“Industrial Process Area” Any industrial building, property or land area which during manufacturing, processing or storage comes into direct contact with any raw material, intermediate product, finished product, byproduct, or waste product.

“Industry” Any owner or operator of industrial, commercial or institutional premises from which there is a discharge of any matter directly or indirectly into a sanitary sewer, combined sewer or storm sewer of the Municipality.

“Inspector” A person authorized by Council to carry out observations and inspections and take samples as prescribed by this By-law.

“Institution” A facility, usually owned by a government, operated for public purposes, such as schools, universities, medical facilities (hospitals, nursing stations, nursing homes), museums, prisons, government offices, military bases. Some of these facilities produce non-residential discharges to sewers from, for example, laboratories, chemical use, industrial processes.

“Kjeldahl Nitrogen” Organic nitrogen as set out in the most current edition of Standard Methods.

“Maintenance Access Point” An access point, such as a chamber, in a private sewer connection to allow for observation, sampling and flow measurement of the wastewater, uncontaminated water or storm water therein.

“Matter” Includes any solid, liquid or gas.

“Municipality” The Corporation of the Town of Collingwood.

“Municipal Sewer” Any sewer on, under or within public roads, municipally owned easements, rights-of-way, and the like, and under the control of the Municipality.

“Municipal Sewer Connection” That part of any drain leading from the private sewer connection and connected to the municipal sewer and located within the limits of the public road allowance, or other public lands or public land interests held for sewerage purposes.

“Multiple Municipal Sewer Connection” A municipal sewer connection providing service to two or more premises.

“Natural Outlet” Any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

“NAICS” North American Industry Classification System (2002) – Canada. An industry classification system, as amended, developed by the statistical agencies of Canada (Statistics Canada), the United States of America and Mexico to provide common definitions of industrial structures under the North American Free Trade Agreement.

“Non-Domestic Wastewater” All wastewater except domestic wastewater, sanitary wastewater, storm water, uncontaminated water, and septic tank waste;

“Non-Contact Cooling Water” Water which is used to reduce temperature for the purpose of cooling and which does not come into direct contact with any raw material, intermediate product other than heat, or finished product.

“Oil And Grease” n-Hexane extractable matter as described in Standard Methods.

“Once-Through Cooling Water” Non-contact cooling water that his been circulated once through the cooling device.

“Owner Or Operator” The owner or operator or the authorized representative of the owner or operator of any facility or activity subject to the provisions of this By-law.

“Pathological Waste” Pathological waste within the meaning of R.R.O. 1990, Regulation 347, as amended, made under the Environmental Protection Act, R.S.O. 1990, c. E.19.

“PCB” Any monochlorinated or polychlorinated biphenyl or any mixture of them or mixture that contains one or more of them.

“PCB Waste” A PCB waste within the meaning of R.R.O. 1990, Regulation 362, as amended, made under the Environmental Protection Act, R.S.O. 1990, c. E.19.

“Person” An individual, association, partnership, corporation, municipality or an agent or employee of such a person.

“Pesticide” A pesticide regulated under the Pesticides Act, R.S.O. 1990, c. P.11, as amended.

“pH” The logarithm to the base 10 of the reciprocal of the concentration of hydrogen ions in moles per litre of solution.

“Phenolics 4AAP” Those organic compounds that contain a hydroxyl group directly bound to a carbon atom in a benzene ring which can be identified by the 4 Aminoantipyrene method (4 AAP) as set out in the most current edition of Standard Methods.

“Pretreatment” The reduction, elimination or alteration of pollutants in wastewater prior to discharge into the sanitary sewer. This reduction or alteration can be obtained by physical, chemical, or biological processes, through pollution prevention, or by other means, except by diluting the concentration of the pollutants.

“Pretreatment Processes” One or more treatment processes or devices designed to remove sufficient matter from wastewater discharged into the municipal sewer to enable compliance with effluent limits established in this By-law. Pretreatment processes prevent or reduce and control the discharge or deposit of matter from the discharger’s premises into the municipal sewer connection.

“Private Sewer Connection” 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.

“Prohibited Waste” Prohibited waste as set out in section 4 of this By-law

“Reactive Waste” 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, c. 34, as amended.

"Restricted Waste" Restricted waste as set out in section 5 of this By-law.

"Sampling Port" A valve, tap or similar device on equipment, a drain pipe or at another suitable location, to allow for sampling, consistent with technical guidelines that the Municipality may establish from time to time.

"Sanitary Discharge Agreement" An agreement entered into between the Discharger and the Municipality to permit the conditional discharge of water / wastewater originating from a source other than the Municipal water supply to the wastewater works .

"Sanitary Sewer" A sewer for the collection and transmission of domestic or industrial wastewater or any combination thereof.

"Sanitary Wastewater" Wastewater that contains human feces, urine, blood or body fluids originating from sanitary conveniences or other sources.

"Septic Tank Waste" Any waste extracted from a cesspool, septic tank, sewage holding tank, seepage pit, interceptor or other containment for human excretion and wastes.

"Severely Toxic Material" Any material listed in Schedule 3 of R.R.O. 1990, Regulation 347 made under the Environmental Protection Act, R.S.O. 1990, c. E.19.

"Sewer" A pipe, conduit, drain, open channel or ditch for the collection and transmission of wastewater, storm water or uncontaminated water, or any

combination thereof.

“Solvent Extractable Material Of Animal Or Vegetable Origin” Grease and oil as set out in the most current edition of Standard Methods.

“Solvent Extractable Material Of Mineral Or Synthetic Origin” Grease and oil as set out in the most current edition of Standard Methods.

“Spill” A direct or indirect discharge into the wastewater works, storm sewer or the natural environment which is abnormal in quantity or quality in light of all the circumstances of the discharge.

“Standard Methods” A procedure or method set out in the most recent or latest edition of 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, or as may be approved in writing by the Designated Representative.

“Storm Channel Or Watercourse” An open channel, ditch or depression, either natural or artificial, to which a flow of water occurs either continuously or intermittently.

“Storm Sewer” A sewer for the collection and transmission of uncontaminated water, storm water, drainage from land or from a watercourse or any combination thereof but excluding any portion of a combined sewer works.

“Storm Water” The water running off the surface of a drainage area during and immediately after a period of rain or snow melt.

“Subsurface Drainage Pipe” A pipe that is installed underground to intercept and convey subsurface water, and includes foundation drain pipes.

“Subsurface Water” Groundwater including foundation drain water.

“Total Suspended Solids (TSS)” Insoluble matter in liquid that is removable by filtration, as determined by the appropriate procedure described in Standard Methods.

“Total PAH” The total of all of the following polycyclic aromatic hydrocarbons: Acenaphthene, acenaphthylene, anthracene, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i,)perylene, benzo(k)fluoranthene, chrysenes, dibenzo(a,h)anthracene, fluoranthene,

fluorene, indeno(1,2,3-cd)pyrene, methylnaphthalene, naphthalene, phenanthrene, pyrene.

