



BY-LAW NUMBER 2012-

A By-law of The Corporation of the City of Barrie to prohibit, regulate and control discharges into the sanitary and storm sewer systems of the City of Barrie and to Repeal By-law 89-167.

WHEREAS, the Municipal Act, S.O. 2001, c. 25, Section 8, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act;

AND WHEREAS, the Municipal Act, S.O. 2001, c. 25, Section 9, provides that Sections 8 and 11 shall be interpreted broadly so as to confer broad authority on municipalities to (a) enable municipalities to govern their affairs as they consider appropriate and, (b) enhance their ability to respond to municipal issues;

AND WHEREAS Section 10, of the *Municipal Act, 2001*, S.O. 2001, c.25 permits a single tier municipality to pass By-laws respecting: public assets of the municipality, the economic social and environmental well being of the municipality and the health and safety, and well being of persons;

AND WHEREAS pursuant to the *Municipal Act, 2001*, Section 87, the City of Barrie may enter on land, at reasonable times, to inspect the discharge of any matter into the sewage system and may conduct tests and take samples;

AND WHEREAS the Council is authorized by Section 78 to 93 of the *Municipal Act, 2001* as amended, to pass By-laws for services that the municipality considers necessary or desirable for the public which includes public utility services.

AND WHEREAS the Council of The Corporation of the City of Barrie adopted motion 12-G-236 deeming it necessary to repeal By-law 1989-167 being a by-law to prohibit, regulate and inspect the discharge of sewage;

NOW THEREFORE the Council of The City of Barrie enacts as follows:

1. **DEFINITIONS**

As used in this By-law, the following terms shall have the meanings indicated:

ACCREDITED LABORATORY- any laboratory accredited by an authorized accreditation body in accordance with a standard based on "ISO/IEC/EN 17025: General Requirements for Competence of Calibration and Testing Laboratories" Established by the International Organization for Standardization as amended;

ACUTE HAZARDOUS WASTE CHEMICAL – means a material which is an acute hazardous waste chemical within the meaning of the *Ontario Regulation 347* made under the *EPA R.S.O. 1990, c.E. 19* as amended;

AUTHORIZED REPRESENTATIVE of the owner or operator means:

- a) a principal executive officer of at least the level of vice president, if the owner or operator is a corporation;
- b) a general partner or proprietor if the owner or operator is a partnership or proprietorship, respectively and;
- c) a duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the wastewater discharge originates;

BIOCHEMICAL OXYGEN DEMAND (BOD) - means the five-day BOD which is the determination of the molecular oxygen utilized during a five-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) as determined by the appropriate procedure in *Standard Methods*;

BIOMEDICAL WASTE - means biomedical waste as defined in the Ontario Ministry of the Environment Guideline C-4 titled "The Management of Biomedical Waste in Ontario" dated April 1994 or successive;

BIOSOLIDS - means stabilized organic solid material generated from the treatment of municipal wastewater;

BEST MANAGEMENT PRACTICES PLAN - means an integrated plan to control and reduce or eliminate the release of restricted and prohibited waste into the sewage works, through methods including physical controls, pretreatment processes, operational procedures and staff training;

BLOWDOWN WATER - means the recirculation 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;

BUILDING CODE – means the regulations governing standards for construction and demolition of buildings made under the *Building Code Act, S.O. 1992, C23*, as amended;

CHEMICAL OXYGEN DEMAND (COD) – means a measure of the capacity of water to consume oxygen as a result of oxidation of inorganic chemicals and decomposition of organic matter as determined by the appropriate procedure in *Standard Methods*;

CITY - means The Corporation of the City of Barrie or its designated representative;

COLONY FORMING UNITS (CFU) - means the number of all viable bacteria and expressed in number of colonies of bacteria per 100 milliliters of solution as determined by part 9000 in *Standard Methods*;

COMBUSTIBLE LIQUID - means any liquid having a flash point at or above 37.8°C and below 93.3°C, *Ontario Fire Code*;

COMPOSITE SAMPLE – means a sample made up of three or more grab samples that have been combined automatically or manually and taken at intervals during the sampling periods;

CONNECTION OR DRAIN - that part or those parts of any pipe or system of pipes leading directly to sewage works;

CONTACT COOLING WATER - means water that is used in a process for the purpose of removing heat and that has come into contact with any raw material, intermediate product, waste product or finished product, but does not include blow down water;

COUNCIL - means the Council of the City of Barrie;

DENTAL AMALGAM - means a dental filling material consisting of an amalgam of mercury, silver and other materials such as copper, tin, or zinc;

DENTAL AMALGAM SEPARATOR - any technology, or combination of technologies, designed to separate dental amalgam particles from dental operation wastewater;

DEWATERING ACTIVITY – means, taking water from a well or otherwise extracting groundwater; draining water from a permanent or temporary pond or other surface water body, whether natural or man-made; releasing water previously stored in a tank, vessel, or other means of water storage; or any combination of the above noted activities, where the water from such activities would be discharged to a sewage works and such activities would be related to a construction, land development, renovation, repair, maintenance or demolition activity at a property;

DISCHARGE AGREEMENT - means a legal agreement made between the City and a Person pursuant to the provisions of this By-law and includes an Overstrength Surcharge Agreement and agreements entered into pursuant to a Compliance Program or a Compliance Program with a Monetary Concession;

DISCHARGER - means a person, or an agent or employee thereof, in occupation or having the charge, management or control of a site, sewage, storm water, uncontaminated water or any other matter to which this By-law applies;

DOMESTIC WASTEWATER - wastewater produced on a residential premise or sanitary waste and wastewater from showers and restroom toilets, washbasins produced on a non-residential property;

ENVIRONMENTAL OFFICER - a person authorized by the City to carry out observations and inspections and take samples as prescribed by this By-law; and means a person who has been duly appointed by the General Manager of Community Operations to enforce this By-law;

EPA - means the *Environmental Protection Act, R.S.O. 1990, c.E.19*, as amended;

EXPLOSIVE PRODUCTS OR SUBSTANCES - means explosive products or substances as defined in the *Transportation of Dangerous Goods Regulation*;

FISHERIES ACT – means the *Fisheries Act, R.S.C. 1985, c. F-14*, as amended;

FLAMMABLE LIQUIDS - means a liquid having a flash point of 37.8 degrees Celsius and having a vapour pressure of not more than 275.8 kPa (absolute) at 37.8 degrees Celsius as determined by ASTM D323-99a, Vapour Pressure of Petroleum Products (Reid Method); *Fire Protection and Prevention Act O. Reg 213/07* as amended

FOOD WASTE - means solid waste from the preparation, cooking and dispensing of food.

FUELS - alcohol, gasoline, naphtha, diesel fuel, fuel oil or any other ignitable substance intended for use as a fuel;

GENERAL MANAGER - means the General Manager of Community Operations of the City, or his or her authorized representative;

GRAB SAMPLE - means a single sample of water collected at a particular time and place and represents the composition of the water only at the time and place.

