

# Township of Whitewater Region



## Sewer-Use By-Law

The Corporation of the Township of Whitewater Region  
By-law Number XX-XX-XXXX

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**A By-Law to regulate the control of waste discharges to municipal sewers and sewage works within the limits of the Township of Whitewater Region.**

**Whereas**, pursuant to subsection 11(1) paragraph 4 of the municipal act, 2001, so. 2001, c. 25, as amended ("the act"), a municipality may pass by-laws respecting matters within the public utilities sphere; and

**Whereas**, public utilities as defined in the act includes a system that is used to provide sewage collection and treatment for the public; and

**Whereas**, pursuant to the Ontario Water Resources Act, every municipality that discharges or causes or permits the discharge of any material of any kind into or in any waters or on any shore or bank thereof or into or in any place that may impair the quality of the water of any waters is guilty of an offence; and

**Whereas**, pursuant to the Municipal Act, 2001, a municipality may enter on land, at reasonable times, 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 and take samples for this purpose; and

**Whereas** Council is desirous of passing a by-law to address such services;

**The Council of the Corporation of the Township of Whitewater Region enacts as follows:**

**1.0 Definitions**

For the purpose of this By-law, the following terms shall have the meanings set out below:

- a) "accredited laboratory" means any laboratory accredited by an authorized accreditation body in accordance with a standard based on "ISO/IEC/EN 17025: General Requirements for Competence of Calibration and Testing Laboratories" established by the International Organization for Standardization, as amended;
- b) "acute hazardous waste chemical" means a material which is an acute hazardous waste chemical within the meaning of Regulation 347;
- c) "adverse impact" means impairment of or damage to the environment, human health, safety, or property;
- d) "amalgam separator" means any technology, or combination of technologies, designed to separate amalgam particles from dental operation wastewater;
- e) "animate products of biotechnology" means a living organism created through the practice of biotechnology, and includes

material which has been genetically modified using techniques that permit the direct transfer or removal of genes in that organism;

- f) "Best Management Practices (BMP)" means an integrated plan to control and reduce the release of restricted and prohibited waste into the sewage works to a practicable extent, through methods including physical controls, pre-treatment processes, operational procedures and staff training;
- g) "biochemical oxygen demand (B.O.D.)" means the 5-day B.O.D. 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;
- h) "biomedical waste" means biomedical waste as defined in the Ontario Ministry of Environment, Conservation and Parks Guideline C-4 entitled "The Management of Biomedical Waste in Ontario" dated April 1994, as amended;
- i) "biosolids" means the product of stabilized organic solid material recovered from the wastewater treatment process;
- j) "blowdown water" means re-circulating 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;
- k) "Building Code Act" means the Building Code Act, 1992, S.O. 1992, c. 23 as amended, or any successor legislation thereto and herein cited as the BCA;
- l) "By-law Enforcement Officer" means a Compliance Officer, Police Officer, By-law Enforcement Officer, Special Constable, and any other Public Officer engaged in the enforcement of this or any other Law;
- m) "carpet cleaner waste" means a combination of liquid and solid wastes, generated by carpet or furniture cleaning, that are collected in a mobile holding tank or are discharged to a sewer;
- n) "Certified amalgam separator" means any amalgam separator that is certified in accordance with standard "ISO 11143:1999 for Dental equipment - Amalgam separators" established by the International Organization for Standardization, as amended;
- o) "carrier" means a person who transports hauled liquid waste to the sewage works for disposal;
- p) "combined sewer" means a sewer intended to function simultaneously as a storm sewer and a sanitary sewer;
- q) "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;
- r) "Compliance Officer" means a person authorized by the Township to carry out observations and inspections and take samples as prescribed by this by-law;
- s) "composite sample" means a volume of sewage, stormwater, uncontaminated water, or effluent made up of two or more grab

- samples that have been combined automatically or manually and taken at intervals during the sampling period;
- t) "connection" or "drain" means that part or those parts of any pipe or system of pipes leading directly or indirectly to a sewage works;
  - u) "Corporation" means the Corporation of the Township of Whitewater Region;
  - v) "cooling water" means water that is used in a process for the purpose of removing heat and that has not come into contact with any raw material, intermediate product, waste product, or finished product, but does not include blowdown water;
  - w) "dental amalgam" means a dental filling material consisting of an amalgam of mercury, silver and other materials such as copper, tin or zinc;
  - x) "dentistry" means dental care, dental hygiene or dental laboratory activities which produce waste dental amalgam;
  - y) "Manager" means the Manager of Public Works of the Township or authorized representative;
  - z) "domestic sewage" means sewage released from non-institutional, non-commercial, and non-industrial premises as a result of normal human living processes
  - aa) "Environmental Protection Act" means the *Environmental Protection Act, R.S.O. 1990, c. E. 19*, as amended and any successor legislation thereto, and herein cited as the EPA;
  - bb) "fermentation operation" means any premises, except residential premises, at which a person brews, distills, or ferments fruits, vegetables, or grains to produce beer, cider, wine, or spirits or any other similar liquor made from fermentation, including brew pubs, cottage breweries, microbreweries, U-brews, U-vins, wineries, and distilleries;
  - cc) "fixture" means a receptacle, appliance, apparatus, piping system, floor drain or other device that releases or discharges sewage;
  - dd) "food waste" means solid waste from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce;
  - ee) "fuel" means alcohol, gasoline, naphtha, diesel fuel, fuel oil or any other ignitable substance intended for use as a fuel;
  - ff) "grab sample" is an aliquot of the flow being sampled taken at one particular time and place;
  - gg) "ground water" means water in a saturated zone or stratum beneath the surface of land or below a surface water body;
  - hh) "hailed sewage" means waste removed from a 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 but does not include sludge removed from wastewater treatment plants;
  - ii) "hailed liquid waste" means sewage that is suitable for treatment in a sewage works and is transported to a sewage works for disposal and includes hailed sewage;

- jj) "hazardous industrial waste" means a material which is a hazardous industrial waste within the meaning of Ontario Regulation 347;
- kk) "hazardous waste chemical" means a material which is a hazardous waste chemical within the meaning of Ontario Regulation 347;
- ll) "ignitable waste" means a material which,
- mm) is a liquid, other than an aqueous solution containing less than 24 per cent alcohol by volume and has a flash point less than 93 degrees Celsius, as determine by the Tag Closed Cup Tester (ASTM D-56-97a), the Setaflash Cup Tester (ASTM D-3828-97 or ASTM d-3278-96e1), the Pensky-martens Closed Cup Tester (ASTM D-93-97), or as determine by an equivalent test method;
  - a. 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 causes a danger;
  - b. is an ignitable compressed gas (Class 2, Division D) as defined in the regulations under the Transportation of Dangerous Goods Act (TDGA), or,
  - c. is an oxidizing substance (Class 5, Divisions 1 and 2) as defined in the regulations made under the TDGA.
- nn) "industrial" means of or pertaining to industry, manufacturing, commerce, trade, business, or institutions as distinguished from domestic or residential;
- oo) "industry" means any owner or operator of industrial premises from which there is a discharge of any matter directly or indirectly into a Township sanitary sewer, combined sewer or storm sewer;
- pp) "interceptor" means a receptacle that is designed and installed to prevent oil, grease, sand, or other materials from passing into a drainage system;
- qq) "Lower Explosive Limit (LEL)" means the minimum concentration of the compound as a gas or vapour, measured as a percentage in air, which will explode or burn;
- rr) "manhole" means access point in a sewer connection to allow for observation, sampling, and flow measurements of the sewage, uncontaminated water or storm water therein;
- ss) "matter" includes any solid, liquid or gas;
- tt) "Municipality" means the Corporation of the Township of Whitewater Region or its designated representative;
- uu) "non-contact cooling water" is 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;
- vv) "nuclear substance" as defined under the Nuclear Safety and Control Act 1997, c.9 as amended from time to time means:
- ww) deuterium, thorium, uranium or an element with the atomic number greater than 92;
- xx) a derivative of compound of deuterium, thorium, uranium or of an element with an atomic number greater than 92;