"Toxic Substance" Any substance defined as toxic under the Canadian Environmental Protection Act, 1999, S.C. 1999, c. 33, as amended.

"Uncontaminated Water" Water with a level of quality which is typical of potable water normally supplied by the Municipality.

"Waste Discharge Permit" A permit issued by the Designated Representative to non-domestic wastewater discharger of non-domestic waste to permit non-domestic wastewater discharge into the sanitary system sewer.

"Waste Disposal Site Leachate" The liquid containing dissolved or suspended contaminants which emanates from waste (solid waste or garbage) and is produced by water percolating through waste or by liquid in waste.

"Waste Radioactive Prescribed Substances" Uranium, thorium, plutonium, neptunium, deuterium, their respective derivatives and compounds and such other substances as the Atomic Energy Control Board may by regulation designate as being capable of releasing atomic energy or as being requisite for the production, use or application of atomic energy.

"Wastewater" The composite of water and water-carried wastes from residential, commercial, industrial or institutional premises or any other source.

"Wastewater Sludge" Organic solid material recovered from the wastewater treatment process.

"Wastewater Works" Any works for the collection, transmission, treatment and disposal of wastewater, storm water or uncontaminated water, including a combined sewer, sanitary sewer or storm sewer, or any part of such works, but does not include plumbing or other works to which the Building Code applies.

"Wastewater Treatment Facility" Any structure or thing used for the physical, chemical, biological or radiological treatment of wastewater, and includes sludge treatment, wastewater sludge storage and disposal facilities;

"Watercourse" An open channel, ditch or depression, either natural or artificial, in which flow of water occurs either continuously or intermittently.

2. Sanitary and Combined Sewer Requirements

2.1. No person shall release, or permit the release of, any matter into the sanitary sewer system except:

A. Domestic wastewater that complies with the requirements of this By-law;

B. Non-Domestic wastewater that complies with the requirements of this By-law;

C. Hauled Wastewater, including septage, that complies with the requirements of this By-law or a Waste Discharge Permit issued by the Designated Representative;

D. Storm water, clear-water waste, sub-surface water or other matter that complies with the requirements of this By-law or a Waste Discharge Permit issued by the Designated Representative; or

E. Extra Strength matter where an Extra Strength Surcharge Agreement is in force.

2.2. No person shall release, or permit the release of, any prohibited substance listed in section 4 of this By-law.

2.3. No person shall release, or permit the release of, any restricted substance which exceeds the respective concentrations listed in section 5.1 of this By-law into the wastewater works, except under and in accordance with a an in force Extra Strength Surcharge Agreement. No person shall release, or permit the release of, any restricted substance which exceeds the respective concentrations listed in section 5.2 or section 5.3 of this By-law into the Wastewater works.

2.4. If required by the Designated Representative, non-domestic and Hauled Wastewater Dischargers shall complete and submit an "Abbreviated Discharger Information Report" in the form and manner as established by the Designated Representative.

2.5. If required by the Designated Representative, non-domestic and Hauled Wastewater Dischargers shall complete and submit a "Detailed Discharger Information Report" in the form and manner as established by the Designated Representative.

2.6. If required by the Designated Representative, non-domestic and hauled Wastewater dischargers who do not operate at the time of enactment of this By-law shall not discharge to the sanitary sewer system, until the discharger has obtained a "Waste Discharge Permit" in the form and manner as established by the Designated Representative.

2.7. The Designated Representative may issue, and amend as required, a Waste Discharge Permit or/and an Extra Strength Surcharge Agreement, in the form and manner as established by the Designated Representative, to allow the discharge of non-domestic waste into a sewer upon such terms and conditions as the Designated Representative considers appropriate and, without limiting the generality of the foregoing, may in the Waste Discharge Permit or/and Extra Strength Surcharge Agreement:

A. Place limits and restrictions on the quantity, composition, frequency and nature of the waste permitted to be discharged;

B. Require the holder of a Waste Discharger Permit or an Extra Strength Surcharge Agreement to repair, alter, remove, or add to wastewater treatment works or construct new wastewater treatment works; and

C. Provide that the Waste Discharger Permit and the Extra Strength Surcharge Agreement will expire on a specified date, or upon the occurrence of a specified event.

2.8. The Designated Representative may issue a Discharge Abatement Order in the event that the conditions of the Waste Discharge Permit or Extra Strength Surcharge Agreement are violated. Under these circumstances, the Designated Representative may:

A. Require a person to alter the quantity, composition, duration and timing of the discharge or cease discharge of non-domestic waste or hauled wastewater to a sewer or wastewater facility;

B. Include any terms or conditions that could be included in a Waste Discharge Permit; and

C. Shut down all non-compliant releases.

2.9. Every person shall comply with the provisions of any Discharge Abatement Order.

2.10. The Designated Representative may amend or cancel a Discharge Abatement Order if the provisions of that Discharge Abatement Order are not complied with by the time specified in the Order.

3. Storm Sewer Requirements

3.1. No person shall discharge or deposit or cause or permit the discharge or deposit of matter of any type into a storm sewer, watercourse, land drainage works, municipal or private sewer connection to any storm sewer which may:

A. Interfere with proper operation of a storm sewer;

B. Obstruct or restrict a storm sewer or the flow therein;

C. Damage a storm sewer;

D. Result in any hazard or other adverse impact to any person, animal, property or vegetation;

E. Impair the quality of water in any well, lake, river, pond, spring, stream, reservoir or other water or watercourse; or

F. Contravene or result in the contravention of approved discharge quality or quantity with respect to the storm sewer, its discharge, or both the sewer and its discharge.

3.2. No person shall discharge or deposit or cause or permit the discharge or deposit of any prohibited substances listed in section 4 of this By-law into a storm sewer, watercourse, land drainage works, municipal or private sewer connection to any storm sewer.

3.3. Every property owner shall ensure that appropriate and necessary practices are undertaken to prevent prohibited discharges described in section 3.1 of this By-law and to prevent discharge of suspended solids (total) in excess of 15 milligrams per litre (15 mg/L) as a result of activities on their property, including:

A. Construction activities that may result in erosion or sediment runoff from the property; and

B. Outside storage activities that may result in mobilization of stored materials as a result of rain or runoff from the property, including sand and granular material storage.

