

THE REGIONAL MUNICIPALITY OF PEEL

BY-LAW NUMBER 53-2010

A by-law to regulate the discharge of matter into the sanitary and storm sewage systems of the Regional Municipality of Peel and making provision for the establishment of sewer rates and charges on persons for such services or activities, pursuant to the *Municipal Act, 2001*, S.O. 2001, c. 25 and to repeal By-law Numbers 9-1975, 64-1976, 19-1977, 153-1977, 137-1978, 11-1979, 40-1980, 51-1980, 30-1981, 13-1982, 45-1982, 17-1983, 94-1985, 90-1990, 9-1991, 96-1991, 36-1992, 135-1992, 110-1996, 51-1998, 71-1999, 25-2002 and 53-2002.

WHEREAS section 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, (the "*Act*") provides that The Regional Municipality of Peel (the "Region") shall have exclusive responsibility for collection of sanitary sewage and sewage treatment within the Regional area;

AND WHEREAS, section 11 of the *Act* provides that the Region shall have responsibility with respect to collection of storm water and other drainage from land;

AND WHEREAS, section 8 of the *Act* provides that the Region has broad authority to enable it to govern its affairs as it considers appropriate;

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 licenses respecting connections to sewage works and the discharge of any matter into sewage works;

AND WHEREAS, section 391 of the *Act* provides that the Region may impose fees or charges on persons for services or activities provided or done by or on behalf of it;

AND WHEREAS, section 425 of the *Act* provides that the Region may pass by-laws providing that a person who contravenes a by-law of the Region is guilty of an offence;

NOW THEREFORE, the Council of The Regional Municipality of Peel enacts as follows:

Part 1 - Definitions

1. In this By-law:

- (a) **“Acute Hazardous Waste Chemical”** means an acute hazardous waste chemical within the meaning of *Regulation 347*;
- (b) **“Application for Waste Discharge Review”** means an application to the Commissioner, required for proposed changes in discharges;
- (c) **“Approved Alternative Method”** means a method, other than an Approved Device, approved by the Commissioner, to measure the volume of water or Sewage for purposes an appeal of a Wastewater Charge;
- (d) **“Approved Device”** means a non-resettable device, approved by the Commissioner, used to measure the volume of water or Sewage for purposes of an appeal of a Wastewater Charge;
- (e) **“Biochemical Oxygen Demand”** means the five-day biochemical oxygen demand which is the determination of the molecular oxygen utilized during a five-day incubation period for the biochemical degradation of organic material (carbonaceous demand), including the oxygen used to oxidize inorganic material such as sulphides and ferrous iron, and where an inhibiting chemical has been added to prevent ammonia oxidation, determined in accordance with Standard Methods;
- (f) **“Biosolids”** means organic solid material recovered from the wastewater treatment process;
- (g) **“Blowdown Water”** means re-circulating water that is discharged from a cooling or heating water system for the purpose of controlling the level of water in the system or for the purpose of discharging from the system materials contained in the system, the further build-up of which would or might impair the operation of the system;
- (h) **“Certificate of Approval”** means a document issued by the Ministry of the Environment in accordance with the *Environmental Protection Act*;

- (i) **“Combined Sewer”** means a Sewer intended to function simultaneously as a Storm Sewer and a Sanitary Sewer;
- (j) **“Combustible Liquid”** means a liquid that has a flash point not less than 37.8 degrees Celsius and not greater than 93.3 degrees Celsius;
- (k) **“Commissioner”** means the Commissioner of Public Works of the Region of Peel and includes his or her delegate;
- (l) **“Compliance Program”** means a program in which a non-compliant Discharger enters into a Discharge Agreement with the Region in order to give the Discharger a reasonable amount of time to achieve compliance with this By-law;
- (m) **“Compliance Program with Monetary Concession”** means, a Compliance Program in which a Discharger undertakes to carry out works or improvements to reduce the effects of the Matter discharged to the Sanitary Sewer, with costs of the works, improvements and treatment offset by reductions in the compensation paid to the Region;
- (n) **“Composite Sample”** means a volume of Sewage, Storm Water or Uncontaminated Water made up of two or more Grab Samples that have been combined automatically or manually and taken at intervals during the sampling period;
- (o) **“Connection”** means the part or parts of any pipe or system of pipes leading directly to a Sewage Works;
- (p) **“Contact Cooling Water”** means Cooling Water that comes into contact with any raw material, intermediate product, finished product, byproduct or waste product of an Industrial process;
- (q) **“Cooling Water”** means water that is used in an Industrial process for the purpose of removing heat, but does not include Blowdown Water;
- (r) **“Customer”** means any Owner, Operator or occupant of any land, building or premise connected to or having access to the Sanitary Sewer;
- (s) **“Discharge Agreement”** means a legal agreement made between the Region and a Person pursuant to the provisions of this By-law and includes a Surcharge Agreement, a Restrictive Agreement and agreements entered into pursuant to a Compliance Program or a Compliance Program with a

Monetary Concession;

- (t) **“Discharger”** means a Person in occupation or having the charge, management, or control of a premise which discharges to a Sanitary Sewer or Storm Sewer, Sewage, Storm Water or Uncontaminated Water to which this By-law applies;
- (u) **“Enforcement Officer”** means a person authorized by the Council of the Region and designated by By-law 49-2001, as amended or replaced from time to time, to conduct inspections, make observations, obtain samples and make measurements for the purposes of the enforcement of this By-law;
- (v) **“Environmental Protection Act”** means the *Environmental Protection Act*, R.S.O 1990, c. E.19 as amended or replaced from time to time;
- (w) **“Flat Rate”** means the rate established annually as found in the Wastewater System Fees and charges (Sewer Use Rates) By-law;
- (x) **“Fuel”** means alcohol, gasoline, naphtha, diesel fuel, fuel oil or any other ignitable substance intended for use as a fuel;
- (y) **“Gallon”** means an imperial gallon or its metric equivalent (0.0045 cubic metres);
- (z) **“Grab Sample”** means a portion of the discharge from or deposit to the Sewage Works, taken at a Maintenance Access Hole or another location established pursuant to subsection 8(3) of this By-law;
- (aa) **“Ground Water”** means water contained within the earth;
- (bb) **“Ground Water Drainage System”** means a drainage system installed to drain accumulated Ground Water from around the foundation of a building;
- (cc) **“Hauled Sewage”** means waste removed from a Sewage system, including a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet, a sewage holding tank or a Sewage Works;
- (dd) **“Hauled Waste”** means any Sewage which is non-human in origin and which is transported to and deposited into any location in the Sewage Works, but excludes Hauled Sewage;
- (ee) **“Hazardous Industrial Waste”** means hazardous industrial

waste within the meaning of *Regulation 347*;

- (ff) **“Hazardous Waste Chemical”** means a hazardous waste chemical within the meaning of *Regulation 347*;
- (gg) **“Ignitable Waste”** means ignitable waste within the meaning of *Regulation 347*;
- (hh) **“Industrial”** means of, or pertaining to, industry, manufacturing, commerce, trade, business or institutions as distinguished from Residential;
- (ii) **“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 of an Industrial process;
- (jj) **“Industrial Sewage”** means Sewage discharged into a Sanitary Sewer from an Industrial Process Area;
- (kk) **“Inflow/Outflow Differential”** means the variance between the volume of water recorded by one or more Approved Devices deemed to measure all water entering a site and the volume of water recorded by an Approved Device or Approved Alternative Method entering a Sanitary Sewer from the site;
- (ll) **“Lateral”** or **“Lateral Connection”** means the drainage pipe, connected to the Sewer system which is designed to carry Sewage from a premise and includes the pipes on private property usually referred to as the building sewer;
- (mm) **“Maintenance Access Hole”** means an access point, owned by the Owner of the land upon which it is located, in a Private Sewer Connection to allow for observation, sampling and flow measurement of the Sewage, Uncontaminated Water or Storm Water therein;
- (nn) **“Matter”** includes any solid, liquid or gas;
- (oo) **“Multiple Municipal Sewer Connection”** means a Municipal Sewer Connection servicing two or more premises;