- yy) a radioactive nuclide;
- zz) a substance that is prescribe as being capable of releasing nuclear energy or as being required for the production or use of nuclear energy;
- aaa) a radioactive substance or radioactive thing that was used for the development or product in connection with the use of nuclear energy.
- bbb) "off-spec product of fermentation" means any product intended to be made into beer, cider, wine, spirits, or other similar liquor made from fermentation, which does not meet the owner or operator's quality standard for consumption;
- ccc) "Ontario Regulation 347" means the Ontario Regulation 347, the general waste management regulation made under Part V of the Environmental Protection Act, as amended from time to time, and any successor regulation;
- ddd) "Ontario Water Resources Act" means the Ontario Water Resources Act, R.S.O. 1990, c. O.40, as amended and any successor legislation thereto, and herein cited as the OWRA;
- eee) "pathological waste" means a material which is a pathological waste within the meaning of Ontario Regulation 347 or any material which may be designated in writing by the Chief Medical Officer of Health;
- fff) "PCBs" means any monochlorinated or poly-chlorinated biphenyl or any mixture of these or mixture that contains one or more of them;
- ggg) "person" includes an individual, association, partnership, corporation, municipality, Provincial or Federal agency, or an agent or employee thereof;
- hhh) "pesticides" means a pesticide regulated under the Pesticides Act, R.S.O. 1990, c. P.11, as amended or any successor legislation thereto;
- iii) "pH" means the logarithm to the base 10 of the reciprocal of the concentration of hydrogen ions in moles per litre of solution;
- jjj) "pollution prevention" means the use of processes, practices, materials, products, substances or energy that avoid or minimize the creation of pollutants and wastes;
- kkk) "premises" means any land or building or both or any part thereof;
- lll) "private sewer connection" means that part of any drain or system of drains, including drains or subsurface drainage pipe for surface or subsurface drainage of the land in or adjacent to a building, lying within the limits of the private lands and leading to a municipal sewer connection;
- mmm) "reactive waste" means a substance that,
- nnn) is normally unstable and readily undergoes violent changes without detonating;
  - a. reacts violently with water;
  - b. forms potentially explosive mixtures with water;
  - c. when mixed with water, generates toxic gases, vapours or fumes in a quantity sufficient to present danger to human health of the environment;

- d. is a cyanide or sulphide bearing waste which, when exposed to pH conditions between 1 and 12.5 can generate toxic gases, vapours or fumes in a quantity sufficient to present danger to human health and the environment;
  - e. is capable of detonation or explosive reaction if it is subjected to a strong initiating source or if heated under confinement;
  - f. is readily capable of detonation or explosive decomposition or reactive at standard temperature and pressure; or
  - g. is an explosive (Class 1) as defined in the regulations made under the TDGA.'
- ooo) "Regulation 347" means the general waste management regulation made under Part V of the EPA, as amended, or any successor regulation thereto;
  - ppp) "sanitary sewer" means a sewer for the collection and transmission of domestic, or industrial sewage or any combination thereof;
  - qqq) "severely toxic waste" means waste containing any contaminant listed in Schedule 3 of Regulation 347;
  - rrr) "sewage" means any liquid waste containing animal, vegetable, chemical or mineral matter in solution or in suspension, but does not include stormwater or uncontaminated water;
  - sss) "sewage works" means any works for the collection, transmission, treatment or disposal of sewage, stormwater 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 BCA applies;
  - ttt) "sewer" means a pipe, conduit, drain, open channel, ditch or watercourse for the collection and transmission of sewage, stormwater, or uncontaminated water, or any combination thereof;
  - uuu) "sludge" means wastewater containing more than 0.5% total solids, but does not include material which has been pumped out of a septic tank;
  - vvv) "spill" means a direct or indirect discharge into the sewage works, storm sewer or the natural environment which is abnormal in quantity or quality in light of all the circumstances of the discharge;
  - www) "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 Water Environment Federation, 20th edition, as amended from time to time;
  - xxx) "storm sewer" means a sewer for the collection and transmission of uncontaminated water, stormwater, drainage from land or from a watercourse or any combination thereof
  - yyy) "storm water" means water from rainfall, other natural precipitation, and drainage or from the melting of snow or ice;
  - zzz) "subsurface drainage pipe" means a pipe that is installed underground to intercept and convey subsurface water, and includes foundation drains;

- aaaa) "swimming pool" means a structure which is located on or in or above the ground and which is capable of containing an artificial body of water for swimming, wading, diving, or recreational bathing with a water depth of 0.6 metres or more at its deepest point;
- bbbb) "total kjeldahl nitrogen (TKN)" means organically bound nitrogen plus ammonia nitrogen, as determined by using a standard procedure;
- cccc) "total PAHs" means the total of all the following polycyclic aromatic hydrocarbons: anthracene, Benzo(a)pyrene, Benzo(a)anthracene, benzo(e)pyrene, Benzo(b)fluoranthene, Benzo(j)fluoranthene, Benzo(k)fluoranthene, Benzo(g, h, i)perylene, chrysene, dibenzo(a,h)anthracene, dibenzo(a,i)pyrene, dibenzo(a,j)acridine, 7H-dibenzo(c,g)carbazole, fluoranthene, indeno(1,2,3-c,d)pyrene, perylene, phenanthrene, and pyrene;
- dddd) "Transportation of Dangerous Goods Act" means the Transportation of Dangerous Goods Act 1992, S.C. 1992, c. 34, as amended or any successor legislation thereto and herein cited as the TDGA;>
- eeee) "Township" means The Corporation of the Township of Whitewater Region.
- ffff) "uncontaminated water" means potable water as supplied by the Township or water with a level of quality which is typical of potable water normally supplied by the Township, or any other water which complies with Section 6 of this by-law;
- gggg) "waste disposal site leachate" means leachate, namely liquid containing dissolved or suspended contaminants which emanates from waste and is produced by water percolating through waste or by liquid in waste, from any waste disposal site;
- hhhh) "watercourse" means an open channel, ditch or depression either natural or artificial, in which water flows either continuously or intermittently; and
- iiii) "waters" means a well, lake, river, pond, spring, stream, reservoir, artificial watercourse, intermittent watercourse, or other water or watercourse.

