

BYLAW NO. 9466

The Sewer Use Bylaw, 2017

**Codified to Bylaw No. 9666
(December 16, 2019)**

Table of Contents

Preamble 1

PART I – Short Title, Interpretation and Purposes

1. Short Title 1
2. Definitions 2
3. Purposes of Bylaw 8
4. Public Utility Service 8
5. Delegation of Authority 8
6. Interpretation 9

PART II – Responsibility

7. Responsibility 9

PART III – Discharging into the Sanitary Sewer System

DIVISION I – General Prohibitions, Temporary Licences and Permits

8. General Prohibition 9
9. Prohibition – Prohibited Waste 9
10. Prohibition – Restricted Waste 9
11. Prohibition – Unpurchased Water Discharge 10
12. Prohibition – Trucked Liquid Waste Haulers 10
13. Temporary Licences 10
14. Suspension or Cancellation of Temporary Licence 12
15. Suspension or Cancellation of Temporary Licence – No Right of Appeal .. 13
16. Permits - General 13
17. Permit Fees 14
18. Permits – Suspension and Cancellation 15
19. Permits – Right of Appeal 15
20. Renewal of a Permit 16
21. Discharges and Spills 17
22. Emergency 18

DIVISION II – Trucked Liquid Waste

23. Trucked Liquid Waste - Permits 19
24. Prohibition – Improper Use of PIN 19
25. Prohibition – Trucked Liquid Waste Disposal 19
26. Prohibition – Mixing Trucked Liquid Waste 19
27. Prohibition – Obstruction of Municipal Inspector 19
28. Records – Trucked Liquid Waste 20

PART IV – Pretreatment Discharge and Monitoring

DIVISION I – General

29. Pretreatment Facilities - General.....	20
30. Pretreatment Facilities Required	21
31. Storage and Disposal of Waste – Pretreatment Facilities.....	21

DIVISION II – FOG

32. FOG Interceptors Required	21
33. Prohibition – Use of Agents to Allow Waste to Pass Through a Pretreatment Facility	22
34. FOG Interceptors - Installation	22
35. FOG Interceptors – Operation, Maintenance and Cleaning.....	22
36. FOG Interceptors – Maintenance Records	22

DIVISION III – Grit and Oil and Grease Derived from Petroleum

37. Grit Interceptors and Oil/Water Separators Required	23
38. Grit Interceptors and Oil/Water Separators - Installation	23
39. Grit Interceptors – Operation, Maintenance and Cleaning.....	24
40. Oil/Water Separators – Operation, Maintenance and Cleaning.....	24
41. Maintenance Records	24

DIVISION IV – Dental Amalgam

42. Amalgam Separator Required	24
43. Containment of Waste	25
44. Amalgam Separators - Installation	25
45. Amalgam Separators – Operation, Maintenance and Cleaning.....	25
46. Maintenance Records	25

DIVISION V – Sampling and Testing

47. Measurements, Testing and Sampling	26
48. Control Manholes and Sample Points	27

DIVISION VI – Pretreatment Facility Records

49. Records – Pretreatment Facilities	27
50. Records – Inspection and Maintenance – Pretreatment Facilities.....	28
51. Record Retention – Pretreatment Facilities	28

PART V – Mobile Food Trucks

52. Records - Mobile Food Trucks 28

PART VI – General Matters Regarding Use of the Sanitary Sewer System

53. Interference with Sanitary Sewer System..... 29
54. Diluting Discharge 29
55. Blockages of the Sanitary Sewer System..... 29
56. Garbage Disposal Units..... 30
57. Sump Pumps and Weeping Tile 30

PART VII – Sanitary Sewer Service Charges

58. Domestic and Non-Domestic Users of City Water..... 31
59. Users of Non-City Water – Unpurchased Water 31
60. Adjustment for Water not Discharged to Sanitary Sewer System..... 31
61. Domestic Accounts..... 31
62. Commercial and Industrial Accounts 31

PART VIII – Private Sewage Works

63. Private Sewage Works - Construction..... 32
64. Maintaining Private Sewage Works..... 32
65. Septic Tanks..... 32
66. Connecting to the Sanitary Sewer System 32

PART IX – Inspections, Compliance and Enforcement Procedures

67. Inspections 33
68. Notices 33
69. Order to Remedy Contraventions..... 34
70. Registration of Notice of Order 34
71. Appeal of Order to Remedy..... 35
72. City Remediating Contraventions..... 35
73. Discontinuance and Removal of a Public Utility 35
74. Emergencies 35
75. City’s Right to Recover Costs for Damage/Remedial Action 36
76. Civil Action to Recover Costs 36
77. Adding Amounts to Tax Roll 36

PART X – Offences and Penalties

78. General Penalty..... 37
79. Restitution 37

PART XI – Miscellaneous

80. Liens for Public Utility Service 38

81. Compliance with Other Laws..... 38

82. More Restrictive Provisions Prevail 38

83. Bylaw Nos. 4875 and 5115 Repealed 39

84. Coming Into Force..... 39

Schedule “A” – Prohibited Waste 40

Schedule “B” – Restricted Waste 42

Schedule “C” – Permit Fees..... 44

Schedule “D” – Sanitary Sewer Service Charges..... 45

Schedule “E” – Maintenance Records 49

BYLAW NO. 9466

The Sewer Use Bylaw, 2017

Whereas pursuant to clause 8(1)(i) of *The Cities Act*, S.S. 2002, c. C-11.1 (the “Act”), the City has the authority to pass bylaws respecting services provided by or on behalf of the City, including establishing fees for providing those services;

Whereas pursuant to clause 8(1)(j) of the Act, the City has the authority to pass bylaws respecting public utilities;

Whereas the City maintains a sanitary sewer system;

Whereas all property that is capable of being served by the City’s sanitary sewer system should be served and connected;

Whereas City Council considers it expedient to protect its sanitary sewer system from improper use;

Whereas homeowners and business owners have a responsibility to protect the sanitary sewer system from improper use;

Whereas there are components of sewage which in various concentrations, volumes, and/or loadings are detrimental or costly to the operation and maintenance of the sanitary sewer system and must either be restricted or prohibited;

Whereas it is necessary to regulate the operation and use of the City’s sanitary sewer system;

Whereas the sanitary sewer system is a physical asset that will fail from time to time and the City has a duty to take action, as it deems necessary, to protect its property from those events.

Now therefore, the Council of The City of Saskatoon enacts:

PART I

Short Title, Interpretation and Purposes

Short Title

1. This Bylaw may be cited as *The Sewer Use Bylaw, 2017*.

Definitions

2. In this Bylaw:

- (a) **“audit sample”** means a specimen of sewage, groundwater, storm water or effluent of at least 100 millilitres collected by the City to verify compliance with the Bylaw and confirm that samples being provided are not being manipulated;
- (b) **“authorized 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”;
- (c) **“biochemical oxygen demand”** or **“BOD”** means the quantity of oxygen expressed in parts per million or milligrams per litre, utilized in the biochemical degradation of organic matter, oxidation of inorganic materials, and/or nitrogenous compounds for five days at 20 degrees Celsius as described in “Standard Methods”;
- (d) **“biomedical waste”** means medical waste that requires special precautions in disposal due to the waste being infectious, cytotoxic or especially toxic in nature, or containing sharps;
- (e) **“building drain”** means that part of the lowest horizontal piping of drainage systems in a building and that receives the discharge from a soil pipe, waste pipe or other drainage pipe and conveys it to the building sanitary sewer;
- (f) **“building sanitary sewer”** means a pipe that connects a building drain to the sanitary sewer system or to a private sewage work;
- (g) **“business”** means a business within the meaning of *The Cities Act*;
- (h) **“CSA B481”** means the standards included in Canadian Standards Association (CSA Group) B481 Series Grease Interceptors;
- (i) **“chemical oxygen demand”** or **“COD”** means the measure of the oxygen consuming capacity of inorganic and organic matter present in domestic or non-domestic wastewater as described in “Standard Methods”;
- (j) **“City”** means The City of Saskatoon;
- (k) **“compliance plan”** means a document prepared to identify a strategy to address the management of discharges in excess of the

limits prescribed in the Bylaw to protect people, property and the environment. For greater certainty, a compliance plan is intended to:

- (i) outline a discharge plan for a business or operation that's ongoing discharge is in contravention of the Bylaw; or
 - (ii) outline a spill response plan to minimize, counteract, mitigate, prevent the recurrence of and remedy the effect of a spill;
- (l) **“composite sample”** means multiple specimens of sewage, groundwater, storm water or effluent of at least 100 millilitres which is made up of three or more grab samples that have been combined manually or automatically and taken at intervals;
 - (m) **“control manhole”** means a manhole used for sampling and monitoring of non-domestic wastewater and maintenance of the wastewater connection;
 - (n) **“Council”** means the Council of The City of Saskatoon;
 - (o) **“dental operation”** includes activities such as dental care, dental hygiene or dental laboratory practices which have the potential to generate effluent that contains dental amalgam;
 - (p) **“domestic wastewater”** means the water-carried waste and wastewater produced from non-commercial or non-industrial activities and which result from normal human living processes;
 - (q) **“effluent”** means the liquid outflow of any facility designed to treat or convey sewage or storm water;
 - (r) **“FOG”** means liquid waste that contains animal or vegetable fat, oil and grease originating as a by-product of cooking or food preparation processes, including food scraps, meat fats, lard, sauces, cooking oil, butter and margarine that may impair the operation of the sanitary sewer system;
 - (s) **“General Manager”** means the General Manager, Community Services Department or a designate;
 - (t) **“grab sample”** means a specimen of sewage, groundwater, storm water or effluent of at least 100 millilitres which is collected at a particular time and place over a period of time not exceeding 15 minutes;
 - (u) **“groundwater”** means water found under the surface of the ground;

- (v) **“ISO 11143”** means the standard ISO/FDIS 11143 for “Dentistry – Amalgam Separators” as established by the International Organization for Standardization;
- (w) **“integrated sample”** means a combination of grab or composite samples collected at different sampling sites at approximately the same time;
- (x) **“interceptor”** means a receptacle that is installed to prevent oil, grease, sand and other prohibited or restricted waste from passing into the sanitary sewer system;
- (y) **“liquid waste containing grit”** means liquid waste that contains solid matter including ashes, cinder, sand, stone or any other solid or viscous substance that may impair the operation of the sanitary sewer system;
- (z) **“matter”** means any solid, liquid or gas;
- (aa) **“mobile food truck”** means a motorized, mobile, self-contained vehicle that is equipped to cook, prepare and/or serve food for which a mobile food vendor license has been granted under *The Business License Bylaw* No. 8075;
- (bb) **“municipal inspector”** means an employee or agent of the City authorized by the General Manager to act as a municipal inspector for the purposes of this Bylaw;
- (cc) **“non-domestic wastewater”** means all water-carried waste and wastewater of non-human origin from any processing, institutional, commercial or other business or operation;
- (dd) **“owner”** means an owner within the meaning of *The Cities Act*;
- (ee) **“pathological waste”** means waste which contains infectious material that could threaten the public or worker health and safety;
- (ff) **“person”** includes a corporation and the heirs, executors, administrators or other legal representatives of a person;
- (gg) **“pesticide”** means an organism or material that is represented, sold, used or intended to be used to prevent, destroy, repel or mitigate a pest and includes a plant growth regulator, plant defoliator, or plant desiccant, and a control product other than a device that is a control product under the *Pest Control Products Act*;

- (hh) **“PIN”** means personal identification number;
- (ii) **“pretreatment facility”** means one or more treatment devices, including chemical and biological processes, interceptors, strainers, filters, screens, separators, chemical recovery cartridges, electrolytic recovery units and any other pretreatment facility that the General Manager may direct that is designed to remove sufficient quantities of substances from wastewater prior to discharge into the sanitary sewer system to allow for compliance with substance restrictions or limits contained in this Bylaw;
- (jj) **“private sewage work”** means a privately-owned apparatus or system for the treatment and disposal of sewage as defined in *The Private Sewage Works Regulations*;
- (kk) **“prohibited waste”** means any waste listed in Schedule “A”;
- (ll) **“properly-shredded food waste”** means waste from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will flow freely under conditions normally prevailing in the sanitary sewer system, with no particles greater than 12.5 millimeters in any dimension;
- (mm) **“radioactive material”** means a nuclear substance within the meaning of the *Nuclear Safety and Control Act*;
- (nn) **“restricted waste”** means any waste listed in Schedule “B”;
- (oo) **“sample point”** means a manhole, valve, tap or other similar control device or facility on equipment, a drain pipe or other similar location used for the sampling and monitoring of wastewater;
- (pp) **“sanitary service connection”** means a service connection that connects a building to the sanitary sewer system;
- (qq) **“sanitary sewer”** means a sewer for the collection and transmission of domestic and non-domestic sewage and into which storm, surface and groundwaters are not intentionally admitted;
- (rr) **“sanitary sewer system”** means any City asset or facility for the collection, transmission, treatment and disposal of domestic and non-domestic wastewater;

- (ss) **“separator”** means a device that is installed to prevent oil and grease derived from petroleum, dental amalgam and other prohibited and restricted waste from passing into the sanitary sewer system;
- (tt) **“septic tank waste”** means any waste extracted from a cesspool, septic tank, sewage holding tank or other containment for human excretion and waste;
- (uu) **“service connection”** means a service connection within the meaning of *The Cities Act*;
- (vv) **“sewage”** means a combination of the wastewater from residences, industrial, commercial and institutional buildings together with such groundwater and storm water as may be present;
- (ww) **“sewer”** means a pipe, including manholes and other appurtenances in the sanitary sewer system, but does not include a service connection;
- (xx) **“Special-Use Permit”** means a permit issued by the City to allow a person to discharge prohibited and restricted waste into the sanitary sewer system under specified conditions, and includes:
 - (i) an annual permit intended to allow the discharge of wastewater on an ongoing basis for an extended period of time in excess of one year;
 - (ii) a permit intended to allow the discharge of wastewater for a limited duration or a one-time discharge; and
 - (iii) a permit intended to allow the excessive discharge of wastewater containing treatable substances to which a surcharge is applied;
- (yy) **“spill”** means any unanticipated activity or event which may cause a discharge to exceed the prohibited or restricted substances listed in Schedules “A” and “B”;
- (zz) **“spill containment system”** means a system used to contain the accidental release of materials, primarily liquids, from their proper vessels, piping or other containers, with the goal of preventing further movement of the spilled material into the environment and the sanitary sewer system;
- (aaa) **“Standard Methods”** means the analytical and examination procedures set forth in “Standard Methods for the Examination of

Water and Waste Water” published jointly by the American Public Health Association, the American Water Works Association, the Canadian Standards Association and the Water Environment Federation;

- (bbb) “**storm water**” means water originating from rainwater, snow melt or groundwater including roof drain water and foundation drain water;
- (ccc) “**surcharge**” means a fee determined by the City in accordance with Schedule “D”, Part III;
- (ddd) “**sump pump**” means a pump used to manage exterior water runoff and facilitate basement drainage by removing water accumulated around the foundation of a building to prevent residential flooding;
- (eee) “**Total Kjeldahl Nitrogen**” or “**TKN**” means the sum of organic nitrogen, ammonia (NH₃), and ammonium (NH₄⁺);
- (fff) “**trucked liquid waste**” means any waste that is collected and transported off the site on which it originated by means other than discharge to a sewer, including septic tank waste, oil and grease from interceptors and grit from interceptors;
- (ggg) “**trucked liquid waste hauler**” means a person responsible for the collection and transportation of waste from a site for discharge into the sanitary sewer system;
- (hhh) “**Trucked Liquid Waste Hauler Permit**” means a permit issued by the City to allow a trucked liquid waste hauler to collect and transport waste from a site for disposal into the sanitary sewer system via an approved disposal facility and under specified conditions;
- (iii) “**unpurchased water**” means water and wastewater which originates from a source other than that purchased from the City at a volume greater than 175 cubic feet per day;
- (jjj) “**unpurchased water discharge**” means any discharge of unpurchased water in an amount that meets or exceeds 175 cubic feet per day;
- (kkk) “**Unpurchased Water Discharge Permit**” means a permit issued by the City to allow a person to discharge unpurchased water into the sanitary sewer system under specified conditions;

- (III) **“weeping tile”** means a foundation drainage system consisting of a perforated pipe surrounded by coarse gravel located around the outer edge of the concrete footing of a basement.

