

THE CORPORATION OF THE MUNICIPALITY OF BLUEWATER

BY-LAW NUMBER 9-2020

Being a By-law to provide for the regulation of discharge of wastes into the public sewage and storm works in the Municipality of Bluewater

WHEREAS the Council is authorized by section 11 as well as sections 78 to 93 of the Municipal Act, 2001 as amended or replaced, to pass by-laws for services that the municipality considered necessary or desirable for the public which includes public utility services including but not limited to prohibiting, regulating and inspecting the discharge of any gaseous, liquid or solid matter into land drainage works; private branch drains and connections to any sewer, sewer system or sewage works for the carrying away of municipal sewage.

WHEREAS subsection 10 (2) the Municipal Act, 2001, as amended, provides that a municipality may pass by-laws respecting economic, social and environmental well-being of the municipality and respecting the health, safety and well-being of persons;

WHEREAS section 446 of the Municipal Act provides that where a person is required to do a matter or thing, the costs to do the matter or thing is an expense owing to the municipality;

WHEREAS the Council of the Municipality is able to determine the services or things that are necessary or desirable for the public and impose fees and charges for services or activities, costs payable by the municipality and the use of its property pursuant to the aforementioned authorities.

AND WHEREAS pursuant to section 425 of the Municipal Act, a municipality may pass by-laws providing that a person who contravenes a by-law of the municipality passed under that Act is guilty of an offence;

NOW THEREFORE The Council of the Corporation of the Municipality of Bluewater enacts as follows:

PART 1 DEFINITIONS

- 1.1 "Building sewer" means the outlet pipe for a private drainage or plumbing system which conducts effluent to a private drain connection.
- 1.2 "Biochemical Oxygen Demand" or "B.O.D" means the biochemical oxygen demand as determined using Standard Methods, expressed in milligrams per litre.
- 1.3 "Chief Building Official" means the person appointed by Council pursuant to the Building Code Act or any employee of the Municipality who acts at the direct of the Chief Building Official in the enforcement of this by-law.

- 1.4 "Clean out" means a device that has a removable cap and is incorporated into a drain pipe to permit the insertion of steel sewer rod pipe cleaning apparatus.
- 1.5 "Composite sample" means a sample which is composed of a series of grab samples taken at intervals during the sampling period.
- 1.6 "Concentration" means the content of any element or compound relative to the total volume in which it is contained.
- 1.7 "Development" means the construction, erection or planning of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot.
- 1.8 "Manager of Public Works" means the Manager of Public Works for the Municipality of Bluewater, and any employee of the Municipality who acts at the direction of the Manager of Public Works, in the enforcement of this by-law.
- 1.9 "Discharge" includes the acts of failing to prevent escape, emitting, and releasing.
- 1.10 "Dry well" means a system to accommodate the dispersal of storm water into the soil, which has been designed and constructed under the supervision of a professional engineer.
- 1.11 "Duplex dwelling" means the whole of a dwelling other than a converted dwelling that is divided horizontally into two separate dwelling units, each of which has an independent entrance either directly from the outside or through a common vestibule.
- 1.12 "Grab sample" is a portion of the flow being sampled, taken at one particular time and place.
- 1.13 "By-law officer" means a By-law Enforcement Officer, Building Inspector or Chief Building Official as appointed by the Council of the Municipality.
- 1.14 "Municipality" means the Municipality of Bluewater.
- 1.15 "Owner" means the holder(s) of legal title to a property.
- 1.16 "Person" includes an individual, association, partnership, corporation, municipality, provincial or federal agency, or an agent or employee thereof.
- 1.17 "pH" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per litre of solution.
- 1.18 "Phenolic compounds" means any hydroxyl derivative of benzene, or its condensed nuclei.
- 1.19 "Public sewage works" means all sewers, sewage systems, sewage pumping stations, sewage treatment plants and other works for the collection, acceptance, transmission, treatment and disposal of sanitary sewage.
- 1.20 "Public storm works" means all storm sewers, storm water systems, storm water retention systems and other works for the collection, acceptance, transmission, treatment and disposal of

storm water.

- 1.21 “Sanitary private drain connection” (Sanitary PDC) means that portion of the public sewage works which connects a building sewer to a municipal sewer.
- 1.22 “Sanitary sewage” liquid or water borne waste of industrial or commercial origin or of domestic origin including human body waste, toilet or other bathroom waste, shower, tub, culinary, sink and laundry waste, or liquid or water borne waste discharged from a public pool to a drain, or liquid borne matter and such other matter or substances as is specified by regulations made under clause 75 (1)(j) of the *Ontario Water Resources Act* but does not include storm water.
- 1.23 “Sanitary sewer” means that part of the public sewage works for the transmission of liquid-borne wastes.
- 1.24 “Semi-detached dwelling” means one of two dwelling units attached vertically by an above and below grade common wall, each of which has an independent entrance directly from the outside or through a common vestibule.
- 1.25 “Standard methods” means the use of validated test methods and procedures that are based on recognized international, national, or regional standard methods by reputable technical organizations or by equipment manufacturers. The latest edition of test method will be used by the Municipality or by any agent testing on behalf of the Municipality at the time of testing.
- 1.26 “Single-detached dwelling” means a separate dwelling containing one dwelling unit.
- 1.27 “Storm private drain connection” means that portion of the public storm works which connects a building sewer to a storm sewer.
- 1.28 “Storm sewer” means a sewer, open channel, ditch or depression the purpose of which is to carry storm water.
- 1.29 “Storm water” means surface and rain water, melted snow and ice or groundwater which surfaces on the ground or within or beneath a building.
- 1.30 “Storm water retention system” means a system, which has been designated and constructed under the supervision of a professional engineer, to control the rate at which storm water is emptied into the Public Storm works.
- 1.31 “Suspended solids” means undissolved or insoluble total suspended matter which is borne by liquid or contained in waste.
- 1.32 “Wastewater Service” means the acceptance, collection, transmission, storage, treatment and disposal of Wastewater, or any one or more of them, as well as any related services.