GROUND WATER - water beneath the earth's surface accumulating as a result of seepage;

HAULED SEWAGE - waste removed from a sewage system, including a cesspool, septic tank system, privy vault or privy pit, a chemical toilet, portable toilet or a sewage holding tank;

HAULED WASTE - any industrial waste which is transported to and deposited into any location in the sewage works, excluding hauled sewage;

HAZARDOUS SUBSTANCES - means any substance that is designated as a hazardous substance within the meaning of *Ontario Regulation 347* made under the *EPA*, as amended;

HAZARDOUS INDUSTRIAL WASTE - any Hazardous Substance disposed of as within the meaning of waste *Ontario Regulation 347* made under the *EPA*, as amended;

HERBICIDE - means any pesticide, as regulated under the *Pesticide Act*, used for the destruction or control of any vegetation;

IGNITABLE WASTE - means a material which is an ignitable waste within the meaning of *Ontario Regulation 347* made under the *EPA*, as amended;

INDUSTRIAL - of or pertaining to manufacturing, commerce, trade, business or institutions as distinguished from domestic or residential;

INDUSTRY - means the owner or operator of industrial, commercial, or institutional premises from which there is a discharge of any matter directly or indirectly into a sanitary sewer or storm sewer;

INSTITUTION - a facility operated for public purposes, such as schools, universities, medical facilities (hospitals, nursing stations, and nursing homes), museums, prisons, government offices and military bases. Some of these facilities produce non-residential discharges to sewers from, for example, laboratories, chemical use, and industrial processes;

INTERCEPTOR – A receptacle that is designed and installed to prevent oil, grease, sediment, sand, or other materials from passing into the sewage works.

LAND DRAINAGE WORKS - means works of any sort for the drainage of land in the City including drainage channels for receiving water in its natural flow on or from any hills or other lands, and works diverting or damming the same to prevent its overflow onto any other lands at a lower level, as well as drainage channels for carrying off water from any land;

LEACHATE - means the liquid containing dissolved or suspended contaminant which emanate from waste (solid waste or garbage) and is produced by water percolating through waste or by liquid in waste;

MATTER - includes any solid, liquid or gas;

MAINTENANCE ACCESS POINT – means an access point, such as a chamber, in a private sewer connection to allow for observation, sampling and flow measurement of the sewage, uncontaminated water or storm water therein;

MUNICIPALITY - means the Municipality of the “City of Barrie.”

MUNICIPAL SEWER CONNECTION – means that part of any drain leading from the private sewer connection and connected to the municipal sewer and located within the limits of the public road allowance, or other public land interests held for sewage purposes;

NON-CONTACT COOLING WATER - means water that is used in a process for the purpose of removing heat and that has not come into contact with any raw material, intermediate product, waste product or finished product, but does not include blow down water;

NON-DOMESTIC WASTEWATER – means all Wastewater except Domestic Wastewater, Storm Water, Uncontaminated Water, and Hauled Sewage;

OVERSTRENGTH - refers to Wastewater released to the sewer that is higher in concentration for one or more constituent concentrations set out in Schedule “A”;

OWRA - means the *Ontario Water Resources Act, R.S.O. 1990. O.40*, as amended;

PATHOLOGICAL WASTE - Pathological waste within the meaning of *O.Reg 347* as amended from time to time, made under the *Environmental Protection Act, R.S.O. 1990, c.E19. (EPA)*

PCB - means any monochlorinated or polychlorinated biphenyl or any mixture of them or any mixture that contains one or more of them; (“PBC”) ; and includes PCB waste as defined by *R.R.O.1990, Reg 362* made under the *Environmental Protection Act* as amended from time to time;

PERSON - means and includes any individual, corporation, partnership, company, association or party and the heirs, executors, administrators, or other legal representative of such person, to whom the context can apply according to law; shall include any group of persons comprising a society or other organizations and shall include the plural wherein the context requires. Wherever the word he or him is used, it shall mean and include the feminine or neuter gender wherever the context so requires;

PESTICIDES - means a pesticide regulated under the *Pesticides Act, R.S.O. 1990, Chapter P.11, as amended*;

pH - means the logarithm to the base 10 of the reciprocal of the concentration of hydrogen ions in moles per litre of solution as determined in *Standard Methods*;

PHENOLIC COMPOUNDS - means those derivatives of aromatic hydrocarbons which have a hydroxyl group directly attached to the ring as determined by *Standard Methods*;

PRIVATE SWIMMING POOL - "pool" or "pools" will be used in reference to swimming pools, hot tubs or spas operated on private, residential properties, both indoors and outdoors;

PRETREATMENT PROCESSES - one or more treatment processes or devices designed to remove sufficient matter from wastewater discharged into the City sewer to enable compliance with effluent limits established in this By-law. Pretreatment processes prevent or reduce and control the discharge or deposit of matter from the discharger’s premises into the City sewer connection;

PRIVATE SEWER CONNECTION - means that part of any drain or system of drains, including drains or subsurface drainage pipe for surface or subsurface drainage of the land in or adjacent to a building, lying within the limits of the private lands and leading to a City sewer connection;

PROHIBITED WASTE - means prohibited waste as defined in Schedule “A” to this By-law;

REACTIVE WASTE - A substance that:

- a) is normally unstable and readily undergoes violent changes without detonating; and
- b) reacts violently with water;
- c) forms potentially explosive mixtures with water;
- d) when mixed with water, generates toxic gases, vapours or fumes in a quantity sufficient to present danger to human health or the environment;
- e) 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;
- f) is capable of detonation or explosive reaction if it is subjected to a strong initiating source or if heated under confinement;
- g) is readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure; or
- h) is an explosive (Class 1) as defined in the regulations under the meaning of *Ontario Regulation 347* made under the EPA;

SAMPLING PORT - a valve, tap, or similar device on equipment, a drain pipe or at another suitable location, to allow for sampling, consistent with technical guidelines that the General Manager may establish from time to time;

SANITARY SEWER - means a sewer for the collection and transmission of domestic, commercial, institutional, or industrial wastewater or any combination thereof;

SEWAGE - means any liquid containing organic, inorganic, animal, vegetable or mineral matter in solution or in suspension, including floating materials, but does not include storm water or uncontaminated water;

SEWAGE WORKS - any works for collection, transmission, treatment and disposal of wastewater, storm water or uncontaminated water, including a sanitary sewer or storm sewer, or any part of such works, but does not include plumbing or other works to which the applicable *Building Code* applies;

SEWER - a pipe, conduit, drain, open channel or ditch for the collection and transmission of wastewater, storm water or uncontaminated water, or any combination thereof;

SOLVENT EXTRACTABLE MATTER OF ANIMAL OR VEGETABLE ORIGIN - means grease and oil determined by *Standard Methods*;

SOLVENT EXTRACTABLE MATTER OF MINERAL OR SYNTHETIC ORIGIN - means grease or oil as determined by *Standard Methods*;

SPILL - a direct or indirect discharge into sanitary sewer, storm sewer or the natural environment, from or out of a structure, vehicle, or other container, and that is abnormal in quantity or quality in light of all the circumstances of the discharge as defined under the EPA;

STANDARD METHODS - means a procedure or method set out in *Standard Methods for the Examination of Water and Wastewater* published jointly by the American Public Health Association, Water Environment Federation, and American Water Works Association, latest edition;

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;

STORMWATER - drainage water resulting from rainfall or other natural precipitation from the atmosphere and includes, but is not limited to water from melting snow or naturally occurring ice;

SUSPENDED SOLIDS - means solid matter in, or on a liquid which matter is removable by filtering as determined by *Standard Methods*;

TOTAL POLYCYCLIC AROMATIC HYDROCARBONS (PAH) - the total of all of the following polycyclic aromatic hydrocarbons; Acenaphthene, acenaphthylene, anthracene, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i)perylene, benzo(k)fluoranthene, chrysenes, dibenzo(a,h) anthracene, fluoranthene, fluorine, indeno(1,2,3-cd)pyrene, methylnaphthalene, naphthalene, phenanthrene, pyrene.