Purposes of Bylaw

- 3. The purposes of this Bylaw are to:
 - (a) provide for the regulation and use of the City’s sanitary sewer system;
 - (b) regulate all direct and indirect discharges to any part of the sanitary sewer;
 - (c) prevent damage to or misuse of the sanitary sewer system and its processes;
 - (d) levy sanitary sewer service charges for services provided, including setting rates, fees and charges for various types of permits and uses;
 - (e) set conditions required for connection to the sanitary sewer system;
 - (f) protect human health and safety;
 - (g) assist the City in complying with laws and regulatory instruments to which it is subject; and
 - (h) protect the environment.

Public Utility Service

- 4. The works established for the collection, transmission, treatment and disposal of sewage pursuant to the provisions of the Act are a public utility.

Delegation of Authority

- 5. (1) The administration and enforcement of this Bylaw is hereby delegated to the General Manager.
 - (2) The General Manager is authorized to further delegate the administration and enforcement of this Bylaw to other municipal employees, including municipal inspectors.

Interpretation

6. Unless otherwise stipulated, a reference to legislation, bylaw, code or standard shall mean the most recent version of the legislation, bylaw, code or standard having effect at the time at which it is applied.

PART II Responsibility

Responsibility

7. Unless otherwise specified, the owner or occupant of a property, including land, buildings and structures, shall be responsible for carrying out the provisions of this Bylaw and shall ensure compliance with the provisions of this Bylaw.

PART III Discharging into the Sanitary Sewer System

DIVISION I General Prohibitions, Temporary Licences and Permits

General Prohibition

8. (1) No person shall discharge, permit or cause to be discharged into the sanitary sewer system any material except in accordance with the provisions of this Bylaw.

(2) No person shall be reckless or wilfully blind as to any discharge entering the sanitary sewer system.

Prohibition - Prohibited Waste

9. No person shall discharge, permit or cause to be discharged into the sanitary sewer system any prohibited waste.

Prohibition - Restricted Waste

10. No person shall discharge, permit or cause to be discharged into the sanitary sewer system any restricted waste.

Prohibition – Unpurchased Water Discharge

11. No person shall discharge, permit or cause to be discharged into the sanitary sewer system any unpurchased water.

Prohibition - Trucked Liquid Waste Haulers

12. No person shall transport, discharge, permit or cause to be discharged into the sanitary sewer system any trucked liquid waste.

Temporary Licences

13. (1) Notwithstanding sections 8, 9, 10, 11 and 12 of this Bylaw, the City may issue a temporary licence to allow a business to temporarily operate in contravention of the Bylaw discharge limits while working towards achieving compliance.
- (2) In deciding whether to issue a temporary licence, the City will consider:
 - (a) whether the owner of the business has voluntarily been working with the City in an effort to comply with Bylaw discharge limits;
 - (b) whether the scope of work required to achieve compliance and the time line for achieving compliance with Bylaw discharge limits is satisfactory to the City;
 - (c) whether a contractor or other person to conduct work required to achieve compliance with Bylaw discharge limits has been identified or retained;
 - (d) whether applicable permits, including building and plumbing permits have been sought and approved to permit commencement of construction;
 - (e) the degree to which the required work has progressed;
 - (f) the reasons why the business failed to achieve compliance with Bylaw discharge limits;
 - (g) the amount of time required before the business will achieve compliance with Bylaw discharge limits; and

- (h) the level of risk represented by the discharge.
- (3) Application for a temporary licence shall be made to the City on such forms and accompanied by such information as the City may prescribe from time to time.
 - (4) No person shall provide false or misleading information in an application or supporting documentation submitted pursuant to subsection (3).
 - (5) The City may issue a temporary licence upon such terms and conditions as the City considers appropriate.
 - (6) Without limiting the generality of subsection (5), the City may, in any temporary licence:
 - (a) require the applicant to devise a compliance plan;
 - (b) restrict the quantity, composition, frequency and nature of the waste to be discharged;
 - (c) require the applicant to monitor any discharge through sampling and testing in the manner and frequency prescribed;
 - (d) require the applicant to keep records and provide the same for inspection by the City;
 - (e) require the applicant to install and maintain an accessible control manhole or other sample point to allow for sampling and testing;
 - (f) require the applicant to provide and maintain pretreatment facilities;
 - (g) require the applicant to provide access to municipal inspectors for the purposes of carrying out an inspection or obtaining an audit sample for testing discharges or effluent;
 - (h) require the applicant to submit a progress report to the City;
 - (i) require the applicant to indemnify the City against liability and carry insurance adequate to satisfy the indemnity; and
 - (j) provide that the temporary licence will expire on a specified date.
 - (7) Notwithstanding subsection (6), the City may impose more stringent conditions than those outlined in Part IV on holders of a temporary licence.

- (8) The City may, upon application from the holder of the temporary licence or at its discretion, amend the terms and conditions of the temporary licence.
- (9) No person, having obtained a temporary licence, shall discharge in violation of the conditions contained in the temporary licence.
- (10) No person shall assign or transfer a temporary licence.

Suspension or Cancellation of Temporary Licence

- 14. (1) Without limiting any other provision of this Bylaw, after making reasonable attempts to notify the temporary licence holder, the City may suspend or cancel a temporary licence granted under this Bylaw if:
 - (a) the applicant has failed to comply with any provision of this Bylaw;
 - (b) the applicant has provided false or misleading information in the application or supporting documentation; or
 - (c) the applicant has failed to comply with any condition of a temporary licence granted under this Bylaw.
- (2) In deciding whether to suspend or cancel a temporary licence, the City will consider factors such as:
 - (a) the nature of the condition violated;
 - (b) the frequency and duration of the violation;
 - (c) the consequences of the violation; and
 - (d) the consequences to the temporary licence holder of the suspension or cancellation of the temporary licence, including consideration of whether the temporary licence is being replaced with a permit or Order under this Bylaw.
- (3) Any decision to suspend or cancel a temporary licence is in the discretion of the City.
- (4) The City has the authority to reverse the decision to suspend or cancel a temporary licence.

Suspension or Cancellation of Temporary Licence – No Right of Appeal

15. There is no right of appeal with respect to:
- (a) a condition of a temporary licence;
 - (b) the suspension, period of suspension or cancellation of a temporary licence; or
 - (c) a refusal to issue a temporary licence.

Permits - General

16. (1) Notwithstanding sections 8, 9, 10, 11, and 12, the City may issue a permit to allow a person to:
- (a) discharge prohibited waste into the sanitary sewer system;
 - (b) discharge restricted waste into the sanitary sewer system;
 - (c) discharge unpurchased water into the sanitary sewer system; or
 - (d) discharge trucked liquid waste into the sanitary sewer system.
- (2) The types of permits that may be issued by the City include:
- (a) Special-Use Permits;
 - (b) Unpurchased Water Discharge Permits; and
 - (c) Trucked Liquid Waste Hauler Permits.
- (3) Application for a permit shall be made to the City on such forms and accompanied by such information as the City may prescribe from time to time.
- (4) No person shall provide false or misleading information in an application submitted pursuant to subsection (3).
- (5) The City may issue a permit upon such terms and conditions as the City considers appropriate.
- (6) Without limiting the generality of subsection (5), the City may, in any permit:
- (a) require the applicant to devise a compliance plan;

- (b) restrict the quantity, composition, frequency and nature of the waste to be discharged;
 - (c) require the applicant to monitor any discharge through sampling and testing in the manner and frequency prescribed;
 - (d) require the applicant to keep records and provide the same for inspection by the City;
 - (e) require the applicant to install and maintain an accessible control manhole or other sample point to allow for sampling and testing;
 - (f) require the applicant to provide and maintain pretreatment facilities;
 - (g) require the applicant to pretreat any discharge prior to release into the sanitary sewer system;
 - (h) require the applicant, in addition to or in lieu of pretreatment facilities, to pay surcharge fees as determined by the City from time to time;
 - (i) require the applicant to provide access to municipal inspectors for the purposes of carrying out an inspection or obtaining an audit sample for testing discharges or effluent;
 - (j) require the applicant to indemnify the City against liability and carry insurance adequate to satisfy the indemnity; and
 - (k) provide that the permit will expire on a specified date.
- (7) The City may, upon application from the permit holder or at its discretion, amend the terms and conditions of the permit.
- (8) No person, being a permit holder, shall discharge in contravention of the conditions contained in the permit.
- (9) No person shall assign or transfer a permit.

