

THE CORPORATION OF THE TOWNSHIP OF MALAHIDE

BY-LAW NO. 13-49

Being a By-law to regulate the control of discharges to the Springfield Sewage Works.

Sewer Use By-law

Part 1	Short Title
Part 2	Definitions
Part 3	Application
Part 4	Sanitary Sewer Requirements
Part 5	Prohibition of Dilution
Part 6	Food Related Grease Interceptors
Part 7	Vehicle and Equipment Service Oil and Grease Interceptors
Part 8	Water Originating from a Source Other Than A Private Well Supply
Part 9	Spills
Part 10	Separate Businesses with Single Service
Part 11	Manholes
Part 12	Authority of Designated Sewer Officer to Investigate
Part 13	Disconnection from Sewer
Part 14	Sanitary Sewer Connections
Part 15	Offences
Part 16	Provision of Notice
Part 17	Access to Information
Part 18	Severability
Part 19	Interpretation
Part 20	Repeal of By-law
Part 21	Enactment
Part 22	Schedule "A"
Part 23	Schedule "B"
Part 24	Schedule "C"

Introduction

This By-law shall apply to all sewers, including sanitary, sewage works, and any connections thereto which enter into such sewers or sewage works, which are publicly or privately owned or operated and are located within the Village of Springfield.

This By-law does not apply to the discharge of any matter or sewage in an emergency, as determined by 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.17, as amended.

This By-law outlines controls for discharges into the Springfield Sewage Works.

The objectives of this By-law include:

- (a) Protecting the Springfield Sewage Works from damage or obstruction;
- (b) Protecting the residents of the Township who live in the Village of Springfield, Municipal Staff, and property from potential hazardous conditions;
- (c) Assisting optimum wastewater system efficiency by preventing potential contaminants from entering the sewage works;
- (d) Increasing the efficiency by preventing unnecessary groundwater from entering into the sewage works;
- (e) Protecting the environment and any downstream infrastructure including the Ontario Police College (OPC) pumping facility and the Aylmer Lagoons; and
- (f) Assisting The Corporation of the Township of Malahide in maintaining regulatory compliance as established by the Province.

THE CORPORATION OF THE TOWNSHIP OF MALAHIDE

BY-LAW NO. 13-49

Being a By-law to regulate the control of discharges to the Springfield Sewage Works.

WHEREAS Section 11 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, (the "Act ") provides that a municipality may enact by-laws in respect of public utilities, including the collection of sanitary sewage;

AND WHEREAS the Council of The Corporation of the Township of Malahide deems it desirable to enact a by-law to control discharges into the Springfield Sewage Works;

AND WHEREAS Sections 78 to 93 of the Act provide further authority for the Township of Malahide in respect of public utilities, including the collection of sanitary sewage;

NOW THEREFORE the Council of The Corporation of the Township of Malahide **HEREBY ENACTS AS FOLLOWS:**

Part 1: Short Title

This By-law may be referred to as the "Sewer Use By-law".

Part 2: Definitions

In this By-law:

"**BIOMEDICAL WASTE**" means biomedical waste as defined in the Ontario Ministry of the Environment Guideline C-4 entitled "The Management of Biomedical Waste in Ontario", dated November 2009, as amended from time to time;

"**BIOCHEMICAL OXYGEN DEMAND (BOD)**" means the five (5) day BOD which is the determination of the molecular oxygen utilized during a five (5) day incubation period for the biochemical degradation of organic material (carbonaceous demand), and the oxygen used to oxidize inorganic material such as sulphides and ferrous iron, and the amount of oxygen used to oxidize reduced forms of nitrogen (nitrogenous demand);

"**BIOSOLIDS**" means the product of stabilized organic solid material recovered from the wastewater treatment process;

“CHIEF ADMINISTRATIVE OFFICER” means the person designated by the Council of The Corporation of the Township of Malahide as its Chief Administrative Officer or his or her designate;

“CLEAR- WATER WASTE” includes non-contact cooling water and other water that has not come into contact with wastewater contaminant sources;

“COMBUSTIBLE LIQUID” means a liquid that has a flash point not less than 37.8 degrees Celsius and not greater than 93.3 degrees Celsius;

“CONSUMER” means any person or persons, Township or any other Municipal Corporation, the Government of Ontario, or the Government of Canada whose property is connected to the Springfield Sewer Works or any lessee or occupant of such property or any person who directly or indirectly discharges or deposits, or causes or permits the discharge or deposit of wastewater into the Sewage Works;

