

COUNTY OF OXFORD

BY-LAW NO. 6270-2020

Being a By-law to regulate the discharges into Oxford County's Wastewater and Storm Sewer Systems replacing and revoking By-Law No. 2719-87, No. 5715-2015, and No. 6120-2019

WHEREAS Section 11 of the *Municipal Act, 2001*, SO 2001, c. 25, as amended, provides that the County of Oxford (the County) shall have exclusive responsibility for collection of sanitary sewage and sewage treatment in the County;

AND WHEREAS, Section 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that the County shall have responsibility with respect to collection of storm water and other drainage from County owned lands;

AND WHEREAS, Section 8 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that the County has broad authority to enable it to govern its affairs as it considers appropriate;

AND WHEREAS, Sections 23.1, 23.2 and 23.3 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may delegate certain powers and duties.

AND WHEREAS, this broad authority includes the authority to pass by-laws to regulate or prohibit, require persons to do things and provide for a system of permits respecting to connections to wastewater system and the discharge of any matter into the wastewater system;

AND WHEREAS, Section 391 of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that the County may impose fees or charges on the persons for services or activities provided or done by or on behalf of it;

AND WHEREAS, Section 425 of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that the County may pass by-laws providing that a person who contravenes a by-law of the County is guilty of an offence;

NOW THEREFORE, the Council of the County of Oxford enacts as follows:

PART 1 - DEFINITIONS

1.1 For the purposes of this Article, the following definitions apply:

“accredited laboratory” means any laboratory accredited under the Canadian Association for Laboratory Accreditation Inc. (“CALA”), or by an authorized accreditation body in accordance with a standard based on “ISO/IEC/EN 17025: General Requirements for Competence of Calibration and Testing Laboratories” established by the International Organization for Standardization, as amended from time to time, or an equivalent standard that is acceptable to the County;

“biochemical oxygen demand” means carbonaceous oxygen demand (biochemical) as determined by Standard Methods when an inhibiting chemical has been added to prevent ammonia oxidation;

“biomedical waste” means as defined in the Ministry Guideline C-4 entitled “*The Management of Biomedical Waste in Ontario*” dated April 1994, as amended from time to time;

“biosolids” means the product of stabilized organic solid material recovered from the sewage treatment process;

“blowdown water” means recirculating water that is discharged from a cooling or heating water system for the purpose of controlling the level of water in the system or for the purpose of discharging from the system materials contained in the system;

“*Building Code Act*” means the *Building Code Act*, S.O. 1992, c. 23; as amended from time to time;

“CSA B-481” means standard CSA B-481, published by the Canadian Standards Association and entitled “Grease Interceptors”, as amended or replaced from time to time;

“chemical oxygen demand” means the quantity of oxygen utilized in the chemical oxidation of matter;

“composite sample” means two or more grab samples of a discharge to the wastewater system taken at intervals during the sampling period that have been combined automatically or manually;

“contaminant” means any solid, liquid, gas, odour, heat, vibration, sound, radiation or any combination of them resulting directly or indirectly from human activities that may cause an adverse effect;

“contact cooling water” means water that is used in an industrial process, for the purpose of removing heat, that comes into contact with any raw material, intermediate product, waste product or finished product, but does not include blowdown water;

“County” means the County of Oxford;

“dental amalgam” means a dental filling material consisting of an amalgam of mercury, silver or other materials such as copper, tin or zinc;

“Director” means the Director of Public Works for the County of Oxford or his/her delegate;

“discharge” when used as a verb, includes add, deposit, emit, release or leak and, when used as a noun, includes addition, deposit, emission, release or leak;

“discharger” means a person who is the owner, is in occupation of, or has charge, management or control of a site that discharges to a wastewater system or storm sewer;

“emergency” means a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise;

“*Environmental Protection Act*” means the *Environmental Protection Act*, R.S.O. 1990, c. E. 19, as amended from time to time;

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

“grab sample” means a sample of a discharge into a wastewater system or storm sewer taken at one particular place and time;

“hailed liquid wastewater” includes leachate, industrial, commercial, and institutional (ICI) waste, which is transported by truck;

“hailed liquid waste facility” means an approved depot which may accept hailed liquid waste transported by truck to be discharged into a Waste Water Treatment Plant (“WWTP”). Oxford County’s Woodstock and Ingersoll WWTPs are approved facilities;

“hailed septage” means waste removed from a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet, or a sewage holding tank and is transported for discharge, but excludes industrial waste;

“hailed wastewater” means liquid industrial waste that is transported for discharge and that must be transported with a manifest in accordance with Reg 347 (Waste Management) , RRO 1990, as amended, made under the *Environmental Protection Act* (“Reg 347”); as amended from time to time;

“hazardous waste” includes a waste that is an acute hazardous waste chemical, hazardous industrial waste, hazardous waste chemical, corrosive waste, ignitable waste, pathological waste, reactive waste, radioactive waste, PCB waste, leachate toxic waste or severely toxic waste, or any combination thereof, each as defined by Reg 347 as enacted under the *Environmental Protection Act*, as amended from time to time;

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

“industrial process area” means any industrial building, property or land area which during manufacturing, processing or storage comes into direct contact with any raw material, intermediate product, finished product, by-product, or waste product;

“industrial waste” means a material which is an industrial waste within the meaning of the Reg 347 as enacted under the *Environmental Protection Act*, as amended from time to time;

“landfill effluent” means landfill leachate that is further treated;