PART 2
GENERAL

- 2.1 Administration of By-law
This by-law shall be administered by an Officer, the Chief Building Official and/or the Manager of Public Works.
- 2.2 Decision to be final
All decisions made by the Manager of Public Works and/or Chief Building Official with respect to any requirements set out in this by-law shall be final and binding.
- 2.3 Entry onto private property
For the administration of this by-law, an officer, the Manager of Public Works and/or the Chief Building Official may, upon production of identification, enter onto any land or premises to observe, inspect and to collect any samples as required.
- 2.4 Entry into dwelling
Except under the authority of a search warrant issued under section 158 of the Provincial Offences Act, R.S.O. 1990 c. P. 33 as amended or replaced for the purposes of enforcing this by-law, no person shall enter any place or room actually used as a dwelling without requesting and obtaining the consent of the occupier, first having informed the occupier that the right of entry may be refused and entry made only under the authority of a search warrant.
- 2.5 Required connection to Municipal Sanitary
The owner of a building located on land fronting a sanitary sewer main or on land abutting a street or alley through which access to sanitary sewer main is available and capacity at the Treatment facility is available, shall connect the building to the sanitary sewer system of the Municipality unless permitted otherwise within this by-law
- 2.6 Notification requirements by the Municipality
A Notice shall be sent by registered mail to the owner of each building not connected to the sanitary sewer of the Municipality which is required to be so connected to the owners last known address which notice shall advise the owner that this by-law requires such connection and that if the owner fails to make the connection as required within one year after the sending of the notice, the Municipality has the right to make such connection at the owner's expense and to recover the expenses by action or in like manner as municipal taxes as authorized by the *Municipal Act, 2001*.
- 2.7 Notice shall include
The notice herein provided for shall
- a) Be made by registered mail to the owner's last known address;
 - b) Make reference to this by-law;
 - c) Advise the owner of the date on which the one year period hereinbefore referred to expires;
 - d) Advise the owner that if the owner fails to make the Connection as required, the Municipality has the right to make said connection at the owner's expense and to recover the expense by action or in like manner as municipal taxes.

- 2.8 Exemption from Wastewater Servicing
The owner of a building which is existing as of the date of this by-law, and which building is affected by this by-law may be exempted from the connection requirement providing that the owner of the building pay to the Municipality or authorized agent the flat frontage charge as shown in the Municipality's Water and Wastewater Fees By-law.
- 2.9 Application and connection charges payment prior to installation
- a) The owners or their agent shall apply to the Municipality for service and before the service is installed, shall pay the applicable charges as detailed by the Municipality. Connection charges may also apply to the wastewater service based on the cost of the infrastructure in place and installation agreements.
 - b) Additional costs for road work may apply if the sanitary sewer main or sanitary PDC to be connected is located on the opposite side wastewater of the road. However, there may be development agreements in place that require the Municipality to collect fees associated with sanitary sewer main extensions will be detailed in the agreement for the particular development.
- 2.10 Installation – payment required
The installation of the sanitary sewer service will not be scheduled or commenced in any way until the application and payment have been made.

PART 3 PRIVATE DRAIN CONNECTION

- 3.1 Owner responsibilities
An owner is responsible for the condition and maintenance of each private drain connection up to the sanitary sewer, serving property under their ownership.
- 3.2 Work Completed
All work upon a sanitary Private Drain Connection in a road allowance or registered easement serving a single detached, semi-detached or duplex dwelling shall be done exclusively by the Manager of Public Works at the request and expense of the owner, other than:
- (i) Plunging and rodding,
 - (ii) The installation of new drains not installed in conjunction with main sewer installation; and
 - (iii) Installation of a sanitary Private Drain Connection liner by cured-in-place pipe (CIPP) method.
- 3.3 Plunging or Rodding
No plunging or rodding shall be carried out upon a sanitary PDC except by:
- (i) a qualified drainage contractor, drain layer or plumber;
 - (ii) the owner of a dwelling, or
 - (iii) forces under the direction of the Manager of Public Works.
- 3.4 Connection requirements
No person shall join or permit to be joined a building sewer to a private drain connection:
- (i) Until a Plumbing Permit has been obtained from the Chief Building Official;