TOTAL SUSPENDED SOLIDS (TSS) – means insoluble matter in liquid that is removable by filtration, as determined by the appropriate procedure described by *Standard Methods*;

TOXIC SUBSTANCE - means any material listed in *Schedule 3 of Ontario Regulation 347* made under the EPA;

UNCONTAMINATED WATER - means water to which no matter has been added as a consequence of its use, or to modify its use, by any person;

WASTE RADIOACTIVE SUBSTANCES - substances defined in the federal Nuclear Safety and Control Act and the regulations passes there under, as amended from time to time.

WASTEWATER - means the composite of water and water-carried wastes from residential, commercial, industrial or institutional premises or any other source;

WATER POLLUTION CONTROL CENTER (WPCC) - means the facility used for the treatment of the wastewater;

WATERCOURSE - an open channel, ditch or depression, either natural or artificial, in which flow of uncontaminated water occurs either continuously or intermittently;

WATERS - means a well, lake, river, pond, spring, stream, reservoir, artificial watercourse, intermittent watercourse, groundwater or other water or watercourse within the meaning of OWRA.

2. **ADMINISTRATION AND ENFORCEMENT**

- 2.1 The administration and enforcement of this By-law shall be under the jurisdiction of the General Manager. The General Manager shall appoint Environmental Officers for the purpose of administering and enforcement of this By-law.
- 2.2 The General Manager shall be authorized to prescribe the form of any agreement or permit required or permitted under this By-law and to amend or revise such agreements or permits, from time to time, provided that the agreement or permit, amendment (s) or revision (s) are in a form satisfactory to the Director of Legal Services.
- 2.3 Subject to Section 2.2, the General Manager may prescribe the form and content of any approval, authorization, permit, form, procedure or other document in relation to the administration of this By-law and may amend or revise the form and content of such approvals, authorization, permits, forms, procedures or documents from time to time. The General Manager may issue any approval, authorization or permit under this By-law.
- 2.4 The General Manager may delegate any action he or she is authorized under this By-law.
- 2.5 An Environmental Officer appointed by the General Manager, or any other person authorized by the General Manager may at any reasonable time enter upon and inspect any land and buildings for purposes of enforcing this By-law, determining compliance with this By-law, determining compliance with the terms and conditions of a discharge agreement under this By-law. Notwithstanding Sections 2.1 to 2.5 a Municipal Law Enforcement Officer, Provincial Offences Officer, Police Officer, or other duly appointed individual shall enforce the provisions of this By-law.
- 2.6 No person shall prevent, hinder, obstruct or interfere in any way with the City or Environmental Officers, or other duly appointed individual from:
- a) Entering in or upon any land premises, except land or premises lawfully being used as a dwelling house, at any reasonable time without warrant;
 - b) Making such examinations, investigations, inquiries and tests, taking such samples; or
 - c) Inspecting or observing any plant, machinery, equipment, work, activity or documents, and for the purpose of determining whether there is compliance with this By-law.

3. SANITARY SEWER REQUIREMENTS

- 3.1 No person shall release, or permit the release of any matter into the sanitary sewer system except:
- a) Domestic wastewater that complies with the requirements of this By-law;
 - b) Non-domestic wastewater that complies with the requirements of this By-law;
 - c) Hauled sewage, including septage, that complies with the requirements of this By-law;
 - d) Overstrength matter where an Overstrength Surcharge Agreement is in place.
- 3.2 No person shall release, or permit the release of wastewater indirectly or directly into the sanitary sewer via municipal sewer connection unless authorized to do so by the City.
- 3.3 No person shall discharge directly or indirectly or deposit or cause or permit the discharge or deposit of wastewater into a sanitary sewer, municipal or private sewer connection to any sanitary sewer works in circumstances; where such discharge or deposit may cause or result in:
- a) A health or safety hazard to a person authorized by the City to inspect, operate, maintain, repair or otherwise work on a sewage works;
 - b) An offence under the *EPA* or *OWRA*, as amended from time to time, or any regulation made there under from time to time;
 - c) Biosolids from the *WPCC* to which either wastewater discharges, directly or indirectly, to fail to meet the objectives and criteria as listed in the *EPA* as amended;
 - d) Interference with the operation or maintenance of the sewage works, or which may impair or interfere with any wastewater treatment process;
 - e) A hazard to any person, animal, or property;
 - f) An offensive odour to emanate from sewage works, and without limiting the generality of the foregoing, wastewater containing hydrogen sulphide, carbon disulphide, other reduced sulphur compounds, amines or ammonia in such quantity as may cause an offensive odour;
 - g) Damage to sewage works;
 - h) An obstruction or restriction to the flow in sewage works;
 - i) Storm water, water from drainage roofs or land, water from a watercourse or uncontaminated water from such sources as cooling or condensing systems from entering into the sanitary sewer system;
 - j) Water other than storm water that has originated from a source separate from the water distribution system of the City to enter the sanitary sewer system;
 - k) The wastewater has two or more separate liquid layers.
- 3.4 No person shall discharge directly or indirectly or deposit or cause or permit the discharge or deposit of wastewater into a sanitary sewer, municipal or private sewer connection to any sanitary sewer system in the following circumstances:
- a) The wastewater contains:
 - (i) hazardous substances;
 - (ii) combustible liquid;
 - (iii) dyes or colouring materials which may or could pass through a sewage works and discolour the sewage works effluent;
 - (iv) fuel;
 - (v) ignitable waste;
 - (vi) pathological waste;
 - (vii) PCBs;
 - (viii) pesticides which are not otherwise regulated in this By-law;
 - (ix) herbicides;
 - (x) reactive waste;
 - (xi) explosive products or substances;
 - (xii) hauled sewage;
 - (xiii) leachate;