## **2.0 Interpretation**

- 2.1 Headings are for reference purposes and shall not affect in any way the meaning or interpretation of the provisions of this by-law.
- 2.2 In this by-law, a word interpreted in the singular number has a corresponding meaning when used in the plural.

## **3.0 Application**

- 3.1 This by-law shall apply to all sewers, including sanitary and storm sewers, sewage works and any connections thereto which enter into sewers or sewage works, which are publicly or privately owned or operated and are located within the boundaries of the Township of Whitewater Region.
- 3.2 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 and Protection and Promotion Act, R.S.O. 1990. C.H. 7, as amended.



## 4.0 Sanitary and combined sewer requirements

- 4.1 No person shall, directly or indirectly, discharge or deposit or cause or permit the discharge or deposit of sewage or matter of any type into a sanitary sewer, combined sewer, municipal or private sewer connection to a sanitary sewer or combined sewer in circumstances where to do so may cause or result in;
- 4.1.1 a health or safety hazard to a person authorized by the Manager to inspect, operate, maintain, repair or otherwise work on a sewage works;
  - 4.1.2 an offense under the OWRA or the EPA or any regulation made there under from time to time;
  - 4.1.3 effluent from the Cobden Wastewater Treatment sewage works to directly or indirectly fail to meet the objectives and criteria listed in Environmental Compliance Approval document for the Cobden Waste Water Treatment plant, as amended from time to time;
  - 4.1.4 biosolids from the sewage works to which either sewage discharges, directly or indirectly, to fail to meet the objectives and criteria listed in the Ministry of Environment Conservation and Parks publication entitled "Guidelines for the Utilization of Biosolids and Other Wastes on Agricultural Land" dated March 1996, as amended from time to time;
  - 4.1.5 interference with the operation or maintenance of a sewage works, or the impairment or interference with any sewage treatment process;
  - 4.1.6 a hazard to any person, animal, property or vegetation;
  - 4.1.7 an offensive odour to emanate from sewage works, and without limiting the generality of the foregoing, sewage containing hydrogen sulphide, carbon disulphide, or other reduced sulphur compounds, amines or ammonia in such quantity as may cause an offensive odour;
  - 4.1.8 damage to sewage works;
  - 4.1.9 an obstruction or restriction to the flow in the sewage works;
  - 4.1.10 the presence of toxic gases, vapours or fumes within the sewage works such that:
    - a) two successive readings on an explosion hazard meter, at the point of discharge into the sewage works or at any point in the sewage works, of more than five percent LEL are obtained;
    - b) any single reading on an explosion hazard meter, at the point of discharge into the sewage works or at any point in the sewage works, of ten percent LEL or higher is obtained; or
    - c) any single reading on an explosion hazard meter, at the point of discharge into the sewage works or at any point in the sewage works, of two parts per million atmospheric hydrogen sulphide or higher is obtained.
- 4.2 No person shall, directly or indirectly, discharge or deposit or cause or permit the discharge or deposit of sewage or matter of any type into a sanitary sewer, combined sewer, municipal or private sewer connection to an sanitary sewer or combined sewer 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 No owner or operator of a fermentation operation shall discharge, or allow or cause to be discharged, directly or indirectly, wastewater from a fermentation operation into a sanitary sewer, combined sewer, municipal or private sewer connection to a sanitary sewer or combined sewer if the wastewater is or contains any of the following:
- a) high volume discharge;
  - b) off-spec product of fermentation;
  - c) the sewage contains a concentration expressed in milligrams per litre, in excess of any one or more of the limits in Table 1 of this by-law entitled "Limits for Sanitary and Combined Sewers Discharge", at Schedule "A" of this by-law.
- 4.4 No person shall, directly or indirectly, discharge or deposit or cause or permit the discharge or deposit of sewage or matter of any type into a sanitary sewer, combined sewer, municipal or private sewer connection to a sanitary sewer or combined sewer in circumstances where the sewage contains one or more of the following in any amount;
- a) acute hazardous waste chemicals;
  - b) animate products of biotechnology; except where they have been decontaminated prior to discharge.
  - c) Biomedical waste
  - d) combustible liquid;
  - e) dyes or colouring materials which when passed through a sewage works discolour the sewage works effluent;
  - f) fuel;
  - g) hauled sewage;
  - h) hauled liquid waste;
  - i) ignitable waste;
  - j) hazardous industrial waste;
  - k) hazardous waste chemicals;
  - l) nuclear waste, except where:
    - I the nuclear substances are being discharged under a valid and current license issued by the Canadian Nuclear Safety Commission or its successor;
    - II a copy of the license has been provided to the Corporation; and
    - III the person has written approval from the Manager permitting such discharge.
    - IV pathological waste, including human and animal blood and any other bodily fluid waste, except where:

- I. the waste has been decontaminated prior to discharge and has been done so in accordance with the Ontario Ministry of Environment Conservation and Parks Guideline C-4 entitled "The Management of Biomedical Waste in Ontario" dated December 1994, as amended; and
  - II. the discharger of the waste has written approval from the Corporation which includes specified time and location for the discharge and the discharge occurs at the approved time and location.
- m) PCBs, except where:
- i. the person has a certificate of approval for a mobile site of PCB mobile waste disposal system issued under the *EPA* or where the person is claiming exemption under a regulation, the person has demonstrated to the satisfaction of the Manager that the conditions of the exemption are met;
  - ii. a copy of the most recent certificate or provision certificate and any amendment is provided to the Manager;
  - iii. the person has written approval from the Manager that the person has met a condition for an exemption under the regulations in relation to their discharge of PCBs to the sewage works; and
  - iv. the discharge contains a concentration of less than 1 microgram per litre of PCBs.
- n) pesticides;
- o) reactive waste
- p) severely toxic waste;
- q) silver bearing wastewater from photo finishing processes not treated with a silver recovery unit prior to discharge;
- r) sludge, except where:
- I the discharge is expressly authorized in writing by the Manager, in accordance with guidelines adopted by the Township from time to time, prior to the discharge; and
  - II the person has entered into an agreement with the Township which expressly authorizes the discharge and includes such other conditions as compensation and monitoring requirements;
- s) waste disposal site leachate, except where:
- I the waste disposal site leachate is discharge pursuant to a Certificate of Approval or Order relating to the premises under the *EPA* or *OWRA* which expressly allows the discharge;
  - II the person has entered into an agreement with the Township which expressly authorizes the discharge from the premises including such other conditions, including compensation, as may be agreed upon and

such agreement is expressly authorized in writing by the Manager; and

III a copy of the Certificate of Approval or written authorization referred to in clause (a) has been provided to the Manager.