- (ii) Until an inspection by Municipal employees has been carried out to confirm all work performed is in conformity to all applicable statues, by-laws and regulations, and;
 - (iii) Until all payments required by this by-law have been paid.
- 3.5 Private drain connections serving dwelling units
- a) All single detached dwellings and semi-detached dwellings served by a sanitary sewer shall have an individual building sewer and Sanitary Private Drain Connection.
 - b) This section does not apply to existing residential dwelling units which share a Sanitary Private Drain Connection.
- 3.6 Prohibition on connection of sump pumps to sanitary Private Drain Connections
Without limitation whatsoever to Part 4 of this By-law, no person shall connect, cause to be connected or permit a connection of a sump pump to a sanitary Private Drain Connection.
- 3.7 Backwater Valve Device
An approved backwater valve device shall be installed in the sanitary sewage discharge plumbing, in advance of the Sanitary Private Drain Connection.
- 3.8 Backwater Valve Device design and installation
Backwater valves shall be of a design and installation as prescribed by the Ontario Building Code Act and its regulations and shall act as an air barrier by extending its assembly, as sealed unit, to the elevation of the floor it's been installed within.
- 3.9 Backwater Valve Device design and installation
Backwater valve prevention devices shall be installed and maintained by the Owner at his/her expense and shall be readily accessible for inspection and maintenance.

PART 4 DISCHARGES INTO PUBLIC SEWAGE WORKS

- 4.1 Discharge – other than in sewer – prohibited
No person shall discharge or permit the discharge of sanitary sewage other than into a sanitary sewer.
- 4.2 Discharge – storm water into sanitary sewer – prohibited
No person shall discharge storm water into a sanitary sewer.
- 4.3 Prohibited discharges – alteration to prevent
No person shall refuse to alter, relay or repair any plumbing or drain system upon their lands to ensure that:
- (i) Storm water from their property is not discharged into a sanitary sewer, and;
 - (ii) Sanitary sewage is not discharged into a storm sewer.
- 4.4 Plumbing system to be sealed
No person shall undertake modifications to a plumbing system which requires a permit for the purpose of preventing the entry of sanitary sewage or storm water from the sewage works into the plumbing system, unless the building sewer serving the plumbing system is sealed against the entry of all foundation drain water.

- 4.5 Sample – composite – grab – single – sufficient
Where a sample is required for the purpose of determining the characteristics or contents of the sanitary sewage to which reference is made in this by-law:
- a) One sample alone is sufficient and, without limiting the generality of the foregoing, the sample may be a grab sample or a composite sample (at the sole discretion of the Manager of Public Works), may contain additives for its preservation and may be collected manually or by using an automatic sampling device;
 - b) Except as otherwise specifically provided in this By-law, all analytical tests, measurements, analyses and examinations of sanitary sewage, uncontaminated water and storm water, shall be carried out in accordance with standard methods;
 - c) For each one of the metals whose concentration is limited under the regulations contained in this By-law, the analysis shall be for the quantity of total metal, which includes all metal both dissolved and particulate.
- 4.6 Temperature – greater than 55 degrees Celsius
No person shall discharge or deposit or cause or permit to be discharged or deposited, into or in sanitary sewers, sanitary sewage which is at a temperature in excess of fifty-five (55) degrees Celsius.
- 4.7 Fat – oil – grease – origin – animal – vegetable
No person shall discharge or deposit or cause or permit to be discharged or deposited, into or in sanitary sewers, sanitary sewage which contains more than 100 milligrams per litre of fat, oil, grease or other matter of animal or vegetable origin.
- 4.8 Oil – grease – origin – non-animal – non-vegetable
No person shall discharge or deposit or cause or permit to be discharged or deposited, into or in sanitary sewers, sanitary sewage which contains more than 15 milligrams per litre of oil, grease, tar, or other matter of other than animal or vegetable.
- 4.9 p.H – range – 6.0 to 9.5
No person shall discharge or deposit or cause or permit to be discharged or deposited, into or in sanitary sewers, sanitary sewage which has a pH lower than 6.0 or greater than 9.5 or which due to its nature or content, becomes less than 6.0 or greater than 9.5 during transmission to a sewage treatment plant.
- 4.10 Matter – harmful – to sewage works
No person shall discharge or deposit or cause or permit to be discharged or deposited, into or in sanitary sewers, sanitary sewage which may be or may become harmful to the public sewage works.
- 4.11 Matter – harmful – to persons
No person shall discharge or deposit or cause or permit to be discharged or deposited, into or in sanitary sewers, sanitary sewage which may be or may become harmful to persons.
- 4.12 B.O.D. – exceeding 300 mg/l
No person shall discharge or deposit or cause or permit to be discharge or deposited, into or

in sanitary sewers, sanitary sewage which has a five-day B.O.D. exceeding 300 milligrams per litre.

4.13 Suspended solids – exceeding 350 mg/l

No person shall discharge or deposit or cause or permit to be discharged or deposited, into or in sanitary sewers, sanitary sewage which contains more than 350 milligrams per litre of suspended solids.

