

# THE CORPORATION OF THE TOWNSHIP OF ASPHODEL-NORWOOD

## BY-LAW NUMBER 2015-41

---

### **A by-law to provide for the regulation of waste water services and discharges to municipal sewers for the Corporation of the Township of Asphodel-Norwood**

**WHEREAS** the Section 11 of the *Municipal Act 2001*, a municipality may pass by-laws respecting matters within the sphere of jurisdiction of Public Utilities, and Public Utilities, includes a system that is used to provide waste water services for the public;

**AND WHEREAS** the Council of the Corporation of the Township of Asphodel-Norwood deems it necessary to regulate and inspect discharges to any sewer, sewer system or sewage works;

**NOW, THEREFORE** the Council of the Township of Asphodel-Norwood enacts as follows:

#### **Short Title** Sewer Use By-Law

- Part 1 – Definitions
- Part 2 - Waste Water Services
- Part 3 – Operation and Maintenance
- Part 4 – Control of Waste Discharges
- Part 5 – Discharge to Storm Sewers
- Part 6 – Prohibition of Dilution
- Part 7 – Sampling and Analysis
- Part 8 – Spills
- Part 9 – Garbage Grinders
- Part 10 – Grease/Sediment Interceptors
- Part 11 – Inspection and Access To Property
- Part 12– Prohibitions
- Part 13 - Payment
- Part 14 – Enforcement
- Part 15 – Offences
- Part 16 - Repeal

#### **PART 1 – DEFINITIONS**

In this By-Law:

**Acute hazardous waste chemical** shall mean acute hazardous waste chemicals within the meaning of O.Reg.347, as amended, made under the *Environmental Protection Act*, R.S.O. 1990 c.E. 19 (EPA)

**Appurtenance** shall mean an accessory that forms part of a system

**Best management practice plan** shall mean the best integrated procedure(s) to control and reduce the release of contaminants to the environment as set out under current evolving environmental standards in consultation with individual industries.

**Biochemical oxygen demand (BOD)** shall mean the 5-day BOD which is the determination of the molecular oxygen utilized during a 5-day incubation period for the biochemical degradation of organic material (carbonaceous demand) and the oxygen used to oxidize inorganic material such as sulphides and ferrous iron and the amount of oxygen used to oxidize reduced forms of nitrogen (nitrogenous demand)

**Biosolids** shall mean organic solid material recovered from the wastewater treatment process

**Blowdown** shall mean 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 impair the operation of the system

**Building** shall mean a structure connected to the sanitary sewer including the plumbing appurtenant thereto

**Building Code** shall mean the Building Code for the Province of Ontario as prescribed in accordance with the *Building Code Act, 1992*

**Building Permit for sewer connection/alteration** shall mean approval by the Manager of Public Works and/or Chief Building official authorizing the permit holder to connect to the sewage works in accordance with the terms and conditions set out in the permit

**Chief Building Official** shall mean the person appointed by the Corporation in charge of issuing proper permits in regards to sewer works and following up on projects with inspections.

**Chemical oxygen demand (COD)** shall mean the oxygen equivalent of the organic matter content of a sample that is susceptible to oxidation by a strong chemical oxidant

**Combined sewer** shall mean a municipal sewer or portion thereof designated to function simultaneously as a storm sewer and as sanitary sewer and its appurtenances

**Combustible liquid** shall mean a liquid that has a flash point not less than 37.8 degrees Celsius and not greater than 93.3 degrees Celsius

**Composite sample** shall mean a volume of sewage, storm water, uncontaminated water or effluent made up of 3 or more grab samples that have been combined automatically or manually at approximately equal time or volume intervals over a sampling period

**Corporation** shall mean the Corporation of the Township of Asphodel-Norwood

**Cross connection** shall mean any temporary or permanent connection between a sanitary sewer and a storm sewer

**Flushing** shall mean the procedure of using pressurized water to clean a sewer

**Fuel** shall mean alcohol, gasoline, naphtha, diesel fuel, fuel oil or any ignitable substance intended for use as a fuel

**Foundation drain** shall mean a pipe or series of pipes that collect groundwater around the foundation or footing of a building for protection against hydrostatic pressure

**Grab sample** shall mean a volume of the flow being taken at one particular time and place

**Groundwater** shall mean water beneath the earth's surface accumulating as a result of seepage

**Hauled sewage** shall mean waste, other than industrial waste, removed from a sewage works or sewage system, including a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet or a sewage holding tank

**Hauled waste** shall mean any industrial waste, other than hauled sewage, which is transported to and deposited into any location in the sewage works excluding hauled sewage

**Hazardous industrial waste** shall mean hazardous industrial waste within the meaning of O.Reg.347, as amended, made under the *Environmental Protection Act*, R.S.O. 1990 c.E. 19 (EPA)

**Hazardous waste chemicals** shall mean hazardous waste chemicals within the meaning of O.Reg.347, as amended, made under the *Environmental Protection Act*, R.S.O. 1990 c.E. 19 (EPA)

**Ignitable waste** shall mean a substance that:

- i. is a liquid, other than an aqueous solution containing less than 24 per cent alcohol by volume and has a flash point less than 61 degrees Celsius, as determined by the Tag Closed Cup Tester (ASTM D-56-97a), the Setaflash Closed Cup Test (ASTM D-3828-97 or ASTM D-3278-96e1), the Pensky-Martens Closed Cup Tester (ASTM D-93-97), or as determined by an equivalent test method,
- ii. is a solid and that is capable, under standard temperature and pressure, of causing fire through friction, absorption of moisture or spontaneous chemical changes and, when ignited, burns so vigorously and persistently that it creates a danger,
- iii. is an ignitable compressed gas (Class 2, Division D) as defined in the regulations under the *Transportation of Dangerous Goods Act*, S.C. 1992, as amended, or
- iv. is an oxidizing substance (Class 5, Divisions 1 and 2) as defined in the regulations under the *Transportation of Dangerous Goods Act*, 1992, S.C. 1992, as amended

**Industrial** shall mean of or pertaining to manufacturing, commerce, trade, business or institutions as distinguished from domestic or residential