- t) solid or viscous substance in quantities or of such size to be capable of causing obstruction to the flow in a sewer but not limited to ashes, bones, cinders, hygiene products, sand, mud, soil, straw, shavings, metal, glass, rages, feathers, tar, plastics, wipes (including those labelled as flushable), wood, raw garbage, animal parts or tissues and paunch manure.
- u) the sewage contains a concentration expressed in milligrams per litre, in excess of any one or more of the limits in Table 1 of this by-law entitled "Limits for Sanitary and Combined Sewers Discharge", at Schedule "A" of this by-law unless:
  - i) the discharge is in accordance with a valid discharge agreement or Compliance Program;

4.5 The discharge of stormwater, non-contact cooling water, water from drainage or roofs of land, water from a watercourse, or uncontaminated water to a sanitary or combined sewer is prohibited unless:

- a) the stormwater or water does not comply with Section 6 of this by-law; or
- b) the non-contact cooling water originated from the Township's treated water supply; or
- c) the discharge is from a groundwater remediation system in accordance with the sanitary sewer agreement pursuant to Section 7 of this by-law; or
- d) the discharge is expressly authorized in writing to the Manager in accordance with guidelines adopted by the Township from time to time, prior to the discharge.

4.6 The discharge of sewage, containing water originating from a source other than the Township's water supply, directly or indirectly to a sanitary sewer, combined sewer, storm sewer, municipal or private sewer connection is prohibited, unless:

- a) the discharge is expressly authorized in writing by the Manager in accordance with guidelines adopted by the Township from time to time, prior to the discharge; and
- b) the owner or operator of the premises has entered into an agreement in accordance with Section 7 of this by-law.

## **5.0 Prohibition of Dilution**

No person shall discharge directly or indirectly or deposit or cause or permit the discharge or deposit of sewage into a sanitary sewer, combined sewer, storm sewer, municipal or private sewer connection to any sanitary sewer, combined sewer, or storm sewer in circumstances where matter has been added to the discharge for the purpose of dilution to achieve compliance with Sections 3 or 5 of this by-law.

## 6.0 Storm Sewer Requirements

6.1 No person shall discharge directly or indirectly or deposit or cause or permit the discharge or deposit of matter of any type in or into a storm sewer, watercourse, municipal or private sewer connection to any storm sewer in circumstances where:

6.1.1 to do so may cause or result in,

- a) damage to a storm sewer;
- b) interference with proper operations of a storm sewer;
- c) obstruction or restriction of the storm sewer or the flow therein;
- d) a hazard or other adverse impact to any person, animal, property, or vegetation;
- e) impairment of the quality of the water in any well, lake, river, pond, spring, stream, reservoir or other water or watercourse;
- f) the contravention of a certificate of approval or provisional certificate of approval issued under the *EPA* or *OWRA* with respect to storm sewer, its discharge of both the storm sewer and its discharge;
- g) contravention of the *Fisheries Act*, with respect to the storm sewer and/or its discharge from the storm sewer into a watercourse.

6.1.2 the matter has one or more of the following characteristics:

- a) visible film, sheen, or discolouration;
- b) two or more separate layers;
- c) a temperature greater than 40 degrees Celsius;
- d) a pH less than 6.0 or greater than 8.5.

6.1.3 the matter contains one or more of the following:

- a) acute hazardous waste chemicals;
- b) animate products of biotechnology;
- c) biomedical waste;
- d) blowdown water;
- e) carpet cleaner waste;
- f) combustible liquids;
- g) concrete mixtures;
- h) dyes or colouring materials, except where the dye is used by the Township, or an agent working on behalf of the Township, as a tracer;
- i) floating debris,
- j) fuel;
- k) hauled sewage;
- l) hauled liquid waste;
- m) hazardous industrial waste;
- n) hazardous waste chemicals;

- o) ignitable waste;
- p) materials discharged from a groundwater remediation system;
- q) motor oil;
- r) nuclear waste;
- s) organic solvents;
- t) paint;
- u) pathological waste;
- v) PCBs;
- w) pesticides;
- x) reactive waste;
- y) severely toxic waste;
- z) sewage;
- aa) sludge;
- bb) solvent extractable matter of animal, vegetable origin, mineral or synthetic origin;
- cc) waste disposal site leachate;
- dd) waste water from an industrial operation;
- ee) a substance from raw materials, intermediate or final product, used or produced in, through or from an industrial operation;
- ff) a substance used in the operation or maintenance of an industrial site;
- gg) *Escherichia coli* colonies in excess of 200 per 100 mL;
- hh) a substance which has or causes an offensive or nuisance odour;
- ii) result in the discharge of cooling water, blowdown water, or storm water from industrial process areas unless all of the following conditions are met:
  - I the cooling water, blowdown water, or storm water is being discharged pursuant to a certificate of approval or provisional certificate of approval issued under the *EPA* or the *OWRA*, as amended, which expressly authorizes the discharge;
  - II the person owning or operating the premises has written approval from the Township which expressly authorizes the discharge from the premises; and
  - III a copy of the certificate of approval or provisional certificate of approval referred to has been provided to the Township;
- jj) matter containing a concentration, expressed in milligrams per litre, in excess of any one or more of the limits in Table 2 entitled "Limits for Storm Sewer Discharge" of Schedule "A" of this by-law except where:
  - I the discharge of matter containing concentrations of total suspended solids in excess of 15m mg/L occurs after erosion and sediment control guidelines which

have been approved by the Township have been implemented; or

II the owner or operator of the premises has written approval from the Manager for a Best Management Practices (BMP) Plan; or

III the discharge results solely from:

- I. street cleaning which has been authorized by the Township
- II. hydrant flushing which has been authorized by the Township
- III. extinguishing fires

6.2 No owner or operator of a fermentation operation shall discharge, or allow or cause to be discharged, directly or indirectly, wastewater from a fermentation operation into a storm sewer or private sewer connection to a storm sewer if the wastewater is or contains any of the following:

- a) high volume discharge;
- b) off-spec product of fermentation;
- c) the sewage contains a concentration expressed in milligrams per litre, in excess of any one or more of the limits in Table 2 of this by-law entitled "Limits for Storm Sewer Discharge", in Schedule "A" of this by-law.

6.3 A person may be required, upon receipt of notice from the Manager, to complete one or more of the following activities as stated in the notice addressing stormwater from the premises:

- a) a study of stormwater quality and/or quantity;
- b) modification and/or construction of stormwater facilities;
- c) development and implementation of a BMP;
- d) adoption and implementation of pollution prevention techniques or measures; or
- e) any other requirements as specified by the Township.

6.4 The provisions of substances 6.1 and 6.2 and 6.3 shall only apply to the discharge of stormwater runoff from industrial premises to a storm sewer or to any discharge to a storm sewer, to which the matter prohibited by subsection (1) has been added from the purpose of disposing of the matter.