- (pp) **“Municipal Sewer Connection”** means that part of any drain leading from a Private Sewer Connection to a Sewer and located within the limits of the public road allowance, or other public lands or public land interests held for Sewer purposes;
- (qq) **“Non-contact Cooling Water”** means Cooling Water which does not come into contact with any raw material, intermediate product, finished product, by-product or waste product, other than heat, of an Industrial process;
- (rr) **“Owner”** or **“Operator”** means the owner or operator of any facility, premises or activity subject to the provisions of this By-law;
- (ss) **“Pathological Waste”** means pathological waste within the meaning of *Regulation 347*, or any material which may be designated in writing by the Chief Medical Officer of Health (Ontario);
- (tt) **“PCB”** means and monochlorinated or polychlorinated biphenyl waste within the meaning of *Regulation 347*;
- (uu) **“Person”** includes an individual, sole proprietorship, association, partnership, corporation, municipality, Provincial or Federal Agency or an agent or employee of such a Person;
- (vv) **“Pesticide”** means a pesticide regulated under the *Pesticides Act*, R.S.O. 1990, c. P.11, as amended or replaced from time to time;
- (ww) **“Pollution Prevention Plan”** means a required plan that identifies Industrial operations or activities and specified pollution prevention methods to be implemented within a time frame specified by the Region;
- (xx) **“Private Branch Drain”** means a drainage pipe connected directly or indirectly to a Sanitary Sewer, but not connected directly or indirectly to a Storm Sewer;
- (yy) **“Private Sewer Connection”** means that part of any drain or system of drains, including drains or Subsurface Drainage Pipe for surface or subsurface drainage of the land in or adjacent to a building, lying within the limits of the land, owned by the Owner of such land, and leading to a Municipal Sewer Connection;

- (zz) “**Rain Water Leader**” or “**Downspout**” means a pipe inside or outside a building that conveys Storm Water from the roof of the building to a place for disposal;
- (aaa) “**Reactive Waste**” means a reactive substance within the meaning of *Regulation 347*;
- (bbb) “**Region**” means The Regional Municipality of Peel;
- (ccc) “**Regulation 347**” means R.R.O. 1990, *Regulation 347* made under the *Environmental Protection Act*;
- (ddd) “**Residential**” means of or pertaining to a dwelling or dwellings of a domestic nature as distinguished from Industrial, but includes situations of mixed Residential and non-Residential elements where, in the opinion of the Commissioner, the non-Residential element is clearly incidental and accessory to the Residential element, and also includes a swimming pool which is clearly part of a Residential element;
- (eee) “**Residential Sewage**” means Sewage discharged into a Sanitary Sewer from Residential premises;
- (fff) “**Restrictive Agreement**” means a Discharge Agreement where limits are put on the amount of material that is discharged to the Sewage Works when the discharge of material may have an effect on the operation, repair, replacement, capacity or maintenance of the Sewage Works;
- (ggg) “**Sanitary Sewer**” means a Sewer for the collection and transmission of Residential or Industrial Sewage or any combination thereof;
- (hhh) “**Severely Toxic Waste**” means any contaminant listed in Schedule 3 of *Regulation 347* or waste containing such a contaminant;
- (iii) “**Sewage**” means any Matter containing organic, inorganic, animal, vegetable, mineral or synthetic Matter in solution or in suspension and includes things that float, but does not include Storm Water or Uncontaminated Water;
- (jjj) “**Sewage Works**” means any Region works for the collection, transmission, treatment or disposal of Sewage, Storm Water or Uncontaminated Water or drainage from land or a Watercourse, including a Sanitary Sewer, Storm Sewer or Combined Sewer, or any part of such works, but does not include plumbing or

other works to which the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended or replaced from time to time, applies;

- (kkk) “**Sewer**” means a pipe, conduit, drain, open channel or ditch for the collection and transmission of Sewage, Storm Water or Uncontaminated Water, or any combination thereof owned and/or controlled by the Region;
- (lll) “**Spill**” means a direct or indirect discharge into the Sewage Works or the natural environment which is abnormal in quantity or quality in light of all the circumstances of the discharge;
- (mmm) “**Standard Methods**” means a procedure or method set out in the latest edition of the “Standard Methods for the Examination of Water and Wastewater” published jointly by the American Public Health Association, American Water Works Association and the Water Environment Federation;
- (nnn) “**Storm Sewer**” means a Sewer for the collection and transmission of Uncontaminated Water, Storm Water, drainage from land or from a Watercourse or any combination thereof for which the Region is responsible;
- (ooo) “**Storm Water**” means water from rainfall or other natural precipitation, from the melting of snow or ice, or from drainage;
- (ppp) “**Storm Water Leader**” means a pipe inside or outside a building that conveys Storm Water from a basement or driveway of a building or premise to a place for disposal;
- (qqq) “**Subsurface Drainage Pipe**” means a pipe that is installed underground to intercept and convey subsurface water, and includes foundation drain pipes;
- (rrr) “**Surcharge Agreement**” means a Discharge Agreement where Matter that would otherwise be prohibited by the by-law would be allowed to be discharged to an extent fixed by the agreement in exchange for payment to compensate the Region for additional costs of operation, repair, replacement or maintenance of the Sewage Works;
- (sss) “**Uncontaminated Water**” means water with a level of quality which is typical of potable water supplied by the Region to which no Matter is added intentionally or unintentionally;

- (ttt) **“Waste Disposal Site Leachate”** means the liquid containing dissolved or suspended contaminants which emanates from waste in a waste disposal site and is produced by water percolating through the waste or by liquid in the waste;
- (uuu) **“Waste Radioactive Prescribed Substance”** means uranium, thorium, plutonium, neptunium, deuterium, their respective derivatives and compounds and such other substances as the Canadian Nuclear Safety Commission may by regulation designate as being capable of releasing atomic energy or as being requisite for the production, use or application of atomic energy;
- (vvv) **“Waste Survey Report”** means a report on the Industrial processes and discharges from a premise, in a form as approved by the Commissioner from time to time;
- (www) **“Wastewater Charge”** means a charge for services and activities provided or done by or on behalf of the Region in respect of the operation and maintenance of the Region’s Sewage Works, and includes charges for depreciation, deferred maintenance, reserves for any such purpose, capital costs and debt charges, but does not include any existing frontage charges, connection charges or charges collected through local improvement charges;
- (xxx) **“Wastewater Rate”** means the annual rate as found in the Region’s by-law that established in Wastewater System Fees and Charges;
- (yyy) **“Water Meter”** means a device owned by the Region to measure the quantity of water flowing through the water service pipe and includes the register and any and all wires and other devices for remote reading of the same;
- (zzz) **“Watercourse”** means an open channel, ditch or depression either natural or artificial, in which flow of water occurs either continuously or intermittently.