Permit Fees

17. (1) The City shall not issue a permit under this Bylaw until payment of the Annual Permit Fee as prescribed in Schedule "C" is received by the City.
- (2) The Annual Permit Fee for a Special-Use Permit issued for less than a 12-month period shall be prorated on a monthly basis.

- (3) Notwithstanding subsection (1), the Annual Permit Fee shall be waived for a Special-Use Permit that has a surcharge attached as a condition of the permit.
- (4) Permit fees are non-refundable. No payment of a permit fee or part thereof is refundable.

Permits – Suspension and Cancellation

- 18. (1) Without limiting any other provision of this Bylaw, after making reasonable attempts to notify the permit holder, the City may suspend or cancel a permit granted under this Bylaw if:
 - (a) the applicant has failed to comply with any provision of this Bylaw;
 - (b) the applicant has provided false or misleading information in the permit application or supporting documentation; or
 - (c) the applicant has failed to comply with any condition of a permit granted under this Bylaw.
- (2) In deciding whether to suspend or cancel a permit, the City will consider factors such as:
 - (a) the type of permit;
 - (b) the nature of the condition violated;
 - (c) the frequency and duration of the violation;
 - (d) the consequences of the violation; and
 - (e) the consequences to the permit holder of the suspension or cancellation of the permit.
- (3) Any decision to suspend or cancel a permit is in the discretion of the City.
- (4) The City has the authority to reverse the decision to suspend or cancel a permit.

Permits – Right of Appeal

- 19. (1) A permit holder may appeal:

- (a) a condition of a permit;
 - (b) the suspension, period of suspension or cancellation of a permit; or
 - (c) a refusal to issue or renew a permit.
- (2) Notwithstanding subsection (1), there is no right of appeal with respect to the condition to pay a surcharge or the amount of a surcharge.
- (3) The filing of an appeal does not stay the suspension, cancellation or amendment of a permit.
- (4) A permit holder shall file an appeal within seven days of the date it receives notice of the condition, the proposed suspension or cancellation of a permit or a refusal to issue or renew a permit.
- (5) Notice of an appeal shall set out the specific grounds upon which the appeal is being made, the material facts supporting each ground of the appeal and the nature of the relief requested.
- (6) An appeal of the suspension or cancellation of a permit shall be made to the Environmental Management Appeal Board, which Board is established pursuant to section 71.
- (7) The Environmental Management Appeal Board may confirm, revoke or vary:
- (a) a condition of a permit which is the basis of the appeal;
 - (b) the suspension, period of suspension or cancellation of a permit; and
 - (c) the refusal to issue or renew a permit.

Renewal of a Permit

20. (1) Permits shall be renewed annually in the manner prescribed by the City.
- (2) The City shall not renew a permit under this Bylaw until payment of the Annual Permit Fee as prescribed in Schedule "C" is received by the City.

Discharges and Spills

21. (1) No person shall discharge into the sanitary sewer system any matter in contravention of the provisions of this Bylaw.
- (2) If any matter has been discharged or spilled into the sanitary sewer system in contravention of this Bylaw, any person who:
 - (a) owns or has charge, management or control of the waste being discharged;
 - (b) owns, operates or controls the facility from which the waste was discharged; or
 - (c) causes or contributes to the dischargeshall immediately notify the City.
- (3) Any person who is obliged to notify the City under subsection (2) shall as soon as practicable, and in any case no later than five days following the discharge, provide a written report to the City specifying:
 - (a) the location of the discharge or spill;
 - (b) the name and contact details for the person who reported the occurrence;
 - (c) the volume of the substance discharged;
 - (d) the nature and characteristics of the substance discharged;
 - (e) the date, time and duration of the discharge;
 - (f) the cause of the discharge; and
 - (g) the corrective actions taken or proposed to minimize, counteract, mitigate, prevent the recurrence of and remedy the effect of the discharge.
- (4) No person shall fail to report a discharge or spill in accordance with the provisions of this Bylaw.
- (5) No person shall provide a false or misleading verbal notification or report in respect of a discharge or spill.

- (6) The person responsible for the discharge or spill and any person having the charge, management and control over the responsible person shall notify Federal, Provincial or other agencies as required by applicable law, policy or regulation.
- (7) The person responsible for the discharge or spill and any person having the charge, management or control over the responsible person shall do everything reasonably possible to contain the discharge or spill, minimize, counteract, mitigate and remediate the effects of the discharge or spill and restore the affected area to its condition prior to the discharge or spill.
- (8) If the person responsible for the discharge or spill fails to adequately remedy the effects of the discharge or spill and restore the affected area to its condition prior to the discharge or spill, the City may take whatever measures are necessary to remedy the effects of the discharge or spill and restore the affected area to its condition prior to the discharge or spill.
- (9) The person responsible for the discharge or spill and any person having the charge, management or control over the responsible person shall bear any expenses incurred by the City in remedying the effects of the discharge or spill.
- (10) Costs associated with the City's actions in remedying the effects of the discharge or spill shall be an amount owing to the City.

Emergency

22. (1) If any discharge or spill of sewage either creates an immediate danger to any person, or endangers or interferes with the operation of the sanitary sewer system, the City may, in addition to any action provided for in this Bylaw, disconnect, plug or seal off that discharge or take such other action as is necessary to prevent that discharge from entering the sanitary sewer system, including disconnecting the water supply.
- (2) The City may refuse access to the sanitary sewer system to a discharger who has been disconnected pursuant to subsection (1) until the City is satisfied that the sewage is suitable to enter the sanitary sewer system.

DIVISION II
Trucked Liquid Waste

Trucked Liquid Waste - Permits

23. (1) No trucked liquid waste hauler shall dump trucked liquid waste at a City disposal facility except in accordance with the conditions of a permit.
- (2) A PIN shall be issued by the City in respect of each vehicle permitted to carry trucked liquid waste.
- (3) Permits and PINs are non-transferrable.
- (4) A trucked liquid waste hauler shall enter the PIN linked to the vehicle dumping waste prior to disposing of the load of waste at a City disposal facility.
- (5) The fees for disposal of trucked liquid waste are as set out in Schedule "D".

Prohibition - Improper Use of PIN

24. No person discharging trucked liquid waste shall enter a PIN that is not linked to the vehicle being used to dispose of the trucked liquid waste.

Prohibition – Trucked Liquid Waste Disposal

25. No trucked liquid waste hauler shall dispose of any trucked liquid waste except at a City approved disposal facility.

Prohibition – Mixing Trucked Liquid Waste

26. No person shall mix trucked liquid waste collected from one business with trucked liquid waste collected from any other business.

Prohibition – Obstruction of Municipal Inspector

27. No person shall obstruct a municipal inspector in carrying out an inspection of a vehicle used to transport trucked liquid waste or in obtaining an audit sample of the trucked liquid waste for testing.

Records – Trucked Liquid Waste

28. (1) Trucked liquid waste haulers shall maintain a record containing the following information:
 - (a) the date, location, description and volume of trucked liquid waste picked up and disposed of;
 - (b) the dates, description and results of any sampling, analysis or monitoring that has been conducted.
- (2) All records shall be produced upon request by the City.
- (3) No person shall falsify records as required under this section.
- (4) The record referred to in subsection (1) shall be retained for at least two years from the date of the most recent entry.

PART IV
Pretreatment Discharge and Monitoring

DIVISION I
General

Pretreatment Facilities – General

29. (1) This Part applies to all businesses or operations which require pretreatment facilities.
- (2) No person shall operate any business or operation requiring a pretreatment facility except in accordance with the provisions of this Bylaw.
- (3) No person shall fail to maintain any equipment that monitors or regulates any discharge entering the sanitary sewer system.
- (4) No person shall handle and dispose of waste collected by a pretreatment facility except in accordance with this Bylaw or the conditions of a temporary licence or a permit.
- (5) If required by this Bylaw, the owner of any business or operation shall do one or more of the following:
 - (a) prepare a compliance plan;

- (b) install, operate, monitor, inspect, clean and properly maintain, at all times, a pretreatment facility, in accordance with the manufacturer's specifications.
- (6) No person shall be reckless or wilfully blind as to the condition and maintenance of any pretreatment facility.