## **7.0 Liquid Waste Transported to Sewage Works**

7.1 The disposal of hauled liquid waste to the sewage works is prohibited.

## **8.0 Reporting and Self-Monitoring Requirements**

8.1 Upon request of a Compliance Officer, all owners or operators of commercial and industrial premises with connections to a sewage works making use of any kind of sewage works shall provide the following information within sixty (60) days of request:

- 8.1.1 the names and address of the premises, the names of its owner and operator, a telephone number or other means by which the owner and operator can be contacted;
- 8.1.2 description of process operations, including waste discharge rates and contaminate concentrations, Standard Industrial Classification codes, and hours of operation;
- 8.1.3 the names of all raw materials, products, by-products, waste and any other substance or materials that is used, produced, discharged or emitted from such premises;
- 8.1.4 the generator registration number, if any, assigned with respect to the premises under Ontario Regulation 309 and Ontario Regulation 347, along with the waste classes for which the registration has been obtained;
- 8.1.5 the types, volumes, concentration and frequency of discharge of all substances or materials;
- 8.1.6 the dimensions, specifications and locations of all drainage connections to the sewage works;
- 8.1.7 the dimensions, specifications and locations of all manholes constructed pursuant to this by-law;
- 8.1.8 the specifications of all drainage lay-out pipes;
- 8.1.9 the types of processes, neutralization processes and systems, ion exchange systems, heavy metal absorption systems, on-site treatment facilities and all other processes occurring prior to the discharge of any substance into any sewage works;
- 8.1.10 all other information, in the opinion of the Compliance Officer, is reasonable and necessary for the proper treatment and efficient operation and monitoring of sewage works; and the signature of the owner or operator of the industrial premises, or its authorized representative, certifying as to the accuracy of the information.
- 8.2 Where a change occurs in the information submitted pursuant to subsection 8.1, the industry shall submit the new information to the Compliance Officer within thirty (30) days of the change.
- 8.3 No person being the owner or operator of industrial premises shall discharge or deposit of cause or permit the discharge or deposit of sewage into or in land drainage works, private branch drains or connections to any sanitary sewer, or storm sewer, unless he or she has complied with this by-law.
- 8.4 The industry shall complete any monitoring or sampling of any discharge to a sewage works, as required by the Compliance Officer, and provide the results to the Township in accordance with written notification to the Township.
- 8.5 A Compliance Officer may require that samples obtained for self-monitoring be analyzed by an accredited laboratory.
- 8.6 The information provided to the Township will be in a format acceptable to the Compliance Officer.



- 8.7 The obligations set out in or arising out of this section of this by-law shall be completed at the expense of the industry or the person carrying out the obligation.

## **9.0 Agreements**

- 9.1 Subject to subsections 9.2 and 9.3, the discharge or deposit of sewage that would otherwise be prohibited by this by-law may be permitted into or in any connection to any sanitary sewer or combined sewer to an extent fixed by agreement with the Township on such terms and conditions as set out in this by-law including conditions relating to the control of the quantity and quality of the discharge, the protection of the sewage works, payment of discharge and administrative fees or sewer rates as set out in the User Fees and Charges By-law to compensate the Township for its additional costs of operation, repair, and maintenance of the sewage works, which will be reviewed and adjusted accordingly from time to time by the Township for treating these excess loadings resulting from overstrength wastes, and on other terms and conditions as may be deemed appropriate by the Township or Manager.
- 9.2 The agreement referred to in subsection 9.1 may be one or more of the following:
- 9.2.1 A sanitary discharge agreement may only be entered into for the discharge of the following parameters in sewage:
- a) suspended solids;
  - b) biochemical oxygen demand;
  - c) phenolic compounds (4AAP);
  - d) total phosphorous;
  - e) Kjeldahl nitrogen; or
  - f) any combination of the above.
- 9.2.2 A special or temporary sewer agreement may be entered into for the discharge of sewage which contains water that has originated from a source other than the Township's water distribution system;
- 9.2.3 a leachate agreement may be entered into for the discharge of waste disposal site leachate;
- 9.3 The agreements, if necessary, will include installation of a flow meter, flow data recorder, sampler, and also costs of operation, repair, maintenance of the sewage works that will be reviewed and adjusted accordingly, from time to time, by the Township for the discharge agreement.
- 9.4 The agreements shall be generally in the form designated by the Township from time to time. The Manager shall be authorized to execute the agreements contemplated in subsection 9.1 on behalf of the Township in the form designated by the Township.
- 9.5 A person who has entered into an agreement with the Township in accordance with this section shall not be prosecuted under Section 4 of this by-law for the discharge or deposit of sewage containing the matters specified in the agreement during the period within which the agreement is applicable and so long as the agreement is fully complied with.

- 9.6 The agreements contemplated by subsection 9.2 may be terminated by the Township 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 sewage works.
- 9.7 The agreements contemplated by subsection 9.2 may be terminated by the Township at any time on thirty (30) days written notice if the discharge of any matter covered by such agreement contravenes clause 4.1 of Section 4 or without assigning any cause.
- 9.8 The agreements will clearly outline the term and rights of early termination.
- 9.9 Where a common sewer service pipe connects different industrial premises to the sewage works and only one test manhole is maintained pursuant to this by-law, the results of monitoring performed on samples collected from such manholes shall be used to determine any overstrength fees or sewer rates, unless otherwise approved by the Manager.
- 9.10 Such matters as the Manager may determine.
- 9.11 The Manager is authorized to sign agreements in accordance with this by-law provided the applicant has paid the applicable administration fee determined in accordance with the User Fees and Charges By-law, delivered the agreement in the form authorized by the Manager, duly signed by its authorized signing officers to the Manager, and delivered all documentation specified in the agreement to the Manager.
- 9.12 No person being a party to an agreement shall, while the agreement is in effect, make or permit discharges which are non-compliant with this by-law except in the amount and to the extent set out in the agreement.
- 9.13 A permit may be issued by the Manager to the Township's departments, commissions or local boards where the provisions of this section provide that the Manager may enter into an agreement and such permit shall set out the conditions for any discharge or deposits as would otherwise be set out by agreement.

## **10.0 Sampling and Analytical Requirements**

- 10.1 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, the Ministry of Environment, Conservation and Parks publication entitled "Procedures for Sampling and Analysis Requirements for Municipal and Private Sewage Treatment Works (Liquid Waste Streams Only), as amended from time to time " and "Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater Version 2.0 (January 2016), PIBS 2724e02, as amended from time to time" and "Standard Methods for the Examination of Waste and Wastewater, as amended from time to time" dated August, 1994, the United States Environmental Protection Agency methods or analytical methods adopted by the Township.
- 10.2 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 subsection (1) above. A sample

may contain additives for its preservation and may be collected manually or by using an automatic sampling device.

- 10.3 For each of the following metals: arsenic, cadmium, chromium, cobalt, copper, lead, molybdenum, nickel, selenium, silver, and zinc whose concentration is limited in this by-law, the analysis shall be for the quantity of total metal, which includes all metal both dissolved and particulate.
- 10.4 Where a common sewer service pipe connects different industrial and commercial premises served by separate water meters to the wastewater collection system and only one test manhole is maintained pursuant to this by-law, the results of tests performed on samples collected from such test manholes shall be used to determine a sewer service surcharge which shall be used for all premises connected to the common sewer service.
- 10.5 The Township may from time to time conduct tests at the manhole, or, where there is not a test manhole located at a place satisfactory to test the wastewater being discharged, the Township may enter upon the premises from which the wastewater originates and conduct tests as the Township deems necessary.