Part 2 - Sanitary Sewer Requirements

- 2. (1) No Person shall, directly or indirectly, discharge or deposit or cause or permit the discharge or deposit of Matter into a Sanitary Sewer or Combined Sewer or into a Connection to a Sanitary Sewer or a Connection to a Combined Sewer in circumstances where:

1. to do so may cause or result in:
 - (a) a health or safety hazard to a person authorized by the Commissioner to inspect, operate, maintain, repair or otherwise work on a Sewage Works;
 - (b) an offence under any Federal or Provincial legislation (including regulations), including, but not limited to, the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended from time to time, or the *Environmental Protection Act*, or any regulation made under such Acts from time to time;
 - (c) failure of Biosolids from the Sewage Works to which the Sanitary Sewer or Combined Sewer connects, directly or indirectly, to meet the objectives and criteria as listed in the Ministry of the Environment publication entitled "Guidelines for the Utilization of Biosolids and Other Wastes on Agricultural Land" dated March 1996, as amended from time to time;
 - (d) interference with the operation or maintenance of a Sewage Works, or impairment or interference with any treatment process;
 - (e) a hazard to any person, animal, property or vegetation;
 - (f) emanation of an offensive odour from the Sanitary Sewer, Combined Sewer or Sewage Works and without limiting the generality of the foregoing, emanation of an offensive odour from Sewage containing hydrogen sulphide, carbon disulphide, or other reduced sulphur compounds, amines or ammonia in such quantity as may cause an offensive odour;
 - (g) damage to Sewage Works infrastructure;
 - (h) an obstruction or restriction to the flow in the Sewage Works; or
 - (i) failure of any air emission from the Sewage Works to comply with Certificate of Approval requirements or other Federal or Provincial legislation (including regulations);

2. the Sewage has one or more of the following characteristics:
 - (a) a pH less than 5.5 or greater than 10;
 - (b) two or more separate liquid layers; or
 - (c) a temperature greater than 60 degrees Celsius;

3. the Sewage contains:

- (a) Acute Hazardous Waste Chemical;
- (b) Combustible Liquid;
- (c) Dye or colouring material which may or could pass through a Sewage Works and discolour the Sewage Works effluent;
- (d) Fuel;
- (e) Hauled Sewage, except where:
 - (i) the carrier of the Hauled Sewage is a waste management system operating under a Certificate of Approval or Provisional Certificate of Approval issued under the *Environmental Protection Act* or a regulation under it or is exempt from the requirement to have a Certificate or Provisional Certificate of Approval;
 - (ii) a copy of the most recent Certificate of Approval or Provisional Certificate of Approval and any amendments are provided to the Commissioner;
 - (iii) the carrier meets all conditions for discharge set from time to time by the Region, with respect to the haulage of Sewage; and
 - (iv) the carrier meets all conditions established by the Region's Hauled Sewage policy;
- (f) Hauled Waste, except where:
 - (i) the carrier of the Hauled Waste is a waste management system operating under a Certificate of Approval or Provisional Certificate of Approval issued under the *Environmental Protection Act* or is exempt from the requirement to have a Certificate or Provisional Certificate of Approval;
 - (ii) a copy of the most recent Certificate of Approval or Provisional Certificate of Approval and any amendments are provided to the Commissioner;
 - (iii) the Hauled Waste meets the conditions set out in paragraphs 23(3)(c) and 25(5)(b) of *Regulation 347*; and
 - (iv) the carrier meets all conditions for discharge set from time to time by the Region with respect to the haulage of waste;
- (g) Ignitable Waste;
- (h) Hazardous Industrial Waste;
- (i) Hazardous Waste Chemical;
- (j) Pathological Waste;

- (k) PCB except where:
 - (i) the Person has a Certificate of Approval for a mobile site or PCB mobile waste disposal system issued under the *Environmental Protection Act* or where the Person is claiming exemption under a regulation and has demonstrated to the Commissioner that the conditions of the exemption are met;
 - (ii) a copy of the most recent Certificate of Approval or Provisional Certificate of Approval and any amendments are provided to the Commissioner; and
 - (iii) the Person has written approval from the Commissioner for the discharge of the PCB to the Sewage Works;
- (l) Pesticide;
- (m) Reactive Waste;
- (n) Severely Toxic Waste;
- (o) Waste Radioactive Prescribed Substance, except where:
 - (i) the Waste Radioactive Prescribed Substance is being discharged under a valid and current license issued by the Canadian Nuclear Safety Commission or its successor; and
 - (ii) a copy of the license has been provided to the Commissioner;
- (p) Waste Disposal Site Leachate, except where:
 - (i) the Person has prior written approval from the Commissioner which authorizes the discharge or deposit of the Waste Disposal Site Leachate to the Sewage Works; and
 - (ii) a Certificate of Approval, Provisional Certificate of Approval or order has been issued which includes a provision for the disposal of Waste Disposal Site Leachate to a Sewage Works, and a copy of the Certificate of Approval, Provisional Certificate of Approval or order is provided to the Commissioner, or where the Person is claiming an exemption pursuant to a regulation, and has demonstrated to the Commissioner that the conditions of the exemption are being met; or
- (q) solid or viscous substance;

4. (1) the Sewage contains a concentration, expressed in milligrams per litre, in excess of any one or more of the limits for any one or more of the parameters in Table 1 of this By-law entitled "Limits for Sanitary Sewer Discharge" except where:
 - (a) the discharge is in accordance with a Discharge Agreement or a Compliance Program or expressly authorized in writing by the Commissioner in accordance with this By-law prior to the discharge; and
 - (b) all fees required under a Discharge Agreement have been paid.
- (2) The discharge of Storm Water, Uncontaminated Water or Non-contact Cooling Water to a Sanitary Sewer is prohibited except in an emergency situation where the Commissioner has provided either verbal or written approval prior to the emergency discharge, or, in a non-emergency situation, where the Commissioner has provided prior written approval for a non-emergency discharge and the Person discharging is complying with the terms and conditions of the approval.
- (3) The discharge to a Sanitary Sewer or Combined Sewer of water originating, directly or indirectly, from a source other than the Region water supply, including inflow and infiltration, is prohibited unless:
 1. the discharge was expressly authorized in writing by the Commissioner, prior to the discharge, in accordance with conditions adopted by the Region from time to time, and the Person discharging is complying with the terms and conditions of the approval; or
 2. the discharge is in accordance with a Discharge Agreement and all fees required under the Discharge Agreement have been paid.

Table 1 - Limits for Sanitary Sewer Discharge

Parameter	Limit (mg/L)
Biochemical Oxygen Demand (BOD5)	300
Total Cyanide	2
Fluoride	10
Total Kjeldahl Nitrogen	100
Phenolics (4AAP)	1.0
Total Phosphorus	10
Solvent Extractable Matter - Mineral/Synthetic	15
Solvent Extractable Matter – Animal/Vegetable	150
Total Suspended Solids	350
Total Aluminum	50
Total Antimony	5
Total Arsenic	1
Total Cadmium	0.7
Total Chromium	5
Total Cobalt	5
Total Copper	3
Total Lead	3
Total Manganese	5
Total Mercury	0.01
Total Molybdenum	5
Total Nickel	3
Total Selenium	1
Sulphate	1500
Chloroform	0.04
1,2-Dichlorobenzene	0.05
1,4-Dichlorobenzene	0.08
Cis-1,2-Dichloroethylene	4
Trans-1,3-Dichloropropylene	0.14
Ethyl benzene	0.16
Total Silver	5
Total Tin	5
Total Titanium	5
Total Zinc	3
Benzene	0.01
Methylene chloride	2
1,1,2,2-Tetrachloroethane	1.4
Tetrachloroethylene	1
Toluene	0.27
Trichloroethylene	0.4

Xylenes	1.4
Di-n-butyl phthalate	0.08
Bis (2-ethylhexyl) phthalate	0.012
PCBs	0.001
Methyl Ethyl Ketone	8.0
Styrene	0.2
Nonylphenols	0.02
Nonylphenol Ethoxylates	0.2

Part 3 - Prohibition of Dilution

3. No Person shall directly or indirectly discharge or deposit or cause or permit the discharge or deposit of Sewage into a Sanitary Sewer, Storm Sewer, Combined Sewer, Municipal Sewer Connection, Multiple Municipal Sewer Connection or Private Sewer Connection in circumstances where water has been added to the discharge for the purposes of dilution to achieve compliance with Part 2 or Part 4 of this By-law.