“landfill leachate” means the liquid generated by water or other liquids percolating through solid waste at a landfill or by liquid in the waste;

“Ministry” means unless otherwise specified refers to the Ontario Ministry responsible for the administration and enforcement the Safe Drinking Water Act, 2002, the Ontario Water Resources Act, 1990 and all regulations and instruments issued under these Acts which are associated with wastewater or sewage;

“maintenance access hole” means an access point in a private sewer connection to a municipal wastewater system that allows for the observation, monitoring, sampling, flow measurement and other related activities of the sewage, uncontaminated water or other substance therein;

“Management Representative” means the Manager of Water and Wastewater Services for the County of Oxford or his/her delegate;

“matter” includes any solid, liquid or gas;

“*Municipal Act, 2001*” means the *Municipal Act, 2001*, S.O. 2001, c. 25; as amended from time to time

“non-contact cooling water” means water which is used to reduce temperature for the purpose of cooling and which does not come into direct contact with any raw material, intermediate product other than heat, or finished product;

“oil and grease” means solvent extractable matter of animal or vegetable origin, mineral or synthetic origin, or a combination of both;

“once-through cooling water” means non-contact cooling water that has been circulated once through the cooling device;

“*Ontario Water Resources Act*” means the *Ontario Water Resources Act*, 1990, c. O. 40, as amended from time to time;

“pathological waste” means any material so defined by Reg 347 made under the Environmental Protection Act;

“person” includes an individual, association, organization, partnership, corporation, or an agent or employee thereof;

“pesticides” means a pesticide regulated under the *Pesticides Act*, R.S.O.1990, c. P. 11, as amended from time to time;

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

“phenolic compounds” means those derivatives of aromatic hydrocarbons which have a hydroxyl group directly attached to the ring;

“Radioactive Materials” means uranium, thorium, plutonium, neptunium, deuterium, their respective derivatives and compounds and such other substances as the Canadian Nuclear Safety Commission, or its successor, may designate as being capable of releasing atomic energy or as being requisite for the production, use or application of atomic energy;

“sanitary sewer” means any part of the wastewater system that is intended to collect and convey sewage to a sewage treatment facility;

“septage” includes all matter of liquid and solid that is pumped out of septic tanks and holding tanks. Such tanks may be used in residential, commercial, or industrial properties for the purpose of containing sanitary waste;

“sewage or wastewater” includes any liquid containing animal, vegetable or mineral matter in solution or in suspension, including floating materials, but does not include uncontaminated water;

“Sewer Use By-law Compliance Officer” means a person appointed in accordance with section 3.1 of this by-law for enforcement purposes including for the purposes of exercising any power of entry under this By-law;

“spill” means a discharge of any substance to a wastewater system or to the natural environment which is abnormal in quantity or quality in light of all the circumstances of the discharge;

“standard methods” means a procedure or method set out in the most current edition, as of the date of testing, of Standard Methods for the Examination of Water and Wastewater published jointly by the American Public Health Association, American Water Works Association and Water Pollution Control Federation, or a procedure published by the Ministry as a standard method or the equivalent of a standard method;

“storm sewer” means any part of the storm system which is owned, leased and/or otherwise controlled by the County, that is intended to collect and convey uncontaminated water, stormwater, surface runoff or drainage from land or from a watercourse or any combination thereof.

“stormwater” means water from rainfall or other natural precipitation or from the melting of snow or ice;

“suspended solids” means solid matter in or on a liquid which matter is removable by filtering;

“total kjeldahl nitrogen (TKN)” means the measure of both ammonia and organic forms of nitrogen as defined in the Standard Methods;

“uncontaminated water” includes,

- a) potable water supplied by the County;
- b) any water that is of a similar quality to potable water from a source other than the Municipal water distribution system or
- c) water from a dewatering activity, to which no substance has been added intentionally or unintentionally, by any person other than the County;

“Wastewater System” means any works for the collection, transmission, treatment or disposal of sewage or wastewater, or any part thereof, but does not include plumbing to which the *Building Code Act* applies as amended from time to time;

“waste disposal site leachate” means the liquid containing dissolved or suspended contaminants which emanates from the waste and is produced by water percolating through the waste or by liquid in the waste;

PART 2 – PURPOSE

2.1 The purpose of this by-law is to protect the health, safety and well-being of persons, the natural environment, wastewater system within the County of Oxford and to prevent public nuisances.

PART 3 – ADMINISTRATION

3.1 The Chief Administrative Officer has authority to appoint Sewer Use By-law Compliance Officers to enforce compliance with this bylaw.

3.2 The Clerk is authorized to issue a certificate of appointment to the individual so appointed under the Municipal Act.

3.3 The Director shall be responsible for the administration and a Sewer Use By-law Compliance Officer/Management representative shall be responsible for the enforcement of this by-law.

3.4 The Director may from time to time prescribe the form and content of any approval, authorization, agreement, form, procedure or other document in relation to the administration of this by-law and may amend or revise the form and content as required.

3.5 The Management Representative may issue any approval, authorization or permit under this by-law as well as any amendments thereto.

3.6 The Director may issue any suspensions or terminations of approvals, authorizations or permits, on behalf of the County of Oxford.

3.7 The Director may dispense with the requirements of this by-law in the event of any emergency.

3.8 The Director may assign duties or delegate tasks under this by-law as necessary.

3.9 Where there is a conflict between the provisions of this by-law and another by-law of the County of Oxford, the provision that is the most restrictive shall prevail.