## **11.0 Spills**

- 11.1 In the event of a spill which enters or has the potential to enter the sewage works, the person responsible or the person having the charge, management and control of such a spill shall immediately notify the Township and provide any information with regard to the spill that is requested.
- 11.2 The person shall be responsible to undertake reporting of the spill to the Ontario Provincial Spills Action Centre (SAC) as per the requirements of O Reg 675/98, as well as any other applicable provincial or federal spill reporting regulations.
- 11.3 The person shall provide a detailed report on the spill to the Township within five (5) days after the spill, containing the following information to the best of their knowledge:
  - a) Location where the spill occurred;
  - b) Name and telephone number of person who reported the spill and the location and time where they can be contacted;
  - c) Name of the person who discharged or deposited, or who is believed to have discharged or deposited, the material to the sewage works;
  - d) Date and time of spill;
  - e) Material spilled;
  - f) Characteristics of material spilled;
  - g) Volume of material spilled;
  - h) Duration of spill event;
  - i) Work completed or still in progress in the mitigation of the spill;
  - j) Preventative actions being taken to ensure a similar spill does not occur again;
  - k) Date and time of any report of the spill to the Ministry of the Environment or to any other agency; and

- l) Such information as the Township may reasonably require to investigate and assess the situation.
- 11.4 The person responsible for the spill 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 associated residue and restore the affected area to its condition prior to the spill.
- 11.5 Where the person responsible for the spill or the person having the charge, management and control of the spill fails or neglects to carry out or diligently pursue the activities required of it in subsection 11.3 of this by-law, the Township may take such measures as they deem appropriate to contain the spill, protect the health and safety of citizens, minimize damage to property, protect the environment, clean up the spill and associated residue and restore the affected area to its condition prior to the spill and recover any associated costs from the person responsible for the spill and/or the person having the charge, management and control of the spill.

## **12.0 Manholes**

- 12.1 The owner or operator of commercial, institutional, or industrial premises, or multi-storey residential buildings with one or more connections to a sewage works shall install and maintain in good repair in each connection a suitable manhole to allow observation and sampling, and flow measurement of the sewage, uncontaminated water or stormwater therein, provided that where installation of a manhole is not possible, an alternative device or facility may be substituted with the prior written approval of the Manager.
- 12.2 The manhole or alternative devices shall be located on the property of the owner or operator of the premises, as close to the property line as possible, unless the Manager has given prior written approval for a different location.
- 12.3 Each manhole, device or facility installed as required by this section shall be designed and constructed in accordance with good engineering practice and the requirements of the municipal standard, as established by the Township from time to time, and shall be constructed and maintained by the owner or operator of the premises at their expense.
- 12.4 The owner or operator of the commercial, institutional, or industrial premises, or multi-storey buildings shall at all times ensure that every manhole, alternative device or facility installed as required by this subsection is accessible at all times for the purposes of maintaining, observing, sampling, and flow measurement of the sewage, uncontaminated water or storm water therein.
- 12.5 No person shall structurally modify any monitoring manhole or authorized alternate device, or install devices which may result in interfering with the Township's access to or the installation and observation of the Township's devices used for the purpose of observation, sampling, and flow measurement of the sewage without the prior consent of the Township and in accordance with such consent.
- 12.6 If the owner or operator of the commercial, institutional, or industrial premises or multi-story building fails to install a manhole

or alternate device or facility, the Township may require the owner or operator of the premises to be installed and may enter onto the owner or operator's premises without notice to effect the installation. The cost of the installation shall be a debt owing by the owner or operator to the Township, enforceable by any means open to the Township. If unpaid, the debt may be added to the property tax roll for the owner or operator's property and collected in the same manner as taxes.

### **13.0 Monitoring Devices**

- 13.1 The Township may require the owner or operator of commercial, institutional, or industrial premises, or multi-storey residential buildings to install and maintain devices to monitor the discharge of matter, sewage, uncontaminated water or stormwater and to submit to the Township regular reports regarding the discharges.
- 13.2 A discharge of matter or sewage to a single private sewer connection from a premise with two or more separate businesses serviced by a single water service will be considered as being released by the person responsible for the payment of the bill for that water meter, whether or not actually released by that person.
- 13.3 A discharge of matter or sewage to a single private sewer connection from a premises with two or more separate businesses, each serviced by separately metered water services will be considered as being released from each of the separate businesses, in proportion to the separate business' water consumption, unless it is shown to the satisfaction of the Township, by the owner or operator of the premises, that:
  - a) the portion of the material or sewage that is overstrength, or in violation of this by-law, is being released from only one of the businesses serviced by a separated metered water service on the premises; and
  - b) the material or sewage released from that business can be monitored separately from the other businesses.

### **14.0 INTERCEPTORS**

- 14.1 The owner or operator of any premises in which there is commercial, institutional, or industrial food cooking, processing, or preparation shall install a grease and oil interceptor on all fixtures to prevent the release of oil and grease directly or indirectly to a sewer. Emulsifiers shall not be discharged to the sewer system into interceptors or traps. No person shall use enzymes, bacteria, solvents, hot water, or other agents to facilitate the passage of fats, oils, and grease through an interceptor or a trap. Grease interceptors shall not discharge to storm sewers.
- 14.2 The owner or operator of any premise in which vehicles or equipment are serviced, repaired or washed shall install grease, oil, or sand interceptors on all fixtures to prevent the release of grease, oil or sand directly or indirectly to a sewer. Interceptors shall not discharge to storm sewers.
- 14.3 Every person being an owner or operator of a premise from which sediment may directly or indirectly enter a sewer, including but not limited to premises using a ramp drain or area drain and care and vehicle wash establishments, shall take

all necessary measure to ensure that such sediment is prevented from entering the drain or sewer.

14.4 All interceptors shall:

- a) be in compliance with the most current requirements of the Ontario Building Code;
- b) meet the requirements of the Canadian Standards Association national standard CAN/CSA B-481, as amended, with the interceptors and traps cleaned before the thickness of the organic material and solids residuals greater than twenty-five (25) percent of the available volume;
- c) be of sufficient capacity to the Township and appropriate design to intercept natural oil and grease, synthetic or petroleum oil and grease, gasoline, sand or other sediment likely to flow into it under peak flow conditions;
- d) be located to be readily and easily accessible for cleaning and inspection;
- e) be constructed of impervious materials capable of withstanding abrupt or extreme changes in temperature;
- f) be of substantial construction, watertight, and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight, except when the intercepting trap is for sand only the cover need not be gastight and watertight; and
- g) be maintained by the owner, at the owner's expense, in continuously efficient operation at all times.