**Industry** shall mean any Owner or operator of industrial or commercial premises from which there is a discharge of any matter directly or indirectly into a Corporation sanitary sewer, combined sewer or storm sewer

**Inspection** shall mean an audit, physical, visual or other examination, survey, test, or inquiry

**Interceptors** sometimes referred to as **grease/sediment traps** shall mean a device designed to separate and retain oil, grease, fatty substances as well as sediments from discharged wastewater

**Land** shall mean all real property, including buildings or any part of any building and all structures, machinery and fixtures erected or placed upon, in, over, under or affixed to land and in the case of utility service providers and the Corporation, all buildings or any part of any building erected or placed upon, in, over, under or affixed to land but shall not include machinery whether fixed or not, nor the foundation on which it rests, works structures other than buildings, substructures, poles, towers, lines, nor any of the things exempted from taxation, nor to any easement or the right

**Maintenance access hole** shall mean an access point in a private sewer connection to allow for observation, sampling and flow measurement of the sewage, uncontaminated water or storm water therein

**Manager of Public Works** shall mean the person appointed by the Corporation to perform the duties of the Manager of Public Works or their designate

**Matter** shall include any solid, liquid or gas

**Meter** shall mean a water meter.

**Municipal easement** shall mean an easement in favour of the Corporation

**Municipal Right Of Way** shall mean any street, lane, road and public highway or right of way owned by the Corporation

**Municipal technical standards** shall mean the minimum standards prescribed by the Corporation for construction of sewage works, sewer laterals and any appurtenances thereto, within the Corporation

**Occupant** shall mean any lessee, tenant, Owner, the agent of a lessee, tenant or Owner or any person in possession of a premise

**Operating Authority** shall mean the Corporation of the Township of Asphodel-Norwood

**Open Loop System** shall mean a system that is heated or cooled using potable water that discharges into the Corporation's sewage works

**Owner** shall mean any person, including a corporation, who is the registered Owner of the property under consideration including a trustee in whom land is vested, a committee of the estate of a mentally incompetent person, an executor, an administrator or a guardian. The obligations of the Owner under this By-Law may not be transferred to a party which is not an Owner

**Pathological waste** shall mean pathological waste within the meaning of O.Reg.347, as amended, made under the *Environmental Protection Act*, R.S.O. 1990 c.E. 19 (EPA)

**PCBs** shall mean any mono-chlorinated or poly-chlorinated biphenyl or mixture of these or mixture that contains one or more of them

**Permit holder** shall mean the person to whom a building permit for a sewer connection/alteration has been issued

**Person** shall mean an individual, association, partnership, corporation, municipality, Provincial or Federal agency, or an agent or employee thereof

**Pesticide** shall mean a pesticide as defined and regulated under the *Pesticides Act*, R.S.O. 1990, c.P. (PS)

**Plan of Subdivision** shall mean a plan approved by the Corporation that clearly outlines all details that are required to develop a parcel of land into a subdivision with individual parcels

**Reactive waste** shall mean a substance that:

- i. is normally unstable and readily undergoes violent changes without detonating
- ii. reacts violently with water
- iii. forms potentially explosive mixtures with water
- iv. when mixed with water, generates toxic gases, vapours or fumes in a quantity sufficient to present danger to human health or the environment
- v. is a cyanide or sulphide bearing waste which, when exposed to pH conditions between 2 and 12.5, can generate toxic gases, vapours or fumes in a quantity sufficient to present danger to human health or the environment
- vi. is capable of detonation or explosive reaction if it is subjected to a strong initiating source or if heated under confinement
- vii. is readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure, or
- viii. is an explosive (Class 1) as defined in the regulations under the *Transportation of Dangerous Goods Act*, 1992, S.C. 1992, as amended

**Rodding** shall mean a manual procedure for clearing obstructions from sewer laterals

**Roof drain** shall mean a drain that conveys, storm water, rainwater and snowmelt from a roof to a storm sewer lateral

**Sanitary sewer** shall mean a sewer for the collection and transmission of domestic, commercial, institutional and industrial sewage or any combination thereof owned and operated by the Corporation

**Severely toxic waste** shall mean any contaminant listed in Schedule 3 of O.Reg. 347, as amended, made under the *Environmental Protection Act*, R.S.O. 1990 c.E. 19 (EPA)

**Sewage** shall mean any liquid, solid or gas containing organic, inorganic, animal, vegetable or mineral matter in solution or in suspension and includes things that float but does not include uncontaminated water

**Sewage works** shall mean works owned by the Corporation for the collection, transmission, treatment or disposal of sewage, storm water or uncontaminated water, including a combined sewer, sanitary sewer or storm sewer and its appurtenances, but does not include plumbing or other works to which the *Building Code Act* 1992, as amended applies

**Sewer** shall mean a pipe, conduit, drain, open channel or ditch for the collection and transmission of sewage, storm water and/or uncontaminated water or any combination thereof

**Sewer lateral** shall mean a pipe or other form of conduit and its appurtenances used to transport sewage from a building to the Corporation's sanitary sewer located in a Municipal Right of Way

**Sewer lateral stub** shall mean that portion of a sewer lateral from the sanitary sewer to the limit of a Municipal Right Of Way

**Site plan** shall mean a graphical plan of a proposed development illustrating all the features of the development including dwellings, commercial establishments, roads and other public or private infrastructure that has been approved by the Corporation pursuant to the *Planning Act*

**Spill** shall mean a direct or indirect discharge or deposit to the sewage works, storm sewer or the natural environment which is abnormal in quantity or quality in light of all the circumstances of the discharge or deposit

**Standard methods** shall mean a procedure or method set out in Standard Methods for the Examination of Water and Wastewater published jointly by the American Public Health Association, American Water Works Association and the Water Environment Federation, latest edition

**Standard Terms and Conditions of Service** shall mean the terms and conditions under which the Corporation provides sewer services to a building as published by the Corporation of the Township of Asphodel-Norwood

**Storm sewer** shall mean a municipal sewer for the collection and transmission of uncontaminated water, storm water, surface run off from streets and adjacent lands or flow from foundations, drains or any combination thereof