4.14 Concentrations – maximums

No person shall discharge or deposit or cause or permit to be discharged or deposited, into or in sanitary sewers, sanitary sewage which contains a concentration of:

- a) Aluminum, expressed as Al, in excess of 50 milligrams per litre;
- b) Ammonia, expressed as N, in excess of 50 milligrams per litre;
- c) Arsenic, expressed as As, in excess of 1.0 milligram per litre;
- d) Barium, expressed as Ba, in excess of 5 milligrams per litre;
- e) Beryllium, expressed Be, in excess of 5 milligrams per litre;
- f) Cadmium, expressed Cd, in excess of 3 milligrams per litre;
- g) Chloride, expressed Cl, in excess of 1,500 milligrams per litre;
- h) Chromium, expressed as Cr, in excess of 5 milligrams per litre;
- i) Copper, expressed as Cu, in excess of 5 milligrams per litre;
- j) Cyanide, expressed as CN, in excess of 2.0 milligrams per litre;
- k) Fluoride, expressed as F, in excess of 10 milligrams per litre;
- l) Iron, expressed as Fe, in excess of 50 milligrams per litre;
- m) Lead, expressed as Pb, in excess of 5 milligrams per litre;
- n) Manganese, expressed as Mn, in excess of 5 milligrams per litre;
- o) Mercury, expressed as Hg, in excess of 0.1 milligrams per litre;
- p) Molybdenum, expressed as Mo, in excess of 5 milligrams per litre;
- q) Nickel, expressed as Ni, in excess of 5 milligrams per litre;
- r) Phenolic compounds, in excess of 1.0 milligrams per litre;
- s) Phosphorus, expressed as P, in excess of 10 milligrams per litre;

- t) Selenium, expressed as Se, in excess of 5 milligrams per litre;
 - u) Silver, expressed as Ag, in excess of 2 milligrams per litre;
 - v) Sulphates, expressed as SO₄, in excess of 1,500 milligrams per litre;
 - w) Sulphides, expressed as S, in excess of 2 milligrams per litre;
 - x) Tin, expressed as Sn, in excess of 5 milligrams per litre;
 - y) Zinc, expressed as Zn, in excess of 5 milligrams per litre;
 - z) Nonylphenol, in excess of 0.02 milligrams per litre;
 - aa) Nonylphenol Ethoxylate, in excess of 0.2 milligrams per litre.
- 4.15 Waste system – installation – details – required:
 Details of the construction and operation of any system:
- a) Which is used to intercept or control the discharge of sanitary sewage into the public sewage works; or
 - b) Which is used to provide treatment of sanitary sewage, shall be provided to the Manager of Public Works upon installation of the system and at the request of the Manager of Public Works.

PART 5 PROHIBITIONS – DISCHARGES – PUBLIC STORM WORKS

- 5.1 Storm water – discharge – into storm sewer
 Unless permitted to do otherwise under this by-law, no person shall fail to discharge storm water into storm sewer where a storm sewer is available.
- 5.2 Discharge – Waste into storm sewer – prohibited
 No person shall discharge sanitary sewage into a storm sewer.
- 5.3 Prohibited discharges – alteration to prevent
 No person shall refuse to alter, relay or repair any plumbing or drain system upon their lands to ensure that:
- (i) Storm water from their property is not discharged into a sanitary sewer, and:
 - (ii) Sanitary sewage is not discharged into storm sewer.
- 5.4 Sample – composite – grab – single – sufficient
 Where a sample is required for the purpose of determining the characteristics or contents of the storm water to which reference is made in this By-law.
- a) One sample alone is sufficient and, without limiting the generality of the foregoing, the sample may be a grab sample or a composite sample (at the sole discretion of the director), may contain additives for its preservation and may be collected manually or by using an automatic sampling device;

- b) Except as otherwise specifically provided in this By-law, all analytical tests, measurements, analyses and examinations of sanitary sewage, uncontaminated water and storm water, shall be carried out in accordance with standard methods;
 - c) For each one of the metals whose concentration is limited under the regulations contained in this By-law, the analysis shall be for the quantity of total metal, which includes all metal both dissolved and particulate.
- 5.5 Temperature – greater than 55 degrees Celsius
No person shall discharge or deposit or cause or permit to be discharged or deposited, into or in a storm sewer any liquid which is at a temperature in excess of fifty-five (55) degrees Celsius.
- 5.6 Fat – oil – grease – origin - animal – vegetable
No person shall discharge or deposit or cause or permit to be discharged or deposited, into or in a storm sewer, storm water which contains more than 15 milligrams per litre of fat, oil, grease, or other matter of animal or vegetable origin.
- 5.7 Oil – grease – origin – non-animal- non-vegetable
No person shall discharge or deposit or cause or permit to be discharged or deposited, into or in a storm sewer, storm water which contains more than 15 milligrams per litre of fat, oil, grease, or other matter of other than animal or vegetable origin.
- 5.8 pH – range- 6.0 to 9.5
No person shall discharge or deposit or cause or permit to be discharged or deposited, into or in a storm sewer, storm water which has a pH lower than 6.0 or greater than 9.5.
- 5.9 B.O.D. – 5-day count – exceeding 15 mg/l
No person shall discharge or deposit or cause or permit to be discharged or deposited, into or in a storm sewer, storm water which contains matter which raises the 5 day B.O.D. to greater than 15 milligrams per litre.
- 5.10 Suspended solids – concentrations – exceeding 15 mg/l
No person shall discharge or deposit or cause or permit to be discharged or deposited, into or in a storm sewer, storm water which contains suspended solids at a concentration in excess of 15 milligrams per litre.
- 5.11 Concentrations – maximum
No person shall discharge or deposit or cause or permit to be discharged or deposited, into or in a storm sewer, storm water which contains a concentration of:
- a) Aluminum, expressed as Al, in excess of 1.0 milligrams per litre;
 - b) Arsenic, expressed as As, in excess of 0.2 milligrams per litre;
 - c) Barium, expressed as Ba, in excess of 0.1 milligrams per litre;
 - d) Beryllium, expressed as Be, in excess of 1.0 milligrams per litre;