PART 4 – DISCHARGES – SANITARY SEWERS

4.1 No person shall discharge or cause or permit the discharge of sewage or any other material into the sanitary sewer in circumstances where to do so may result in:

- a) a health or safety hazard to a person authorized to inspect, operate, maintain or otherwise work on, in or around the wastewater system;
- b) damage to any part of the wastewater system or causing a dangerous condition in the wastewater system;
- c) the wastewater system effluent contravening any requirement under the *Ontario Water Resources Act* or the *Environmental Protection Act* or any regulation made thereunder;
- d) the biosolids from the wastewater system failing to meet the objectives and criteria set out in the Ministry publication entitled “Guidelines for the Utilization of Biosolids and Other Wastes on Agricultural Land” dated March 1996, as amended from time to time;
- e) impairment, or interference with the proper operation of any part of the wastewater system;
- f) inhibition of any treatment process of the wastewater system;
- g) increasing the operational costs of the wastewater system in the opinion of the Sewer Use By-law Compliance Officer/Management representative;
- h) a hazard or other adverse effect to any person, animal, property, or the natural environment;
- i) an obstruction or restriction of the flow in the wastewater system;
- j) an offensive odour to emanate from the wastewater system that is detectable within the vicinity of the wastewater system, and includes, without limiting the generality of the foregoing, sewage containing hydrogen sulphide, carbon disulphide, other reduced sulphur compounds, amines or ammonia in such quantities as may cause an offensive odour; or
- k) excessive foaming to occur in the wastewater system in the opinion of a Sewer Use By-law Compliance Officer/Management representative.

4.2 No person shall discharge or cause or permit the discharge of sewage or any other matter to a sanitary sewer in circumstances unless permitted by section 4.3, where the discharge contains or is likely to contain:

- a) fuel;
- b) hazardous waste;
- c) pesticides;
- d) biomedical waste;
- e) hauled wastewater;
- f) any solids residuals, screenings, or other residues from the pre-treatment of industrial wastes;
- g) sewage which consists of two or more separate liquid layers;
- h) sewage containing dyes or colouring materials which pass through wastewater system and discolour the wastewater system effluent;
- i) sewage which causes 2 successive readings on an explosion hazard meter of more than 5 percent or any single reading on an explosion hazard meter more than 10 percent of the lower explosive limit of the meter. Such readings may be taken at the point of discharge into the wastewater system or at any point in the wastewater system;
- j) storm water, roof run off, roof drainage, foundation drainage, or land drainage or uncontaminated water;
- k) once-through cooling water, water from a dewatering activity, surface water, and uncontaminated water;
- l) water that has originated from a source separate from the County water distribution system except where:
 - i. the discharge is expressly authorized by the Sewer Use By-law Compliance Officer/management representative in the form of a Wastewater system Discharge Permit; and
 - ii. the discharge is in compliance with the conditions of the Wastewater system Discharge Permit; and
 - iii. the discharge otherwise complies with this by-law.
- m) hauled septage and hauled liquid waste without a valid permit or approval;
- n) waste disposal site leachate including landfill leachate and/or landfill effluent from any privately owned or operated facility; or
- o) Radioactive Materials.

4.3 No person shall discharge or cause or permit the discharge of sewage or any other material into a sanitary sewer containing any parameters in excess of the concentrations or ranges listed in schedule "A", "B", "C" and "D" of this by-law.

4.4 In determining whether the limit with respect to any matter described in section 4.3 is contravened, the volume of any water that has been added for the purpose of enabling the limit to be met shall be disregarded for the purposes of calculating whether the limit has been met so that compliance with the limit cannot be attained by dilution.

PART 5 – STORM SEWERS ON COUNTY OWNED LAND – DISCHARGE

5.1 This Part only applies to Storm Sewers on land that is owned, leased and/or otherwise controlled by the County.

5.2 No person shall discharge or cause to permit the discharge of matter of any type into or in any storm sewers or connections to any storm sewer which may:

- a) interfere with the proper operation of a storm sewer;

- b) obstruct a storm sewer or the flow therein;
- c) result in a hazard to any person, animal, property or the natural environment;
- d) impair the quality of the water in any well, lake, river, pond, sprint, stream, reservoir or other water or watercourse; or
- e) result in the contravention of an approval, requirement, direction or other order under the *Ontario Water Resources Act* or the *Environmental Protection Act* with respect to the storm sewer or its discharge.

5.3 No person shall discharge or cause or permit the discharge of matter to a storm sewer in circumstances where the discharge contains or is likely to contain:

- a) water containing dyes or colouring materials which discolour the water;
- b) water oil or grease which causes a visible film, sheen or discolouration on the water surface;
- c) water to which any material has been added for the purpose of disposing of that material;
- d) stormwater runoff from industrial process areas except where:
 - i. the discharger has an environmental compliance approval or order relating to the premises under the *Environmental Protection Act* or the *Ontario Water Resources Act* which expressly allows the discharge and a copy of the environmental compliance approval or order has been provided to the City; and
 - ii. the discharger has written approval from the County which expressly authorizes the discharge from the premises.