4. Prohibited Waste – Sanitary, Combined and Storm Sewers

4.1. No person shall discharge directly or indirectly or deposit or cause or permit the discharge or deposit of wastewater into a sanitary sewer, combined sewer, municipal or private sewer connection to any sanitary sewer or combined sewer in circumstances where:

A. To do so may cause or result in:

a. A health or safety hazard to a person authorized by the Municipality to inspect, operate, maintain, repair or otherwise work on a wastewater works;

b. An offence under the Ontario Water Resources Act, R.S.O. 1990, c. O.40 or the Environmental Protection Act, R.S.O. 1990. c. E.19, each as amended, or any regulation made thereunder from time to time;

c. Wastewater sludge from the wastewater treatment facility works, to which either wastewater discharges, directly or indirectly, to fail to meet the objectives and criteria as listed in the Nutrient Management Act, 2002, S.O. 2002, c. 4, as amended, and any successor guidelines or regulation(s);

d. Interference with the operation or maintenance of a wastewater works, or which may impair or interfere with any wastewater treatment process;

e. A hazard to any person, animal, property or vegetation;

f. An offensive odour to emanate from wastewater works, and without limiting the generality of the foregoing, wastewater containing hydrogen sulphide, carbon disulphide, other reduced sulphur compounds, amines or ammonia in such quantity as may cause an offensive odour;

g. Damage to wastewater works; or

h. An obstruction or restriction to the flow in wastewater works;

B. The wastewater has two or more separate liquid layers; or

C. The wastewater contains:

a. Hazardous substances;

b. Combustible liquid;

c. Biomedical waste, including any of the following categories: human anatomical waste, animal waste, untreated microbiological waste, waste sharps and untreated human blood and body fluids known to contain viruses and agents listed in "Risk Group4" as defined in "Laboratory Biosafety Guidelines" published by Health Canada, dated 2004, as amended;

d. Specified risk material for bovine spongiform encephalopathy as defined in the federal Fertilizers Regulations, C.R.C., c. 666, as amended, including material from the skull, brain, trigeminal ganglia, eyes, tonsils, spinal cord and dorsal root ganglia of cattle aged 30 months or older, or material from the distal ileum of cattle of all ages;

e. Dyes or colouring materials which may or could pass through a wastewater works and discolour the wastewater works effluent;

f. Fuel;

g. Hauled wastewater, except where:

1. The carrier of the hauled wastewater operating as a waste management system has certificate of approval or provisional certificate of approval issued under the Environmental Protection Act or is exempt from the requirement to have a certificate or provisional certificate of approval;

2. A copy of the most recent certificate of approval or provisional certificate and any amendment is provided to the Municipality;

3. The carrier of the hauled wastewater meets the intrabasin transfer limitations within the Lake Huron subwatershed as specified in the Safeguarding and Sustaining Ontario’s Water Act, 2007, S.O. 2007, c. 12, as amended, or the carrier of the hauled wastewater provides the Municipality with documentation of the approval of the intrabasin transfer from outside the Lake Huron subwatershed;

4. The carrier meets all conditions for discharge that are or may be set from time to time with respect to the haulage of wastewater by the Municipality;
5. The discharge of hauled wastewater is at a location approved by the Designated Representative;
6. The carrier has a completed and signed manifest, in a form approved by the Designated Representative; or
7. The carrier uses a discharge hose placed securely in the discharge portal at the approved location;

h. Hauled waste, except where:
1. The carrier of the hauled waste operating as a waste management system has a certificate of approval or provisional certificate of approval issued under the Environmental Protection Act, R.S.O. 1990, c. E.19, as amended, or is exempt from the requirement to have a certificate or provisional certificate of approval;
2. A copy of the most recent certificate or provisional certificate and any amendment of approval is provided to the Municipality;
3. The carrier of the hauled waste meets the intrabasin transfer limitations within the Lake Huron subwatershed as specified in the Safeguarding and Sustaining Ontario's Water Act, 2007, S.O. 2007, c. 12, as amended, or the carrier of the hauled waste provides the Municipality with documentation of the approval of the intrabasin transfer from outside the Lake Huron subwatershed;
4. Hauled waste meets the conditions set out in the Environmental Protection Act, R.S.O. 1990, c. E.19, as amended;
5. The carrier meets all conditions for discharge that are or may be set from time to time with respect to the haulage of waste by the Municipality: or
6. The discharge of the hauled waste is at a location approved by the Designated Representative;

i. Ignitable waste;

j. Pathological waste;

k. PCBs;

l. Pesticides which are not otherwise regulated by this bylaw;

m. Reactive waste;

n. Toxic substances which are not otherwise regulated by this bylaw;

o. Waste radioactive prescribed substances in excess of concentrations greater than those specified for release to the environment under the Nuclear Safety and Control Act, S.C. 1997, c. 9, as amended, and any Regulations thereunder, as amended;

p. Solid or viscous substances in quantities or of such size to be capable of causing obstruction to the flow in a sewer, including but not limited to ashes, bones, cinders, sand, mud, soil, straw, shaving, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, animal parts or tissues, paunch manure, and whole blood; or

q. Waste Disposal Site Leachate, except where:

1. The waste disposal site leachate is being discharged pursuant to a certificate of approval or order relating to the premises under the Environmental Protection Act, R.S.O. 1990, c. E.19 or the Ontario Water Resources Act, R.S.O. 1990, c. O.40, each as amended, which expressly allows the discharge or is exempt from the requirement to have a certificate of approval;

2. The owner or operator of the premises has written approval from the municipality which expressly authorizes the discharge from the premises;

3. A copy of the certificate of approval or written authorization referred to in clause (1) is provided to the Municipality; and

4. The carrier meets all conditions for discharge that are or may be set from time to time with respect to the haulage of waste disposal site leachate by the Municipality.

4.2. No person shall discharge directly or indirectly or deposit or cause or permit the discharge or deposit of wastewater into a sanitary sewer, combined sewer,

municipal or private sewer connection to any sanitary sewer or combined sewer in circumstances where the wastewater contains a concentration, expressed in milligrams per litre, in excess of any one or more of the limits in section 5 of this By-law, unless the discharge is in accordance with an in force Extra Strength Surcharge Agreement, Sanitary Discharge Agreement or Compliance Program.

4.3. The discharge of non-contact cooling water or uncontaminated water to a sanitary sewer or combined sewer from any residential properties is prohibited. The discharge of non-contact cooling water or uncontaminated water to a sanitary or combined sewer from industrial, commercial or institutional properties is permissible where:

a. In the case of a proposed building, no storm sewer exists adjacent to the building; or

b. In the case of an existing building, no storm connection exists to the building.

4.4. Discharge of water originating from a source other than the Municipal water supply, including storm water or groundwater, directly or indirectly to a sanitary sewer or combined sewer is prohibited, unless:

a. The discharge is in accordance with a Sanitary Discharge Agreement, if required by the Municipality;

b. The discharge is in accordance with the intrabasin transfer limitations within the Lake Huron subwatershed as specified in the Safeguarding and Sustaining Ontario’s Water Act, 2007, S.O. 2007, c. 12, as amended, or the discharger provides the Municipality with documentation of the approval of the intrabasin transfer from outside the Lake Huron subwatershed;

c. The discharge does not exceed the limits set out under section 5, with respect to biochemical oxygen demand, total phosphorus or total suspended solids; or

d. In the event the discharge does exceed the limits set out under section 5 of this By-law, with respect to any of biochemical oxygen demand,

total phosphorus or total suspended solids, the discharge is in accordance with an in force Extra Strength Surcharge Agreement.