- (xiv) toxic substances which are not otherwise regulated in this By-law;
 - (xv) solid or viscous substances in quantities or of such size to be capable of causing obstruction to the flow in a sewer, including but not limited to ashes, bones, cinders, sand, mud, soil, straw, shaving, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, animal parts or tissues, and paunch manure.
- 3.5 No person shall release, or permit the release of, any restricted substance listed in Schedule "A" which exceeds the respective concentrations listed in Schedule "A", Table 1 of this By-law into the sewage works.
- 3.6 The discharge to the sanitary sewer of water originating from a source separate from the water distribution system is prohibited except where the discharger:
- a) Provides the City with a copy of a valid Permit to Take Water in respect of the taking of the water that is being discharged or deposited, where such a Permit to Take Water is required by the *Ontario Water Resources Act*, R.S.O. 1990, c.O.14, as amended; and
 - b) Has written discharge agreement approved from the General Manager, prior to any discharge, and the discharger is complying with the terms and conditions of the approval.
- 3.7 No person shall discharge or cause or permit the discharge of sewage into land drainage works or connections to any sanitary sewer in circumstances if the sewage contains PCB's without prior written approval from the General Manager and only where:
- a) A Certificate of Approval or Environmental Compliance Approval for a mobile site or PCB mobile waste disposal system has been issued under the *EPA* and a copy of the most recent certificate or provisional certificate and any amendment has been provided to the City; or
 - b) The person is claiming exemption under *O. Reg. 347* and it has been demonstrated to the City that the conditions of the exemption have been met.
- 3.8 Section 3 does not apply to prevent the discharge of leachate when:
- a) The leachate is being discharged pursuant to a Certificate of Approval, Environmental Compliance Approval or Order relating to the premises under the *EPA* or the *OWRA* which expressly allows the discharge;
 - b) The owner or operator of the premises has written approval from the General Manager which expressly authorizes the discharge from the premises in accordance with guidelines adopted by the City from time to time; and
 - c) A copy of the Certificate of Approval or written authorization referred to in clause (a) has been provided to the City.
- 3.9 Section 3 does not apply to prevent the discharge of hauled sewage when:
- a) The Carrier of the hauled sewage is a waste transportation system under a license issued under Part VII of the *EPA*;
 - b) The Carrier has written approval from the City which includes a specified time and location for the discharge; and
 - c) The discharge occurred at the approved time and location and in accordance with program requirements adopted by the City.
- 3.10 Connections to the sanitary sewer system are prohibited from storm water, water from drainage of roofs or building foundations including sump pumps, land, from watercourse, or uncontaminated water. All connections must be installed in accordance with the *Building Code*.
- 4 STORM SEWER REQUIREMENTS**
- 4.1 No person shall discharge directly or indirectly, or permit the discharge or deposit of, any matter listed below and in Table 2 of Schedule "A" into, land drainage works, private sewer connections or connections to any storm sewer. Matter of any type or at any temperature or in any quantity which may or could:
- a) Interfere with the proper operation of a storm sewer;
 - b) Obstruct, damage, or restrict a storm sewer or the flow therein;

- c) Result in a hazard or other adverse impact to any person, animal, property or vegetation or the natural environment;
 - d) Impair the quality of the water in any well, lake, river, pond, spring, stream, reservoir or other water or watercourse; or
 - e) Result in the contravention of an approval, requirement, direction or other Order under the *OWRA*, *EPA* or *Fisheries Act* with respect to the storm sewer or its discharge, or have one or more of the following characteristics:
 - (i) Water containing dyes or colouring material which discolours the water;
 - (ii) Water containing solvent extractable matter of animal or vegetable origin or of mineral or synthetic origin which causes a visible film, sheen or discoloration on the water surface;
 - (iii) Two or more separate layers;
 - f) The following matter in any amount:
 - (i) Wastewater;
 - (ii) Non-Contact Cooling water;
 - (iii) Contact Cooling water;
 - (iv) Blowdown water;
 - (v) Salt water pool water;
 - (vi) Water from dewatering activities.
 - g) The following materials in any amount:
 - (i) Combustible Liquids;
 - (i) Floating debris;
 - (ii) Fuels;
 - (iii) Hauled Sewage;
 - (iv) Hazardous Substances;
 - (v) Ignitable Wastes;
 - (vi) Leachate;
 - (vii) Oils and Greases;
 - (viii) Paints;
 - (ix) Pathological Wastes;
 - (x) Volatile Organic Compounds;
 - (xi) PCBs;
 - (xii) PCB Wastes;
 - (xiii) Pesticides or Herbicides;
 - (xiv) Reactive Wastes;
 - (xv) Toxic Materials;
 - (xvi) Volatile Organic Compounds;
 - (xvii) Waste Radioactive Materials.
- 4.2 Sub clause 4.1 f). (ii) (vi) does not apply to prevent the discharge of non-contact cooling water and water from dewatering activities when the non-contact cooling water and/or water from the dewatering activities is being discharged with the written approval of the General Manager which expressly authorizes the discharge from the premises and/or is being discharged pursuant to a Certificate of Approval, Permit to Take Water, Environmental Compliance Approval, or Ministry of the Environment Order relating to the premises under the *Environmental Protection Act* or the *Ontario Water Resources Act*, which expressly allows the discharge; and a copy of the Certificate of Approval, Permit to Take Water, Environmental Compliance Approval, or Ministry of the Environment Order has been provided to the City.
- 4.3 The provisions of Section 4 do not apply to prevent the discharge of stormwater runoff from the commercial, institutional or industrial process areas to a storm sewer when:
- a) The owner or operator of the premises has a Certificate of Approval or order relating to the premises under the *EPA* or the *OWRA* which expressly allows the discharge and a copy of the Certificate of Approval or Order has been provided to the City.
- 4.4 Foundation Drains and Sump Pumps must be installed in accordance with the *Building Code*. The Owner or Operator must ensure that water collected in a foundation drain system is discharged onto the lawn or surface outside of a building onto the property of the Owner or Operator without interference with adjoining properties. If the anticipated discharge quantity would create a nuisance, the City may permit discharge into an approved outlet per the current City Storm Drainage and Stormwater Management Policies and Design Guidelines.

4.5 Roof leader connections must be installed in accordance with the *Building Code*. Roof leader outlets shall be directed to areas that promote ground water infiltration or storage per the current City Storm Drainage and Stormwater Management Policies and Design Guidelines.

4.6 Sump Pumps must be installed in accordance with the *Building Code*. The Owner or Operator must ensure that water collected in a sump pump system is discharged onto the lawn or surface outside of a building unless the sump pump discharge is collected and disposed of by way of a third pipe system approved by the City Engineering Department.

5. **PROHIBITION OF DILUTION**

No person shall discharge directly or indirectly, or permit the discharge directly or indirectly or deposit of wastewater directly or indirectly into a sanitary sewer, storm sewer, municipal or private sewer connection to any sanitary sewer, or storm sewer in circumstances where water has been added to the discharge for the purposes of dilution to achieve compliance with this By-law.

6. **OVERSTRENGTH WASTE**

6.1 Where effluent discharged to the sanitary sewer does not meet By-law requirements, the person discharging the wastewater shall:

- a) Forthwith provide preliminary treatment or take such other measures as may be necessary to improve effluent quality to within By-law limits; and
- b) Submit to the City a compliance program to correct the non-complying effluent.

6.2. The City may allow the discharge of overstrength waste to the sanitary sewer with compensation made to the City by the discharger for increased costs of operating the WPCC to offset costs for the required additional treatment of overstrength waste in accordance with the Schedule "B".

7. **COMPLIANCE PROGRAMS**

7.1 An Industry may submit to the Environmental Officer a proposed compliance program setting out activities to be undertaken by the Industry that would result in compliance with this By-law.