**Storm water** shall mean water from rainfall or other natural precipitation or from the melting of snow or ice

**Storm sewer lateral** shall mean a pipe or other form of conduit and its appurtenances used to transport storm water from a building or land to the Corporation's storm sewer located in a Municipal Right Of Way

**Storm sewer lateral stub** shall mean that portion of a storm sewer lateral from the storm sewer to the limit of the Right Of Way

**Structural defect** shall mean when used in connection with a sewer lateral a collapsed, cracked, broken or missing pipe or offset joints caused by settling

**Subsequent conviction** shall mean a conviction for an offence which offence occurs after the date of conviction for an earlier offence under this By-law

**Total PAHs** shall mean the total of all the polycyclic aromatic hydrocarbons listed under Canada Ontario Agreement Tier I and Tier II Substances Lists

**Uncontaminated water** shall mean potable water as supplied by the Corporation that has not had any matter added to it after it has been supplied and any water having quality which meets or exceeds the requirements of the table "Limits for Storm Sewer Discharge" attached as Schedule "B"

**Waste radioactive prescribed substances** shall mean uranium, thorium, plutonium, neptunium, deuterium, their respective derivatives and compounds and such other substances as the Atomic Energy Control Board may designate as being capable of releasing atomic energy or as being requisite for the production, use or application of atomic energy

**Watercourse** shall mean an open channel, ditch or depression either natural or artificial, in which flow of water occurs either continuously or intermittently.

## **PART 2 – WASTE WATER SERVICES**

### **2.1 Building Permit for Sewer Connection/Alteration**

The Owner shall obtain a permit for sewer connection/alteration prior to the installation, repair, renewal, removal, plugging, capping or disconnection of a sewer lateral or a sewer except where such a sewer connection has been specifically provided for and approved through the Corporation's subdivision or site plan approval process.

### **2.2 Requirements for Permit**

Applicants for a permit for sewer connection/alteration shall complete and submit the appropriate forms, provide the required drawings and information, and pay the stipulated fees or charges to the satisfaction of the Corporation. The installation or disconnection of a sewer lateral or a sewer shall not commence until a permit for a sewer connection/alteration is issued and all required payments have been received.

### **2.3 Process for a Permit**

A permit for a sewer connection/alteration form shall be available from the Corporation and are to be submitted to the Corporation along with any plans or drawings detailing the proposed connection, any other supporting information and required fees as stipulated in the Fees and Charges By-Law as amended. The Corporation shall review the proposed alteration/connection and shall impose any condition that is deemed advisable and appropriate to ensure the integrity and safety of the sewage works. Any conditions imposed will be identified in writing forming part of the approved permit and said conditions shall be complied with.

### **2.4 Sewer Connection**

Connection to the Corporation's waste water service shall be mandatory to all buildings where the service is readily available. Except as may otherwise be approved by the Corporation, no person shall connect a building to the sewage works until all required permits have been issued and all required inspection fees, cut permit costs and other related costs have been paid in full. In the event of an existing area not serviced by sanitary sewers being upgraded and connected to the Corporations sanitary sewer collection system, all buildings that are readily available for connection shall be connected to the sanitary mainline within 3 years of the completion of the upgrade except as may be otherwise approved.

Previous sanitary sewer extension projects offering sanitary sewer services to each property shall connect to the municipal system within one (1) year of the passing of this by-law.

### **2.5 Sewer Charges – Owner to Pay**

Charges for the use of sewer services as well as any work or services performed by the Corporation will be determined by the Corporation as indicated in the Fees and Charges By-Law as amended and will be paid by the Owner. In the event of an extension to the sanitary sewer collection system, making the sewer readily available to buildings currently using septic systems. Sewer charges will be

applied to the land owners water bill either as soon as the building is connected or after the 3 year mandatory connection timeline.

## **2.6 Extensions and Connections**

Extensions of and connections to the sewage works shall only be permitted where they conform to the Official Plan of the Corporation.

## **2.7 Installation – Corporation Specifications**

All sanitary sewer pipes and sewer laterals located within Corporation property shall be constructed according to the Corporation's standards and/or the Ontario Provincial Standards and Specifications(OPSS) for sanitary sewers. All sewer laterals located on private property shall be constructed in accordance with the Ontario Building Code as revised and in accordance with good practices and shall be approved by the Manager of Public Works. Where the Ontario Building Code is silent the Corporation's specifications and/or the OPSS shall be applied and shall prevail.

## **2.8 Installation Inspection – by Corporation**

All sewers and appurtenances installed, including those required by the Corporation subdivision, site plan or development agreement must be approved by the Corporation or by persons authorized by the Corporation.

## **2.9 Installation – Access for Inspection**

The Corporation and the Manager of Public Works and/or the Chief Building Official as authorized for inspections shall be, at all times, entitled to enter upon any lands or any buildings for the purposes of examining pipes, connections and fixtures which are used in connection with the sewer service pipe and/or sewer lateral.

## **2.10 Installation – Notification**

Prior to backfilling a trench containing a sewer lateral or storm sewer lateral notification to the Manager of Public Works and/or the Chief Building Official shall be provided. A minimum of forty-eight (48) hours notice is required when booking an inspection. Booking to occur during normal working hours.

## **2.11 Disconnection of Service – Temporary**

When an Owner temporarily discontinues the use of a sewer lateral to a building, the Owner shall pay to the Corporation a charge as indicated in the Fees and Charges Charges By-Law as amended where applicable.

## **2.12 Disconnection of Service – Permanent**

When an Owner permanently discontinues the use of a sewer lateral to a building or buildings the sewer lateral must be disconnected at the property line and removed at the Owner's expense. All work must be inspected by the Manager of Public Works and/or the Chief Building Official and the Owner shall pay for such inspection as required in the Fees and Charges By-Law, as amended. A permit for sewer connection/alteration must be obtained as noted in Section 2.1 of this By-Law.

## **2.13 Municipal Sewer Laterals – Prohibited**

Only one sewer lateral per lot shall be permitted to connect to the sanitary sewer. In situations where a shared sewer lateral would result from a division of land the shared sewer lateral shall be eliminated and a separate sewer lateral would result from each lot to the sanitary sewer shall be installed at the Owner's expense.