Part 4 - Storm Sewer Requirements

4. (1) No Person shall directly or indirectly discharge or deposit or cause or permit the discharge or deposit into or in any land drainage work, Private Branch Drain or Connection to any Storm Sewer, Matter of any type which may:
1. interfere with proper operation of a Storm Sewer;
 2. obstruct or restrict a Storm Sewer or the flow therein;
 3. damage a Storm Sewer;
 4. result in any hazard or other adverse impact to any person, animal, property or vegetation;
 5. contravene or result in the contravention of any Federal or Provincial legislation (including regulations), including but not limited to the *Fisheries Act*, R.S.C. 1985, c. F-14, as amended from time to time, with respect to the Storm Sewer and/or discharge from the Storm Sewer into a Watercourse;
 6. contravene or result in the contravention of a Certificate of Approval or Provisional Certificate of Approval issued under the *Ontario Water Resources Act* or the *Environmental Protection Act* with respect to the Storm Sewer or its discharge;
 7. have one or more of the following characteristics:
 - (a) visible film sheen or discoloration;
 - (b) two or more separate layers;
 - (c) a pH less than 6.0 or greater than 9.0; or

- (d) a temperature greater than 40 degrees Celsius;
 8. contain one or more of the following:
 - (a) Acute Hazardous Waste Chemical;
 - (b) Blowdown Water;
 - (c) Combustible Liquid;
 - (d) floating debris;
 - (e) Fuel;
 - (f) Hauled Sewage;
 - (g) Hauled Waste;
 - (h) Hazardous Industrial Waste;
 - (i) Hazardous Waste Chemical;
 - (j) Ignitable Waste;
 - (k) Pathological Waste;
 - (l) Pesticide;
 - (m) Reactive Waste;
 - (n) Severely Toxic Waste;
 - (o) Sewage;
 - (p) Waste Radioactive Prescribed Substance;
 - (q) Waste Disposal Site Leachate;
 - (r) Contact Cooling Water;
 - (s) a substance from raw material, intermediate product, finished product, by-product or waste product of an Industrial process; or
 - (t) a substance used in the operation or maintenance of an Industrial site;
 9. contain *E. coli* colonies in excess of 200 cfu per 100 milliliters;
 10. contain contaminants from raw material, intermediate product, finished product, by-product or waste product of an Industrial process;
 11. contain a concentration, expressed in milligrams per litre, in excess of any one or more of the limits, for any one or more of the parameters in Table 2 of this By-law entitled "Limits for Storm Sewer Discharge"; or
 12. contain fecal coliform in any amount.
- (2) If required by written notice from the Commissioner, the Person who is the Owner or Occupier of a premise shall, in accordance with such written notice, perform or undertake one or more of the following activities addressing the discharge of Storm Water from the premise:
 1. a study on Storm Water quality and/or quantity;
 2. modification and/or construction of Storm Water facilities for which the Region is responsible;
 3. development and implementation of Best Management Practices (BMP);
 4. adoption and implementation of pollution prevention techniques and measures; or

5. any other activity set out in the notice.

Table 2 - Limits for Storm Sewer Discharge

Parameter	Limit (mg/L)
Biochemical Oxygen Demand (BOD5)	15
Total Cyanide	0.02
Total Kjeldahl Nitrogen	1
Phenolics (4AAP)	0.008
Total Phosphorus	0.4
Total Suspended Solids	15
Total Arsenic	0.02
Total Cadmium	0.008
Total Chromium	0.08
Total Copper	0.05
Total Lead	0.120
Total Manganese	0.05
Total Mercury	0.0004
Total Nickel	0.08
Total Selenium	0.02
Total Silver	0.12
Total Zinc	0.04
Benzene	0.002
Chloroform	0.002
1,2-Dichlorobenzene	0.0056
1,4-Dichlorobenzene	0.0068
Cis-1,2-Dichloroethylene	0.0056
Trans-1,3-Dichloropropylene	0.0056
Ethyl benzene	0.002
Methylene chloride	0.0052
1,1,2,2-Tetrachloroethane	0.017
Tetrachloroethylene	0.0044
Toluene	0.002
Trichloroethylene	0.008
Xylenes	0.0044
Di-n-butyl phthalate	0.015
Bis (2-ethylhexyl) phthalate	0.0088
PCBs	0.0004

Part 5 – Reporting of Site Information by Discharger

5. (1) Any Person discharging to a Sewage Works shall complete and submit a Waste Survey Report, in a format as required by the Commissioner, to the Commissioner within 60 days of written notification by the Commissioner requiring such Waste Survey Report.
- (2) Where an Industrial Discharger has submitted a Waste Survey Report, the Discharger shall provide written notice to the Commissioner of any change in the information provided in the initial report within 30 days of such change and such notice shall include any change to the operation, process, or wastewater treatment facility as well as analyses of all waste stream discharges.

Part 6 – Discharge Agreements

6. (1) Subject to subsections (2), (3) and (4), the discharge or deposit of Matter by a Person into or in any Connection to any Sanitary Sewer or Combined Sewer that would otherwise be prohibited by this By-law may be permitted to an extent fixed by a Discharge Agreement entered into between the Person and the Region including conditions with respect to the payment of additional sewage service rates to compensate the Region for its additional costs of operation, repair, replacement or maintenance of the Sewage Works and on other terms and conditions as may be deemed appropriate by the Region.
- (2) A Surcharge Agreement may only be entered into with respect to the discharge to a Sanitary Sewer or Combined Sewer of one or more of the following treatable parameters in Sewage:
 - (a) Biochemical Oxygen Demand;
 - (b) Solvent Extractable Matter of Animal or Vegetable Origin;
 - (c) Total Suspended Solids; and
 - (d) Total Phosphorus
- (3) The Region may require a Restrictive Agreement in circumstances where, in the sole opinion of the Commissioner, it is necessary:
 - (a) to restrict or limit the discharge into a Sanitary Sewer or Combined Sewer of Sewage containing parameters listed in Section 2 of this By-law to the concentration limits specified in Section 2 of this By-law;
 - (b) to restrict or limit the discharge of Sewage, which,

- although within the limits of the parameters and concentrations listed in Section 2 of this By-law, might nevertheless result in the Sewage Works discharging Matter not in compliance with any Federal or Provincial legislation (including regulations) or guideline regarding discharge from Sewage Works; or
- (c) to ensure the proper operation or maintenance of the Sewage Works and its capacity.
 - (4) Surcharge Agreements and Restrictive Agreements shall be in the form approved by the Commissioner from time to time, and such agreements shall be executed on behalf of the Region in accordance with the by-law governing the execution of documents on behalf of the Region, as amended from time to time.
 - (5) During the term of a Discharge Agreement the discharge is exempt from meeting the limits set out in Part 2 of this By-law for the parameters included in the agreement, if all conditions stipulated by the Region in the agreement are met.

Part 7 - Compliance Program

- 7. (1) A Person may submit, and, when so required by the Commissioner, shall submit or resubmit, to the Commissioner for approval, a proposed Compliance Program setting out activities to be undertaken by the Person that would result in the prevention or reduction and control of the discharge or deposit of Sewage, Uncontaminated Water, Ground Water, Cooling Water, drainage from lands or from a watercourse, Storm Water or water originating from a source other than the Region water supply, or any combination thereof, from the Person's premise into a Sewer Connection.
- (2) Upon receipt of an application pursuant to subsection (1), above, the Commissioner may issue approval for a Compliance Program, as set out in subsection (3) for the discharge of non-complying Matter during the period of planning, design, construction or installation of facilities to eliminate the non-compliance.
- (3) Every Compliance Program shall be for a specified length of time during which the Person to whom the Compliance Program approval was issued shall take corrective action to bring the discharge into compliance with this By-law. The Compliance Program shall be specific as to the remedial actions to be implemented by the Person, the dates of commencement and completion of these actions, and the

materials or other characteristics of the Matter to which it relates. The final activity completion date shall not be later than the final compliance date in the Compliance Program.