7.2 Proposed compliance programs must be submitted by the Industry to the City within 30 days from the date of a violation notice requesting submission.

7.3 At its sole discretion, the City may establish a compliance program that will permit an industrial user to discharge non-complying sewage upon such terms and conditions deemed appropriate by the City. The Industry shall be entitled to make non complying discharges in the amount and only to the extent set out in the City's approval during the planning, design and construction or installation of facilities or works needed to implement the approved compliance program.

7.4 Compliance programs shall contain but not be limited to the following information: a specified length of time during which pre-treatment facilities or other measures are to be installed or implemented and shall be specific as to the remedial actions to be implemented by the Industry, the dates of commencement and completion of the activity 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.

7.5 The City will approve compliance programs and a person to whom a compliance program has been issued shall not be prosecuted under this By-law for the condition identified in the approved compliance program. These compliance programs may, in accordance with guidelines adopted by the City from time to time, include a provision for a fee associated with compliance programs which are fully recoverable by the City in the payment otherwise required from the Industry to the City pursuant to the Fee's By-law and Schedule "B", but not limited to. The full cost recovery payment to the City may be in such an amount and for such duration as the compliance program agreement may specify.

7.6 The Industry for which a compliance program has been approved shall submit a compliance program progress report to the City within fourteen (14) days after the scheduled completion date of each activity listed in the compliance program.

7.7 The City may terminate any approved compliance program entered into pursuant to Section 7 by written notice at any time to the Industry in the event that the Industry fails or neglects to carry out or diligently pursue the activities required of it under its approved compliance program. In the event of any such termination, the Industry shall pay to the City the full difference in amount between what is was required to pay to the City pursuant to Schedule "B", and the amount actually paid to the City as a result of having entered into an compliance program agreement with respect to the approved compliance program.

8. **AGREEMENTS**

8.1 The discharge or deposit of wastewater by a person that would otherwise be prohibited by this By-law may be permitted to an extent fixed by either an Overstrength Surcharge Agreement and/or Discharge Agreement:

- a) An **Overstrength Surcharge Agreement**, including conditions for payment of additional costs of operation, repair and maintenance of the sewage works, and on other terms and conditions as may be deemed appropriate by the City; and/or
- b) A **Discharge Agreement**, including conditions for payment of additional costs of operation, repair and maintenance of the sewage works, and on other terms and conditions as may be deemed appropriate by the City; and/ or for the treatment of potable water that has not been supplied by the City.

8.2 An Overstrength Surcharge Agreement may only be entered into with respect to the discharge of the following treatable parameters in wastewater: biochemical oxygen demand, and total suspended solids. The discharger shall pay the assessed amount per the terms established by the City for the duration of the discharge.

8.3 A Discharge Agreement may be entered with respect to the discharge of wastewater or groundwater and or surface water, which contains water that has originated from a source other than the City water supply system.

8.4 Overstrength Surcharge Agreements shall contain terms and conditions designated by the City, and approved by the General Manager. The General Manager shall be authorized to execute Overstrength Surcharge Agreements on behalf of the City.

8.5 Discharge Agreements shall contain terms and conditions designated by the City and approved by the General Manager. The General Manager shall be authorized to execute Discharge Agreements on behalf of the City.

8.6 Overstrength Surcharge fees will be reviewed and adjusted accordingly as determined by the City from time to time based on projected operating and maintenance costs and as calculated in Schedule "B".

8.7 Discharge Agreement fees charged for these agreements shall be as set from time to time by the City.

8.8 The Overstrength Surcharge Agreement and Discharge Agreement may have terms and conditions that restrict the concentrations or loading of any parameters in the discharge.

8.9 As a condition of entering into an Overstrength Surcharge Agreement and/or Discharge Agreement, an approved flow meter must be installed at the expense of the Owner or Operator on the discharge line to the sanitary sewer and or storm sewer.

8.10 During the period of the executed agreement in Section 8.1, the discharger shall comply with all other aspects of the By-law that are not contained within the agreement.

8.11 The General Manager may terminate, at any time, any agreement under Section 8.1 where but not limited to:

- a) The General Manager has determined there to be an emergency situation of immediate threat or danger to any person, property, plant or animal life, water or sewage works;
- b) The discharger contravenes other provisions of this bylaw;
- c) The discharger fails to abide by the terms and conditions of the agreement.

9. **ADDITIONAL CONNECTION REQUIREMENTS**

9.1 **FOOD RELATED OIL AND GREASE INTERCEPTORS**

- a) Every owner or operator of a restaurant or other industrial, commercial or institutional premises where food is cooked, processed or prepared, for which premises is connected directly or indirectly to a sewer shall;
- (i) ensure that oil or grease are prevented from entering the storm or sanitary sewer in excess of the provisions of this By-Law;
 - (ii) ensure that oil or grease interceptors do not discharge to storm sewers;
 - (iii) install, operate, and properly maintain an oil and grease interceptor in any pipe system at its premises that connects directly or indirectly to a sewer;
 - (iv) ensure that the oil and grease interceptors are installed in compliance with the requirements of the *Building Code*;
 - (v) ensure that all interceptors are maintained according to the manufacturer's recommendations;
 - (vi) Clean traps before the thickness of the organic material and solids residuals is greater than twenty-five percent of the available volume; cleaning frequency shall be at least once annually. Maintenance requirements shall be posted in the workplace in proximity to the grease interceptor;
 - (vii) ensure that a maintenance Schedule "A"nd record of maintenance is submitted to the Environmental Officer upon request for each interceptor installed;
 - (viii) maintain the document of proof for interceptor clean-out and oil and grease disposal for a minimum of two years and shall retain the most current document of proof for inspections purposes.

9.2 **VEHICLE AND EQUIPMENT SERVICE OIL AND GREASE INTERCEPTORS**

- a) Every owner or operator of a motor vehicle or equipment service station, repair shop, garage or of an industrial, commercial, institutional premises, or any other establishment where motor vehicles are repaired, lubricated or maintained, car washes, and where the sanitary discharge is directly or indirectly connected to a sewer shall:
- (i) install an oil and grease interceptor designed to prevent motor oil and lubricating grease from passing into the drainage piping which is connected directly or indirectly to a sewer in excess of the limits in this By-law;
 - (ii) install, operate and properly maintain an oil and grease interceptor in any piping system at its premises that connects directly or indirectly to a sewer;
 - (iii) ensure that the oil and grease interceptors are installed in compliance with the requirements of the *Building Code* and ensure that oil and grease interceptors are maintained in good working order and according to the manufacture's recommendations;
 - (iv) inspect oil and grease interceptors regularly to ensure performance is maintained to the manufacturer's specifications for performance and to ensure the surface oil and sediment levels do not exceed the recommended level;
 - (v) ensure that the oil and grease interceptor is cleaned at least once annually;
 - (vi) ensure a maintenance Schedule "A"nd record of maintenance is submitted to the Environmental Officer upon request for each oil and grease interceptor installed;
 - (vii) keep the documents of proof for the interceptor clean-out and oil and grease disposal for a minimum of two years and shall retain the most current document of proof for inspection purposes.
- b) In the case of failure to adequately maintain the oil and grease interceptor to the satisfaction of the Environmental Officer, the Environmental Officer may require an alarmed monitoring device to be installed, at the expense of the owner.
- c) No Person shall use of solvents, hot water or other agents to facilitate the passage of oil and grease through an interceptor to which this Section applies.