Pretreatment Facilities Required

- 30. Pretreatment facilities are required for the following types of businesses and operations:
 - (a) businesses which generate FOG;
 - (b) businesses which generate oil and grease derived from petroleum or grit;
 - (c) dental operations.

Storage and Disposal of Waste – Pretreatment Facilities

- 31. No person shall discharge, permit or cause to be discharged into the sanitary sewer, storm sewer, service connection, catch basin, street, alley or ditch, any non-domestic wastewater from a pretreatment facility.

DIVISION II FOG

FOG Interceptors Required

- 32. (1) The owner or operator of a business that produces FOG shall, at the expense of the owner or operator, install and maintain on the waste outlet of any fixture which discharges fat, oils and grease, a FOG interceptor.
- (2) All non-domestic wastewater from a business that produces FOG shall pass through the FOG interceptor before discharge into the sanitary sewer system.

Prohibition – Use of Agents to Allow Waste to Pass Through a Pretreatment Facility

33. No person shall use chemical agents, solvent-containing products, hot water or any other agent to facilitate the passage of fat, oils and grease through a FOG interceptor.

FOG Interceptors - Installation

34. (1) A FOG interceptor shall be installed in accordance with the *National Plumbing Code of Canada* and *The Plumbing Regulations*.
- (2) A FOG interceptor shall be installed on private property in a safe location and shall be easily accessible for inspection, cleaning and maintenance.
- (3) Notwithstanding the generality of subsection (2), a FOG interceptor:
- (a) shall be located so as to allow enough space to open the lid or cover completely and remove the baffles and screens; and
 - (b) shall not be suspended from a ceiling or located in any area that endangers the health and safety of employees, contractors engaged in maintaining or cleaning the unit or municipal inspectors performing their duties.

FOG Interceptors – Operation, Maintenance and Cleaning

35. (1) A FOG interceptor shall be operated and maintained in accordance with the manufacturer's guidelines and CSA B481.
- (2) A FOG interceptor shall be maintained in good working order.
- (3) FOG shall be removed from an interceptor and the interceptor shall be cleaned on a regular basis. The combined volume of food solids and FOG shall not be permitted to build up to a depth of more than 25% of the total liquid depth in the interceptor.

FOG Interceptors – Maintenance Records

36. Maintenance records for FOG interceptors as required by section 50 shall be kept substantially in the form provided in Schedule "E".

DIVISION III
Grit and Oil and Grease Derived from Petroleum

Grit Interceptors and Oil/Water Separators Required

37. (1) The owner or operator of a business that:
- (a) produces grit; or
 - (b) operates from a building equipped with vehicle access doors
- shall, at the expense of the owner or operator, install and maintain on the waste outlet of any fixture which discharges grit, a grit interceptor.
- (2) The owner or operator of a business that:
- (a) produces oil and grease derived from petroleum; or
 - (b) operates from a building equipped with vehicle access doors
- shall, at the expense of the owner or operator, install and maintain on the waste outlet of any fixture which discharges oil and grease derived from petroleum, an oil/water separator.
- (3) Notwithstanding subsections (1) and (2), the owner or operator of a business that has floor drains connected to the sanitary sewer system may, at the discretion of the City, be required to install and maintain a grit interceptor and an oil/water separator.
- (4) All non-domestic wastewater from a business that requires a grit interceptor in accordance with this section shall pass through the grit interceptor before discharge into the sanitary sewer system.
- (5) All non-domestic wastewater from a business that requires an oil/water separator in accordance with this section shall pass through the oil/water separator before discharge into the sanitary sewer system.

Grit Interceptors and Oil/Water Separators – Installation

38. (1) Grit interceptors and oil/water separators shall be installed in accordance with the *National Plumbing Code of Canada* and *The Plumbing Regulations*.
- (2) Grit interceptors and oil/water separators shall be located to be readily and easily accessible for inspection, cleaning and maintenance.

Grit Interceptors - Operation, Maintenance and Cleaning

39. (1) A grit interceptor shall be operated and maintained in accordance with the manufacturer's guidelines.
- (2) A grit interceptor shall be maintained in good working order.
- (3) Sand and solids shall be removed from a grit interceptor on a regular basis. The combined volume of sand and solids shall not be permitted to build up to a depth of more than 75% of the total liquid depth in the grit interceptor.

Oil/Water Separators – Operation, Maintenance and Cleaning

40. (1) An oil/water separator shall be operated and maintained in accordance with the manufacturer's guidelines.
- (2) An oil/water separator shall be maintained in good working order.
- (3) Oil and grease derived from petroleum shall be removed from an oil/water separator on a regular basis. The volume of floating oil and grease derived from petroleum shall not be permitted to build up to a depth of more than 5% of the total liquid depth of the separator.

Maintenance Records

41. Maintenance records for grit interceptors and oil/water separators as required by section 50 shall be kept substantially in the form provided in Schedule "E".

DIVISION IV Dental Amalgam

Amalgam Separator Required

42. (1) The owner or operator of a dental operation shall, at the expense of the owner or operator, install and maintain on the waste outlet, an amalgam separator on all fixtures that may release dental amalgam.
- (2) All wastewater from a dental operation that may contain dental amalgam shall pass through the amalgam separator before discharge into the sanitary sewer system.

Containment of Waste

43. The owner or operator of a dental operation shall install a spill containment system to contain spills or leaks from the amalgam separator.

Amalgam Separators - Installation

44. (1) An amalgam separator which is ISO 11143 certified or exceeds ISO 11143 standards shall be installed.
- (2) An amalgam separator shall be installed in accordance with the manufacturer's guidelines.
- (3) An amalgam separator shall be located to ensure that an accidental spill, leak or collecting container failure will not result in waste containing amalgam entering the sanitary sewer system.

Amalgam Separators - Operation, Maintenance and Cleaning

45. (1) An amalgam separator shall be operated and maintained in accordance with ISO 11143 and the manufacturer's guidelines.
- (2) An amalgam separator's collecting container shall be replaced when any one of the following occurs:
- (a) the manufacturer's or supplier's recommended expiry date, as shown on the amalgam separator, has been reached;
- (b) the warning level specified in ISO 11143 has been reached.

Maintenance Records

46. Maintenance records for amalgam separators as required by section 50 shall be kept substantially in the form provided in Schedule "E".

DIVISION V
Sampling and Testing

Measurements, Testing and Sampling

47. (1) All measurements, tests, analysis and examinations of sewage under this Bylaw shall be based on "Standard Methods".
- (2) All testing and analysis of sewage under this Bylaw shall be conducted by an authorized laboratory.
- (3) A person discharging into the sanitary sewer system shall monitor and sample sewage in accordance with the conditions of a temporary licence, permit or an Order made pursuant to section 69.
- (4) Notwithstanding subsection (3), the City may monitor any discharge into the sanitary sewer system through sampling and testing to ensure compliance with this Bylaw.
- (5) For the purpose of conducting sampling tests to ensure compliance with this Bylaw, the City may, at any reasonable time, enter any building, structure or premises.
- (6) No person shall obstruct the City or any person assisting the City in carrying out any sampling under this Bylaw.
- (7) Unless otherwise stated, if a sample is required to determine the characteristics or contents of anything to which reference is made in this Bylaw:
- (a) one sample alone is sufficient;
 - (b) such sample may be either of a grab sample, an integrated sample or a composite sample; and
 - (c) such sample may be collected manually or by an automatic sampling device.
- (8) Records of monitoring and sampling results obtained in accordance with subsection (3) shall be retained by the person discharging into the sanitary sewer system for a minimum of two years, unless otherwise provided in a temporary licence or permit.

Control Manholes and Sample Points

48. (1) The owner or operator of a business with one or more service connections to the sanitary sewer system shall install and maintain at their own expense, in each connection, a control manhole that provides for safe, easy inspection and sampling of the discharge by the City at all times.
- (2) A control manhole shall be maintained in good repair.
- (3) Unless otherwise approved by the City, the control manhole shall be located on the owner's property and as close to the property line as possible.
- (4) Notwithstanding subsection (1), the City may, in its sole discretion, approve an alternative sample point where installation of a control manhole is not physically possible and the alternative sample point provides for safe, easy inspection and sampling of discharge by the City at all times.
- (5) No person shall construct a control manhole or sample point except in accordance with City standards and specifications.