5.4 No person shall discharge or cause or permit the discharge of any matter into a storm sewer where the discharge contains or is likely to contain:

- a) sewage;
- b) blowdown water;
- c) automotive or machine oils and greases;
- d) fuel;
- e) hazardous waste;
- f) pesticides;
- g) biomedical waste;
- h) hauled wastewater;
- i) any solids residuals, screenings, or other residues from the pre-treatment of industrial wastes;
- j) hauled septage and hauled liquid waste with a valid permit or approval; or
- k) waste disposal site leachate including landfill leachate or landfill effluent from any privately owned or operated facility;
- l) Radioactive Materials.

5.5 No person shall discharge or cause or permit the discharge of matter into the storm sewer system which contains any parameters in excess of the concentrations or ranges listed in Schedules 'E' or 'F' to this by-law.

PART 6 – Agreements and Permits

6.1 The County may enter into an agreement with any person or corporation for the purpose of relieving that person or corporation of the responsibility for strict compliance with this by-law. Such agreement shall clearly define alternative limitations and conditions with which the said person or corporation shall be required to comply, and such portions of the said agreement shall supersede any conflicting provisions of this by-law.

6.2 The Director may grant, that a municipal corporation, including the County, in exercise of its statutory responsibilities, is not bound to strict compliance with this by-law, and Director may impose such alternative limitations and conditions as it may deem appropriate.

6.3 The Sewer Use By-law Compliance Officer/Management representative may issue permits for hauled liquid wastewater or hauled septage.

PART 7 – ADDITIONAL REQUIREMENTS FOR DISCHARGERS

7.1 At the time of construction or reconstruction of a private sanitary sewer that is connected or being connected into the County sewage system, the Director may require the owner of such private sewer to construct, and thereafter maintain, at his own expense, to the satisfaction of the County, the systems or plans and/or implement the best practices and measures set out in this section and such other requirement as, in the Director's opinion, are necessary for the protection and proper maintenance of the County storm and sanitary sewers and waste water treatment systems.

Spill Prevention Planning

7.2 Every industrial discharger shall evaluate and if needed prepare a plan or other action to control and prevent spills that contravene this by-law.

7.3 Director may require the discharger to refer to or implement the Ministry Industrial Wastewater Dischargers Best Management Practices.

Monitoring / Maintenance Structure

7.4 The discharger may be required to provide a suitable maintenance structure to allow for observation, sampling and measurement of sewage being discharged into the County system.

Food Processing

7.5 Every person who owns or operates a restaurant or retail food service premises where food is cooked, processed or prepared shall install, operate, and properly maintain an appropriately sized oil and grease interceptor in any piping system at the site that connects directly or indirectly to the County Wastewater system.

7.6 The installation, operation and maintenance of each oil and grease interceptor shall be:

- a) in compliance with the *Building Code Act*, as amended and its regulations; and
- b) in accordance with the requirements of CSA B-481, as amended.

7.7 The discharger shall ensure all oil and grease interceptors are maintained in good working order, including ensuring that every oil and grease interceptor shall have the maintenance requirements posted at the site in a conspicuous location in proximity to the oil and grease interceptor.

7.8 The discharger shall provide, upon request, the maintenance schedule and record of maintenance for each oil and grease interceptor and must keep documentation of proof of interceptor clean-out and oil and grease disposal at the site for a minimum of 2 years.

7.9 Where a discharger fails to adequately maintain the oil and grease interceptor to the satisfaction of the County, the Sewer Use By-law Compliance Officer/Management Representative may require an alarmed monitoring device or other such device to be installed at the site at the expense of the discharger.

7.10 No person who owns or operates a restaurant or other industrial premises where food is cooked, processed or prepared shall use or cause or permit the use of enzymes, bacteria, solvents, hot water or other agents to facilitate the passage of oil and grease through an interceptor.

Motor Vehicle Service Station, Repair Shop or Garage

7.11 Every person who owns or operates a vehicle or equipment service station, repair shop or garage where motor vehicles are repaired, lubricated, washed or maintained shall install, operate and properly maintain, an appropriately sized oil and grease interceptor in any piping system at its premises that connects directly or indirectly to the County wastewater system.

7.12 Each oil and grease interceptor shall be installed in compliance with the *Building Code Act*, as amended and its regulations.

7.13 The discharger shall ensure all oil and grease interceptors are maintained in good working order, including ensuring that every oil and grease interceptor shall:

- a) be maintained as recommended by the Canadian Petroleum Products Institute and in accordance with the manufacturer's guidance and recommendations;
- b) be inspected regularly to ensure performance is maintained and to ensure the surface oil, grease and sediment levels do not exceed the recommended level; and
- c) have the maintenance requirements posted at the site in a conspicuous location in proximity to the oil and grease interceptor.

7.14 The discharger must provide, upon request the maintenance schedule and record of maintenance for each oil and grease interceptor and keep documentation of proof of interceptor clean-out and oil and grease disposal at the site for a minimum of 2 years.

7.15 Where a discharger fails to adequately maintain the oil and grease interceptor to the satisfaction of the County, the Sewer Use By-law Compliance Officer/Management Representative may require an alarmed monitoring device or other such device to be installed at the expense of the discharger.

7.16 No person who owns or operates a vehicle or equipment service station, repair shop, garage or other industrial premises where motor vehicles are repaired, lubricated, washed or maintained shall use or cause or permit the use of enzymes, bacteria, solvents, hot water or other agents to facilitate the passage of oil and grease through an interceptor.