9.3 SEDIMENT INTERCEPTOR

- a) Every owner or operator of a premises from which sediment may directly or indirectly enter a sewer, including but not limited to premises using a ramp drain or area drain and car and vehicle wash establishments, shall:
 - (i) ensure that such sediment is prevented from entering the drain or sewer in excess of the limits in this By-law;
 - (ii) ensure that catchbasins installed on private property for the purposes of collecting storm water and carrying it into the storm sewers shall be equipped with an interceptor;
 - (iii) ensure that all sediment interceptors are maintained in good working order and according to manufacturer's recommendations;
 - (iv) ensure that all sediment interceptors are tested regularly to ensure performance is maintained to the manufacturer's specifications for performance;
 - (v) ensure that annual maintenance and inspection records are provided to the City upon request;
 - (vi) maintain all documentation of the interceptor clean-out and sediment disposal for a minimum of two years and shall retain the most current document of proof for inspections purposes;
 - (vii) submit documentation to the Environmental Officer upon request for each sediment interceptor installed.

9.4 DENTAL WASTE AMALGAM SEPARATORS

- a) Every dental practice shall comply with the *Dentistry Act, 1991, S.O. 1991, c.24*, and the regulations made there under, as amended from time to time, for the management and disposal of amalgam waste.
- b) A maintenance Schedule "A" and record of maintenance shall be submitted to the Environmental Officer upon request for each dental amalgam separator installed.
- c) A record of inspection and any documentation related to the installation of a dental amalgam separator shall be submitted to the Environmental Officer upon request for each dental amalgam separator installed.

9.5 FOOD WASTE GRINDERS

- a) No person shall install, operate or replace any food waste grinding device for which the effluent from this device will discharge directly or indirectly into a sewer.

9.6 PRETREATMENT FACILITIES

- a) Where required by the Environmental Officer, the owner or operator shall:
 - (i) install on the premises, and prior to the sampling point, a wastewater pretreatment facility;
 - (ii) ensure the design, operation and maintenance of the pretreatment facility achieves the treatment objectives and is in accordance with the manufacturer's recommendations;
 - (iii) ensure that any waste products from the pretreatment facility are disposed of in accordance with applicable legislation;
 - (iv) ensure interceptors used for the purpose of pretreatment are cleaned at least once annually;
 - (v) submit the maintenance records and waste disposal records to the Environmental Officer upon request;
 - (vi) keep documentation pertaining to the pretreatment facility and waste disposal for a minimum of two years and shall retain the most current document of proof for inspection purposes.

10. HAULED SEWAGE

10.1 No person shall discharge hauled sewage to the sanitary sewer unless:

- a) The carrier of the hauled sewage operating as a waste management system has a Certificate of Approval or a Provisional Certificate of Approval or is exempt from the requirement to have a Certificate or Environmental Compliance Approval or Provisional Certificate of Approval under the *EPA*;

- b) A copy of the most recent Certificate of Approval or Environmental Compliance Approval, or Provisional Certificate and any amendment is provided to the City; and
- c) The carrier meets all conditions for discharge that are or may be set from time to time with respect to the haulage of sewage by the City.

10.2 No person shall discharge or permit the discharge of hauled sewage:

- a) At a location other than a hauled sewage discharge location approved by the City;
- b) Without a permit approved by the Environmental Officer, and the haulage sewage forms completed and signed by the carrier and deposited in an approved location at the time of discharge; and
- c) Without the use of a discharge hose placed securely in the discharge portal at the approved location.

11. **HAULED WASTE**

11.1 No person shall discharge hauled waste to the sanitary sewer unless:

- a) The carrier of the hauled waste operating as a waste management system has a Certificate of Approval or Environmental Compliance Approval or Provisional Certificate of Approval issued under the *EPA* or is exempt from the requirement to have a Certificate or Provisional Certificate of Approval or Environmental Compliance Approval;
- b) A copy of the most recent Certificate or Provisional Certificate or Environmental Compliance Approval and any amendment of approval is provided to the City;
- c) Hauled waste meets the conditions set out in the *EPA*, as amended from time to time; and
- d) The carrier meets all conditions for discharge that are or may be set from time to time with respect hauled waste by the City.

11.2 No person shall discharge or permit the discharge of leachate unless:

- a) The leachate is being discharged pursuant to a Certificate of Approval or Environmental Compliance Approval or order relating to the premises under the *EPA* or the *OWRA* which expressly allows the discharge;
- b) The owner or operator of the premises has written approval from the City which expressly authorizes the discharge from the premises; and
- c) A copy of the Certificate of Approval or Environmental Compliance Approval or written authorization referred to in clause (a) has been provided to the City.

11.3 No person shall discharge or allow or cause hauled waste to be discharged into a sewer, except at sites designated by the Environmental Officer.

12. **SAMPLING AND ANALYTICAL REQUIREMENTS**

12.1 Where sampling is required for the purposes of determining the concentration of constituents in the wastewater, storm water or uncontaminated water, the sample may:

- a) Be collected manually or by using an automatic sampling device; and
- b) Contain additives for its preservation.

12.2 Compliance or non-compliance with this By-law may be determined by the analysis of one grab sample or one composite sample.

12.3 For the purpose of determining compliance with Schedule "A" or Section 3, samples shall be obtained at the point of discharge closest to the property boundary or final point of discharge wherever possible and/or from discrete wastewater streams within premises as identified, at the discretion of the Environmental Officer.

- 12.4 All tests, measurements, analyses and examinations of wastewater, its characteristics or contents pursuant to this By-law shall be carried out in accordance with *Standard Methods, Ministry of the Environment "Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater"*, and/or be performed by a laboratory accredited for analysis of the particular substance(s) using a method which is within the laboratory's scope of accreditation.

13. DISCHARGER SELF-MONITORING

- 13.1 The discharger shall complete any monitoring or sampling of any discharge to a sanitary sewer required by the City, and provide the results to the City in the form specified by the City.
- 13.2 The obligations set out in or arising out of Subsection 13.1 shall be completed at the expense of the discharger.

14. PRIVATE SWIMMING POOL WATER

- 14.1 Wastewater from a private conventional non-salt water swimming pool or hot tub/spa or wading pool shall not be discharged directly:

- a) Into a storm sewer or land drainage system unless otherwise permitted under Section 14.3;
- b) Onto an adjoining property, sidewalk, stair or neighbours' property or over a valley/ravine wall such that it may cause erosion or instability of the valley or ravine slope; or
- c) In a manner other than is permitted under Section 14.2 or 14.3.

- 14.2 A person is permitted to discharge wastewater from a private swimming pool and cover either:

- a) By way of temporary connection to the sanitary sewer; or
- b) By way of the controlled discharge to the owner's property such that the discharge is at all times contained with the owner's property until it evaporates or infiltrates into the ground.