- e) Cadmium, expressed as Cd, in excess of 0.008 milligrams per litre;
- f) Chlorides, expressed as Cl, in excess of 1,500 milligrams per litre;
- g) Chlorine, expressed as Cl₂, in excess of 1.0 milligrams per litre;
- h) Chromium, expressed as Cr, in excess of 0.2 milligrams per litre;
- i) Copper, expressed as Cu, in excess of 0.04 milligrams per litre;
- j) Cyanide, expressed as CN, in excess of 0.1 milligrams per litre;
- k) Fluoride, expressed as F, in excess of 2.0 milligrams per litre;
- l) Iron, expressed as Fe, in excess of 1.0 milligrams per litre;
- m) Lead, expressed as Pb, in excess of 0.12 milligrams per litre;
- n) Manganese, expressed as Mn, in excess of 1.0 milligrams per litre;
- o) Mercury, expressed as Hg, in excess of 0.001 milligrams per litre;
- p) Nickel, expressed as Ni, in excess of 0.08 milligrams per litre;
- q) Phenolic compounds in excess of 0.02 milligrams per litre;
- r) Phosphorus, expressed as P, in excess of 0.4 milligrams per litre;
- s) Selenium, expressed as Se, in excess of 0.2 milligrams per litre;
- t) Silver, expressed as Ag, in excess of 0.12 milligrams per litre;
- u) Sulphates, expressed as SO₄, in excess of 1,500 milligrams per litre;
- v) Tin, expressed as Sn, in excess of 1.0 milligrams per litre;
- w) Zinc, expressed as Zn, in excess of 0.05 milligrams per litre.

PART 6

PROHIBITIONS – DISCHARGES TO PUBLIC SEWAGE WORKS AND PUBLIC STORM WORKS

6.1 Chemicals – pesticides – herbicide – other – prohibited

No person shall discharge or deposit or cause or permit to be discharged or deposited, matter of a kind listed below into a public sewage works or public storm works;

- a) Pesticide;
- b) Herbicide;

- c) Fuel oil;
- d) Gasoline;
- e) Benzene;
- f) Naphtha;
- g) Acetone;
- h) Ammonia;
- i) Carbon disulphide;
- j) Chlorine;
- k) Bromine;
- l) Trichloroethylene or perchloroethylene;
- m) Sulphur dioxide;
- n) Pyridine;
- o) Formaldehyde.

6.2 Toxic corrosive – radioactive – flammable – prohibited

No person shall discharge or deposit or cause or permit to be discharged or deposited, into public sewage works or public storm works, matter which has toxic, corrosive, radioactive, flammable or noxious properties.

6.3 Sulphur – matter causing offensive odour – prohibited

No person shall discharge or deposit or cause or permit to be discharged or deposited, into a public sewage works, matter that may cause an offensive odour to emanate from the public sewage works or public storm works, and without limiting the generality of the foregoing, the discharge of any concentration of hydrogen sulphide, carbon disulphide, reduced sulphur compounds, amines or ammonia.

6.4 Solids – larger than 6.7 square mm – prohibited

No person shall discharge or deposit or cause or permit to be discharged or deposited, into a public sewage works or public storm works, containing any matter which will not pass through a screen having openings not larger than 6.7 square millimeters.

6.5 Coloured matter – concentration – dilution factor

No person shall discharge or deposit or cause or permit to be discharged or deposited, into a public sewage works or public storm works, containing coloured mater.

6.6 Storm water – meeting requirements – discharged

Sanitary sewage which meets the requirements of this by-law concerning storm water may be deemed by the Manager of Public Works to be storm water and shall be discharged into a storm sewer.

PART 7 FOOD WASTE GRINDERS

- 7.1 Food Waste Grinder Installation or Replacement – Prohibition
No person shall install or replace any food waste grinding device at a property from which the effluent could discharge into a sewage works, unless the food waste grinding device was installed or replaced before this By-law came into effect.
- 7.2 Food Waste Grinder Operation – Prohibition
No person shall operate or otherwise use a food waste grinder from which the effluent could discharge into a sewage works, except where the food waste grinder was in place prior to date this By-law came into effect.