Dental Offices

7.17 Every owner or operator of a premise from which dental amalgam may be discharged directly or indirectly into the wastewater system, shall install, operate and properly maintain dental amalgam separators with at least 95% efficiency in amalgam weight and certified International Standards Organization 11143 "*Dental Equipment: Amalgam Separators*", at its premises that connects directly or indirectly to the wastewater system.

Pre-Treatment

7.22 Every person who discharges or causes or permits the discharge of sewage or any other material into the wastewater system shall provide sewage treatment if necessary to comply with this by-law.

7.23 The sewage treatment facilities shall be provided, operated, and maintained at the person's expense.

7.24 Detailed plans showing the discharger's sewage treatment facilities and operating procedures shall be submitted to the County for information purposes before construction of the facility. The submission of such plans and operating procedures shall in no way relieve the discharger from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the County under the provisions of this by-law. Any subsequent changes in the sewage treatment facility or its method of operation shall be reported to the Sewer Use By-law Compliance Officer/Management representative prior to the discharger's initiation of the changes.

7.25 The discharger shall ensure that

- a) any waste products from the sewage treatment facility are disposed of in a safe manner;
- b) the maintenance records and waste disposal records are available to the Sewer Use By-law Compliance Officer upon request; and
- c) operating records pertaining to the sewage treatment facility and waste disposal are kept for 2 years.

PART 8 – INDUSTRIAL, COMMERCIAL, AND INSTITUTIONAL (ICI) DISCHARGER REPORTING REQUIREMENTS

8.1 Activities that have the potential to cause by-law violations must be reported to the County immediately. By-law violations must be reported immediately.

8.2 Every owner or operator of an industrial premise that discharges sewage, non-contact cooling water, uncontaminated water or any combination thereof to the wastewater system shall upon request, submit to the Director within 30 days a Discharger Information Report in a form prescribed by the County.

8.3 Where an industry is not discharging to a sanitary sewer but wishes to in the future, the discharger shall notify the County as follows:

- a) notification shall be received by the County a minimum of 30 days prior to the commencement of the discharger's operations; and
- b) notification shall be in the form of a Discharger Information Report.

8.4 The discharger shall provide any additional information related to the discharge within 15 days of receiving a written request from the County.

8.5 Where a discharger is required to complete a Discharger Information Report, the discharger shall provide written notice of any change in the information requested in the report a minimum of 30 days prior to the effective date of such change. Such notice shall include pertinent details of any change to the operation, process, or sewage treatment facilities, and shall include any analyses of the sewage and any other information related to the discharge as may be required by the County.

8.6 The information provided to the County in the Discharger Information Report shall be in a format acceptable to the County.

8.7 Where a change occurs in any information related to sewage characteristics described in a Discharger Information Report, the discharger shall not discharge or cause or permit a discharge to the wastewater system unless a new Discharger Information Report has been submitted setting out the change.

8.8 The Director may require the owner or operator of an industrial premise to perform one or more of the following at its expense:

- a) collect and analyze samples of sewage being discharged;
- b) install devices to monitor sewage discharges;
- c) submit regular reports regarding the discharges; or
- d) require that samples obtained under 8.8(a) be analyzed by an accredited laboratory.

8.9 The obligations set out in or arising out of this article shall be completed at the expense of the discharger carrying out the obligation.

PART 9 – SAMPLING & ANALYSES

9.1 The owner or operator of an industrial premise with one or more connections to the wastewater system shall install and maintain in good repair in each connection a suitable

maintenance access point such as a property line a suitable maintenance structure to allow observation and sampling of the sewage or wastewater and measurement of the flow of sewage therein provided that where installation of a maintenance structure is not possible an alternative device or facility may be substituted with the written approval of the Management Representative.

9.2 The maintenance structure or alternative device shall be located on the property of the discharger unless the Management Representative has given written approval for a different location.

9.3 Every maintenance structure, device or facility installed as required by section 9.1 shall be designed and constructed in accordance with good engineering practices and the standards and specifications of the County and shall be constructed and maintained by the discharger at its expense.

9.4 The owner or operator of an industrial premise shall at all times ensure that every maintenance structure, device or facility can be safely accessed for the purposes of observing and sampling the sewage and measuring the flow of sewage.

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

- a) any part of the wastewater system; or
- b) any permanent or temporary device installed in the wastewater system for the purpose of measuring, sampling and testing of sewage.

9.6 Where a sample is required for the purpose of determining the characteristics or quality of sewage the following provisions shall apply:

- a) One sample alone is sufficient and without limiting the generality of the foregoing the sample may be a grab sample or a composite sample, may contain additives for its preservation and may be collected manually or by using an automatic sampling device.
- b) Except as otherwise specifically provided in this by-law, all tests, measurements, analyses and examinations of sewage shall be carried out by the discharger in accordance with current Standard Methods.
- c) For metals whose concentration is limited in schedule "A", "B", "C" and "D", of this by-law, the analysis shall be for the quantity of total metal, which includes all metal both dissolved and particulate.
- d) For the determination of concentration of each of cyanide and phosphorous, the analysis shall be for the total quantity.
- e) For the determination of concentration of phenolic compounds, the analysis shall be the 4AAP method.

PART 10 – SPILLS

10.1 Every person who discharges or causes or permits the discharge of any substance to a wastewater system or to the natural environment which is abnormal in quantity or quality in light of all the circumstances of the discharge shall, forthwith notify:

- a) the Ministry Spills Action Center;
- b) the County, by contacting the County Public Works; and
- c) any person whom the person reporting knows or ought to know may be directly affected by the discharge.