14.5 Where an interceptor has been installed:

- a) the owner or operator is required to produce maintenance records for the preceding eighteen (18) month period on request by a Compliance Officer; and
- b) Compliance Officer shall have the right to enter upon the premises at any time to inspect its operation and maintenance.

## **15.0 Dental Waste Amalgam Separator**

15.1 The owner or operator of any premises in which dentistry is practiced, shall install, operate and properly maintain a certified amalgam separator on all fixtures to prevent the release of dental amalgam directly or indirectly to a sewer except where:

15.1.1 The dental practice consists only of one of the following dental specialties, as defined in the Canada-wide Standard on Mercury for Dental Amalgam Waste:

- a) orthodontics and Dentofacial Orthopedics;
- b) oral and Maxillofacial Surgery;
- c) oral Medicine and Pathology;
- d) oral and Maxillofacial Radiology;
- e) periodontics; or

15.1.2 The dental practice consists solely of visits by a mobile dental practitioner who prevents any dental amalgam from being released directly or indirectly to the sewage works.

15.2 Despite subsection 15.1, any person operating a business from which dental 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 this by-law comes into force, shall install, operate and properly maintain dental amalgam separator(s) in any piping system which is connected directly or indirectly to a sewer.

## **16.0 Garbage Grinders**

16.1 No person shall install or operate within the Township any garbage grinding devices, the effluent from which will discharge directly or indirectly into the sewage works.

## **17.0 Swimming Pools**

17.1 No person shall discharge wastewater from a swimming pool or wading pool or hot tub/spa:

- a) such that it flows directly or indirectly to a storm sewer or storm drainage system;
- b) such that it flows onto an adjoining property;
- c) such that it flows over a valley or ravine wall; or
- d) such that it may cause erosion or instability of the valley or ravine slope.

17.2 Wastewater from a swimming or wading pool or hot tub/spa shall either be transported away by an appropriately licensed waste hauler or be discharged either by way of a temporary connection to the sanitary sewer authorized by the Township in writing, on application of the property owner or by way of controlled discharge to the owner's property such that the discharge is at all times contained within the property until it evaporates or infiltrates into the ground.

17.3 Any agreement contemplated as per Section 17.2 of this By-law shall meet all requirements of Section 4.0, specifically contemplating the concentration limit for chlorides and other pool related chemicals that may be present.

## **18.0 Roof and/or Sump**

18.1 Water from sump pumps shall not be discharged or drained such that it flows onto adjoining private property, onto public roads or onto sidewalks. Water from sump pumps may be discharged such that: it is contained within the lot until such time as it infiltrates into the ground; it drains directly into a roadside drainage ditch; or it discharges through a direct underground connection to the stormwater sewage system servicing the property. In areas with storm sewers or ditch, connection of a sump pump to a sanitary sewer or combined sewer is prohibited.

18.2 Downspouts from roofs shall not be connected to any sewer, and shall be discharged to the surface. Existing buildings with downspouts connected to sewers will be required to disconnect their downspouts by September 1, 2025, unless otherwise exempted through application to the Manager of Public Works.

Exemptions will only be considered where disconnection is not considered to be reasonably feasible.

## **19.0 Connection to Collection Systems**

- 19.1 No person shall make, alter, or remove, or suffer, or permit the making, alteration, or removal of, any connection to the wastewater collection system or the storm drainage collection system without prior written approval by the Township.

## **20.0 Right of Entry**

- 20.1 This by-law shall be administered by the Manager who is delegated the authority to make such decisions, sign such documents, give such directions as may be required to carry out the duties and responsibility assigned to the Manager under this by-law.
- 20.2 This by-law may be enforced by any By-Law Enforcement Officer and where specified, by the Manager.
- 20.3 No person shall prevent, hinder, obstruct or interfere in any way with the Manager or a Compliance Officer and persons deemed, by the Manager, to be essential to an inspection and sampling, bearing proper credentials and identification from:
- a) entering in or upon, at any reasonable time without notice or a warrant, any land or premises, except land or premises being used as a dwelling house;
  - b) making such tests or taking such samples as the Manager or a Compliance Officer deems necessary;
  - c) inspecting or observing any plant, machinery, equipment, work, activity, or documents;
  - d) making inquiries and taking photographs for the purposes of administering or enforcing this by-law;
- 20.4 Any person who hinders or obstructs a Compliance Officer with carrying out tests under and enforcing the provisions of this by-law, is guilty of an offence.
- 20.5 Any person who knowingly provides false information in any report or return required under this by-law or who willfully withholds information required under this by-law is guilty of an offence.
- 20.6 Notwithstanding subsection (1), a Compliance Officer may obtain an Order or a Warrant to obtain any information deemed necessary to assess compliance with this by-law.

## **21.0 Enforcement**

- 21.1 Where a person has acted contrary to this by-law or is in default of doing a matter or thing required to be done under this by-law, the Manager may remedy the default or have the matter or thing done as the case may be, without notice to the person and at the cost of the person, and the cost thereof shall be a debt of the person to the Township and if more than one person, each person shall be jointly and severally liable for payment of the total expense. Any such amount may be recovered from the person or persons by action or any other means available to the Township at law.



21.2 Where an owner or operator has acted contrary to this by-law or is in default of doing the matter or thing required to be done under this by-law, then in addition to the remedies provided for, the cost may be added to the property tax rolls for the owner or operator's property and collected in the same manner as taxes.

21.3 A municipal By-Law Enforcement Officer may enter onto private property with such person or persons and such equipment or facilities as may be required to secure compliance with the by-law.

## **22.0 Protection From Damage**

22.1 No person shall uncover, open into, break, alter, damage, destroy, deface or tamper or cause or permit the breaking, damaging, destroying, defacing or tampering with any permanent or temporary device installed in a sewage works for the purposes of flow measuring, sampling and testing of matter, sewage, uncontaminated water or stormwater.

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

23.1 Any person discharging matter, sewage, uncontaminated water, or stormwater to the municipal sewage 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 investigation, repairing, cleaning or replacing any part of any municipal sewage works damaged thereby.

## **24.0 Offences**

24.1 Every person, other than a corporation, who contravenes any provision of Sections 4,5, or 6, is guilty of an offence and on conviction is liable to a fine of not more than Ten Thousand (\$10,000) Dollars for a first offence and not more than Twenty-Five Thousand (\$25,000) Dollars for any subsequent conviction.

24.2 Every corporation which contravenes any provision of Sections 4, 5 or 6 is guilty of an offence and on conviction is liable to a fine of not more than Fifty Thousand (\$50,000) Dollars for a first offence and not more than One Hundred Thousand (\$100,000) Dollars for any subsequent conviction.

24.3 Notwithstanding subsections 24.1 and 24.2, every person who contravenes any provision of any other section 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 \$5,000 as provided for in the Provincial Offences Act, R.S.O. 1990, Chap. P.33, as amended.

24.4 In this by-law, a subsequent conviction means a conviction for an offence which offence occurs after the date of conviction for an earlier offence under this by-law or any of its predecessors.