PART 8 COMMERCIAL INSTITUTIONS AND INDUSTRIAL PREMISES

- 8.1 Grease – sand – dirt- interceptors – screening devices
The Manager of Public Works may require the owner or occupant of commercial, institutional or industrial premises with one or more connections to the public sewage works to install and maintain in good repair in each connection a suitable device to prevent the entry of grease, oil, sand and dirt into the public sewage.
- 8.2 Screening device – installed – maintained – as required
No person shall fail to install or maintain a suitable device to prevent the entry of grease, oil, sand and dirt into the public sewage upon being required to do so by the Manager of Public Works.
- 8.3 Manhole – alternative – installed – maintained
The Manager may require the owner or occupant of commercial, institutional or industrial premises with one or more connections to the public sewage works to install and maintain in good repair in each connection a suitable manhole having a diameter of not less than 1.2 metre to allow observation, sampling and measurement of the flow therein, provided that where installation of a manhole is not possible, an alternative device or facility may be substituted with the approval of the Manager of Public Works.
- 8.4 Manhole – other – design – construction – maintenance
Every manhole, device or facility installed as required by this By-law shall be designed and constructed in accordance with good engineering practice to the satisfaction of the Manager of Public Works and shall be constructed and maintained on the land of the owner or occupant of the premises, at the owner's or occupant's expense.
- 8.5 Manhole – failure to install – maintain – prohibited
No person shall fail to install or maintain in good repair a manhole, device or facility that meets the standards of this By-law upon being required to do so by the Manager.

- 8.6 Manhole – accessible – at all times
No person required to install a manhole, device or facility shall fail to ensure such manhole, device or facility is accessible at all time for the purposes of observing, sampling and measuring the flow of sewage therein.
- 8.7 Monitoring devices – reports – required – by the Manager of Public Works
The owner or occupant of commercial, institutional or industrial premises shall, at the discretion of the Manager of Public Works, install devices to monitor discharges to the satisfaction of the Manager of Public Works, and if required to do such installation, shall submit regular reports regarding such discharges to the Manager of Public Works.
- 8.8 Monitoring devices – reports – failure to provide
No person shall fail to install a device to monitor discharges or fail to submit regular reports regarding such discharges when required to do so by the Manager of Public Works.
- 8.9 Default of duty – expense – recovery – by Municipality
Where the owner or occupant of commercial institutional or industrial premises does not install or maintain each manhole device or facility required under this by-law, such installation or maintenance may be done at the direction of the Manager of Public Works at the expense of the owner or occupant. The cost of installation or maintenance undertaken by the Municipality as described in this by-law shall be due and payable in advance of the commencement of the work as a fee or charge under Part XII of the *Municipal Act, 2001*, as amended. At the property owner's option, the fee may be added to the property owner's tax roll with the addition of an appropriate financing charge as determined by the Treasurer, under the authority of the *Municipal Act, 2001*, as amended.

PART 9

CONSTRUCTION – CONTROL OR WATER FROM DEWATERING OPERATIONS

- 9.1 Dewatering of Construction Sites
All construction sites within the Municipality must comply with the Construction Specifications for Control of Water from Dewatering Operations, OPSS 518 November 2011 as amended or replaced.

PART 10

PRIVATE SWIMMING POOL WATER

- 10.1 Private Swimming Pool Water Discharges – Prohibition
No person shall discharge or permit the discharge of sanitary sewage from private residential swimming pool
- a) Into a Municipal sanitary sewer system, unless authorized by the Manager of Public Works;
 - b) In a manner that may cause or causes the sanitary sewage to flow onto an adjoining property; or
 - c) Over a valley, ravine wall or slope in a manner that may cause or causes the erosion or

instability of the valley or ravine wall or slope.

Unless otherwise prohibited, including by section 6.11 (f) of this By-law, a person is permitted to discharge sanitary sewage from a private swimming pool either;

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

10.2 Storm water Discharges

Storm water resting on a tarp which covers a swimming pool or hot tub may be discharged to a storm sewer, subject to Part 6 of this By-law;

Storm water shall not be discharged to or near a ravine slope or valley in a manner that may cause or causes the erosion or instability of the ravine wall or slope or causes injury, damage or destruction of property, trees or vegetation.

PART 11 DEVELOPMENT REQUIREMENTS

11.1 Undertaking development

Every person shall provide for the discharge of storm water into a storm sewer for all development other than single detached, semi-detached or duplex dwelling units.

11.2 Alternative methods of storm water management

Where in the opinion of the Manager of Public Works:

- a) No storm sewer is accessible, or
- b) No accessible storm sewer has the capacity to accept additional flow,

The person undertaking development shall provide a dry well or storm water retention system which is certified by a professional engineer to the satisfaction of the Manager of Public Works.

11.3 Alternative methods of storm water management

Where in the opinion of the Manager of Public Works:

- (i) No storm sewer is accessible, or
- (ii) No accessible storm sewer has the capacity to accept additional flow,

The person undertaking development shall provide a dry well or storm water retention system which is certified by a professional engineer to the satisfaction of the Manager of Public Works.

11.4 Development requiring site plan approval

For all new Site Plan approvals:

- (i) Existing connections of foundations drains shall be removed from the sanitary sewers; and
- (ii) No new connections of foundation drains shall be allowed to the sanitary sewer.

11.5 Gravity connections

No gravity connections of foundation drains will be allowed to the storm sewer.

11.6 New plans of subdivision

No person shall create a lot that does not have a storm sewer adjacent to it and, in subdivisions where the subdivision agreement has been approved by Council, no person shall create a lot that does not have a storm private drain connection, except where a geotechnical engineer certifies that foundation drains are not required.

11.7 Discharge of foundation drain flows

Every person shall discharge all foundation drain flows from a lot in accordance with the regulations of this By-law.