## **2.14 Cross Connection – Prohibited**

No Owner, occupant or person shall use or cause to be used or permit a cross connection to occur.

## **2.15 Connections – Capacity**

Connection of a building to a sewer is only permissible where in the sole opinion of the Corporation there is sufficient capacity in the sewage works for handling sewage from the building.

## **PART 3- OPERATION AND MAINTENANCE**

### **3.1 Maintenance of Sewer Lateral Stub – Corporation**

The sewer lateral stub shall be maintained by the Corporation at the Corporation's expense. If flushing or rodding of a sewer lateral is required to remove an obstruction caused by a structural defect in the sewer lateral stub, the Corporation shall be solely responsible for the cost of removing the obstruction.

### **3.2 Maintenance of Sewer Lateral – Owner**

Every Owner of a property to which sewer service is provided shall be responsible for the maintenance, repair and replacement of the sewer lateral from the building to the property line. Any and all structural defects of a sewer lateral shall be repaired by the Owner of the property being serviced. Should the Corporation become aware of any such structural defect, and upon written notification to the Owner, the said structural defect is not repaired within thirty (30) days of the date of the notification or within such time as the Corporation may deem necessary, then the Corporation may turn off the municipal water supply to the property. If the Corporation is ordered to restore the water supply, then the Corporation may repair the structural defect in the sewer lateral pipe at the Owner's expense. In so doing the Corporation shall only reinstate the property to a safe condition and all final restoration shall be the Owner's responsibility. The Corporation shall not be held responsible for any damages to the Owner's property arising from such work such as damage to root systems or other landscaping features located along the sewer lateral. If flushing or rodding of a sewer lateral is required to remove an obstruction located anywhere between the building and the sewer lateral stub, the Owner or occupier shall be solely responsible for the cost of removing the obstruction.

### **3.3 Conditions on Sewer Services**

The Corporation agrees to use reasonable diligence in providing a regular and uninterrupted sewer service, but does not guarantee a constant service and is not liable for damages to an Owner or occupant caused by the breaking of any sewer, sewer lateral or a blockage of a sewer or sewer lateral. Where planned work on the sanitary sewer system is contemplated the Corporation will make reasonable effort to provide two (2) days notice, delivered to the lands affected, of the intention to disrupt or terminate service, save and except for emergency shut downs.

### **3.4 Unauthorized Operation or Interference – Offence**

No person, other than persons authorized by the Corporation for that purpose shall remove, tamper with or in any way interfere with any sanitary sewer or sewer lateral stub or appurtenances in the sanitary sewer system, nor tap off or make any connection to a sanitary sewer.

### **3.5 Work on the System**

The Corporation shall perform all work having to do with the Corporation's sanitary sewer system and with the installation, repair, renewal or removal of the Corporation's in-service sewer collection system. The Corporation may delegate to any person the authority to perform work on the sanitary sewer system, on conditions acceptable to the Corporation.

### **3.6 Shut off - Repair**

The Corporation shall have the right at any time and without notice to shut off the supply of municipal water to any building if, in the opinion of the Manager of Public Works and/or the Chief Building Official, the sewer lateral located on the property is not being properly maintained, develops a significant leak, is structural defective or permits significant infiltration or in any way compromises the integrity of the Corporation's sewage system and not to restore the water service until such condition has been rectified to the satisfaction of the Corporation.

### **3.7 Damage to Sanitary Sewer System – Offence**

No person shall break, damage, destroy, deface or tamper with, or cause or permit the breaking, damaging, destroying, defacing or tampering with any part of the sewage works.



### **3.8 Discharge to the Sewers**

No person shall discharge sewage into the Corporation's sewage works except in accordance with this By-Law.

### **3.9 Unauthorized Discharge Sanitary Sewer – Offense**

No person shall discharge or permit to be discharged anything other than sewage into a sanitary sewer.

### **3.10 Connections Prohibited – Offence**

No person shall permit the connection of a roof leader or foundation drain, including a sump pump discharge to a sanitary sewer.

### **3.11 Owner – Notice to Perform**

An Owner or operator of an industrial, commercial, institutional or multi-residential building may be required, by written notice from the Corporation, to complete or perform one or more of the following activities addressing the discharge of storm water or sewage from the Owner's land or building:

- i. To complete a study on storm water or sewage quality and/or quantity
- ii. To develop and implement a best management practice plan
- iii. To install and maintain a pre-treatment facility or holding tank on the premises so that the effluent will be reduced accordingly for any building discharging or proposing to discharge into the municipal sewage works effluent exceeding the strength, nature, quantity or quality parameters
- iv. To design, construct and maintain at his or her expense the pre-treatment facility or holding tank in accordance with good engineering practice and the requirements of the Corporation, and shall be constructed and maintained by the Owner or occupant of the building or land at his or her expense
- v. To install and maintain at the Owner's or occupant's expense, devices to monitor sewage, uncontaminated water or storm water discharges and to submit to the Corporation regular reports regarding the quantity and quality of discharges to the sewage works.

### **3.12 Owner – Damage Prevention**

Every Owner or operator of a commercial, industrial or institutional premises from which large objects and/or material may directly or indirectly enter a sewer shall install and maintain a screen or grate device with openings no larger than 6.0 mm to prevent objects and/or materials from entering the sewer and possibly obstruct or restrict the flow in the sewage works or damage equipment at pumping stations and treatment facilities. Records of annual cleaning and maintenance of all such devices are to be retained by the Owner on site for review by the Corporation.

## **PART 4 – CONTROL OF WASTE DISCHARGES**

### **4.1 Deposit or Discharge of Sewage – Prohibited**

No person shall cause or permit the deposit or discharge of sewage into a sanitary sewer or sewer lateral in circumstances where to do so may cause or result in:

- i. A health or safety hazard to a person authorized to inspect, operate, maintain, repair or otherwise work on a sewage works
- ii. An offence under the *Ontario Water Resources Act* or the *Environmental Protection Act*, as amended or any regulation made there under from time to time
- iii. Bio solids from the sewage works to which either sewage discharges, directly or indirectly, to fail to meet the objectives and criteria set out in the Ministry of the Environment publication entitled "Guidelines for the Utilization of Bio Solids and Other Wastes on Agricultural Land " dated March 1996, as amended
- iv. Interference with the proper operation or maintenance of a sewage works or which may impair or interfere with any treatment process
- v. A hazard to any person, animal, property or vegetation
- vi. An offensive odour to emanate from the sewage works, and without limiting the generality of the foregoing, sewage containing hydrogen sulphide, carbon disulphide, other reduced sulphur compounds, amines or ammonia in such quantity as may cause an offensive odour

- vii. Damage to the sewage works or
- viii. An obstruction or restriction to the flow in the sewage works.