24.5 When a person has been convicted of an offence under this by-law, the Ontario Court (Provincial Division), or any court of competent jurisdiction thereafter may, in addition to any penalty imposed on the person convicted, issue an Order prohibiting the continuation or repetition of the offence of the doing of any act

or thing by the person convicted directed toward the continuation or repetition of the offence.

- 24.6 Where a person contravenes this by-law, the Township, acting through the Manager, may take remedial actions to ensure that this by-law is complied with, and the Township may recover the costs of such remedial action by charging the cost against the property as taxes due and owing in respect of that property.
- 24.7 An offence and subsequent conviction under this By-law pursuant to the Provincial Offences Act, or the Municipal Act 2001, shall not be deemed in any way to preclude the Township from issuing a separate legal proceeding to recover charges, costs, and expenses incurred by the Township and which may be recovered in a Court of competent jurisdiction.

## **25.0 Confidential Information**

- 25.1 All information submitted to and collected by the Township, 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, (MFIPPA)*.
- 25.2 In the event that any person in submitting information to the Township or to the Manager in any form, as required under this by-law, where such information is confidential or proprietary or otherwise may be exempt from disclosure under the *MFIPPA*, the person submitting the information shall so identify that information upon its submission to the Township or the Manager and shall provide sufficient details as to the reason for its purported exemption from disclosure.

## **26.0 Repeal**

- (1) All sections of The Corporation of the Township of Whitewater Region By-Law No. 13-05-617, that are inconsistent with the provisions of this By-law, are hereby repealed.
- (2) The repeal of the Township of Whitewater Region By-Law No. 13-05-617 does not:
- a) affect the previous operation of any by-law so repealed;
  - b) affect any right, privilege, obligation, or liability acquired, accrued, accruing, or incurred, under the by-laws so repealed;
  - c) affect any offence committed against any by-laws so repealed or any penalty or forfeiture or punishment incurred in respect thereof; or
  - d) affect any investigation, legal proceeding, or remedy in respect of such privilege, obligation, liability, penalty, forfeiture, or punishment.

## SCHEDULE "A"

Table 1.

Limits for Sanitary and Combined Sewers Discharge

<b>PARAMETER</b>	<b>LIMIT (mg/L)</b>	<b>PARAMETER</b>	<b>LIMIT (mg/L)</b>
pH	6.0 – 10.5	Temperature	60°C
Biochemical Oxygen Demand (B.O.D.)	300 or 0.0003 kg/L	1,3-Dichlorobenzene / m	0.04
Chemical Oxygen Demand (COD)	600	1,4-Dichlorobenzene / p	0.08
Cyanide (total)	1.2	1,1-Dichloroethane	0.2
Fluoride	10	1,2-Dichloroethane	0.2
Total Kjeldahl Nitrogen (TKN)	50	1,1-Dichloroethylene	0.4
Oil & Grease – Animal & Vegetable	150	cis-1,2-dichloroethylene	0.2
Oil & Grease – Mineral & Synthetic	15	Trans-1,2-dichloroethylene	0.2
Phenolics (4AAP)	1	1,2-Dichloropropane	0.2
Phosphorous (total)	8	Cis-1,3-Dichloropropylene	0.07
Sulphates	1500	Trans-1,3-Dichloropropylene	0.07
Sulphides	2	Ethylbenzene	0.06
Suspended Solids	300	Methylene Chloride	0.211
Aluminum (total)	50	Styrene	0.04
Antimony (total)	5	1,1,2,2-Tetrachloroethane	0.04
Arsenic (total)	1	Tetrachloroethylene	0.05
Bismuth (total)	25	Toluene	0.08
Boron (total)	25	1,1,1-Trichloroethane	0.05
Cadmium (total)	0.02	1,1,2-Trichloroethane	0.8
Chromium (total)	5	Trichloroethylene	0.05
Cobalt (total)	5	Trichlorofluoromethane	0.02
Copper (total)	3	1,3,5-Trimethylbenzene	0.003
Lead (total)	5	Vinyl Chloride	0.4
Manganese (total)	5	Xylene (total)	0.3
Mercury (total)	0.001	Bis(2chloroethoxy)methane	0.036
Molybdenum (total)	5	Bis(2-ethylehexyl)phthalate	0.28
Nickel (total)	3	Benzylbutylphthalate	0.08
Selenium (total)	5	Diethylphthalate	0.2

Silver (total)	5	Di-n-butylphthalate	0.06
Tin (total)	5	Di-n-octylphthalate	0.03
Titanium (total)	5	Fluorene	0.059
Vanadium	5	Indole	0.05
Zinc (total)	3	1-Methylnaphthalene	0.03
Benzene	0.01	2-Methylnaphthalene	0.02
Bromodichloromethane	0.35	Naphthalene	0.06
Bromoform	0.63	Total PAHs	0.015
Bromomethane	0.11	2,4-Dichlorophenol	0.044
Carbon Tetrachloride	0.057	Dioxins and Furans (total)	0.00072
Chlorobenzene	0.057	Formaldehyde	0.3
Chloroethane	0.27	Hexachlorobenzene	0.0001
Chloroform	0.08	N-Nitrosodimethylamie	0.4
Chloromethane	0.19	Nonylphenols	0.0025
Dibromochloromethane	0.057	Nonylphenol ethoxylates	0.0025
1,2 Dibromoethane	0.028	Chlorides	1500
1,2 Dichlorobenzene / o	0.88		

Table 2.  
Limits for Storm Sewers Discharge

<b>PARAMETER</b>	<b>LIMIT (mg/L)</b>	<b>PARAMETER</b>	<b>LIMIT (mg/L)</b>
Biochemical Oxygen Demand (B.O.D.)	25	1,2,-dichlorobenzene	0.0056
Cyanide (total)	0.02	1,4-dichlorobenzene	0.0068
Phenolics (4AAP)	0.008	cis-1,2-dichloroethylene	0.0056
Phosphorus (total)	0.4	Trans-1,3-dichloropropylene	0.0056
Suspended Solids (total)	15	Ethylbenzene	0.002
Arsenic	0.02	Methylene chloride	0.0052
Cadmium (total)	0.008	1,1,2,2-tetrachloroethane	0.017
Chromium (total)	0.08	Tetrachloroethylene	0.0044
Copper (total)	0.04	Toluene	0.002
Lead (total)	0.12	Trichloroethylene	0.0076
Manganese (total)	0.05	Xylene (total)	0.0044
Mercury (total)	0.0004	Naphthalene	0.0064
Nickel (total)	0.08	Hexachlorobenzene	4e-005
Selenium (total)	0.02	Nonylphenols	0.001
Zinc (total)	0.04	PCBs	0.0004
Benzene	0.002	Total PAHs	0.006
Chloroform	0.002		

This by-law shall come into force and take effect upon passing.

**Read a first, second and third time and finally passed this 4th day of December 2024.**

**Neil Nicholson, Mayor**

**Carmen Miller, Clerk**