“CONNECTION” or **“DRAIN”** means that part or those parts of any pipe or system of pipes leading directly or indirectly to a Sewage Works;

“CONTRACTOR” means an individual or person qualified to install or repair a service to the specification of this By-law who has been approved by a Designated Sewer Officer;

“COUNCIL” means the Council of the Township or its designate;

“DESIGNATED SEWER OFFICER” means the person appointed by the Council, and their successors, or their duly authorized designate who administers this By-law and carries out the duties and responsibilities described herein;

“DOMESTIC WASTEWATER” means waste produced on and released from a residential, commercial, or institutional premise as a result of normal human living processes and includes sanitary waste and wastewater from showers and restroom washbasins;

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

“HAULED WASTEWATER” means waste removed from a wastewater system, including a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet, or a wastewater holding tank but does not include sludge removed from wastewater treatment plants;

“HAZARDOUS SUBSTANCE” means:

- i. Any substance or mixture of substances, other than a pesticide, that exhibits characteristics of flammability, corrosivity, reactivity or toxicity; and
- ii. Any substance that is designated as hazardous within the *Environmental Protection Act, R.S.O. 1990, c. E.19*, as amended and includes hazardous industrial waste and hazardous waste chemical within the meaning of Ontario Regulation 347, as amended;

“HAZARDOUS WASTE” means any Hazardous Substance disposed of as waste;

“IGNITABLE WASTE” means a substance that:

- i. Is a liquid, other than an aqueous solution containing less than 24 percent alcohol by volume and has a flash point less than 93 degrees Celsius, as determined by the Tag Closed Cup Tester (ASTM D-56-97a), the Setaflash Closed Cup Tester (ASTM D-3828-97 or ASTM D-3278-96e1), the Pensky-Martens Closed Cup Tester (ASTM D-93-97), or as determined by an equivalent test method;
- ii. Is a solid and is capable, under standard temperature and pressure, of causing fire through friction, absorption of moisture or spontaneous chemical changes and, when ignited, burns so vigorously and persistently that it creates a danger;
- iii. Is an ignitable compressed gas as defined in the regulations made under the Transportation of Dangerous Goods Act, 1992, S.C. 1992, c.34 , as amended or any successor legislation thereto (“TDGA”); or
- iv. Is an oxidizing substance as defined in the regulations under the TDGA;

“MUNICIPAL SEWER CONNECTION” means that part of any Drain leading directly or indirectly from a Private Sewer Connection and connected to the Springfield Sewage Works and located within the limits of the public road allowance, or other public lands or public land interests held for sewage purposes;

“NON-DOMESTIC WASTEWATER” means all wastewater except Domestic Wastewater, Storm Water, Uncontaminated Water, and Septic Tank Waste;

“PATHOLOGICAL WASTE” means a material which is a pathological waste within the meaning of Ontario Regulation 347, as amended made under the *Environmental Protection Act, R.S.O. 1990, c. E.19* (EPA) or any material which may be designated in writing by the Chief Medical Officer of Health;

“PCB” means any monochlorinated or polychlorinated biphenyl or any mixture of them or mixture that contains one or more of them; a PCB waste within the meaning of Ontario Regulation 352, as amended, made under the *Environmental Protection Act, R.S.O. 1990, c. E.19*.

“PESTICIDE” or **“Pesticides”** means a pesticide regulated under the *Pesticides Act, R.S.O. 1990, c. P.11*, as amended or any successor legislation thereto;

“POLLUTION PREVENTION” means the use of processes, practices, materials, products, substances or energy that avoid or minimize the creation of pollutants and wastes;

“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 Municipal Sewer Connection ;

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

“REACTIVE WASTE” means a substance that,

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

“RESTRICTED WASTE” means restricted waste as defined in Schedule “B” to this By-law;

“SANITARY SEWER” means a sewer for the collection and transmission of domestic or industrial wastewater or any combination thereof;

“SEPTIC TANK WASTE” means any waste extracted from a cesspool, septic tank, sewage holding tank, seepage pit, interceptor, or other containment for human excretion and wastes;

“SEWAGE” means any liquid waste containing animal, vegetable, chemical or mineral matter in solution or suspension, but does not include Stormwater or uncontaminated water;

“SEWAGE WORKS” means any works for the collection, transmission, treatment, and disposal of wastewater, storm water, or uncontaminated water, including a combined sewer, sanitary sewer, storm sewer, municipal or private sewer connection to any sanitary sewer or combined sewer, or any part of such works, but does not include plumbing or other works to which the applicable *Building Code* applies.