#### 4.2 Characteristics of Sewage – Prohibited

No person shall cause or permit the deposit or permit the discharge of sewage into a sanitary sewer or sewer lateral in circumstances where the sewage has one or more of the following characteristics:

- i. A pH less than 6.0 or greater than 10.5
- ii. Two or more separate liquid layers or
- iii. A temperature greater than 60 degrees Celsius.

#### 4.3 Sewage contains

No person shall cause or permit the deposit or permit the discharge of sewage into a sanitary sewer or sewer lateral in circumstances where the sewage contains:

- i. Acute hazardous waste chemicals
- ii. Combustible liquid
- iii. Dyes or colouring materials that pass through a sewage works and discolour the sewage works effluent
- iv. Fuel
- v. Hauled sewage, except where:
  1. 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 is exempt from the requirement to have a certificate or provisional certificate of approval
  2. A copy of the most recent certificate or provisional certificate and any amendment is provided to the Corporation
  3. The carrier meets all the conditions for discharge that are or may be required from time to time with respect to the haulage of sewage by the Corporation and
  4. The discharge location is at a location specifically authorized in writing by the Corporation.
- vi. Hauled waste, except where:
  1. The carrier of the hauled waste is a waste management system operator under the certificate of approval or provisional certificate of approval issued under the *Environmental Protection Act* or is exempt from the requirement to have a certificate or provisional certificate of approval
  2. A copy of the most recent certificate or provisional certificate and any amendment is provided by the Corporation
  3. Hauled waste meets the conditions set out in clauses 23(3)(c) and 25(5)(b) of O.Reg 347, R.R.O. 1990, as amended
  4. The carrier meets all conditions is at a location specifically authorized in writing by the Corporation
- vii. Hazardous industrial waste
- viii. Hazardous waste chemicals
- ix. Ignitable waste
- x. Pathological waste
- xi. PCBs, except where:
  1. The person has a certificate of approval for a mobile site of PCB mobile waste disposal system issued the *Environmental Protection Act* or where the person is claiming an exemption under a regulation,
  2. The person has demonstrated to the Corporation that the conditions of the exemption are met,
  3. A copy of the most recent certificate or provisional certificate and any amendment is provided to the Corporation and
  4. The person has written approval from the Corporation that the person has met a condition for an exemption under the regulations in relation to their discharge of PCBs to the sewage works
- xii. Pesticides
- xiii. Reactive waste
- xiv. Severely toxic waste
- xv. Waste radioactive prescribed substances, except where:

1. The waste radioactive prescribed substances are being discharged under a valid and current licence issued by the Atomic Energy Control Board or its successor and
  2. A copy of the licence has been provided to the Corporation
- xvi. Ground water remediation, except where:
1. The person has written approval from the Corporation authorizing the discharge or deposit of the treated contaminated groundwater to the sewage works, in accordance with guidelines adopted by the Corporation from time to time and
  2. A certificate of approval, provisional certificate of approval or order has been issued which includes a provision for the disposal of treated contaminated groundwater to a sewage works, a copy of the certificate of approval, provisional certificate of approval or order is provided to the Corporation, or where the person is claiming an exemption pursuant to a regulation, the person has received written notice from the Corporation that the conditions of the exemption are being met.

#### **4.4 Sewage Concentration – Prohibited**

No person shall cause or permit the deposit or permit the discharge of sewage into a sanitary sewer or sewer lateral in circumstances where the sewage contains concentration, expressed in milligrams per litre, which exceeds any one or more of the limits in the table “Limits for Sanitary and Combined Sewers Discharge” attached as Schedule “A”.

#### **4.5 Termination of Privileges – Notice**

The Corporation may terminate at its sole discretion privileges granted under Sections 4.3(v), (vi), (xi), (xv) and (xvi) at any time under circumstances deemed reasonable and the termination will be effective within thirty (30) days of written notice of termination.

#### **4.6 Termination of Privileges – Emergency**

The Corporation may terminate privileges granted under Sections 4.3(v), (vi), (xi), (xv) and (xvi) by written notice at any time where there is an emergency situation of immediate threat or danger to any person, property, plant or animal life, waters or the sewage works and the termination will be effective immediately.

### **PART 5 – DISCHARGES TO STORM SEWERS**

#### **5.1 Deposit or Discharge of Sewage – Prohibited**

No person shall, whether directly or indirectly, discharge or deposit or cause or permit the discharge or deposit into or in any storm sewer or storm sewer lateral matter of any type which may:

- i. Interfere with the proper operation of a storm sewer
- ii. Obstruct or restrict a storm sewer or the flow therein
- iii. Damage the storm sewer
- iv. Result in any hazard or other adverse impact, to any person, animal, property or vegetation ie swimming pool, hot tub or washing machine water
- v. Impair or is likely to impair the quality of the water in any well, lake, river, pond, spring, stream, reservoir or other water or watercourse
- vi. Contravene or result in the contravention of a certificate or provisional certificate of approval or order issued under the *Ontario water Resources Act* or the *Environmental Protection Act* with respect to the storm sewer and/or its discharge
- vii. Have one or more of the following characteristics:
  1. Two or more separate layers
  2. A pH less than 6.0 or greater than 9.5
  3. A visible film, sheen or discolouration or
  4. A temperature greater than 40 degrees Celsius
- viii. Contain one or more of the following:
  1. Acute hazardous waste chemicals
  2. Blowdown
  3. Combustible liquids
  4. Floating debris
  5. Fuel

6. Hauled sewage
  7. Hauled waste
  8. Hazardous industrial waste
  9. Hazardous waste chemicals
  10. Ignitable waste
  11. Pathological waste
  12. PCBs
  13. Pesticides
  14. Reactive waste
  15. Severely toxic waste
  16. Sewage
  17. Waste radioactive prescribed substances
  18. Waste disposal site leachate
  19. A substance from raw materials, intermediate or final materials, used or produced in, through or from an industrial process or
  20. A substance used in the operation or maintenance of an industrial site
- ix. Contain E. coli colonies, in excess of 100 per 100mL
  - x. Contain a concentration, expressed in mg/L, in excess of any one or more of the limits in the table entitled "Limits for Storm Sewer Discharge" attached hereto as Schedule "B".