10.2 In addition to the reporting obligations set out above, the person responsible for a spill, in circumstances where there is an immediate danger to human health or safety, shall report the discharge to 9-1-1 emergency.

10.3 Every person responsible for a spill and every person having the charge, management and control over the spill shall do everything reasonably possible to contain the spill, minimize damage to property, protect the environment, clean up the spill and contaminated residue and restore the affected areas to its condition prior to the spill.

10.4 Within 5 days following a spill, the person having charge, management and control of the spill shall submit to the County a detailed written report, in a form prescribed by the County, on the spill that contains the following information to the best of the person's knowledge:

- a) location where discharge occurred;
- b) name and telephone number of the person who reported the spill;
- c) date and time of spill;
- d) material spilled;
- e) physical and chemical characteristics of material spilled;
- f) volume of material spilled;
- g) duration of spill event;
- h) work completed or still in progress in the mitigation of the spill;
- i) preventative actions being taken to ensure the situation does not occur again;
and
- j) agencies notified of the discharge and corresponding notification times.

10.5 Upon receipt of the detailed report specified in section 10.4, the Director may require the development of a Spills Response Contingency Plan by the responsible person with copies submitted to the Director within 30 days of the spill and the Director may direct compliance with the plan.

10.6 Where a person responsible for a spill fails to comply with a Spills Response Contingency Plan as directed by the Director, the remedial measures set out in the Spills Response Contingency Plan may be carried out by the County at the person's expense and the County may recover the expense in accordance with this by-law.

10.7 Where the County has taken specific action with respect to the prevention, elimination and remediation of the adverse effects from a spill that has taken place, as set out in this article, the person responsible for the spill and person having the charge, management and control over the spill shall be fully responsible for costs incurred by the County under this article.

10.8 In the event that there is a discharge that contravenes this by-law, the discharger shall pay all applicable costs to compensate the County for its costs of operation, repair, maintenance and replacement of the wastewater system and shall pay the sewer service rate, over-strength discharge fee and any other applicable fees as per the County's Fees and Charges By-Law.

PART 11 - POWER OF ENTRY AND INSPECTION

11.1 The County may enter upon any part of a property at any reasonable time, to inspect the discharge of any substance into the wastewater system or and may conduct tests and take samples of the discharge.

11.2 The County power of entry described in subsection 11.1 may be exercised by a Sewer Use By-law Compliance Officer or an employee, officer or agent of the County, where escorted by a Sewer Use By-law Compliance Officer.

11.3 Sewer Use By-law Compliance Officers may enter on lands at any reasonable time, to carry out inspections in order to determine compliance with or enforce:

- a) this by-law;

- b) an order or direction issued under this by-law;
- c) a compliance agreement approved or authorized under this by-law;
- d) any other approval issued by the County under this by-law to permit the discharge of a substance that would otherwise be prohibited by this by-law; or
- e) an order made under section 431 of the *Municipal Act, 2001*.

11.4 A Sewer Use By-law Compliance Officer may enter on land at any reasonable time to undertake an inspection pursuant to an order issued under section 438 of the *Municipal Act, 2001*.

11.5 When entering a property in accordance with articles 11 and 12 of this by-law the person exercising the power of entry shall provide identification to any person requesting identification during the course of the inspection and,

- a) may be accompanied by a person or persons under his or her direction; and
- b) shall not enter or remain in any room or place actually used as a dwelling unless one of the conditions set out in section 437 of the *Municipal Act, 2001* are met.

11.6 When entering a property in accordance with articles 11 and 12 of this by-law the exercise of such powers shall be limited to reasonable times, unless an emergency situation requires otherwise.

11.7 For the purposes of an inspection to determine compliance with this by-law or any order issued under this by-law or to otherwise enforce this by-law a Sewer Use Compliance By-law Officer may:

- a) access any drain pipe, interceptor, maintenance access hole, catch-basin or other discharge point connecting, directly or indirectly, to the wastewater system or storm sewers, including by making or requiring necessary excavations;
- b) make and record observations, such as by taking photographs, notes, video recordings and sound recordings;
- c) require the production for inspection of documents or things relevant to the inspection;
- d) require information from any person concerning a matter related to the inspection;
- e) alone or in conjunction with a person possessing special or expert knowledge make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
- f) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts. A receipt shall be provided for any document or thing removed under this subsection and the document or thing shall be promptly returned after the copies or extracts are made.; and
- g) do such other things that are reasonably necessary for an enforcement officer to effectively carry out the inspection.

11.8 A demand by a Sewer Use By-law Compliance Officer to respond to reasonable inquiries under subsection 11.7 (e) or to produce documents under subsection 11.7 (f) may be made by telephone, letter or e-mail and such demand shall be deemed to be made in the course of an inspection.

11.9 No person shall refuse or neglect to give, produce or deliver any access, information, document or other thing that is requested by a Sewer Use By-law Compliance Officer carrying out an inspection.

11.10 *All information submitted to and collected by the County will, except as otherwise provided in this section, be available for disclosure to the public in accordance with the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56 (MFIPPA). In the event that any person in submitting information to the County or to the Commissioner 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 County or the Commissioner and shall provide sufficient details as to the reason for its purported exemption from disclosure.

11.11 No person shall hinder or obstruct or attempt to hinder or obstruct the County, its Sewer Use By-law Compliance Officer, employees or agents from carrying out any powers or duties under this by-law.