DIVISION VI Pretreatment Facility Records

Records - Pretreatment Facilities

49. The owner or operator of a business or operation that requires a pretreatment facility in accordance with section 30 of this Bylaw shall keep a record of:
- (a) the type of pretreatment facility or manufacturer design calculations for the sizing of the pretreatment facility and drawings, including identification of the point of connection of the pretreatment facility to the sanitary sewer system;
 - (b) specification, operations and maintenance manuals including instructions for installation, use, maintenance and servicing of the pretreatment facility;
 - (c) the date of installation of the pretreatment facility and name of the installation service provider;
 - (d) the serial number and expiry date of the pretreatment facility or its components;
 - (e) the maximum flow rate capacity; and

- (f) the dates and descriptions of all operational problems, including equipment malfunction or breakdown, spills, leaks or collection failures and the remedial actions taken.

Records – Inspection and Maintenance – Pretreatment Facilities

50. The owner or operator of a business or operation that requires a pretreatment facility in accordance with section 30 of this Bylaw shall keep a record of:
- (a) the dates and descriptions of inspection, maintenance and cleaning activities;
 - (b) the quantity and description of materials separated from the effluent by the pretreatment facility, including settled and floating waste;
 - (c) the name, address and telephone number of any person or company who performs any maintenance or disposal services; and
 - (d) details of any ongoing maintenance or repair.

Record Retention – Pretreatment Facilities

51. (1) Operational, inspection and maintenance records shall be retained for a minimum of two years.
- (2) All other records, including equipment and installation information, shall be retained for as long as the equipment is in service.
- (3) All records shall be available for inspection by the City upon request.

PART V Mobile Food Trucks

Records – Mobile Food Trucks

52. (1) The owner or operator of a mobile food truck shall keep a record of the date, time, location and approximate volume for each disposal of FOG and wastewater.
- (2) Records shall be retained for a minimum of one year.

- (3) All records shall be available for inspection by the City upon request.

PART VI
General Matters Regarding Use of the Sanitary Sewer System

Interference with Sanitary Sewer System

53. No person shall do any work upon, break, damage, destroy, uncover, deface or interfere in any way with the sanitary sewer system or any part thereof, without written permission of the City.

Diluting Discharge

54. No person shall add, cause or permit the addition of any matter to sewage for the sole purpose of dilution to achieve compliance with this Bylaw.

Blockages of the Sanitary Sewer System

55. (1) No person shall cause any blockage of the sanitary sewer system.
- (2) Notwithstanding subsection (1), where one sanitary service connection provides service to multiple occupants, the owner and occupants shall be individually and collectively responsible for compliance with this Bylaw.
- (3) The owner of a property shall bear any expenses incurred by the City as a result of a blockage of the sanitary sewer system.
- (4) Notwithstanding subsection (3), where one sanitary service connection provides service to multiple occupants, the owner and occupants shall be individually and collectively responsible for any expenses incurred by the City as a result of a blockage of the sanitary sewer system.
- (5) Where one sanitary service connection provides service to multiple occupants, the City shall attribute the cause of any blockage of the sanitary sewer system to the most likely source unless the owner or occupant can prove otherwise.
- (6) Any costs incurred by the City in remedying any interference with or blockage of the sanitary sewer system shall be an amount owing to the City individually and collectively by the owner and the occupants.

Garbage Disposal Units

56. (1) The City may prohibit the use of a garbage disposal unit where, in the City's opinion, the discharge from a garbage disposal unit may impede the proper functioning of the sanitary sewer system.
- (2) No person shall use a garbage disposal unit if the City has prohibited such use.

Sump Pumps and Weeping Tile

57. (1) No person shall connect to the building sanitary sewer new foundation drainage systems or existing systems requiring alterations or repairs, including weeping tiles and sump pumps.
- (2) Notwithstanding subsection (1), new foundation drainage systems or existing systems requiring alterations or repairs may be connected to the sanitary sewer between October 1 to March 31 in any year with prior written approval from the City.
- (3) For the purposes of determining whether to grant approval pursuant to subsection (2), the General Manager shall consider the following factors:
 - (a) groundwater level;
 - (b) size of building serviced by the foundation drainage system;
 - (c) information available in a hydro-geologic assessment, or lack of such information;
 - (d) the degree of risk posed to the sanitary sewer system, including the risk of surcharge.
- (4) Written approval pursuant to subsection (2) may be:
 - (a) granted on such conditions as the City, in its sole discretion, considers fit; or
 - (b) rescinded, in writing, if:
 - (i) there has been a material change to the factors considered in subsection (3); or
 - (ii) any breach of conditions pursuant to clause (4)(a) has occurred.

**PART VII
Sanitary Sewer Service Charges**

Domestic and Non-Domestic Users of City Water

58. Every owner or occupant of a property which is connected to the City's water system and to the sanitary sewer system shall pay to the City a sewer service charge in accordance with Schedule "D".

Users of Non-City Water – Unpurchased Water

59. (1) A person using water that does not originate from the City's water system, but which enters the City's sanitary sewer system shall pay to the City a sewer service charge in accordance with Schedule "D".
- (2) The person shall install a flow meter in compliance with the City's requirements.

Adjustment for Water not Discharged to Sanitary Sewer System

60. (1) If a substantial portion of the water purchased by a person is not discharged to the sanitary sewer system, the person may apply to the City for an appropriate adjustment in the sewer service charge.
- (2) If an adjustment is approved, the City may periodically review and modify the rate of adjustment.
- (3) No adjustment shall be a right to a reduced sewer service charge.

Domestic Accounts

61. Accounts for residential sewer service charges shall be added as a separate item to the monthly water bills during the year.

Commercial and Industrial Accounts

62. Accounts for commercial and industrial sewer charges shall be added as a separate item to the monthly water bills during the year.

PART VIII
Private Sewage Works

Private Sewage Works - Construction

63. (1) Where the sanitary sewer system is not accessible, the owner of a building or place shall drain sewage from the building or place into a private sewage work that complies with the provisions of this section and the requirements of *The Public Health Act, 1994* and related Provincial regulations.
- (2) No person shall construct a private sewage work without providing prior written notification to the City.
- (3) The owner of a building or place constructing a private sewage work shall provide to the City, upon its request:
- (a) the plans and specifications for the proposed private sewage work;
and
 - (b) the location of the proposed private sewage work.
- (4) The City shall not be liable for the failure of any private sewage work.

Maintaining Private Sewage Works

64. The owner of a private sewage work shall, at the expense of the owner, operate and maintain the private sewage work in a sanitary condition.

Septic Tanks

65. (1) No person shall connect a septic tank to the sanitary sewer system without prior written approval from the City.
- (2) No person shall permit any sludge or deposit contained in any septic tank to enter into the sanitary sewer system.

Connecting to the Sanitary Sewer System

66. (1) The owner shall connect or cause a building served by a private sewage work to be connected to the sanitary sewer system within 60 days, or such

other time approved by the City, from the time when the sanitary sewer system becomes accessible to the building.

- (2) Connections made pursuant to subsection (1) shall be made at the expense of the owner, and in accordance with this Bylaw and any other pertinent requirements of the City and *The Public Health Act, 1994* and related Provincial regulations.
- (3) Any septic tanks, cesspools and similar private sewage work shall thereafter be removed or cleaned of sludge and decommissioned.

PART IX

Inspections, Compliance and Enforcement Procedures

Inspections

67. (1) The City is authorized to inspect property to determine if there is compliance with this Bylaw.
- (2) Inspections under this Bylaw shall be carried out in accordance with section 324 of the Act.
- (3) No person shall obstruct the City in conducting an inspection under this section, or any person who is assisting the City.