“**SPILL**” means a direct or indirect discharge or deposit to the Sewage Works or the natural environment which is abnormal in quantity or quality in light of all the circumstances of the discharge;

“**SPRINGFIELD SEWER WORKS**” means the Sewage Works located within the Village of Springfield and also includes all Sewage Works located outside of the Village of Springfield connected or otherwise related to the Sewage Works located within the Village of Springfield.

“**STORM WATER**” means surface and rain water, other natural precipitation, melted snow and ice, drainage including swimming pool drain water, uncontaminated water, and groundwater.

“**TOWNSHIP**” means the Corporation of the Township of Malahide, including its successors and assigns or the geographic area as the context requires;

“**TOXIC SUBSTANCE**” means any material defined or described as toxic under the *Canadian Environmental Protection Act 1999*, S.C. 1999, c.33, as amended, and within the *Environmental Protection Act*, R.S.O. 1990, c. E.19, as amended and any regulations made thereunder;

“**VILLAGE OF SPRINGFIELD**” means the geographic area as shown on the drawing attached hereto as Schedule “C”;

“**WASTE RADIOACTIVE PRESCRIBED SUBSTANCES**” means uranium, thorium, plutonium, neptunium, deuterium, their respective derivatives and compounds and such other substances as the Atomic Energy Control Board may designate as being capable of releasing atomic energy or as being requisite for the production, use, or application of atomic energy;

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

“**WASTEWATER TREATMENT FACILITY**” means any structure or thing used for the physical, chemical, biological, or radiological treatment of wastewater, and includes sludge treatment and wastewater sludge storage and disposal facilities.

Part 3: Application

- (1) This By-law shall apply to all sewers, including combined, sanitary and storm sewers, Sewage Works, and any connections thereto which enter into such sewers or Sewage Works, which are publicly or privately owned or operated and are located within the boundaries of the Village of Springfield.
- (2) This By-law does not apply to the discharge of any matter or sewage in an emergency, as determined by 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.17, as amended.

- (3) In the event of any conflict or inconsistency between a provision in this By-law and a provision in any other Township by-law this By-law shall prevail.

Part 4: Sanitary Sewer Requirements

- (1) No person shall directly or indirectly discharge or deposit, or cause or permit the discharge or deposit of Wastewater, Sewage or matter of any type into the Sewage Works, except:
- (a) Domestic Wastewater.
- (2) No person shall release, cause or permit the release of, any Prohibited Waste listed in Schedule "A" of this By-law into the Sewage Works.
- (3) No person shall release, cause or permit the release of, any Restricted Waste which exceeds the respective concentrations listed in Schedule "B" of this By-law into the Sewage Works.
- (4) No person shall uncover, make any connections with or opening into, use, alter or disturb or cause or permit the uncovering, making connections, opening into, using, altering, disturbing of any Sanitary Sewer or appurtenance thereof, without first obtaining permission from the Township as set out in Part 13 of this By-law.
- (5) No person shall break, damage, destroy, deface or tamper or cause or permit the breaking, damaging, destroying, defacing or tampering of any Sanitary Sewer or appurtenance thereof.
- (6) No person shall disconnect, except for the purpose of repair, any Sanitary Sewer without first obtaining permission, in writing, from the Township.
- (7) The Township may issue upon written request, a temporary waste discharge permit to allow for the temporary discharge of non-domestic wastewater into the Sewage Works upon such terms and conditions as Council considers appropriate. Council may request any additional information by the applicant as deemed necessary. The Township reserves the right at its own discretion to approve or deny the application for a temporary discharge permit.
- (8) Any person discharging matter, Sewage, Wastewater, uncontaminated water or stormwater to the Springfield Sewage Works shall be responsible for ensuring that such matter, Sewage, Wastewater, uncontaminated water or stormwater conforms at all times to the provisions of this by-law and shall be liable for any damage or expense arising out of any failure to properly check and control such discharge, including the cost of investigation, repairing, cleaning or replacing any part of any Sewage Works damaged thereby.