4.5. No person shall discharge or deposit or cause or permit the discharge or deposit of any matter into a storm sewer, watercourse, land drainage works, municipal or private sewer connection to any storm sewer, where the matter:

A. Has one or more of the following characteristics:

a. Visible film, sheen or discolouration.

b. Two or more separate layers.

c. A pH less than 6.0 or greater than 9.0.

d. A temperature greater than 40 degrees Celsius.

e. Water containing any of the following in excess of the indicated concentrations:

1. 200 micrograms/litre

1.1. Chromium expressed as Cr

2. 50 micrograms/litre

2.1. Zinc expressed as Zn

2.2. Lead expressed as Pb

2.3. Nickel expressed as Ni

3. 10 micrograms/litre

3.1. Copper expressed as Cu

4. 1 microgram/litre

4.1. Cadmium expressed as Cd

4.2. Mercury expressed as Hg;

B. Contains one or more of the following:

a. Hazardous substances.

b. Blowdown water.

c. Combustible liquids.

d. Floating debris.

e. Fuel.

f. Hauled wastewater.

g. Hauled waste.

h. Ignitable waste.

i. Pathological waste.

j. PCBs.

k. Pesticides.

l. Reactive waste.

m. Toxic substances.

n. Wastewater.

o. Waste radioactive prescribed substances.

p. A substance from raw materials, intermediate or final product, used or produced in, through or from an industrial process.

q. A substance used in the operation or maintenance of an industrial site.

r. Dyes or colouring material which discolour the water.

s. Once-through cooling water; or

C. Contains E. coli colonies in excess of 200 per 100 mL.

D. Subclauses 4.5 B(b) and (s) do not apply to prevent the discharge of once-through cooling water or blowdown water when,

a. the once-through cooling water or blowdown is being discharged pursuant to a certificate of approval or order relating to the premises under the Environmental Protection Act, R.S.O. 1990, c. E.19 or the Ontario Water Resources Act, R.S.O. 1990. c. O.40, each as amended, which expressly allows the discharge;

b. the owner or operator of the premises has written approval from the municipality which expressly authorizes the discharge from the premises; and

c. a copy of the certificate of approval or order referred to in clause (a) has been provided to the Designated Representative.

5. Restricted Waste – Sanitary and Combined Sewers

5.1. Conventional Contaminants and Physical Parameters

Substance	**Total Concentration Limit [mg/L, except as noted]**
Biochemical Oxygen Demand	300

Substance	Total Concentration Limit [mg/L, except as noted]
Oil and grease - animal and vegetable	150
Oil and grease - mineral and synthetic	15
Suspended Solids, Total	300
Nitrogen, Total Kjeldahl	50
Phosphorus, total	10
pH	5.5 – 9.5 (unitless)
Temperature	60 Degrees Celsius

5.2. Organic Contaminants

Substance	Total Concentration Limit [mg/L, except as noted]
Benzene	0.01
Chloroform	0.04
Dichlorobenzene (1,2-)	0.05
Dichlorobenzene (1,4)	0.08
Ethylbenzene	0.06
Hexachlorobenzene	0.0001
Methylene chloride (dichloromethane)	0.09
PCBs (chlorobiphenyls)	0.004
Phenols	0.1
Tetrachloroethane (1,1,2,2 -)	0.06
Tetrachloroethylene	0.06
Toluene	0.02
Trichloroethylene	0.05
Xylenes, total	0.3

5.3. Inorganic Contaminants

Substance	Total Concentration Limit [mg/L, except as noted]
Aluminum, total	50
Arsenic, total	1.0
Antimony, total	5
Bismuth, total	5
Cadmium, total	0.7
Chloride	1500
Chromium, total	2.8
Cobalt, total	5.0
Copper, total	2.0
Cyanide, total	1.2
Fluorides	10
Iron, total	50
Lead, total	0.7
Manganese, total	5.0
Mercury	0.01
Molybdenum, total	5.0
Nickel, total	2.0
Selenium, total	0.8
Silver, total	0.4
Sulphates (as SO_4)	1500
Sulphide (as H_2S)	1.0
Tin, total	5.0
Titanium, total	5.0
Vanadium, total	5.0
Zinc, total	2.0

6. Prohibition of Dilution

6.1. No person shall discharge directly or indirectly, or permit the discharge or deposit of wastewater into a sanitary sewer or combined sewer works where water has been added to the discharge for the purposes of dilution to achieve compliance with section 4 or section 5 of this By-law.

6.2. No person shall discharge directly or indirectly, or permit the discharge or deposit of matter into a storm sewer where water has been added to the discharge for the purposes of dilution to achieve compliance with section 3 of this By-law.

7. Sampling and Analytical Requirements

7.1. Where sampling is required for the purposes of determining the concentration of constituents in the storm water, uncontaminated water or wastewater, the sample may:

A. Be collected manually or by using an automatic sampling device;

B. Contain additives for its preservation if necessary pursuant to Standard Methods for such sampling; and

C. Be a grab or composite sample, as more particularly specified in the Waste Discharge Permit or an in force Extra Strength Surcharge Agreement.

7.2. For the purpose of determining compliance with section 3 or section 5 of this By-law, wastewater streams may be sampled, at the discretion of the Designated Representative, at the maintenance access points referenced in section 15 herein and either approved in the Waste Discharge Permit or agreed upon in an in force Extra Strength Surcharge Agreement.

7.3. Any single grab sample collected from the maintenance access points referenced in section 15 herein and either approved in the Waste Discharge Permit or agreed upon in an in force Extra Strength Surcharge Agreement may be used to determine compliance with section 3, section 4 or section 5.

7.4. All tests, measurements, analyses and examinations of wastewater, its characteristics or contents shall be carried out in accordance with Standard Methods and be performed by a laboratory accredited for analysis of the particular substance(s) using a method which is within the laboratory's scope of

accreditation or to the satisfaction of the Designated Representative as agreed in writing prior to sample analysis.

8. Discharger Self Monitoring

8.1. The holder of a Waste Discharge Permit or an in force Extra Strength Surcharge Agreement shall complete any monitoring or sampling or testing of any discharge to a wastewater works, as required by the Designated Representative, and provide the results to the Designated Representative in the form specified in the Waste Discharge Permit or the in force Extra Strength Surcharge Agreement.

8.2. -The obligations set out in or arising out of section 8.1 of this By-law shall be completed at the expense of the discharger.