- (4) A Person to whom a Compliance Program has been issued shall submit a Compliance Program progress report, in a form as approved by the Commissioner, to the Commissioner within fourteen (14) days after the scheduled completion date of each activity listed in the Compliance Program.
- (5) A Person to whom a Compliance Program has been issued shall not be prosecuted under Part 2 of this By-law for the discharge or deposit of any Matter specified in the Compliance Program that is discharged in compliance with the Compliance Program during the period within which the Compliance Program is in effect, and so long as the Compliance Program and this Part 7 are complied with.
- (6) A Compliance Program under this section may be a Compliance Program with Monetary Concession and the Commissioner may issue approval for a Compliance Program with Monetary Concession to a Person who meets the guidelines, adopted by the Region from time to time, in respect of such programs on such terms and conditions as they may agree.

Part 8 - Sampling and Analytical Requirements

8. (1) The sampling and analysis required by this By-law shall be in accordance with the procedures as described in Standard Methods or the United States Environmental Protection Agency methods or the Test Methods Manual, produced by the Region, as amended from time to time.
- (2) Compliance or non-compliance with this By-law may be determined by the analysis of a Grab Sample or a Composite Sample which may contain additives for its preservation and may be collected manually or by using an automatic sampling device.
- (3) Where there is no Maintenance Access Hole meeting the requirements of Part 12 of this By-law, the Commissioner may provide written notice to the Discharger authorizing the use of an alternate device or facility for the purpose of sampling discharges to the Sewage Works.
- (4) In the event that the Discharger cannot provide a Maintenance

Access Hole due to space limitations and the Commissioner has authorized an alternative sampling location, the conditions in this By-law are applicable to discharges as sampled at such alternative sampling location.

- (5) For each of the metals listed in "Table 1" and "Table 2", to this By-law, the analysis shall measure the quantity of total metal, which includes all metal both dissolved and particulate.

Part 9 - Spills

9. (1) In the event of a Spill the Person responsible or the Person having charge, management or control of the Spill, shall immediately notify the Region, provide any information with respect to the Spill which the Region requests and complete any work the Region may require to mitigate the Spill.
- (2) The Person responsible shall provide a report to the Commissioner with respect to the Spill, within five (5) days of the Spill, containing the following information:
 - (a) location where Spill occurred;
 - (b) name and telephone number of Person who reported the Spill and location where they can be contacted;
 - (c) date and time of Spill;
 - (d) material spilled;
 - (e) characteristics of material spilled;
 - (f) volume of material spilled;
 - (g) duration of Spill event;
 - (h) work completed and/or still in progress in the mitigation of the Spill; and
 - (i) preventive actions being taken to ensure a similar Spill does not occur again.
- (3) In the event of a Spill, the Person responsible shall be required to compensate the Region for all direct and indirect costs, howsoever arising, from the Spill.

Part 10 – Pollution Prevention Plans

10. (1) The Region may require an Industrial Discharger to develop a pollution prevention plan for the discharge of any Matter designated by the Region where the Industrial Discharger has:
 - (a) failed to comply with Part 2 – Sanitary Sewer Requirements;
 - (b) failed to comply with Part 4 – Storm Sewer requirements;
 - (c) failed to comply with a Compliance Program; or
 - (d) been responsible for one or more Spills to a Sewage Works or land drainage works.
- (2) Pollution Prevention Plans shall comply with any guidelines established by the Region.
- (3) The Pollution Prevention Plan shall be completed by the Industrial Discharger within eighteen (18) months of notification by the Commissioner.
- (4) The Region may exempt an Industrial Discharger from the requirement to develop a Pollution Prevention Plan where the Industrial Discharger has in place an ISO 14001 program which is currently registered by a third party auditor accredited by the Standard Council of Canada or the Registrar Accreditation Board and has provided a copy of such registration to the Commissioner.

Part 11 – Sewer Discharge Review

11. (1) An Industrial Discharger:
 - (a) applying for a new water, Sanitary Sewer or Storm Sewer Connection permit;
 - (b) applying for revisions to its existing water, Sanitary Sewer and/or Storm Sewer Connection; or
 - (c) changing its manufacturing process resulting in a change in the characteristics of the discharge to the Sanitary Sewer or Storm Sewer;shall submit an Application for Waste Discharge Review to the Commissioner.

- (2) An Industrial Discharger shall not connect a new water, Sanitary Sewer or Storm Sewer Connection, alter its existing Connections, or change its discharge to the Sanitary Sewer or Storm Sewer until the Application for Waste Discharge Review has been reviewed and approved by the Region.

Part 12 – Maintenance Access Hole

12. (1) The Owner or Operator of an Industrial premise, or apartment/condominium building with one or more Connections to a Sewage Works shall install and maintain in good repair in each Connection a suitable Maintenance Access Hole to allow observation, sampling and flow measurement of the Sewage, Uncontaminated Water or Storm Water therein, provided that where installation of a Maintenance Access Hole is not possible, an alternative device or facility may be substituted with the prior written approval of the Commissioner.
- (2) The Maintenance Access Hole or alternative device shall be located on the property of the Owner of the premise, as close to the property line as possible, unless the Commissioner has given prior written approval for a different location.
- (3) Each Maintenance Access Hole, device or facility installed as required by this Part 12 shall be designed and constructed in accordance with good engineering practice and the requirements of the municipal standard, as established by the Region from time to time, and shall be constructed and maintained by the Owner or Operator of the premise at his/her/its expense.
- (4) The Owner or Operator of the Industrial premise, or apartment/condominium building shall at all times ensure that every Maintenance Access Hole, alternative device or facility installed as required by this Part 12 is accessible for purposes of observing, sampling and flow measurement of the Sewage, Storm Water or Uncontaminated Water therein.
- (5) The Commissioner may, by direction sent by registered mail, direct the construction of a Maintenance Access Hole at the expense of the Owner or Operator, and the Owner or Operator shall construct such Maintenance Access Hole within thirty (30) days after the sending of such direction.

Part 13 - Right of Entry

13. No Person shall hinder or obstruct or attempt to hinder or obstruct, except with lawful authority, the Commissioner or his or her designate bearing proper credentials and identification, from:
- (a) entering in or upon any land or buildings, except as provided by law, at any reasonable time without a warrant;
 - (b) making such tests or taking such samples as he/she deems necessary; or
 - (c) inspecting or observing any plant, machinery, equipment, work or activity for the purposes of administering or enforcing this By-law.

Part 14 - Damage

14. (1) No Person shall uncover, make any connection with, or opening into, break, alter, damage, destroy, deface or tamper with, or cause or permit the breaking, damaging, destroying, defacing or tampering with:
- (a) any part of a Sewage Works; or
 - (b) any permanent or temporary device installed in a Sewage Works for any purpose of flow measuring, sampling or testing of Sewage, Uncontaminated Water or Storm Water.
- (2) Any Person discharging Sewage, Uncontaminated Water, Storm Water or water originating from a source other than the Region water supply directly or indirectly to a Sewage Works shall be responsible for ensuring that such Sewage, Uncontaminated Water, Storm Water or water originating from a source other than the Region water supply conforms at all times to the provisions of this By-law, and shall be liable for any damage or expense arising out of his/her/its failure to properly check and control such discharge, including the cost of investigation, repairing or replacing any part of any Sewage Works damaged thereby, the cost of treating such unapproved discharge, and the cost of responding to high sewage level alarms.
- (3) Unless specifically authorized by the Commissioner, no Person shall enter any Sewage Works.
- (4) Any dental practice within the Region must comply with the

Dentistry Act, 1991, S.O. 1991, c. 24, and the regulations there under, as amended from time to time, for the disposal of amalgam waste.

- (5) The Owner or Operator of any Industrial premise which may discharge solvent extractable Matter shall install, operate and properly maintain an interceptor in any piping system at its premise that connects directly or indirectly to a Sewer for the purpose of preventing the solvent extractable matter from entering the Sewer system. The interceptor shall be installed in compliance with the most current requirements of the *Building Code Act, 1992*.
- (6) Storm sewers of a lower-tier municipality within the Region may be connected to the Region's Storm Sewers where design approval has been granted by the Commissioner, provided that the lower-tier municipality has passed the necessary by-law to regulate Matter being discharged to such storm sewers and, provided that the Commissioner is given authority to make inspections of such connecting sewers.
- (7) When requested by a lower-tier municipality, in writing, the Commissioner may undertake any work respecting Storm Sewers on behalf of that municipality provided that the Region costs are reimbursed by that municipality.