## **PART 6 – PROHIBITION OF DILUTION**

### **6.1 Dilution – Offense**

No person shall discharge directly or indirectly or deposit or cause or permit the discharge or deposit of sewage into a sanitary sewer, storm sewer, sewer lateral or storm sewer lateral in circumstances where water has been added to the discharge for the purposes of dilution to achieve compliance with this By-Law.

## **PART 7 – SAMPLING AND ANALYSIS**

### **7.1 Access for Sampling – Required**

The Owner or occupant of industrial, commercial or institutional premises 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 measurement of the flow of 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 written approval of the Corporation.

### **7.2 Access for Sampling – Location**

The maintenance access hole or alternative device shall be located on the property of the premises, as close to the property line as possible, unless the Corporation has issued written approval for an alternate location.

### **7.3 Access for Sampling – Standards**

Each maintenance access hole, device or facility installed as required by subsection 10.1 shall be designed and constructed in accordance with good engineering practice and the requirements of the municipal standard, as established by the Corporation from time to time, and shall be constructed and maintained by the Owner or occupant of the premises at his expense.

### **7.4 Access – Unrestricted**

The Owner or occupant of the commercial, institutional or industrial premises shall at all times ensure that every maintenance access hole, alternative device or facility installed as required by subsection 10.1 is accessible to the Corporation for purposes of maintaining, observing, sampling and flow measurement of the sewage, uncontaminated water or storm water therein.

### **7.5 Compliance Programs – Emergency**

Compliance or non-compliance with this By-Law may be determined by the analysis of a grab sample or a composite sample done in accordance with Standard Methods and may contain additives for its preservation and may be collected manually or by using an automatic sampling device.

## **PART 8 – SPILLS**

### **8.1 Notification**

In the event of a spill to a sewage works, the person responsible and/or the person having the charge, management and control of the spill shall immediately notify the Ontario Spills Action Center and the Corporation and provide the following information:

- i. Company name and address and location of the spill
- ii. Date, time and duration of the spill event
- iii. Complete description of the spill, including type and volume of material discharged and any associated hazards as would be outlined on a material safety data sheet
- iv. A copy of the MSDS for the spilled material if available
- v. Details of clean up actions that have been initiated including actions taken to prevent the material from leaving the property, and the name(s) of any contractors that may be on site assisting with clean up
- vi. If spilled material is being vacuumed or captured by another method, the destination of the captured material
- vii. Agencies notified of the spill and corresponding notification times
- viii. Name and phone number of the person reporting the spill and location where that person can be reached
- ix. Name and phone number of the person in charge of cleaning up the spill and location where that person can be reached.

### **8.2 Reporting – Requirement**

The person reporting the spill shall provide a written report containing the above information with respect to the spill to be received by the Corporation within five (5) days after the spill. The written report shall also include the following:

- i. Detailed description of clean-up procedures on or off the property including dates, times and a list of the names of any contracted assistance utilized during the clean up
- ii. Weather conditions at the time of the spill and clean-up
- iii. Corrective actions to prevent a similar occurrence in the future.

### **8.3 Corrective Action**

The person responsible for the spill and/or the person having the charge, management and control of the spill shall do everything reasonably possible to contain the spill, protect the health and safety of citizens, minimize damage to property, protect the environment, clean up the spill and contaminated residue and restore the affected area to its condition prior to the spill.

### **8.4 Costs**

All costs incurred by the Corporation as a result of such discharge shall be borne by the person responsible for the spill.

## **PART 9 – GARBAGE GRINDERS**

### **9.1 Garbage Grinders – Prohibited**

No person shall install any garbage-grinding device for industrial, institutional, commercial or residential purposes, the effluent from which will discharge directly or indirectly into the sewage works.

### **9.2 Garbage Grinders Replacement – Prohibited**

No person shall replace any existing garbage grinding devices for industrial, commercial or residential purposes installed prior to the passage of this By-Law.

### **9.3 Garbage Grinders – Non-Conforming**

Garbage grinding devices installed prior to the passing of this By-Law for industrial, commercial or residential purposes, the effluent from which will discharge directly or indirectly into the sewage works can remain in operation under the following conditions:

- i. The Owner or occupant of the garbage grinding device has a permit issued by the Manager of Public Works of the Corporation at the time the garbage grinding device was originally installed, if a permit was required at the time of the original installation

- ii. The quantity of waste to be processed does not have an adverse effect of the sewage works
- iii. In the event that accumulations of solid wastes are detected in a sewer and such accumulations are being caused by the operation of a garbage grinding device:
  - 1. The sewer shall be cleaned at the expense of the Owner of the establishment or residence operating the garbage grinder and
  - 2. The Owner of the garbage grinder shall be required to make such improvement to the operation or maintenance of the garbage grinder as the Corporation deems necessary in order to prevent further accumulations
  - 3. The Owner of the garbage grinder may be required by the Corporation to discontinue the use of the garbage grinder.

## **PART 10 – GREASE/SEDIMENT INTERCEPTORS**

### **10.1 Interceptors for Oil and Grease – Required**

Every Owner or occupant of a restaurant or other industrial, commercial or institutional premises where food is cooked, processed or prepared, which premises is connected directly or indirectly to a sewer, shall take necessary measures to ensure that oil and grease are prevented from entering the sewer and with limiting its generality, shall install, operate and properly maintain a grease interceptor in any piping system at its premises that connects directly or indirectly to a sewer.