9. Sewer Connections

9.1. Construction

9.1.1. No person shall construct or install any sewer connection on any road allowance or other public land except the Municipality or a party under contract with the Municipality. Any contract work done for the Municipality shall be under such performance and maintenance guarantee and liability insurance provisions as shall be required by the Municipality and the work shall be subject to the supervision and inspection by the Designated Representative and all municipal by-laws and regulations.

9.1.2. No person shall install and construct any public sewer that is not in accordance with designs, standards and methods approved from time to time by the Designated Representative and no person shall construct such sewer without the approval in writing of the Designated Representative together with any required approval by the Ontario Ministry of the Environment.

9.2. Disconnection

9.2.1. The Designated Representative may temporarily disconnect any sewer connection whenever he or she may consider it necessary and may also disconnect any sewer connection in order to exclude rain water or surface drainage from any sewer or storm channels for such period considered

necessary and during such time no person shall use or permit the use of such connection.

9.3. Storm Water Run-off

9.3.1. Unless otherwise directed by the Designated Representative, where municipal storm or combined sewers or a storm channel is available, the storm water run-off from building roofs, industrial, commercial and multiple-family building parking areas, and unpolluted subsurface drainage and weeping tiles shall be collected and directed to the Municipal sewer by a system of drains constructed according to designs, standards and methods provided for herein.

9.4. Multiple Connections

9.4.1. A separate sewer connection with an internal diameter of not less than five (5) inches shall be provided for each dwelling or building, excepting a private garage, provided the Municipality may authorize the use of a single connection as a common outlet for more than one building, or from a private internal system of drains constructed according to designs, standards and methods provided for herein.

9.5. Application Forms – Construction Charges

9.5.1. Any person desiring a sewer connection shall make application to the Municipality for it at least two (2) weeks before it is required in the form and manner as established by the Designated Representative and shall be accompanied by such plans as may be required and with payment in advance for the work, if such payment is required by the Municipality. The application shall be signed by the owner of the property to be served, or his agent, and the owner is responsible for the completeness and accuracy of the information furnished on such application and plans.

9.5.2. Unless the sewer connection is to be installed under a bonded subdivision or similar agreement, or by the Municipality as a Local Improvement, any person requiring a sewer connection shall deposit with the Municipality, at the time of making the application, the cost of such sewer connection construction as estimated by the Designated Representative. If the actual

cost is less than estimated, the excess shall be returned to the owner, and if the cost is in excess of that estimated, the owner shall forthwith pay such additional amount to the Municipality.

9.6. Flat Rate Charges

9.6.1. In the event the Municipality, in certain areas and at certain times, establishes a schedule of flat rate charges for sewer connections applicable under certain conditions, the owner in lieu of paying an actual cost shall pay the flat rate charge, if it is applicable.

9.7. Maintenance

9.7.1. The owner of the abutting lands shall be responsible for the cost of repairing, clearing and maintaining in good condition all drains leading from the building or other parts of the lands to the sewer main, whether the work is performed by or on behalf of himself or the Municipality. Provided however that where, in the opinion of the Designated Representative, a portion of such costs is due to faulty construction or materials or obstruction by roots entering the joints of such openings in the Municipal Sewer Main, and including reimbursement for expenses incurred by the owner investigating the blockage shall be payable only if the owner notifies the Municipality immediately of such obstruction and the Municipality is given a full opportunity to investigate the blockage and determine the area responsible before any further work is performed.

10. Pretreatment Facilities and Additional Connection Requirements

10.1. Where required by the Designated Representative, the owner or operator shall install on the premises, and prior to the sampling point, a wastewater pretreatment facility.

10.2. The owner or operator shall ensure the design, operation and maintenance of the pretreatment facility achieves the treatment objectives and is in accordance with the manufacturer’s recommendations.

10.3. The owner or operator shall ensure any waste products from the pretreatment facility are disposed of in a safe manner

10.4. The maintenance records and waste disposal records shall be available to the Designated Representative upon request.

10.5. The owner or operator shall keep documentation pertaining to the pretreatment facility and waste disposal for two years.

10.6. If required by the Municipality, oil and grease interceptors, sediment interceptors and dental waste amalgam separators shall be provided for the proper handling of wastewater containing excessive quantities of these substances and the following provisions of this section shall apply.

10.7. Food-Related Grease Interceptors

10.7.1. Every owner or operator 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 sanitary or combined sewer, shall take all necessary measures to ensure that oil and grease are prevented from entering the sanitary or combined sewer in excess of the provisions of this bylaw. Grease interceptors shall not discharge to storm sewers.

10.7.2. Every owner or operator of a premises shall install, operate, and properly maintain an oil and grease interceptor in any piping system at its premises that connects directly or indirectly to a sewer. The oil and grease interceptors shall be installed in compliance with the most current requirements of the applicable Building Code. The installation of the oil and grease interceptor shall meet the requirements of the Canadian Standards Association national standard CAN/CSA B-481.2, as amended.

10.7.3. Every owner or operator of a premises where oil or grease interceptors are installed shall maintain such interceptors according to the manufacturer's recommendations. The testing, maintenance and performance of the interceptor shall meet the requirements of CAN/CSA B-481, as amended. Traps should be cleaned before the thickness of the organic material and solids residuals is greater than twenty-five percent of the available volume; cleaning frequency should not be less than every four

weeks. Maintenance requirements should be posted in the workplace in proximity to the grease interceptor.

10.7.4. Every owner or operator of a premises where oil or grease interceptors are installed shall submit a maintenance schedule and record of maintenance to the Designated Representative upon request, annually, for each interceptor installed.

10.7.5. Every owner or operator of a premises where oil and grease interceptors are installed and where food is cooked, processed or prepared, shall, for two years, keep the document of proof for interceptor clean-out and oil and grease disposal.

10.7.6. Emulsifiers shall not be discharged to the sewer system into interceptors. No person shall use enzymes, bacteria, solvents, hot water or other agents to facilitate the passage of oil and grease through a grease interceptor.

10.7.7. In the case of failure to adequately maintain the grease interceptor to the satisfaction of the Designated Representative, the Designated Representative may require an alarmed monitoring device to be installed, at the expense of the owner, in accordance with specifications to CAN/CSA B-481, as amended.

10.8. Vehicle Service Oil and grease Interceptors

10.8.1. Every owner or operator of a motor vehicle service station, repair shop or garage or of an industrial, commercial or institutional premises or any other establishment where motor vehicles are repaired, lubricated or maintained and where the floor drains of the service area are directly or indirectly connected to a sanitary or combined sewer shall install an oil and grease interceptor designed to prevent motor oil and lubricating grease from passing into the sanitary or combined sewer in excess of the limits of this bylaw.