PART 12 – ORDERS

12.1 Where the Sewer Use By-law Compliance Officer/Management representative has reason to believe that a contravention of this by-law has occurred, the Management Representative may issue and serve an order requiring the person who has contravened the by-law or who has caused or permitted the contravention or the owner or occupier of the property on which contravention of the by-law occurred to discontinue the contravening activity.

12.2 Where the Management Representative has reason to believe that a contravention of this by-law has occurred, the Management Representative may make an order requiring the person who has contravened the by-law or who has caused or permitted the contravention or the owner or occupier of the property on which contravention of the by-law occurred to do work to correct the contravention.

12.3 Where a person is issued an order described under sections 12.1 and 12.2 and in the opinion of the County fails to do a matter or thing required by the order by the date specified in the order, the County may cause the matter or thing set out in the order to be done at the person's expense.

12.4 For the purpose of doing any matter or thing under section 12.3, employees of the County and any contractor, consultant or other person authorized by the County may enter upon the property referred to in the order at any reasonable time.

12.5 The Sewer Use By-law Compliance Officer/Management representative may, in accordance with the requirements of this by-law, enter upon a property to which a sanitary sewer is supplied by the County:

- a) to install, inspect, maintain, repair, alter, replace or disconnect a sewer, municipal sewer connection, subsurface drainage pipe or other wastewater system;
- b) to shut off or reduce the supply of sanitary and provided by the County;

12.6 In accordance with section 446 of the Municipal Act, 2001, the County may recover the cost of doing a matter or thing under section 12.3 from the person directed or required by order to do the matter or thing by action or by requesting the costs be added to property taxes and that such costs be collected in the same manner as property taxes.

12.7 The power of a Management Representative to issue an order under this article includes the power to amend or revoke such orders.

PART 13 - SERVICE

13.1 Where a notice, document, record or other information is required to be provided or given under this by-law any document given or served under this by-law is sufficiently given or served by a party when,

- a) delivered personally or by courier;
- b) sent by ordinary, prepaid mail addressed to the last known address for the person appearing on the records of the County; or
- c) sent by e-mail or fax.

13.2 An order issued under Article 12 may be served personally or served by sending it by ordinary, prepaid mail to the last known address of,

- a) the person to whom the order is issued; or

- b) where the identity of the person cannot be ascertained, to the property of the discharger.

13.3 If the person to whom the notice, order, document, record or other information is required to be provided or given under this by-law is a corporation, service under section 13.1 or 13.2 shall be effected,

- a) in the case of any corporation incorporated or continued by or under applicable legislation by,
 - i. delivering the notice, order, document, record or other information personally to the manager, secretary or other senior officer of the corporation or person apparently in charge of a branch office of the corporation, or
 - ii. mailing the notice, order, document, record or other information by registered mail to the corporation at an address held out by it to be its address;
- b) in the case of corporation not incorporated or continued by or under applicable legislation by,
 - i. a method provided under section 13.3(a),
 - ii. delivering the notice, order, document, record or other information personally to the corporation's resident agent or agent for service or to any other representative of the corporation in Ontario, or
 - iii. mailing the notice, order, document, record or other information by registered mail to a person referred to in clause (ii) or to an address outside Ontario, including outside Canada, held out by the corporation to be its address.

13.4 Service under sections 13.1, 13.2 and 13.3 is deemed to be effected as follows:

- a) If service is by courier, the next business day after the day the courier received the document from the person giving or serving it.
- b) If service is by ordinary, prepaid mail, the fifth day after the day of mailing.
- c) If by e-mail or fax, on the day the document is sent unless the transmission is made on a day other than a business day or if it is sent after 4:30 p.m. on any day, in which case service will be deemed to be effected on the next business day.

13.5 Despite section 13.4, deemed service may be rebutted by the person deemed served by proving, on a balance of probabilities, that the person did not receive the notice, document, record or other information until a date other than the deemed service date or not at all due to a cause beyond the person's control.

PART 14 – OFFENCES

14.1 Every person who contravenes any provision of this by-law is guilty of an offence.

14.2 Every person who fails to comply with an order issued under article 12 of this by-law is guilty of an offence.

14.3 If an order has been issued under article 12 of this by-law, and the order has not been complied with, the contravention of the order shall be deemed to be a continuing offence for each day or part of a day that the order is not complied with.

PART 15 – PENALTIES

15.1 Every Person, other than a corporation, who contravenes any portion of this by-law is guilty of an offence and upon conviction is liable to a fine of not more than \$50,000.00.

15.2 Every corporation who contravenes any portion of this by-law is guilty of an offence and upon conviction is liable to a fine of not more than \$100,000.00.

15.3 Despite sections 15.1 and 15.2, every person or corporation who contravenes any of the sections of this by-law which constitutes a continuing offence shall be liable to a fine of not more than \$10,000.00 for each day or part day that the offence continues and the total of all of the daily fines for the offences shall not be limited to \$100,000.00.

PART 16 - LIMITATION

16.1 Nothing in this by-law shall be so construed as to permit anything, which by the provisions of any applicable laws, regulations or by-laws is otherwise prohibited.

16.2 This by-law shall not apply to discharges, activities or works undertaken by the County.

PART 17 – SEVERABILITY

17.1 If any provision or the application of this by-law to any person or circumstance is held to be invalid or unenforceable, by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of the by-law which can be given effect without the invalid provision or application, and to this end the provisions of this by-law are severable.