Part 15 – Sewer Connections

15. (1) The Owner or Operator of a building which has a Rain Water Leader, Storm Water Leader and/or Ground Water Drainage System shall not connect or permit the Rain Water Leader, Storm Water Leader or Ground Water Drainage System to be connected, either directly or indirectly, to the Sanitary Sewer Connection, and shall instead conduct the Storm Water or Ground Water away from the building in such a way that the Storm Water and Ground Water will not accumulate at or near the building and will not adversely affect adjacent properties.
- (2) For the purposes of this section:
 - (a) “directly” means by any physical Connection or series of Connections between the Rain Water Leader, Storm Water Leader or Ground Water Drainage System and the Sanitary Sewer system; and
 - (b) “indirectly” means in any manner whatsoever whereby Storm Water or Ground Water enters the Sewage Works, and for greater certainty includes any situation

where open joints in underground Sewer Connections on private property permit Storm Water or Ground Water to infiltrate the Sewage Works.

- (3) An Owner or Operator of a premise may request an inspection by the Region, at the cost of the Owner or Operator, by means of a dye test or closed circuit television inspection of any existing Sewer Connection.
- (4) No direct or indirect interconnection between a private storm drain system and a Sanitary Sewer is permitted.
- (5) The Ground Water Drainage System of every premise shall be installed and maintained by the Owner or Operator of the premise, at his /her/its sole expense.
- (6) No Person shall construct, install or maintain, or cause or permit to be constructed, installed or maintained, drainage from any Rain Water Leader or Downspout that conveys Storm Water from a new free-standing building directly or indirectly to a Sanitary Sewer or Storm Sewer Connection for the purpose of Storm Water drainage. Storm Water shall be discharged at a grade away from the building in such a manner that the Storm Water shall not accumulate at or near the building and shall not adversely affect adjacent properties.
- (7) The following shall apply with respect to applications for, and construction of, Lateral Connections to Sewers:
 - (a) Any person requiring service shall make application, in such form as approved by the Commissioner, to the Region for a Lateral Connection;
 - (b) Prior to construction being undertaken, applicants for Connections shall pay charges as set by the Region from time to time;
 - (c) Materials and workmanship, for the Lateral, shall be to the satisfaction of the Commissioner;
 - (d) The Region does not guarantee the capacity of the Sewer and shall not be liable for any damages of any kind which result from the connection of the Lateral;
 - (e) Where premises are removed or demolished, leaving the property clear of structures, the Commissioner will, at the cost of the Owner or Operator of the premises, sever the lateral or otherwise stop up the pipe. Upon application for reuse of the Lateral, reconnection may be directed by the Commissioner and any costs thereof shall be borne by the applicant;
 - (f) In each case of land development, where property so

developed will be connected to the Sewer system, a developer shall enter into an agreement with the Region, setting out the construction required and may include the installation of Laterals to various lots in the development;

- (g) The Commissioner may, from time to time, establish such standards as are necessary to govern the design and construction of all Laterals and Connections in the Region and all persons shall conform to such standards when constructing any new Laterals or Connections;
- (h) The Commissioner shall have the power to approve the plans and specifications of any work to ensure that the construction of Sewage systems connected to or to be connected to the Sewage Works comply with the standards established by the Commissioner;
- (i) Upon approval of plans and specifications for any work, the Commissioner shall have the power to inspect the work during its construction and to order such changes as are necessary to ensure that the work conforms to Region standards; and
- (j) The Commissioner, with the permission of the occupant, may enter on private property or into premises for purposes of maintenance of Lateral Connections including testing for and clearing of blockages.

Part 16 – Liability for Wastewater Charge Based on Metered Water Supply

- 16. (1) A Customer with a metered water service will pay a Wastewater Charge for each separately metered water service and each metered service will be a separate account.
- (2) The Region's Wastewater Charge for a Customer receiving metered water shall be determined by multiplying the Wastewater Rate by the quantity of water as determined based on the register readings of the water meter.
- (3) The Region's Wastewater Charge for a Residential Customer receiving metered water shall be determined by multiplying the Wastewater Rate by 85 per cent of the quantity of water as determined based on the register readings of the water meter.
- (4) A Customer with a metered water service will pay a Wastewater Charge based on reasonable estimates determined by the Region if for any reason the Region is unable to obtain a water meter reading.

- (5) Notwithstanding the foregoing, the Region and the Ministry of Environment shall not be liable for the payment of any Wastewater Charges based on the metered water supply in connection with the treatment of Sewage at any wastewater treatment plant located within the Region and operated by or on behalf of the Region or the Ministry of Environment.

Part 17 – Liability for Wastewater Charge Based on Non-metered Water Supply

17. (1) If a Customer's water supply is unmetered, the Customer is liable to pay, in accordance with the provisions of this By-law, a Wastewater Charge as established by special agreement between the Region and the Customer.
- (2) If no such special agreement is in place, the Region's established flat rate will be used to determine the Wastewater Charge unless the Commissioner, as a result of engineering studies, determines the flat rate is inappropriate. In those cases, the Wastewater Charge will be based on the Commissioner's estimate of the water supplied to the Customer's land, building or premise.

Part 18 – Payment of Wastewater Charges

18. (1) A Wastewater charge is due upon the rendering of an invoice for it.
- (2) A Wastewater Charge may be included in an invoice for water supplied by the Region.
- (3) After rendering an invoice, in the event payment of a Wastewater Charge is not received by the Region within a reasonable period, as determined by the Commissioner, a late penalty will be added to and become part of the outstanding Wastewater Charge.
- (4) When a Wastewater Charge remains unpaid for an unreasonable period, as determined by the Commissioner, reasonable notice of an Unpaid Wastewater Charge will be sent by ordinary prepaid mail to the Customer.
- (5) After giving notice of Unpaid Wastewater Charge, if a Wastewater Charge remains unpaid for an unreasonable period as determined by the Commissioner, the Region may take any action deemed appropriate by the Commissioner, including, but not limited to, providing reasonable Notice of Water Shut-Off. If the Wastewater Charge remains unpaid

after expiry of the period of time set out in the Notice of Water Shut-Off, the Region may shut off the water to the Customer's land, building or premise. The Region shall require payment of an additional fee for shutting the water off and an additional fee for eventually turning the water back on, both fees to be added to and become part of the outstanding Wastewater Charge, and leave the water turned off until the total amounts owing to the Region, pursuant to this By-law are paid in full to the Region.

- (6) Where a Customer disputes an invoice, and there is evidence of an error in billing, incorrect meter reading or faulty meter operation, the Commissioner may authorize a clearly warranted reasonable settlement of the account provided the settlement is thoroughly documented and remains available for audit and reference purposes.

Part 19 – Appeal of Wastewater Charge Based on Non-connection

19. (1) If an Industrial Customer has been charged a Wastewater Charge, but the Customer's land, building or premise is not actually connected, directly or indirectly, to a Sanitary Sewer of the Region, then the Customer is entitled to appeal the Wastewater Charge.
- (2) To initiate such an appeal, the Industrial Customer shall, at the Customer's own expense, prepare evidence to support the Customer's contention of non-connection and submit such evidence to the Commissioner with a written notice of appeal.
- (3) If the Commissioner agrees that the Customer's land, building or premise is not connected, directly or indirectly, to a Sanitary Sewer of the Region, then the Customer's Wastewater Charge shall be cancelled.