- 14.3 No person shall discharge wastewater from a private salt water swimming pool or hot tub/spa or wading pool except:

- a) To the sanitary sewer either by a permanent connection to the sanitary sewer on the owner's property, or by way of a temporary connection to the sanitary sewer on the owners property; or
- b) By way of the controlled discharged to the owner's property such that the discharge is at all times contained within the owner's property until it evaporates or infiltrates into the ground provided that it does not migrate onto adjacent lands.

15. SPILLS

- 15.1 In the event of a spill to a sanitary sewer and/or storm sewer and/or land drainage works, the person responsible or the person having the charge, management and control of the spill shall immediately notify and provide any requested information with regard to the spill to:

- a) 911 and/or Ministry of the Environment Spills Action Center (1-800-268-6060); and
- b) The City.

- 15.2 The person shall provide a detailed report on the spill to the City, within five (5) working days after the spill, containing the following information to the best of his or her knowledge:

- (i) name of the company and the location of spill;
- (ii) name and telephone number of the person who reported the spill and the location and time where they can be contacted;
- (iii) date and time of the spill;
- (iv) material spilled;
- (v) characteristics and composition of material spilled;

- (vi) volume of material spilled;
 - (vii) duration of spill event;
 - (viii) work completed and any work still in progress in the mitigation of the spill;
 - (ix) preventative actions being taken to ensure a similar spill does not occur again; and
 - (x) copies of applicable spill prevention and spill response plans.
- 15.3 The person responsible for the spill and 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.
- 15.4 Nothing in this By-law relieves any persons from complying with any notification or reporting provisions of:
- a) Other government agencies, including federal and provincial agencies for the material and circumstances of the spill; or
 - b) Any other By-law of the City.
- 15.5 The City may invoice the person responsible for the spill to recover costs of time, materials and services arising as a result of the spill. The person responsible for the spill shall pay the costs invoiced.
- 15.6 The City may require the person responsible for the spill to prepare and submit a spill contingency plan to the City to indicate how risk of future incidents will be reduced and how future incidents will be addressed.

16. **WASTE SURVEY REPORT**

- 16.1 At the request of the City, an industry and/or an institution shall complete and submit a Waste Survey Report for review by the City. The industry and/or an institution shall return such reports to the City within 30 days of receipt.
- 16.2 Blank Waste Survey Reports are available at the City of Barrie Website (www.barrie.ca).
- 16.3 Where a change occurs in the information required in a Waste Survey Report the owner or operator of the premises shall submit the new information within 30 days of the change. The owner or operator of the premises shall not discharge or deposit or cause or permit the discharge or deposit of wastewater into, or in land drainage works, private branch drains or connections to any sanitary sewer or storm sewer after 30 days after the change occurs unless a new Waste Survey Report has been submitted setting out the change.

17. **PROTECTION FROM DAMAGE TO THE SEWAGE WORKS**

- 17.1 Unless specifically authorized by the City, no person shall enter any sewage works.
- 17.2 No person shall uncover, make any connection with, break, alter, destroy, damage, deface or tamper 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 the purposes of flow measuring, sampling and testing of wastewater, uncontaminated water or stormwater.
- 17.3 Any person discharging wastewater, uncontaminated water, or stormwater to sewage works shall be responsible for ensuring that such discharge conforms at all times with the provisions of this By-law, and shall be liable for any damage or expense arising out of the failure to properly check and control such discharge, including the cost of investigation, repair and replacing any part of any sewage works damaged thereby.

18. **VIOLATION NOTICE**

- 18.1 A Violation Notice may be issued by the Environmental Officer to a person discharging any matter or substance into the sewage works contrary to this By-law and that the Violation Notice will specify the contravention and require the person receiving such notice to comply with all directives stated in this Violation Notice. The person shall also respond to the City in writing no later than the date specified in the Violation Notice for such response and in accordance with this By-law.

18.2 When a Violation Notice is issued by the Environmental Officer, the person to whom the Violation Notice is made shall be deemed to have received the Violation Notice on the date it is posted in a conspicuous place at the subject property or delivered in person or three days after being posted by first class prepaid mail to the address for the person identified on the tax rolls.

18.3 The manner of delivery, set out in Section 18.2, shall be at the discretion of the General Manager.

19. **MONITORING ACCESS POINTS**

19.1 The owner or operator of industry or institutional premises or multi-storey residential buildings with one or more connections to a sewage works shall install and maintain in good repair in each connection a suitable monitoring access point to allow observation, sampling and flow measurement of the wastewater, uncontaminated water or storm water therein, provided that, where installation of a monitoring access point is not possible, an alternative device may be substituted with the prior written approval of the Environmental Officer.

19.2 The monitoring access point or alternative device such as a sampling port shall be located on the property of the owner or operator of the premises, as close to the property line as possible, unless the Environmental Officer has given prior written approval for a different location.

19.3 Each monitoring access point or alternative device installed shall be designed and constructed in accordance with good engineering practice and the requirements of the City, and shall be constructed and maintained by the owner or operator of the premises at his or her expense.

19.4 The owner or operator of an industry or institutional premises or a multi-storey residential building shall at all times ensure that every monitoring access point or alternative device installed as required by this By-law is accessible to the Environmental Officer for the purposes of observing, sampling and obtaining flow measurement of the wastewater, uncontaminated water or storm water therein.

19.5 The following discharger activities require sampling ports when it is not possible to install a monitoring access point: Dental Offices; Veterinarians and businesses using photographic processing units.

20. **DISCONNECTION OF SEWER**

20.1 Where wastewater which is hazardous or creates an immediate danger to any person; endangers or interferes with the operation of the sewage works; or causes or is capable of causing an adverse effect, is discharged to the sewage works, the Environmental Officer may, in addition to any other remedy available, disconnect, plug or seal off the sewer line discharging the unacceptable wastewater into the wastewater collection system or take such other action as necessary to prevent such wastewater from entering the Municipal sewer system.

20.2 The wastewater may be prevented from being discharged into the sanitary sewer until evidence satisfactory to the Environmental Officer has been produced to assure that no further discharge of hazardous wastewater will be made to the sewage works.

20.3 Where the General Manager takes action pursuant to Section 18, the Environmental Officer may by notice in writing advise the owner or occupier of the premises from which the wastewater was being discharged, of the cost of taking such action and the owner or occupier, as the case may be, shall forthwith reimburse the City for all such costs which were incurred.

21. **ACCESS TO INFORMATION**

21.1 All information submitted to and collected by the City that is 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*.

21.2 In event that any person submitting information to the City, as required under this article, where such information is confidential or proprietary or otherwise, may be exempt from disclosure under the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M-56*, the person submitting the information shall so identify the information upon its submission to the City and where such information is confidential or proprietary or otherwise, may be exempt from disclosure.

- 21.3 The Environmental Officer shall have access to information contained in the Certificate of Approval or Environmental Compliance Approval of any wastewater dischargers to the Municipal sewer system.