11.8 Requirements for foundation drain flows

The foundation drain flows from a lot shall be discharged in the following manner:

- (i) Via a sump pump to the ground surface within private property, provided that the discharge to the ground surface does not create any adverse effect upon municipal sidewalks and roads or upon adjacent properties; or any adverse effect upon municipal sidewalks and roads or upon adjacent properties; or
- (ii) Via a sump pump to a storm sewer; or
- (iii) Via a sump pump to a dry well system, provided that appropriate soil and ground water testing is completed to establish the suitability of using a dry well system, and that the dry well system is designed to accommodate typical flows.

11.9 Regulations when sump pumps are discharged to ground surface

For all new subdivisions where the subdivision agreement is approved by Council after January 1, 2020, no sump pump shall be permitted to discharge to ground and in all other cases, where the developer elects utilize a sump pump discharge foundation drain flows to the ground surface, the following regulations shall apply:

- (i) If a problem related to a lot, caused by the discharge of the sump pump to the ground surface occurs prior to the Municipality's assumption of the street fronting that lot, the developer will be required to redirect the sump pump discharge to the storm sewer via a storm private drain connection at no cost to the Municipality.
- (ii) Prior to the assumption of a street by the Municipality, the developer will be required to engage a geotechnical engineer to certify that the soil and ground water conditions on any vacant lot or lots are such that a direct connection to a storm sewer will not be required. If such certification cannot be provided, the developer shall be required to install a storm private drain connection to serve each affected lot, at no cost to the Municipality;
- (iii) Prior to the assumption of a street by the Municipality, should the discharge of a sump pump on any lot adjacent to a vacant lot be required, because of unsuitable or unfavourable soil and ground water conditions, to be connected directly to the storm sewer, the developer shall install storm private drain connections to all vacant lots as directed by the Manager, at no cost to the Municipality.

11.10 Roof water downspouts

No person shall direct or connect a roof water downspout to the storm private drain connection.

- 11.11 Roof water downspouts – no discharge to side yard – damage adjoining property
No person shall direct a roof water downspout toward a side yard in such a manner so as to cause damage or any other adverse effect to adjoining property.
- 11.12 Roof water downspouts – no connection to foundation drains
No person shall connect a roof water downspout to the foundation drains.
- 11.13 Roof water downspouts – discharge distance from exterior walls
Every person shall extend all roof water downspout so that the water flow exits the downspout a minimum distant of 0.5 metres from the exterior walls of a building.
- 11.14 Lot grading security
Except for single and semi-detached dwellings in an unassumed subdivision, security shall be provided prior to the issuance of a building permit in the amount provided in the current fee by-law to ensure that the lot grading and sump pump discharges are carried out in accordance with the certified lot grading plans; and the security may be released within one year after receipt of the final lot grading certificate, provided there is no adverse impact on the Municipal road allowance, as determined to the satisfaction of the Manager of Public Works.
- 11.15 Roof over walkouts
No person shall connect a floor drain from a below grade walkout to a sanitary system unless there is a roof covering the entire area of the walkout.
- 11.16 Storm private drain connections
For every residential lot, or infill development which comes forward where a storm sewer exists or where in the opinion of the Manager of Public Works it can be extended, every person shall provide a storm private drain connection to serve the lot, and sump pump discharges from the lot shall be connected to the storm building sewer, which shall be connected to the storm private drain connection, except as approved otherwise by the Manager of Public Works.

PART 12 DEMOLITION

- 12.1 Building sewer to be sealed
Upon demolition of a building, no person shall permit a building sewer to remain connected by a sanitary private drain connection to a sanitary sewer unless the building sewer is completely sealed from the entry of storm water.
- 12.2 Private drain connection to be sealed
No person shall demolish any building until each sanitary and storm private drain connection serving the property has been completely sealed at the property line from the entry of storm water.

PART 13 SERVICES PROVIDED

- 13.1 Payment due upon completion of work

The cost of installation, replacement or repair undertaken by the Municipality as described in this by-law shall be due and payable in advance of the commencement of the work as a fee or charge under Part XII of the *Municipal Act, 2001*, as amended.

At property owner's option the fee may be added to the property owner's tax roll with the addition of an appropriate financing charge as determined by the Treasurer, under the authority of section 398(2) of the *Municipal Act, 2001*, as amended.

13.2 Separation of mutual storm or sanitary private drain

Where a mutual sanitary or storm private drain connection serves two facilities where at least one facility is a single detached, semi-detached or duplex dwelling and separation of the mutual private drain is desired, the works shall be completed by the Municipality at the owner's cost for single detached, semi-detached or duplex dwellings for each new service installed.

13.3 Work undertaken by Municipality limited

a) The Manager of Public Works shall not undertake:

- (i) The repair or replacement of a private drain connection serving a property that is not single detached, semi-detached or duplex dwelling; or
- (ii) The installation of new private drain connection for any property.

The responsibility and costs for such works in this subsection shall be borne by the property owner.

c) Notwithstanding section 8.3 (a) the Manager of Public Works may undertake the following for any property, for an applicable fee:

- (i) The installation of a new private drain connection, or the repair or replacement of a private drain connection, where the work is done in conjunction with the Municipal main sewer construction project or applicable Municipal construction project under authority of the *Municipal Act, 2001*, as amended.