### **10.2 Interceptors for Oil and Lubricating Grease – Required**

Every Owner or occupant of a commercial, industrial or institutional premises at which floor drains of a service garage are connected directly or indirectly to a sewer shall install and maintain an oil inceptor designed to prevent motor oil and lubricating grease from passing into drainage piping which is connected directly or indirectly to a sewer.

### **10.3 Interceptors for Sediment – Required**

Every Owner or occupant of a commercial, industrial or institutional premises from which sediment may directly or indirectly enter a sewer, including, but not limited to premises using ramp drains or area drains, and car and vehicle washing establishments shall take all necessary measures to ensure that such sediment is prevented from entering the sewer.

### **10.4 Interceptors – Maintenance and Inspection Required**

Every grease interceptor and sediment interceptor shall be installed, operated and maintained in accordance with the manufacturer's instructions, and shall be inspected and cleaned frequently to ensure that it is operating effectively.

### **10.5 Interceptors – Records Required**

Owners or occupants of premises having grease or sediment interceptors shall keep a record of interceptor maintenance including the date(s) on which cleaning/maintenance occurred, the person or contractor responsible and the method and destination of waste disposal and upon request these records shall be made available to the Corporation.

## **PART 11 – INSPECTION AND ACCESS TO PROPERTY**

### **11.1 Inspection Powers**

The inspectors designated by the Corporation for the purposes of this By-law may, at reasonable times enter onto any land on which the Corporation supplies sewer services for the following purposes:

- i. To inspect, repair, alter or disconnect the sewer lateral or storm sewer lateral, machinery, equipment and other works used to supply sewer services to the building or land
- ii. To inspect, install, repair, replace or alter any related metering equipment
- iii. To inspect the discharge of any matter into the sewage system of the Corporation or into any other sewage system the contents of

- which ultimately empty into the municipal sewage system and may conduct tests, measure flow and take samples for this purpose or
- iv. To investigate or determine if this By-Law, an order or condition to any permit or agreement is being complied with.

### **11.2 Reduce Supply of Water**

For the purpose of carrying out an installation, inspection, repair, disconnection or other work the Corporation may shut off or reduce the supply of water to any building or land.

### **11.3 Access to Dwellings**

An inspector shall not enter a place being used as a dwelling unless:

- i. The consent of the occupier is first obtained, ensuring the occupier is first advised that entry may be denied and in such circumstance, entry can only occur thereafter under authority of a warrant
- ii. A warrant under Section 158 of the *Provincial Offences Act* is obtained
- iii. The delay necessary to obtain or the consent of the occupier would result in the immediate danger to the health or safety of any person or
- iv. The entry is for the purpose of Section 4.1 and the notice provisions of this By-Law have been complied with.

### **11.4 Entry on Land – Notice Requirements**

Whenever an inspector exercises a power of entry pursuant to this By-Law, the inspector shall:

- i. Provide reasonable notice of the proposed entry to the occupier of the land by personal service or prepaid mail or by posting the notice on the land in a conspicuous place for three (3) consecutive days prior to entry
- ii. Where the proposed entry is an inspection to determine compliance with this By-Law the inspector must provide reasonable notice by means of personal service only
- iii. In so far as is practicable, restore the land to its original condition where any damage is caused by the inspection or
- iv. Provide compensation for any damage caused and not remedied.

### **11.5 Corporation Expenses**

All costs incurred by the Corporation to perform work required by this By-Law shall be charged to the Owner of the property where such work is performed and shall be collected according to law and until paid such cost shall remain a lien on such property, and may also be collected in the like manner as taxes. The Corporation shall not be responsible for the cost of restoration.

### **11.6 Access – Industrial –Commercial Property**

The inspectors designated by the Corporation for the purposes of the By-law may upon production of his or her identification enter any industrial or commercial building or land on which the Corporation supplies sewer services for the following purposes:

- i. To inspect, repair, alter or disconnect the sewer lateral or storm sewer lateral, machinery, equipment and other works used to supply sewer services to the building or land
- ii. To inspect, install, repair, replace or alter any related metering equipment
- iii. To inspect the discharge of any matter into the sewage system of the Corporation or into any other sewage system the contents of which ultimately empty into the municipal sewage system and may conduct tests, measure flow and take samples for this purpose or
- iv. To investigate or determine if this By-law, an order or condition to any permit or agreements is being complied with.

## **PART 12 – PROHIBITIONS**

### **12.1 Prohibitions Under This By-Law**

No person shall:

- i. Erect or cause to permit to be erected any new building on lands that are serviced by a sanitary sewer unless the new building is connected to the sanitary sewer
- ii. Construct, install, maintain or cause or permit to be constructed, installed or maintained drainage from any roof water leader or downspout that conveys storm water to the sanitary sewer.
- iii. Contravene any provision of this By-Law or agreement or any order or notice issued pursuant to this By-Law
- iv. Hinder or interrupt or cause or procure to be hindered or interrupted, the Corporation or any of its officers, contractors, agents, servants or workers, in the exercise of any of the power conferred by this By-Law
- v. Discharge or permit to be discharged anything other than sewage into a sanitary sewer
- vi. Discharge or permit to be discharged anything other than storm water into a storm sewer
- vii. Deposit or discharge any injurious or offensive matter into the sewage that is not in compliance with this By-Law or objects or material that will impede or obstruct the collection or flow of sewage in the sewers
- viii. Alter any meter placed upon any service pipe or connected therewith, within or without any building or other place, so as to lessen or alter the amount of water registered.

## **PART 13 – PAYMENT**

### **13.1 Wastewater Usage Charge**

The wastewater usage shall be charged as indicated by the water meter on each respective land at rates as indicated in the Fees and Charges By-Law.

### **13.2 Rates and Charges Imposed**

The rates and charges imposed by this by-law are due and payable at the time of transaction for which the charges is imposed or upon the due date specified in any invoice issued by the Corporation to any owner and/or customer in connection with a charges imposed by this By-Law.