22. **OFFENCES**

- 22.1 Where an Environmental Officer has reason to believe that a contravention of this By-law has occurred, the Environmental Officer may make an order requiring the person who has contravened the By-law or who has caused or permitted the contravention or the owner or occupier of the land on which contravention of the By-law occurred to do a thing or carry out work to correct the contravention. If an order has been issued and the order has not been complied with, the contravention of the order shall be deemed to be a continuing offence for each day or part of a day that the order is not complied with.
- 22.2 Where in this By-law any person is required to do any matter or thing, in default of it being done by the person so directed or required to do it, the matter of thing may be done by the City, at the cost and expense of the owner of the property, and such costs and expenses may be added to the tax roll for the property, and such costs shall represent a lien against the land.
- 22.3 Every person who contravenes any provision of this By-law is guilty of an offence and liable on conviction to a penalty not exceeding \$5,000, exclusive of costs and the provisions of the Provincial Offences Act, R.S.O 1990, c P.33, as amended, shall apply to said fine.
- 22.4 Every person who contravenes the provisions of any section of this By-law and every Director or Officer of a Corporation, who knowingly concurs in the contravention by the Corporation, is guilty of an offence under the provisions of the Municipal Act, S.O. 2001, c.25, s. 433(1.).
- 22.5 Every person who contravenes the provisions of any section of this By-law and every Director or Officer of a Corporation, who knowingly concurs in the contraventions by the Corporation, is guilty of an offence and liable on conviction to a penalty where the minimum fine shall not exceed \$500 and a maximum fine shall not exceed \$100,000 exclusive of costs under the provisions of the Municipal Act 2001, S. 429 (1) (3) as amended.
- 22.6 For the purpose of continuous offences, every person who contravenes any provision of this By-law and every Director or Officer of a Corporation who knowingly concurs in the contravention of a By-law of the Corporation is guilty of an offence and liable on conviction to a penalty not exceeding \$10,000, exclusive of costs under the provisions of the Municipal Act 2001, S. 429 (1) (3) as amended. Despite Paragraph 1, the total of all daily fines for the offence is not limited to \$100,000.
- 22.7 For the purpose of multiple offences, every person who contravenes any provision of this by-law and every Director or Officer of a Corporation who knowingly concurs in the contravention of a by-law of the Corporation is guilty of an offence and liable on conviction to a penalty not exceeding \$10,000, exclusive of costs under the provisions of the Municipal Act 2001, S. 429 (1) (3) as amended. Despite Paragraph 1, the total of all daily fines for the offence is not limited to \$100,000.
- 22.8 In this By-law, subsequent offence means a conviction for an offence, which occurs after the date of conviction for an earlier offence under this By-law or the City's former *Sewer Use By-law 89-167*.

23. **LIMITATION:**

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

24. **EXCEPTIONS**

This By-law does not apply to the discharge of any matter or sewage, in an emergency, as determined and approved by the Medical Officer of Health in the exercise of their authority under the *Health Protection and Promotion Act, R.S.O. 1990, c.H.7*.

25. **SCHEDULES**

- 25.1 All of the provisions of this By-law shall come into effect on the date that it is passed by Council, with the exception of the new limits in Schedule "A".
- 25.2 Every person shall be required to meet the new limits as set out in Schedule "A" commencing one year after the date that this By-law is passed by Council. Prior to such date the limits in *Sewer Use By-law 89-167* shall continue to apply as if such limits were contained in this By-law.
26. That this By-law shall come into force and effect upon the day of passing thereof.

READ a first and second time this 1st day of October, 2012.

READ a third time and finally passed this 1st day of October, 2012.

THE CORPORATION OF THE CITY OF BARRIE

MAYOR – J.R. LEHMAN

CITY CLERK – DAWN A. MCALPINE

SCHEDULE "A"**RESTRICTED WASTES- SEWER DISCHARGES****Table 1 – LIMITS FOR SANITARY SEWER DISCHARGES**

PARAMETER	MAXIMUM CONCENTRATION LIMIT (mg/L, except as noted)
Temperature	60 Degrees Celsius
pH	Min - Max 6.0 - 9.5
Biochemical Oxygen Demand (BOD)	300
Chemical Oxygen Demand (COD)	600
Total Kjeldahl Nitrogen	100
Suspended Solids (Total)	350
Oil & Grease – Mineral & Synthetic	15
Oil & Grease – Animal and Vegetable	150
Phosphorus (Total)	10
Cyanide	1.2
Chloride	1500
Fluoride	10
Sulphate	1500
Aluminum	50
Antimony	5.0
Arsenic	1.0
Barium	5.0
Benzene	0.01
Bismuth	5.0
Cadmium	0.7
Chromium (Total)	2.0
Cobalt	5.0
Copper	2.0
Dichlorobenzene (1,2-)	0.05
Dichlorobenzene (1,4)	0.08
Ethylbenzene	0.06
Gold	5.0
Hexachlorobenzene	0.0001
Iron	50
Lead (Total)	0.7
Manganese	5.0
Mercury	0.01
Methylene chloride (dichloromethane)	0.09

SCHEDULE "A"**RESTRICTED WASTES- SEWER DISCHARGES CONTINUED****Table 1 – LIMITS FOR SANITARY SEWER DISCHARGES**

PARAMETER	MAXIMUM CONCENTRATION LIMIT (mg/L, except as noted)
Molybdenum	5.0
Nickel	2.0
PAH	0.005
Phenols, Total (or Phenolic compounds)	0.1
Platinum	5.0
Rhodium	5.0
Selenium (Total)	1.0
Silver	0.4
Sulphides	1.0
Tetrachloroethane (1,1,2,2-)	0.06
Tetrachloroethylene	0.06
Toluene	0.02
Trichloroethylene	0.05
Xylenes, Total	0.3
Tin	5.0
Vanadium	5.0
Zinc	2.0

SCHEDULE "A" RESTRICTED WASTES- SEWER DISCHARGES**Table 2 – LIMITS FOR STORM SEWER DISCHARGE**

PARAMETER	MAXIMUM CONCENTRATION LIMIT (mg/L, except as noted)
Temperature	30 Degrees Celsius
pH	Min – Max 6.0-9.5
Total Suspended Solids	15
Biochemical Oxygen Demand (BOD)	15
Chromium	0.08
Zinc	0.04
Lead	0.05
Nickel	0.05
Copper	0.01
Cadmium	0.001

NOTE:

- Refer to Section 4 for parameters not listed in the above table.

SCHEDULE "B" SURCHARGE FORMULA AND CALCULATION

SURCHARGE FORMULA AND CALCULATION

$$C = K_1 Q + Q (K_2 S_1 + K_3 P_1) 10^{-3}$$

C = Cost of Surcharge in Dollars

Q = Quantity of flow in cubic meters (m³) per month

K₁ = Cost of discharge per cubic meter (m³)

K₂ = Cost of treatment allocated to Suspended Solids per kilogram (kg)

K₃ = Cost of treatment allocated to BOD₅ per kilogram (kg)

S = Monthly Suspended Solids in milligrams per litre (mg/L)

P = Monthly BOD in milligrams per litre (mg/L)

10⁻³ = Factor for converting milligrams per litre (mg/L) to kilograms/cubic meter (m³)