PART 18 - MISCELLANEOUS

Short title

18.1 This By-law may be referred to as the “County Sewer Use By-law”.

Repeal

87.2 That By-law No. 2719-87 is hereby repealed.

18.3 That By-law No. 5715-2015 is hereby repealed.

18.4 That By-law No. 6120-2019 is hereby repealed

18.5 That this By-law shall come into force and effect on the date of passing.

READ a first and second time this 28th day of October.

READ a third time and finally passed this 28th day of October.

"Larry G. Martin"

LARRY G. MARTIN, WARDEN

"Chloé J. Senior"

CHLOE SENIOR, CLERK

Schedule "A"
Conventional and Physical Parameter Limits – Sanitary Sewers

Parameter ¹	Limit (milligrams/Litre) unless indicated otherwise
Biochemical Oxygen Demand (BOD)	300
Phosphorous	10
pH	6.0 – 10 unit less
Temperature	>65 degrees Celsius
Total Suspended Solids	350
Total Kjeldahl Nitrogen	100
Hazardous industrial wastes	Zero ²
Human carcinogens	Zero ²
Pathogenic materials	Zero ²
Explosive matter	Zero ²
Gasoline	Zero ²
Naphtha	Zero ²
Fuel oil	Zero ²
Solvents	Zero ²
Phosphorus, expressed as P	10 mg/L
Radioactive materials	Zero ²

¹As defined by a reference method of an accredited laboratory

² Non-detect from accredited laboratory to current standard methods

Schedule "B"
Organic Parameters – Sanitary Sewers

Parameter ¹	Limit (milligrams/Litre) unless indicated otherwise
Amines	Zero ² unless result of decomposition human waste
Ammonia	50 unless result of decomposition human waste
Benzene	Zero ²
Carbon Disulphide	Zero unless result of decomposition human waste
Chloroform	0.04
Dichlorobenzene (1,2-)	0.05
Dichlorobenzene (1,4)	0.08
Ethylbenzene	0.06
Hexachlorobenzene	0.0001
Hydrogen Sulphide	Zero unless result of decomposition human waste
Methylene chloride (dichloromethane)	0.09
Oil and grease - animal and vegetable	100
Oil and grease - mineral and synthetic/ hydrocarbon	Zero ²
Phenolic compounds	1 mg/L
Reduced Sulphur compounds	Zero unless result of decomposition human waste

¹As defined by a reference method of an accredited laboratory

²Non-detect from accredited laboratory to current standard methods

Schedule "C"
Inorganic Parameters – Sanitary Sewers

Parameter ¹	Limit (milligrams/Litre) unless indicated otherwise
Aluminum, expressed as Al	50
Antimony, expressed as Sb	5
Arsenic, expressed as As	1
Bismuth, expressed as Bi	5
Cadmium, expressed as Cd	1
Chlorides, expressed as Cl-	1500
Chlorine, expressed as Cl ₂	2
Chromium, expressed as Cr	5
Cobalt, expressed as Co	5
Copper, expressed as Cu	2
Cyanide, expressed as HCN	2
Fluorides, expressed as F-	10
Iron, expressed as Fe	50
Lead, expressed as Pb	5
Manganese, expressed as Mn	5
Mercury, expressed as Hg	0.1
Molybdenum, expressed as Mo	5
Nickel, expressed as Ni	2
Selenium, expressed as Se	5
Silver, expressed as Ag	5
Sulphide (as H ₂ S)	1.0
Sulphates, expressed as SO ₄	1500
Tin, expressed as Sn	5
Titanium, expressed as Ti	5
Vanadium, expressed as V	5
Zinc, expressed as Zn	2

¹As defined by a reference method of an accredited laboratory

² Non-detect from accredited laboratory to current standard methods

Schedule "D"
Pesticides – Sanitary Sewers

Parameter ¹	Limit (milligrams/Litre) unless indicated otherwise
Aldrin/Dieldrin ³	0.0002
Chlordane ³	0.1
DDT ³	0.0001
3,3-Dichlorobenzidine ³	0.002
Hexachlorocyclohexane ³	0.1
Mirex ³	0.1

¹As defined by a reference method of an accredited laboratory

² Non-detect from accredited laboratory to current standard methods

³For the purposes of section 4.2, parameters as marked are pesticides

Schedule "E"

Conventional and Physical Parameter Limits – Storm Sewers

Parameter ¹	Limit (milligrams/Litre) unless indicated otherwise
Biochemical Oxygen Demand	25
Chemical Oxygen Demand	50
Total Suspended Solids	15
Phosphorus	0.4
pH	6.0 -9.0 (unit less)
Temperature	40 Degrees
E.coli	200

¹As defined by a reference method of an accredited laboratory

² Non-detect from accredited laboratory to current standard methods

Schedule "F"

Inorganic Parameter Limits – Storm Sewers

Parameter ¹	Limit (milligrams/Litre) unless indicated otherwise
Aluminum	1.0
Arsenic	0.2
Cadmium	0.001
Chlorides	1500
Chlorine as Cl2	1.0
Chromium	0.2
Copper	0.04
Cyanide	0.1
Fluorides	2.0
Iron	1.0
Lead	0.05
Mercury	0.001
Nickel	0.05
Selenium	0.2
Silver	0.12
Sulphates as SO4	1500
Tin	1.0
Zinc	0.05

¹As defined by a reference method of an accredited laboratory

² Non-detect from accredited laboratory to current standard methods