10.8.2. Every owner or operator of a motor vehicle service station, repair shop or garage or of an industrial, commercial or institutional premises or any other establishment where motor vehicles are repaired, lubricated or maintained and where the floor drains of the service area are directly or indirectly

connected to a sanitary or combined sewer shall install, operate, and properly maintain an oil and grease interceptor in any piping system at its premises that connects directly or indirectly to a sewer. The oil and grease interceptors shall be installed in compliance with the most current requirements of the applicable Building Code and be maintained as recommended by the Canadian Petroleum Products Institute (CPPI).

10.8.3. Every owner or operator of a motor vehicle service station, repair shop or garage or of an industrial, commercial or institutional premises or any other establishment where motor vehicles are repaired, lubricated or maintained and where the floor drains of the service area are directly or indirectly connected to a sanitary or combined sewer shall maintain all oil and grease interceptors and separators in good working order and according to the manufacturer's recommendations and shall be inspected regularly to ensure performance is maintained to the manufacturer’s specifications for performance and inspected to ensure the surface oil and sediment levels do not exceed the recommended level.

10.8.4. Every owner or operator of a motor vehicle service station, repair shop or garage or of an industrial, commercial or institutional premises or any other establishment where motor vehicles are repaired, lubricated or maintained and where the floor drains of the service area are directly or indirectly connected to a sanitary or combined sewer shall submit a maintenance schedule and record of maintenance shall be submitted to the Designated Representative annually for each oil and grease interceptor installed.

10.8.5. Every owner or operator of a motor vehicle service station, repair shop or garage or of an industrial, commercial or institutional premises or any other establishment where motor vehicles are repaired, lubricated or maintained and where the floor drains of the service area are directly or indirectly connected to a sanitary or combined sewer shall, for two years, keep the document of proof for interceptor clean-out and oil and grease disposal.

10.8.6. Emulsifiers shall not be discharged to the sewer system into interceptors. No person shall use enzymes, bacteria, solvents, hot water, or other agents

to facilitate the passage of oil and grease through an oil and grease interceptor.

10.8.7. In the case of failure to adequately maintain the oil and grease interceptor to the satisfaction of the Designated Representative, the Designated Representative may require an alarmed monitoring device to be installed, at the expense of the owner.

10.9. Sediment Interceptors

10.9.1. Every owner or operator of a premises from which sediment may directly or indirectly enter a sewer, including but not limited to premises using a ramp drain or area drain and car and vehicle wash establishments, shall take all necessary measures to ensure that such sediment is prevented from entering the drain or sewer in excess of the limits in this By-law.

10.9.2. Every owner or operator of a premises from which sediment may directly or indirectly enter a sewer, including but not limited to premises using a ramp drain or area drain and car and vehicle wash establishments shall ensure that catch basins installed on private property for the purposes of collecting storm water and carrying it into the storm sewers are equipped with an interceptor and the installation of these catch basins on private property shall comply with the Municipality's Standard Construction Specifications and Drawings, as amended.

10.9.3. Every owner or operator of a premises where sediment interceptors are installed shall ensure they are maintained in good working order and according to manufacturer's recommendations and shall be tested regularly to ensure performance is maintained to the manufacturer's specifications for performance.

10.9.4. The owner or operator of a premises where sediment interceptors are installed shall, for 2 years, keep documentation of interceptor clean-out and sediment disposal.

10.9.5. Every owner or operator of a premises where sediment interceptors are installed shall submit a maintenance schedule and record of maintenance to

the Designated Representative upon request for each sediment interceptor installed.

10.10. Dental Waste Amalgam Separator

10.10.1. Every owner or operator of a premises from which dental amalgam may be discharged, which waste may directly or indirectly enter a sewer, shall install, operate and properly maintain dental amalgam separator(s) with at least 95% efficiency in amalgam weight and certified ISO 11143 – "Dental Equipment: Amalgam Separators", in any piping system at its premises that connects directly or indirectly to a sewer by no later than a date specified by the Designated Representative, except where the sole dental-related practice at the premises consists of one or more of the following specialties or type of practice:

a. Orthodontics and dentofacial orthopaedics;
b. Oral and maxillofacial surgery;
c. Oral medicine and pathology;
d. Periodontics; or
e. A dental practice consisting solely of visits by a mobile dental practitioner who prevents any dental amalgam from being released directly or indirectly to the wastewater works.

10.10.2. Notwithstanding subsection 10.10.1, any person operating a business from which dental waste amalgam is or will be discharged directly or indirectly to a sewer, at premises which are constructed or substantially renovated on or after the date that section 10.10 comes into force, shall install, operate and properly maintain dental waste amalgam separator(s) in any piping system which is connected directly or indirectly to a sewer.

10.10.3. Notwithstanding compliance with subsections 10.10.1. and 10.10.2, all persons operating or carrying on the business of a dental practice shall comply with sections 4 and 5 of this By-law.

10.10.4. Every owner or operator of a premises where dental waste amalgam separators are installed shall ensure they are maintained in good working order and according to the manufacturer's recommendations.

10.10.5.Every owner or operator of a premises where dental waste amalgam separators are installed shall submit a maintenance schedule and record of maintenance to the Designated Representative upon request for each dental amalgam separator installed.

10.10.6.Every owner and operator of a dental clinic shall, for five years, keep the documents covering amalgam shipment provided for under the by law respecting transportation of hazardous material and shall provide such records to the Designated Representative upon request.

10.11.Food Waste Grinders

10.11.1.No person shall install or operate within the Municipality any food waste grinding devices for domestic purposes, the effluent from which will discharge directly or indirectly into a sanitary, combined or storm sewer.

10.11.2.In the case of industrial, commercial or institutional premises where food waste grinding devices are installed in accordance with the Building Code, every owner of such premises shall ensure the effluent from such food waste grinding devices must comply with sections 4 and 5 of this By-law.

10.11.3.Food waste grinders shall not be equipped with motors in excess of ½ horsepower.

11. Spills

11.1.In the event of a spill to a wastewater works and/or storm sewer works, the person responsible or the person having the charge, management and control of the spill shall notify and provide any requested information with regard to the spill to the following authorities within the following timelines:

A. To 9-1-1 emergency, within fifteen minutes after the discovery of the spill, if there is any immediate danger to human health and/or safety;

B. To:

a. the Municipality by contacting the Designated Representative, and

b. the owner of the premises where the release occurred, and

c. any other person whom the person reporting knows or ought to know may be directly affected by the release,within two hours after discovery

of the spill, if there is no immediate danger to human health and/or safety.

11.2. The person shall provide a detailed report on the spill to the Designated Representative, within five days after the spill, containing the following information to the best of his or her knowledge:

1. Location where spill occurred;
2. Name and telephone number of the person who reported the spill and the location and time where they can be contacted;
3. Date and time of spill;
4. Material spilled;
5. Characteristics and composition of material spilled and associated hazards;
6. Volume of material spilled;
7. Duration of spill event;
8. Work completed and any work still in progress in the mitigation of the spill;
9. Preventive actions being taken to ensure a similar spill does not occur again; and
10. Copies of applicable spill prevention and spill response plans.