Part 20 – Appeal of Wastewater Charge Based on Inflow/Outflow Differential

20. (1) An Industrial Customer may, at the Customer's own expense, appeal a Wastewater Charge on the ground of Inflow/Outflow Differential if the Customer can prove, to the Commissioner's satisfaction, that the actual annual Sewage discharge is at least twenty (20) percent less than the amount upon which the existing Wastewater Charge was based.
- (2) To initiate such an appeal, the Customer shall submit to the Commissioner a written notice of appeal. In the event of a successful appeal, no financial adjustments shall be made in respect of any period prior to the submission of the notice of appeal.
- (3) Within twelve (12) months after submission of such notice of appeal, the Customer shall, at the Customer's sole expense, submit a report, certified by a professional engineer, together with such other forms and materials as the Commissioner may require from time to time, proving the reduced Sewage discharge.
- (4) The said report shall show the Inflow/Outflow Differential for the study period indicated therein, based on data from verifiable readings recorded by an Approved Device or Approved Alternative Method, provided that the Approved Device or Approved Alternative Method is directly related to the water usage as depicted in the report. The Approved Device or Approved Alternative Method shall be permanent and shall provide data on an ongoing basis for the duration of the appealed period if the appeal should be granted. Any non-mechanical measuring device must be calibrated annually by a competent third party at the Customer's sole expense, and the written results of annual calibration tests shall be provided to the Commissioner.
- (5) If the Commissioner is satisfied that the Inflow/Outflow Differential warrants a reduction in the Wastewater Charge of at least 20% on an annual basis, the Commissioner shall provide the Customer with written notice of the Commissioner's decision. If the Customer accepts the Commissioner's decision, the Customer shall provide such acceptance in writing to the Commissioner in such form as the Commissioner may require from time to time. Upon receipt by the Commissioner of such acceptance in writing, the reduction

in the Wastewater Charge shall become effective.

- (6) In the event that the Customer does not accept the Commissioner's decision as to a reduction in the Wastewater Charge, the Customer may appeal to the Region's Public Works Committee. That Committee shall make a recommendation to the Region's Council, which shall make the final decision on whether, and to what extent, the Wastewater Charge should be reduced, which decision shall not be subject to further appeal.
- (7) If a Customer's appeal is granted in accordance with this By-law, the reduction in the Wastewater Charge shall remain in effect for so long as the Customer provides to the Commissioner, at the Customer's sole expense, annually within thirty (30) days after the anniversary of the Region's final decision on the reduction, a current report similar to the report required initially, that proves the ongoing need for the reduction.
- (8) The said annual report shall be supported by data for the entire year just concluded and certified by a professional engineer, except that a report for a year in which no equipment or process changes have occurred does not have to be so certified.
- (9) Financial adjustments based on an annual report shall be applied retroactively to the beginning of the year covered by the annual report.
- (10) If an annual report is not submitted, the reduction is cancelled, effective upon the date upon which the annual report was due, and the Wastewater Charge shall revert to an amount based on one hundred (100) percent of the water supplied to the Customer's land, building or premise.
- (11) When this By-law comes into effect, it shall apply to appeals granted under previous by-laws, so that, upon the next anniversary of an appeal under a previous by-law, the provisions herein regarding annual reports shall become applicable to such Customers. A Customer who successfully appealed under a previous by-law shall comply with this By-law upon its coming into effect, failing which the previously-granted reduction shall be cancelled and the Wastewater Charge shall be based on one hundred (100) percent of the water supplied to the Customer's land, building or premise.
- (12) The volume of Uncontaminated Water, including Non-contact

Cooling Water, which is discharged to a Storm Sewer or the natural environment, shall not be included in the Inflow/Outflow Differential and shall not qualify for a reduction in the Wastewater Charge.

- (13) If the land, building or premise of a customer who successfully appeals and receives a Wastewater Charge reduction, does not remain in compliance at all times with the provisions of all Region By-laws, as amended from time to time, then the Commissioner may revert the Wastewater Charge to an unreduced amount and require the Customer to initiate a new appeal if the Customer wishes to seek to reduce the Wastewater Charge again.
- (14) If a Customer who has successfully appealed the Wastewater Charge in respect of certain land, building or premise, is at least ninety (90) days in default of some payment due to the Region in respect of that land, building or premise, then the Region may increase the Wastewater Charge to a maximum equivalent to the Wastewater Charge if it had been based on one hundred (100) percent of the water supplied to the land, building or premise until the payment due to the Region is recovered.
- (15) If, during the course of an appeal, a Customer fails to maintain an Approved Alternative Method for the measurement of Sewage volumes, the Commissioner may cancel the appeal and revert to the Wastewater Charge based on one hundred (100) percent of the water supplied to the land, building or premise.

Part 21 - Offences

- 21. (1) Every Person other than a corporation who contravenes any provision of this By-law is guilty of an offence and on conviction is liable, for every day or part thereof upon which such offence occurs or continues, to a fine of not more than \$10,000 for a first offence and not more than \$25,000 for any subsequent conviction.
- (2) Every corporation which contravenes any provision of this By-law is guilty of an offence and on conviction is liable, for every day or part thereof upon which such offence occurs or continues, to a fine of not more than \$50,000 for a first offence and not more than \$100,000 for any subsequent conviction.
- (3) In this By-law "subsequent conviction" means a conviction for

an offence which offence occurs after the date of conviction for an earlier offence under this By-law, or the former By-law No. 9-75, as amended or By-law No. 90-90, as amended.

- (4) Where any Person contravenes any provision of this By-law, such Person shall be responsible for all costs incurred by the Region directly related to the contravention.
- (5) Where any Person contravenes any provision of this By-law, the Commissioner or an Enforcement Officer may direct such Person to comply with this By-law within a specified time.
- (6) Every Person so directed shall comply with such direction without delay and within the time specified, calculated from the day of such direction.
- (7) Where a Person does not comply with a direction given pursuant to subsection (5) of this Part, the Region, acting through the Commissioner, may perform or carry out that which was required to be done or cause it to be performed or carried out at that Person's expense to ensure that this By-law is complied with.
- (8) The Region may recover the costs of such remedial action by adding the costs to the tax roll and collecting them in the same manner as taxes.

Part 22 - Enforcement

22. (1) The Region may enact a by-law appointing Enforcement Officers for the purpose of the enforcement of this By-law as required.
- (2) The Commissioner is authorized to approve all policies, procedures, forms and other documents in relation to the administration of this By-law.
- (3) The Commissioner, Enforcement Officers and any other Region staff members shall make all approvals, refusals, opinions, decisions and other actions required or permitted by this By-law, based on sound engineering principles and Regional standards, policies and by-laws.

Part 23 – Confidential Information

23. (1) All information submitted to and collected by the Region or the

Commissioner including information contained in plan summaries, reports, surveys, monitoring and inspection and sampling activities, will, except as otherwise provided in this section, be available for disclosure to the public in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M. 56, as amended or replaced from time to time. (“*MFIPPA*”).

- (2) In the event that information submitted to the Region or to the Commissioner in any form, as required under this By-law is confidential or proprietary or otherwise may be exempt from disclosure under *MFIPPA*, the Person submitting the information shall so identify that information upon its submission to the Region or Commissioner and shall provide sufficient details as to the reason for its purported exemption from disclosure.

Part 24 – General

24. (1) The following by-laws of the Regional Corporation are hereby repealed, 9-1975, 64-1976, 19-1977, 153-1977, 137-1978, 11-1979, 40-1980, 51-1980, 30-1981, 13-1982, 45-1982, 17-1983, 94-1985, 90-1990, 9-1991, 96-1991, 36-1992, 135-1992, 110-1996, 51-1998, 71-1999, 25-2002 and 53-2002 .
- (2) This By-law may be referred to as the “Wastewater By-law”.
- (3) This By-law shall come into force and effect on the 1st day of April, 2011.

READ THREE TIMES AND FINALLY PASSED IN OPEN COUNCIL this 8th day of July, 2010.