Notices

68. (1) If the City finds that a person is contravening this Bylaw, the City may issue a Stop Work Notice, requiring the owner or occupant of the property to immediately cease contravening the Bylaw until any conditions prescribed in the Notice are, in the opinion of the City, fulfilled.
- (2) If the City finds that a person is contravening this Bylaw, the City may issue a Temporary Licence Discontinuance Notice or a Permit Discontinuance Notice in accordance with sections 14 or 18 to the holder of the temporary licence or permit that the City intends to suspend or cancel such temporary licence or permit.
- (3) If the City finds that a person is contravening this Bylaw, the City may issue a Utility Discontinuance Notice to the owner or occupant of a property that the City intends on disconnecting access to a public utility as defined in the Act.

Order to Remedy Contraventions

69. (1) If the City finds that a person is contravening this Bylaw, the City may, by written Order, require the owner or occupant of the property to which the contravention relates to remedy the contravention.
- (2) Without limiting the generality of subsection (1), the Order may:
- (a) direct a person to stop doing anything or to change the way in which the person is doing a thing;
 - (b) direct a person to take any action or measures necessary to remedy the contravention of the Bylaw and, if necessary, to prevent a re-occurrence of the contravention, including requiring the owner of the land, building or structure to:
 - (i) prepare and implement a compliance plan and schedule approved by the City;
 - (ii) install pretreatment facilities and equipment;
 - (iii) install monitoring and recording equipment approved by the City; or
 - (iv) supply the results of any monitoring and testing to the City;
 - (c) state the time within which the person must comply with the directions; and
 - (d) state that if the person does not comply with the directions within a specific time, the City may take whatever action or measure set out in the directions, at the expense of the person or at the City's expense as the case may be.
- (3) Orders given under this Bylaw shall comply with section 328 of the Act.
- (4) Orders given under this Bylaw shall be served in accordance with section 347 of the Act.

Registration of Notice of Order

70. If an Order is issued pursuant to section 69, the City may, in accordance with section 328 of the Act, give notice of the existence of the Order by registering an interest against the title to the land that is the subject of the Order.

Appeal of Order to Remedy

71. (1) A person may appeal an Order to Remedy made pursuant to section 69 in accordance with section 329 of the Act.
- (2) Appeals shall be made initially to the Environmental Management Appeal Board, which Board is hereby established.
- (3) The Board shall consist of five members appointed by Council. A quorum shall consist of three members.
- (4) A person may appeal an Order to Remedy by filing a Notice of Appeal with the Environmental Management Appeal Board in accordance with section 329 of the Act, and by serving a copy of the Notice on the City. The Notice of Appeal shall state the grounds for the appeal.

City Remedying Contraventions

72. The City may, in accordance with section 330 of the Act, take whatever actions or measures are necessary to remedy a contravention of this Bylaw.

Discontinuance and Removal of a Public Utility

73. (1) Upon providing reasonable notice as described in section 68, the City may, in accordance with section 23 of the Act, discontinue providing a public utility service and remove the system or works of the public utility used to provide the service.
- (2) The City may enter any land or building for the purposes set out in subsection (1).

Emergencies

74. In the event that it becomes an emergency to remedy a contravention of this Bylaw, the City may take whatever actions or measures are necessary to eliminate the emergency in accordance with the provisions of section 331 of the Act.

City's Right to Recover Costs for Damage/Remedial Action

75. (1) When any person, in failing to abide by the provisions of this Bylaw, causes damage to or interferes with the sanitary sewer system, such person shall be liable to the City for all costs incurred by the City in making repairs or taking remedial action.
- (2) The costs associated with making repairs or taking remedial action shall be an amount owing to the City.

Civil Action to Recover Costs

76. Notwithstanding any other remedy provided for in this Bylaw, the City may, in accordance with section 332 of the Act, collect any unpaid sewer service charges, expenses and costs incurred in remedying a contravention of this Bylaw by civil action for debt in a court of competent jurisdiction.

Adding Amounts to Tax Roll

77. The City may, in accordance with section 333 of the Act, add the following amounts to the tax roll of a parcel of land:
 - (a) any unpaid expenses and costs incurred by the City in remedying a contravention of this Bylaw to the taxes on the property on which the work was done;
 - (b) any unpaid costs relating to service connections of a public utility that are owing by the owner of the parcel of land;
 - (c) any unpaid sewer service charges for a utility service provided to the parcel by a public utility that are owing by the owner of the parcel of land;
 - (d) any unpaid costs incurred by the City in eliminating an emergency to the tax roll of any parcel of land for which the person is the assessed person.

PART X
Offences and Penalties

General Penalty

78. (1) No person shall:
- (a) fail to comply with an Order made under this Bylaw;
 - (b) obstruct or hinder the City acting under the authority of this Bylaw; or
 - (c) fail to comply with any other provision of this Bylaw.
- (2) Except where a penalty is specifically provided for in this Bylaw, every person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction:
- (a) in the case of an individual, to a fine of not more than \$10,000 or imprisonment for not more than one year, or both;
 - (b) in the case of a corporation, to a fine of not more than \$25,000 or imprisonment of the directors of the corporation for not more than one year, or both; and
 - (c) in the case of a continuing offence, to a maximum daily fine of not more than \$2,500 for each day during which the offence continues.
- (3) A conviction for failing to comply with an Order does not relieve the person convicted from complying with the Order, and the convicting judge or justice of the peace may, in addition to any fine imposed, order the person to do any act or work, within a specified time, to comply with the Order with respect to which the person was convicted.
- (4) The court may, in default of payment of a fine imposed under this Bylaw, order imprisonment of an individual for a term not exceeding one year.

Restitution

79. (1) In addition to any fine or sentence of imprisonment imposed for an offence under this Bylaw, the convicting judge or justice of the peace shall, at the request of the Crown, also order the imposition of a penalty relating to a fee, cost, rate, toll or charge that is associated with the conduct giving rise to the offence.

- (2) The convicting judge or justice of the peace shall impose the penalty in a reasonable amount that reflects the costs incurred by the City as a result of the conduct giving rise to the offence.

PART XI
Miscellaneous

Liens for Public Utility Service

80. (1) All sewer service charges, rates and costs imposed on the owner of the land or building to which public utility service is supplied pursuant to this Bylaw are a lien on the land and building.
 - (2) The lien mentioned in subsection (1):
 - (a) has priority over all other liens or charges except those of the Crown;
 - (b) is a charge on the goods and chattels of the debtor; and
 - (c) may be levied and collected in the same manner as taxes are recoverable.
 - (3) All sewer service charges, rates and costs imposed on any person to whom a public utility service is supplied and who is not the owner of the land or building are a debt due by the person and are a lien on the person's goods and chattels and may be collected with costs by distress.

Compliance with Other Laws

81. Nothing in this Bylaw relieves a person from complying with any other law, including any public health legislation, any environmental protection legislation or any other bylaw of the City.

More Restrictive Provisions Prevail

82. Where there is a conflict between the provisions of this Bylaw and the provisions of any other legislation, regulation or bylaw, the more restrictive provisions prevail.

Bylaw Nos. 4875 and 5115 Repealed

83. Bylaw No. 4875 and Bylaw No. 5115 are repealed.

Coming into Force

84. This Bylaw comes into force on the 1st day of January, 2018.

Read a first time this 23rd day of October, 2017.

Read a second time this 23rd day of October, 2017.

Read a third time and passed this 23rd day of October, 2017.

“Charlie Clark”

Mayor

“Joanne Sproule” “SEAL”

City Clerk

Schedule “A”

Prohibited Waste

- (a) Any paunch manure, pigs’ hooves or toenails, bones, hog bristles, hides or parts of hides, animal or fish fat or flesh, horse, cattle, sheep or swine manure, poultry entrails, heads, feet, feather and eggshells, fleshings and hair resulting from tanning operations;
- (b) Any water or waste containing a toxic or poisonous substance, or a waste which, when combined with another waste may cause toxic or poisonous substances to be liberated;
- (c) Any water having two or more separate liquid layers;
- (d) Any noxious or malodorous substance capable of creating a public nuisance;
- (e) Ashes, cinders, sand, stone or any other solid or viscous substance which may impair the operations and maintenance of the sanitary sewer system;
- (f) Biomedical waste, pathological waste and waste pharmaceuticals;
- (g) Food waste other than properly-shredded food waste discharged from a residential garbage disposal unit, unless otherwise approved in writing by the City;
- (h) Gasoline, benzene, naphtha, fuel oil or other ignitable, flammable or explosive matter;
- (i) Trucked liquid waste without a permit;
- (j) Liquid or vapour having a temperature greater than 65 degrees Celsius not resulting from a residential domestic appliance;
- (k) Matter with corrosive or hazardous properties capable of damaging structures, equipment, treatment process or people;
- (l) PCBs (polychlorinated biphenyls);
- (m) Pesticides including insecticides, herbicides and fungicides;
- (n) Radioactive material - except within such limits as are permitted by licence issued by the Canadian Nuclear Safety Commission;
- (o) Solid matter larger than 12.5 mm in any dimension;

- (p) Water or waste having a pH lower than 5.5 or higher than 9.5;
- (q) Storm water and groundwater, except as exempted under section 57, and unpurchased water; and
- (r) Water or waste containing dyes or colouring materials that discolour effluent, with the exception of dyes used by the City for testing purposes.