11.3. The person responsible for the spill and 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. Nothing in this By-law relieves any persons from complying with any notification or reporting provisions of:

A. Other government agencies, including federal and provincial agencies as required and appropriate for the material and circumstances of the spill; or
B. Any other by-law of the Municipality.

11.5. The Municipality may invoice the person responsible for the spill to recover the costs of time, materials and services arising as a result of the spill. The person responsible for the spill shall pay the costs invoiced.

11.6. The Municipality may require the person responsible for the spill to prepare and submit a spill contingency plan to the Municipality to indicate how risk of future incidents will be reduced and how future incidents will be addressed.

12. Authority of Designated Representative

12.1. The Designated Representative has the authority to direct any investigation reasonably required to ensure compliance with this By-law as need arises and at the discretion of the Designated Representative, including but not limited to:

A. inspecting, observing, sampling and measuring the flow in any private
   a. drainage system,
   b. wastewater disposal system,
   c. storm water management facility, and
   d. flow monitoring point;

B. determine water consumption by reading water meters;

C. test flow measuring devices;

D. take samples of wastewater, storm water, clear-water waste and subsurface water being released from a premise or flowing within a private drainage system;

E. perform on-site testing of the wastewater, storm water, clear-water waste and subsurface water within or being released from private drainage systems, pretreatment facilities and storm water management facilities;

F. collect and analyze samples of hauled wastewater coming to a discharge location;

G. make inspections of the types and quantities of chemicals being handled or used on a premises in relation to possible release to a drainage system or watercourse;

H. make reasonable inquiries of any person, orally or in writing, relating to the matter under inspection;

I. inspect and copy documents;

J. inspect chemical storage areas and spill containment facilities and request Material Safety Data Sheets (MSDS) for materials stored or used on site; and

K. inspect the premises where a release of prohibited or restricted wastes or of water containing prohibited or restricted wastes has been made or is reasonably suspected of having been made, and to sample any or all matter that in his/her opinion could have been part of the release.

12.2. The Designated Representative has the authority to establish and amend any forms, reports, approvals and permits as may be required to administer and implement this By-law and to require their use in accordance with this By-law.

12.3. No person shall hinder or prevent the Designated Representative from carrying out any of his or her powers or duties.

13. Offences

13.1. Every person other than a corporation who contravenes any provision of this By-law is guilty of an offence and on conviction is liable, for every day or part thereof upon which such offence occurs or continues, to a fine of not more than $10,000 for a first offence and $25,000 for a subsequent offence.

13.2. Every corporation that contravenes any provision of this By-law is guilty of an offence and on conviction is liable, for every day or part thereof upon which such offence occurs or continues, to a fine of not more than $50,000 for a first offence and not more than $100,000 for a subsequent offence.

13.3. In the event any person constructs a sewer connection in a manner other than provided for herein, whether as to design, approval, supervision or inspection, the Designated Representative may order the re-excavation of a connection for the purposes of inspection and testing and, if necessary, reconstruction of the work at the owner's expense and the Designated Representative may have the work performed at the expense of the owner or disconnect the said sewer, in which case it shall not be reconstructed except with the approval of the Designated Representative. Any expenses incurred by the Municipality may be added to the tax roll and collected in the same manner as property taxes.

13.4. The continuation of a condition violating the provisions of this By-law shall be considered a violation, notwithstanding that it existed prior to the passage hereon.

13.5. Prior to commencing a prosecution or issuing an order under this section, the Designated Representative shall ensure that:

a. the alleged offender is served with a notice of violation that provides to the alleged offender reasonable notice of the particulars of the non-compliance and an opportunity to remedy the non-compliance without incurring fines or unnecessary costs with respect to it; and,

b. the alleged offender is afforded a reasonable opportunity to propose and implement a Compliance Program in accordance with section 17 of this By-law.

14. Access to Information

14.1. All information submitted to and collected by the Municipality or by the Designated Representative that is contained in plan summaries, reports, surveys, monitoring and inspection and sampling activities will, except as otherwise provided in this section, be available for disclosure to the public in accordance with the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56 as amended.

14.2. The Designated Representative shall have access to information contained in the Certificate of Approval of any wastewater dischargers to the Municipal sewer system.

15. Maintenance Access Points and Protection From Damage

15.1. Every owner or operator of commercial, institutional or industrial premises or multi-storey residential buildings with one or more connections to a wastewater works shall install and maintain in good repair in each connection a suitable maintenance access point to allow observation, sampling and flow measurement of the wastewater, uncontaminated water or storm water therein, provided that, where installation of a maintenance access point is not possible, an alternative device or facility may be substituted with the prior written approval of the Designated Representative.

15.2. Every owner or operator of commercial, institutional or industrial premises or multi-storey residential buildings with one or more connections to a wastewater works shall ensure the required maintenance access point or alternative device

is located on the property of the owner or operator of the premises, as close to the property line as possible, unless the Designated Representative has given prior written approval for a different location.

15.3. Each maintenance access point, device or facility installed shall be designed and constructed in accordance with good engineering practice and the requirements of the Municipality, and shall be constructed and maintained by the owner or operator of the premises at his or her expense.

15.4. The owner or operator of an industrial, commercial or institutional premises or a multi-storey residential building shall at all times ensure that every maintenance access point, alternative device or facility installed as required by this By-law is accessible to the Designated Representative for the purposes of observing, sampling and flow measurement of the wastewater, uncontaminated water or storm water therein.

15.5. The following discharger activities require sampling ports when it is not possible to install a monitoring access point:

A. Dental offices; and

B. Businesses using photographic processing units.

15.6. No person shall break, damage, destroy, deface or tamper or cause or permit the breaking, damaging, destroying, defacing or tampering with:

A. Any part of a wastewater works; or

B. Any permanent or temporary device installed in a wastewater works for the purpose of measuring, sampling, and testing of wastewater.

15.7. Unless specifically authorized, no person shall enter any sewer, sewer manhole, catchbasins, dropshaft, tunnel, wastewater disposal works, pumping station, pond, reservoir, weir, flushing chamber, or other municipal installation for the handling or treatment of waters and wastes.

15.8. Unless specifically authorized, no person shall uncover, make any connection with or opening into, use, alter, disturb, break, damage, destroy, deface or tamper with any municipal sewer or any structure, appurtenance or equipment which is part of the Municipal wastewater works

16. Extra Strength Surcharge and Sanitary Discharge Agreements

16.1. The discharge or deposit of wastewater by an owner or operator of an Industry premises that would otherwise be prohibited by this By-law may be permitted to an extent fixed by:

A. An in force Extra Strength Surcharge Agreement, including conditions for payment of additional costs of operation, repair and maintenance of the wastewater works, and on such other terms and conditions as may be deemed appropriate by the Designated Representative;

B. A Sanitary Discharge Agreement, including conditions for payment for wastewater treatment purposes that otherwise would have been obtained from a surcharge on the water had it been supplied by the Municipality and on other terms and conditions as may be deemed appropriate by the Designated Representative; and

C. The extra strength surcharge rate and the sanitary discharge rate will be reviewed and adjusted accordingly from time to time as determined by the Municipality and set out in the Municipality's Fees and Charges By-law, as amended.