Regional Clerk

Regional Chair

**THE CORPORATION OF THE REGIONAL MUNICIPALITY OF PEEL
BY-LAW NUMBER 53-2010
A BY-LAW TO REGULATE THE WASTEWATER BY-LAW**

PART I: PROVINCIAL OFFENCES ACT

Item	Short Form Wording	Provision creating or defining offence	Set Fine
1	discharge/deposit/cause/permit the discharge or deposit of Matter into a Sanitary Sewer or into a Connection to a Sanitary Sewer where to do so may cause/result in an obstruction or restriction to the flow in the sewage works.	2(1) 1.(h)	\$250.00
2	discharge/deposit/cause/permit the discharge or deposit of Matter into a Sanitary Sewer or into a Connection to a Sanitary Sewer having a pH less than 5.5 or greater than 10.0.	2(1) 2.(a)	\$250.00
3	discharge/deposit/cause/permit the discharge or deposit of Matter into a Sanitary Sewer or into a Connection to a Sanitary Sewer which consists of two or more separate liquid layers.	2(1) 2.(b)	\$250.00
4	discharge/deposit/cause/permit the discharge or deposit of Matter into a Sanitary Sewer or into a Connection to a Sanitary Sewer of hauled sewage.	2(1) 3.(e)	\$250.00
5	discharge/deposit/cause/permit the discharge or deposit of Matter into a Sanitary Sewer or into a Connection to a Sanitary Sewer with a concentration in excess of 2 mg/L Methylene Chloride.	2(1) 4	\$300.00
6	discharge/deposit/cause/permit the discharge or deposit of Matter into a Sanitary Sewer or into a Connection to a Sanitary Sewer with a concentration in excess of 1.4 mg/L 1,1,2,2-Tetrachloroethane.	2(1) 4	\$300.00
7	discharge/deposit/cause/permit the discharge or deposit of Matter into a Sanitary Sewer or into a Connection to a Sanitary Sewer with a concentration in excess of 1 mg/L Tetrachloroethylene.	2(1) 4	\$300.00
8	discharge/deposit/cause/permit the discharge or deposit of Matter into a Sanitary Sewer or into a Connection to a Sanitary Sewer with a concentration in excess of 0.27 mg/L Toluene.	2(1) 4	\$300.00
9	discharge/deposit/cause/permit the discharge or deposit of Matter into a Sanitary Sewer or into a Connection to a Sanitary Sewer with a concentration in excess of 0.4 mg/L Trichloroethylene.	2(1) 4	\$300.00
10	discharge/deposit/cause/permit the discharge or deposit of Matter into a Sanitary Sewer or into a Connection to a Sanitary Sewer with a concentration in excess of 1.4 mg/L Xylenes.	2(1) 4	\$300.00

11	discharge/deposit/cause/permit the discharge or deposit of Matter into a Sanitary Sewer or into a Connection to a Sanitary Sewer with a concentration in excess of 8.0 mg/L Methyl Ethyl Ketone.	2(1) 4	\$300.00
12	discharge/deposit/cause/permit the discharge or deposit of Sewage into a Sanitary Sewer/Storm Sewer/Combined Sewer/Municipal Sewer Connection/Multiple Municipal Sewer Connection/Private sewer Connection where water has been added to the discharge for the purposes of dilution to achieve compliance with Part 2 or Part 4.	3	\$300.00
13	discharge/deposit/cause/permit the discharge or deposit of Matter into or land drainage works, Private Branch Drains or connections to a storm sewer Connections to any Storm Sewer Matter of any type which may contain hauled sewage.	4(1) 8.(f)	\$300.00
14	discharge/deposit/cause/permit the discharge or deposit of Matter into or land drainage works, Private Branch Drains or connections to a storm sewer Connections to any Storm Sewer Matter of any type which may contain hauled waste.	4(1) 8.(g)	\$300.00
15	discharge/deposit/cause/permit the discharge or deposit of Matter into or land drainage works, Private Branch Drains or connections to a storm sewer Connections to any Storm Sewer Matter of any type which may contain sewage.	4(1) 8.(o)	\$250.00
16	discharge/deposit/cause/permit the discharge or deposit of Matter into or land drainage works, Private Branch Drains or connections to any Storm Sewer Matter of any type which may contain contaminants from raw material, intermediate product, finished product, by-product, or waste product of an industrial process.	4(1) 10	\$300.00
17	discharge/deposit/cause/permit the discharge or deposit of Matter into or land drainage works, Private Branch Drains or connections to any Storm Sewer Matter of any type which may contain a concentration in excess of 15 mg/L Biochemical Oxygen Demand.	4(1) 11	\$300.00
18	discharge/deposit/cause/permit the discharge or deposit of Matter into or land drainage works, Private Branch Drains or connections to any Storm Sewer Matter of any type which may contain a concentration in excess of 0.120 mg/L Total Lead.	4(1) 11	\$300.00
19	discharge/deposit/cause/permit the discharge or deposit of Matter into or land drainage works, Private Branch Drains or connections to any Storm Sewer Matter of any type which may contain a concentration in excess of 0.0004 mg/L of Total Mercury.	4(1) 11	\$300.00

20	discharge/deposit/cause/permit the discharge or deposit of Matter into or land drainage works, Private Branch Drains or connections to any Storm Sewer Matter of any type which may contain a concentration in excess of 0.002 mg/L Benzene.	4(1) 11	\$300.00
21	discharge/deposit/cause/permit the discharge or deposit of Matter into or land drainage works, Private Branch Drains or connections to any Storm Sewer Matter of any type which may contain a concentration in excess of 0.002 mg/L Ethylbenzene.	4(1) 11	\$300.00
22	discharge/deposit/cause/permit the discharge or deposit of Matter into or land drainage works, Private Branch Drains or connections to any Storm Sewer Matter of any type which may contain a concentration in excess of 0.002 mg/L Toluene.	4(1) 11	\$300.00
23	discharge/deposit/cause/permit the discharge or deposit of Matter into or land drainage works, Private Branch Drains or connections to any Storm Sewer Matter of any type which may contain a concentration in excess of 0.0044 mg/L Xylenes.	4(1) 11	\$300.00
24	Fail to complete and submit a Waste Survey Report to the commissioner within 60 days of written notification.	5(1)	\$250.00
25	Fail to immediately notify the Region of Peel, provide any information with respect to the spill which the Region requests and completes any work the Region may require to mitigate the spill.	9(1)	\$300.00
26	Fail to install and maintain in good repair in each connection a suitable maintenance access hole to allow observation, sampling and flow measurement of the sewage, uncontaminated water or storm water therein.	12(1)	\$250.00
27	Fail to ensure that every Maintenance Access Hole, alternative device or facility as installed by section 12 is accessible for the purposes of observing sampling and flow measurement of the sewage, Storm Water, or uncontaminated water therein.	12(4)	\$250.00
28	Hinder/obstruct or attempt to hinder/obstruct, except with lawful authority, the Commissioner or his or her designate bearing proper credentials and identification from making such tests or taking such samples as he/she deems necessary.	13(b)	\$100.00
29	Hinder/obstruct or attempt to hinder/obstruct, except with lawful authority the Commissioner or his or her designate bearing proper credentials and identification from inspecting or observing any plant, machinery, equipment, work or activity for the purposes of administering or enforcing this By-law.	13(c)	\$100.00

30	Uncover/make any connection with/or opening into/break/alter/damage/destroy/deface/or tamper with, or cause or permit the breaking/damaging/destroying/defacing or tampering with any part of a Sewage Works.	14(1)a	\$300.00
31	Uncover/make any connection with/or opening into/break/alter/damage/destroy/deface/or tamper with, or cause or permit the breaking/damaging/destroying/defacing or tampering with any permanent or temporary device installed in a Sewage Works for the purpose of measuring, sampling and testing of Sewage, Uncontaminated Water or Storm Water.	14(1)b	\$300.00
32	Unauthorized entry to Sewage Works.	14(3)	\$300.00
33	Shall not connect/permit the connection of a Rain Water Leader/Storm Water Leader/Ground Water Drainage System to the sanitary sewer	15(1)	\$250.00