Schedule "B"

Restricted Waste

All concentrations are total – ie. dissolved plus undissolved substances.

1. Conventional Substances

Substance	Limits – mg/L
BOD	300
COD	600
Nitrogen, Total Kjeldahl (TKN)	100
FOG	100
Oil and Grease – derived from petroleum	15
Phosphorous, Total	10
Total Suspended Solids	300

2. Inorganic Substances

Substance	Limits – mg/L
Aluminum, Total	50.0
Antimony, Total	5.0
Arsenic, Total	1.0
Boron, Total	5.0
Cadmium, Total	0.7
Chromium, Total	4.0
Cobalt, Total	5.0
Copper, Total	2.0
Cyanide	1.2
Iron, Total	10.0
Lead, Total	0.7
Manganese, Total	5.0
Mercury, Total	0.01
Molybdenum, Total	5.0
Nickel, Total	2.0

Substance	Limits – mg/L
Selenium, Total	1.0
Silver, Total	1.0
Sulphate	1500.0
Sulphide	1.0
Tin, Total	5.0
Titanium, Total	5.0
Thallium, Total	1.0
Vanadium, Total	5.0
Zinc, Total	2.0

3. Organic Substances

Substance	Limits – mg/L
Benzene	0.5
Chloroform	0.05
1,2-Dichlorobenzene	0.1
1,4-Dichlorobenzene	0.1
Ethylbenzene	0.5
Methylene Chloride (dichloromethane)	0.09
Nonylphenols	0.02
Nonylphenol Ethoxylates	0.2
Phenols, Total	0.1
Polycyclic Aromatic Hydrocarbons (PAH)	0.05
1,1,2,2-Tetrachloroethane	0.06
Tetrachloroethylene (PERC)	0.06
Toluene	0.5
Trichloroethylene	0.054
Xylenes, Total	0.5

Schedule "C"

Permit Fees

Annual Permit Fee

- (a) Special-Use Permit..... \$1,500.00

*The Annual Permit Fee shall be prorated on a monthly basis for Special-Use Permits issued for less than a 12-month period.

*The Annual Permit Fee shall be waived for Special-Use Permits which require the payment of a surcharge as a condition of the permit.

- (b) Trucked Liquid Waste Hauler Permit..... \$0.00

- (c) Unpurchased Water Discharge Permit..... \$500.00

Schedule “D”

Sanitary Sewer Service Charges

PART I

Residential Property (i.e. four dwelling units or less)

The residential rate for the years 2020 and 2021, respectively, shall be as follows:

Service Charges (per month, per meter)

Meter Size	2020	2021
15 mm	\$ 12.30	\$ 12.58
20 mm	18.45	18.87
25 mm	36.90	37.74
40 mm	73.80	75.48
50 mm	123.00	125.80

Volumetric Charges (per 1 cubic metre)

	2020	2021
First 17 cubic metres per month	\$0.830	\$0.860
Next 17 cubic metres per month.....	0.935	0.969
All in excess of 34 cubic metres per month	1.231	1.276

Minimum Monthly Chargeservice charges per meter per month

PART II

Multi-Unit Residential Property (i.e. more than four dwelling units)

The multi-unit residential rate for the years 2020 and 2021, respectively, shall be as follows:

- A. Where the ratio of dwelling units to meters is less than or equal to four, the following rate shall apply:

Service Charges (per month, per meter)

Meter Size	2020	2021
15 mm	\$ 12.30	\$ 12.58
20 mm	18.45	18.87
25 mm	36.90	37.74
40 mm	73.80	75.48
50 mm	123.00	125.80

Volumetric Charges (per 1 cubic metre)

	2020	2021
First 17 cubic metres per month	\$0.830	\$0.860
Next 17 cubic metres per month.....	0.935	0.969
All in excess of 34 cubic metres per month	1.231	1.276

Minimum Monthly Chargeservice charges per meter per month

Irrigation Metered Service

Individually metered condominiums with separately metered irrigation services shall pay the residential volumetric and infrastructure charges per meter for the irrigation service as follows:

Volumetric Charges (per 1 cubic metre)

	2020	2021
Constant unit charge.....	\$0.935	\$0.969

There shall be no service charge per meter charged from the irrigation meters.

- B. Where the ratio of dwelling units to meters is greater than four, the following rate shall apply:

Service Charges (per month, per meter)

Meter Size	2020	2021
15 mm	\$ 32.09	\$ 32.30
20 mm	48.14	48.45
25 mm	96.27	96.90

40 mm	192.54	193.80
50 mm	320.90	323.00
75 mm	738.07	742.90
100 mm	1,315.69	1,324.30
150 mm	2,952.28	2,971.60
200 mm	5,262.76	5,297.20
250 mm	8,215.04	8,268.80

Volumetric Charges (per 1 cubic metre)

	2020	2021
Constant unit charge	\$1.067	\$1.106

PART III
Commercial and Industrial Property

The commercial and industrial rates for the years 2020 and 2021, respectively, shall be as follows:

Service Charges (per month, per meter)

Meter Size	2020	2021
15 mm	\$ 32.09	\$ 32.30
20 mm	48.14	48.45
25 mm	96.27	96.90
40 mm	192.54	193.80
50 mm	320.90	323.00
75 mm	738.07	742.90
100 mm	1,315.69	1,324.30
150 mm	2,952.28	2,971.60
200 mm	5,262.76	5,297.20
250 mm	8,215.04	8,268.80

Volumetric Charges (per 1 cubic metre)

	2020	2021
Constant unit charge	\$1.067	\$1.106

Surcharges

Industrial and commercial users shall pay, in addition to the volumetric charge, a monthly charge for sewer service calculated in accordance with the following formula:

$$2020 \quad R = 8.1 \frac{(X)}{300} + 8.7 \frac{(Y)}{300} + 8.5 \frac{(Z)}{100} + 8.3 \frac{(P)}{10}$$

$$2021 \quad R = 8.3 \frac{(X)}{300} + 8.9 \frac{(Y)}{300} + 8.7 \frac{(Z)}{100} + 8.5 \frac{(P)}{10}$$

Where:

R = the monthly surcharge for sewer service expressed in cents per 1 cubic metre of water;

X means the BOD concentration in the sewage effluent in excess of 300 parts per million. If the BOD concentration is equal to or less than 300 parts per million, X shall be deemed to be zero.

Y means the Total Suspended Solids concentration in the sewage effluent in excess of 300 parts per million. If the Total Suspended Solids concentration is equal to or less than 300 parts per million, Y shall be deemed to be zero.

Z means the Grease concentration in the sewage effluent in excess of 100 parts per million. If the Grease concentration is equal to or less than 100 parts per million, Z shall be deemed to be zero.

P means the Phosphorous concentration in the sewage effluent in excess of 10 parts per million. If the Phosphorous concentration is equal to or less than 10 parts per million, P shall be deemed to be zero.

The values for X, Y, Z and P in the formula shall be based on the average strength of sewage discharged by the property concerned as determined by tests conducted by the City.

Notwithstanding the foregoing, no monthly charge for commercial and industrial consumers shall be less than the service charge per meter per month.

PART IV
Trucked Liquid Waste

The following charges shall be applicable to all users delivering liquid waste directly to the City's sewage treatment facilities:

	2020	2021
Industrial, Commercial and Septic Waste (per 1,000 litres)	\$14.89	\$15.21
Liquid Waste Containing Grit (per 1,000 litres)	\$21.32	\$21.77