16.2. The Designated Representative may assess an extra strength surcharge for wastewater releases that exceed the limits of treatable parameters as set out in section 5.1. An Extra Strength Surcharge Agreement may only be entered into with respect to the discharge of the following treatable parameters in wastewater: biochemical oxygen demand, total phosphorus, total suspended solids and total Kjeldahl nitrogen. The discharger shall pay an assessed amount as determined by the Extra Strength Surcharge Fee Formula for the duration of the discharge in accordance with the surcharge rate contained in the Municipality's Fees and Charges By-law, as may be amended from time to time.

16.3. Extra Strength Surcharge Fee Formula:

The excess concentration of each parameter is multiplied by the daily volume of the discharge and the current surcharge rate. The total surcharge is the sum of the surcharge fee associated with each parameter. The surcharge rate is applied to each parameter and represents the cost of wastewater treatment per

kilogram of contaminant loading.

The surcharge fee for each parameter is calculated using the limits contained in section 5.1 of the By-law as follows:

Parameter Surcharge Fee

= (Actual Concentration mg/L – Parameter Limit mg/L) * (Flow m3/d) / 1000 * Rate ($/kg)

The total surcharge is the sum of the surcharge fee for each parameter.

16.4. A Sanitary Discharge Agreement, may be entered with respect to the discharge of wastewater, which contains water that has originated from a source other than the Municipal water supply system. Any such discharge is to be in accordance with the intrabasin transfer limitations within the Lake Huron subwatershed as specified in the Safeguarding and Sustaining Ontario's Water Act, 2007, S.O. 2007, c. 12, as amended, or the discharger provides the Municipality with documentation of the approval of the intrabasin transfer from outside the Lake Huron subwatershed;

16.5. Extra Strength Surcharge Agreements and Sanitary Discharge Agreement shall be generally in the form designated by the Designated Representative from time to time. The Designated Representative shall be authorized to execute Extra Strength Surcharge Agreements and Sanitary Discharge Agreements, on behalf of the Municipality.

16.6. The extra strength surcharge rate and the sanitary discharge rate, will be reviewed and adjusted accordingly from time to time as determined by the Municipality and set out in the Fees and Charges By-law, as amended.

16.7. The agreements contemplated in this section may be terminated by the Designated Representative by written notice at any time in the event that a person fails or neglects to carry out the conditions of the agreement and resulting in non-compliance with this By-law, and termination will be effective 30 days after written notice of termination is given. In the event of an emergency situation that arises of immediate threat or danger to any person, property, plant or animal life, water or wastewater works, the agreements contemplated in this section may be immediately suspended by the Designated Representative.

16.8. A person who has entered into an agreement with the Municipality under this section 16 or who has a Waste Discharge Permit under section 2, shall not be prosecuted under this By-law for the discharge or deposit of sewage containing the matters specified in an in force agreement or permit and in compliance with such agreement or permit during the period within which the agreement or permit is applicable and so long as the agreement or permit is being fully complied with.

17. Compliance Programs

17.1. Upon receipt of a notice of violation under section 13.5 of this By-law, or at any time, an Industry may submit a proposed Compliance Program to the Designated Representative setting out activities to be undertaken by the Industry that would result in the prevention or reduction and control of the discharge or deposit of matter from the Industry's premises into municipal or private sewer connections to any sanitary sewer or combined sewer. Compliance Program submissions will only be considered for existing industries.

17.2. An Industry may submit a proposed Compliance Program to the Designated Representative setting out activities to be undertaken by the Industry that would result in the prevention or reduction and control of the discharge or deposit of uncontaminated water, ground water or storm water from the Industry's premises to eliminate the discharge of matter into municipal or private sewer connections to any storm sewer.

17.3. Upon receipt of a proposed Compliance Program pursuant to subsection 17.1 or 17.2 above, the Designated Representative may issue an approval for a Compliance Program for an Industry to discharge an effluent that does not comply with sections 4 and 5 of this By-law, such approval to be in accordance with guidelines therefore adopted by the Municipality from time to time. The Industry shall be entitled to make non-complying discharges in the amount and only to the extent set out in the Designated Representative's approval during the planning, design and construction or installation of facilities or works needed to implement the approved Compliance Program.

17.4. Every proposed Compliance Program shall be for a specified length of time during which treatment facilities are to be installed and shall be specific as to the remedial actions to be implemented by the Industry, the dates of commencement and completion of the activity and the materials or other characteristics of the matter to which it relates. The final activity completion date shall not be later than the final compliance date in the Compliance Program.

17.5. The Industry to which a Compliance Program has been issued shall submit a Compliance Program progress report to the Designated Representative within 14 days after the scheduled completion date of each activity listed in the Compliance Program.

17.6. The Designated Representative may terminate any proposed Compliance Program by written notice at any time to the Industry in the event that the Industry fails or neglects to carry out or diligently pursue the activities required of it under its approved Compliance Program.

17.7. The Designated Representative is authorized to execute agreements with Industries with respect to approved Compliance Programs. These agreements may, in accordance with guidelines adopted by the Designated Representative from time to time, include a provision for a reduction in the payment otherwise required from the Industry to the Municipality pursuant to an in force Extra Strength Surcharge Agreement. The reduction in payment to the Municipality may be in such an amount and for such duration as the agreement may specify.

17.8. The Designated Representative may terminate any approved Compliance Program entered into pursuant to section 17 by written notice at any time to the Industry in the event that the Industry fails or neglects to carry out or diligently pursue the activities required of it under its approved Compliance Program, and in the event of any such termination, the Industry shall pay to the Municipality the full difference in amount between what it was required to pay to the Municipality pursuant to an in force Extra Strength Surcharge Agreement, and the amount actually paid to the Municipality as a result of having entered into an agreement with respect to the approved Compliance Program.

18. Repeal of By-Law Number 92-42

18.1. By-law Number 92-42 of the Corporation of the Town of Collingwood and any amendments thereto are hereby repealed.

18.2. This By-Law is and shall be known as the “Collingwood Sewer Use By-Law”.

18.3. THAT this by-law shall come into force and effect December 1, 2009 at which time all By-laws and/or resolutions that are inconsistent with the provisions of this By-law and the same are hereby repealed or rescinded insofar as it is necessary to give effect to the provisions of this By-law.

ENACTED AND PASSED this 30th day of November, 2009.

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Mayor’s Signature

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Clerk’s Signature