PART 14 ENFORCEMENT

14.1 Fine – for contravention

Any person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act and as set out in Schedule "A" Set Fine Schedule.

14.2 Fine – for contravention

Any person other than a corporation who contravenes any section of this By-law is guilty of an offence and upon conviction is liable for a fine of not more than \$10,000.00 for a first offence and not more than \$25,000.00 for any subsequent offence under this By-law.

14.3 Fine – for contravention – corporation

Notwithstanding any other provision of this By-law, a corporation who contravenes a section of this By-law is guilty of an offence and upon conviction is liable for a fine of not more than \$50,000.00 for a first offence and not more than \$100,000.00 for any subsequent offences.

14.4 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.

14.5 Disconnection – charges

Where in the opinion of the Manager of Public Works a person is contravening the provisions of this By-law, the Manager of Public Works may, upon written notice to the person of the sanitary sewer connection from which the discharge is occurring, order the sewer connection to any sewage works carrying the prohibited discharge to be stopped up or disconnected. No sewer connection so disconnected shall be reconnected until such time as measures are undertaken satisfactory to the Manager of Public Works to eliminate the prohibited discharge. All expenses incurred by the Municipality for these actions shall be reimbursed to the Municipality by the discharger at the time of re-connection or unstopping of the sewer connection(s).

14.6 Damage – Cost of Repair

Where in the opinion of the Manager of Public Works a person is contravening the provisions of this By-law and has damaged municipal property, the Manager of Public Works may, upon written notice to the person causing the damage, order the damage to be repaired to the municipality's satisfaction. All expenses incurred by the Municipality for these actions shall be reimbursed to the Municipality by the person causing the damage to the municipal property. For greater certainty, the costs of the municipality for these action forms an obligation debt to the municipality pursuant to section 446 of the Municipality Act, 2001 and the municipality may enforce the debt under any power available to it including but not limited to adding the debt to the tax roll in a like manner to taxes.

PART 15
ENACTMENT

NOW THEREFORE the Council of the Corporation of the Municipality of Bluewater enacts as follows:


1. This By-law comes into full force and effect on the day of its passing;

Read a first and second time this 6th day of January, 2020.

Read a third time and finally passed this 6th day of January, 2020.



Paul Klopp, Mayor



Chandra Alexander, Clerk

THE CORPORATION OF THE MUNICIPALITY OF BLUEWATER

SCHEDULE 'A' TO BY-LAW NUMBER 9-2020: Discharge of Waste By-law

Part I - Provincial Offences Act
Set Fine Schedule

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Set Fine
1	Connected a sump pump to a sanitary PDC	Section 3.6	\$500.00
2	Permit a connection of sump pump to a sanitary PDC	Section 3.6	\$500.00
3	Discharge sanitary sewage other than into a sanitary sewer	Section 4.1	\$500.00
4	Discharge storm water into a sanitary sewer	Section 4.2	\$500.00
5	Discharge or deposit sanitary sewage in excess of fifty-five degrees Celsius	Section 4.6	\$500.00
6	Discharge or deposit oil, grease, tar or other matter into sanitary sewer	Section 4.8	\$500.00
7	Discharge matter which may be or may become harmful sewage works	Section 4.10	\$500.00
8	Discharge material with high BOD	Section 4.12	\$500.00
9	Discharge material with high suspended solids	Section 4.13	\$500.00
10	Discharge sanitary sewage with contaminant	Section 4.14	\$500.00
11	Fail to discharge storm water into a storm sewer	Section 5.1	\$500.00
12	Discharge sanitary sewage into a storm sewer	Section 5.2	\$500.00

13	Discharge liquid with temperature in excess of fifty-five degrees Celsius into storm sewer	Section 5.5	\$500.00
14	Discharge matter of animal or vegetable origin into storm sewer	Section 5.6	\$500.00
15	Discharge matter of non-animal or non-vegetable origin into storm sewer	Section 5.7	\$500.00
16	Discharge matter with unacceptable pH into storm sewer	Section 5.8	\$500.00
17	Discharge material with high BOD into storm sewer	Section 5.9	\$500.00
18	Discharge material with high suspended solids into storm sewer	Section 5.10	\$500.00
19	Discharge storm water with contaminant	Section 5.11	\$500.00
20	Discharge prohibited substance	Section 6.1	\$500.00
21	Discharge prohibited substance	Section 6.2	\$500.00
22	Discharge matter that may cause an offensive odour	Section 6.3	\$500.00
23	Discharge prohibited solids	Section 6.4	\$500.00
24	Discharge matter containing colour into public sewage or storm works	Section 6.5	\$500.00
25	Install or replace food waste grinding device	Section 7.1	\$500.00
26	Install or replace any food waste grinding device	Section 7.2	\$500.00
27	Fail to install or maintain screening device	Section 8.2	\$500.00
28	Fail to install or maintain manhole	Section 8.5	\$500.00

29	Discharge swimming pool water contrary to By-law	Section 10.1	\$500.00
30	Connect roof water downspout to storm PDC	Section 11.10	\$500.00
31	Allow water from downspout to damage adjoining property	Section 11.11	\$500.00