### **13.3 Non-Payment – Water shut off**

If the occupant omits, neglects or refuses to pay any bill rendered, whether for wastewater charges or services or any other monies to which the Corporation may be entitled in respect of services to such lands, the Manager of Public Works may shut off or reduce the flow of the water to the land. The Manager of Public Works shall provide 48 hours notice of the proposed shut off to the occupant of the lands by personal service or by posting the notice on the land in a conspicuous place. No additional notice will be given of the temporary disconnection of the water. Unpaid charges have priority lien status, and may be collected in accordance with the *Municipal Act, 2001*, and may be added to the tax roll against the land.

### **13.4 Non-Access – Water shut off**

If the occupant of the land neglects or refuses to allow the Manager of Public Works or Chief Building Official entry to the land to inspect the plumbing or building sewer, the Manager of Public Works may shut off or reduce the flow of water to the land. The Manager of Public Works shall provide notice of the proposed shut off to the occupant of the land by personal service or by posting the notice on the land in a conspicuous place.

## **PART 14 – ENFORCEMENT**

### **14.1 Fine – For Contravention**

Any person who contravenes any provision of this By-Law is, upon conviction, guilty of an offence and is liable to any penalty as provided in the *Provincial Offences Act*

### **14.2 Continuation – Repetition – Prohibited – By Order**

The Court in which the conviction has been entered, and any Court of competent jurisdiction thereafter, may make an order prohibiting the continuation or



repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted.

**14.3 Offence – Additional – Damage to Sewage Works**

Every person who, by act, default, neglect or omission occasions any loss, damage or injury to the sewage works, or to any sewer works plant, machinery, fitting or appurtenance thereof is liable to the Corporation for all damages caused.

**14.4 Offence – Additional - Willful Damage**

Every person who damages or causes or permits to be damaged any meter, sewer lateral, conduit, wire, rod or fitting belonging to the Corporation or impairs or causes or permits the same to be altered or impaired, so that the meter indicates less than the actual amount of the material that passes through it, is guilty of an offence and on conviction is liable to a fine, to the use of the Corporation and for any expenses of repairing or replacing the meter, sewer lateral, conduit, wire, rod or fitting all of which is recoverable under the *Provincial Offences Act*.

**14.5 Offence – Additional – Injuring Sewage Works**

Every person who removes, destroys, damages, alters or in any way injures any sewage works, conduit, wire or other apparatus or thing belonging to the Corporation is guilty of an offence and on conviction is liable to a fine, to the use of the Corporation and is also liable for all damages occasioned thereby, which are recoverable under the *Provincial Offences Act*.

**PART 15 – OFFENCES**

**15.1 Contravention**

Every person who contravenes any provision of this By-Law is guilty of an offence and on conviction is liable to a fine as provided for in the *Provincial Offences Act*.

**PART 16 – REPEAL**

**16.1 Repeal of Existing by-Law**

Any other By-Law or part thereof which conflicts with this By-Law is hereby repealed.

This By-Law shall come into force and effect immediately upon passing.

Read a first, second and third time and finally passed this 15<sup>th</sup> day of May, 2015.

<Original signed by>

\_\_\_\_\_  
Mayor Terrence J. Low

<Original signed by>

\_\_\_\_\_  
Clerk Rebecca Bonisteel-Bourne

**TOWNSHIP OF ASPHODEL-NORWOOD  
BY-LAW NUMBER 2015-41**

**SCHEDULE "A"**

**Limits for Sanitary Sewer Discharge**

Parameter	limit (mg/l)
BOD	300
1,1,2,2 –Tetrachloroethane	0.9
1,2 – Dichlorobenzene	0.05
1,4 – Dichlorobenzene	0.08
Aldrin/Dieldrin	0.0002
Aluminum	50
Antimony	5
Arsenic (total)	1
Benzene	0.01
Cadmium (total)	0.2
Chloroform	0.04
Chromium (total)	0.5
Cis – 1,2 dichloroethylene	0.4
Cobalt (total)	5
Copper (total)	2
Cyanide	2
Ethylbenzene	0.06
Fluoride	10
Formaldehyde	0.04
Hexachlorobenzene	0.0001
Lead (total)	1
Manganese	5
Mercury	0.1
Methyl Ethyl Ketone	8
Methylene chloride	0.21
Molybdenum (total)	5
Nickel (total)	2
Nonylphenol ethoxylates	0.2
Nonylphenols	0.02
Oil and Grease (animal and vegetable)	150
Oil and Grease (mineral and synthetic)	15
PCBs	0.001
Phenolics	1
Selenium (total)	1
Silver (total)	5
Styrene	0.04
Sulphates	1500
Sulphides	2
Tetrachloroethylene	0.5
Tin	5
Titanium	5
TKN	100
Toluene	0.016
Total PAHs	0.005
TP	10
Trans – 1,3 - dechlororpropylene	0.14
Trichloroethylene	0.07
TSS	350
Vinyl Chloride	0.04
Xylenes (total)	0.94
Zinc (total)	2

**TOWNSHIP OF ASPHODEL-NORWOOD  
BY-LAW NUMBER 2015-41**

**SCHEDULE "B"  
Limits of Storm Sewer Discharge**

<b>Parameter</b>	<b>Limit (mg/l)</b>
BOD	15
1,1,2,2 – Tetrachloroethane	0.017
1,2 – Dichlorobenzene	0.005
1,4 – Dichlorobenzene	0.008
Aldrin/Dieldrin	0.00008
Arsenic (total)	0.02
Benzene	0.002
Cadmium (total)	0.008
Chloroform	0.002
Chromium (total)	0.08
Cis – 1,2 dichloroethylene	0.006
Copper (total)	0.04
Cyanide	0.02
Ethylbenzene	0.002
Hexachlorobenzene	0.00004
Lead (total)	0.12
Manganese	0.05
Mercury	0.0004
Methylene chloride	0.006
Nickel (total)	0.08
Nonylphenol ethoxylates	0.01
Nonylphenols	0.001
PCBs	0.0004
Phenolics	0.008
Selenium (total)	0.02
Silver (total)	0.12
Tetrachloroethylene	0.004
Toluene	0.002
Total PAHs	0.002
TP	0.4
Trans – 1, 3 – dechloropropylene	0.006
Trichloroethylene	0.007
TSS	15
Xylenes (total)	0.004
Zinc (total)	0.04