Part 5: Prohibitions of Dilution

- (1) No person shall discharge or deposit directly or indirectly, or cause or permit the discharge or deposit of Sewage or Wastewater into the Sewage Works where water or any other matter has been added to the discharge for the purpose of dilution to achieve compliance with this By-law.

Part 6: Food Related Grease Interceptors

- (1) Every owner or operator of any premises in which there is industrial, commercial or institutional food preparation, including any restaurant or other industrial, commercial, or institutional premises where food is cooked, processed, or prepared, for which the premises is connected directly or indirectly to a Sanitary Sewer, shall take all necessary measures to ensure that oil and grease are prevented from entering into the sewage works in excess of the provisions of this By-law. Grease interceptors shall not discharge to storm sewers.
- (2) The owner or operator of the premises as set out in this Subsection shall 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. The oil and grease interceptors shall be installed in compliance with the most current requirements of the *Ontario Building Code*. The installation of the oil and grease interceptor shall meet the requirements of the Canadian Standards Association national standard CAN/CSA B-481.2, as amended.
- (3) All oil and grease interceptors shall be maintained by the owner at the owner's expense in accordance with the manufacturer's recommendations and in continuously efficient operation at all times. The testing, maintenance, and performance of the interceptor shall meet the requirements of CAN/CSA B-481. The minimum maintenance requirements shall include the traps being cleaned before the thickness of the organic material and solids residuals is greater than twenty-five percent of the available volume and the frequency of cleaning being not be less than once in every four weeks. Maintenance requirements shall be posted in the workplace in close proximity to the grease interceptor.
- (4) A maintenance schedule and record of maintenance for the preceding eighteen (18) month period shall be available to the Designated Sewer Officer upon request for each interceptor installed. The Designated Sewer Officer shall have the right to enter upon the premises at any time to inspect its operation and maintenance.
- (5) The owner or operator of the premises as set out in this Part shall, for two years, keep the document of proof for interceptor clean-out and oil and grease disposal.
- (6) Emulsifiers shall not be discharged to the sewer system into interceptors. No person shall use any matter including but not limited to enzymes, bacteria, solvents, hot water, or other agents to facilitate the passage of oil and grease through a grease interceptor.

- (7) In the case of failure to adequately maintain the grease interceptor to the satisfaction of the Designated Sewer Officer, the Designated Sewer Officer may require an alarmed monitoring device to be installed, at the expense of the owner, in accordance with specifications of CAN/CSA B-481.

Part 7: Vehicle and Equipment Service Oil and Grease Interceptors

- (1) Every owner or operator of a vehicle or equipment service station, repair shop, or garage, or of an industrial, commercial, or institutional premises, or any other premises in or at which vehicles or equipment are repaired, lubricated, serviced, washed or maintained and where the sanitary discharge is directly or indirectly connected to a sewer, shall prevent oil and grease from entering the Sewage Works except as specifically permitted in this By-law and shall install an oil and grease interceptor designed to prevent motor oil and lubricating grease from passing into the Sewage Works in excess of the limits in this By-law.
- (2) The owner or operator of the premises as set out in this Part shall install, operate, and properly maintain an oil and grease interceptor on all fixtures and in any piping system that connects directly or indirectly to the Sewage Works. The oil and grease interceptors shall be installed in compliance with the most current requirements of the *Ontario Building Code* and be maintained as recommended by the Canadian Petroleum Products Institute (CPPI).
- (3) All oil and grease interceptors and separators shall be maintained by the owner at the owner's expense in good working order and in accordance with the manufacturer's recommendations and in continuously efficient operation at all times. All oil and grease interceptors and separators shall also be inspected regularly by the designated Sewer Officer or his designate 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 permitted level.
- (4) A maintenance schedule and record of maintenance shall be submitted to the Designated Sewer Officer annually for each oil and grease interceptor installed.
- (5) The owner or operator of the premises as set out in this Part shall, for two years, keep the document of proof for interceptor clean-out and oil and grease disposal.
- (6) Emulsifiers shall not be discharged to the sewer system into interceptors. No person shall use any matter including but not limited to enzymes, bacteria, solvents, hot water, or other agents to facilitate the passage of oil and grease through an oil and grease interceptor.
- (7) In the case of failure to adequately maintain the oil and grease interceptor to the satisfaction of the Designated Sewer Officer, the Designated Sewer Officer may require an alarmed monitoring device to be installed at the expense of the owner.

**Part 8: Water Originating from a Source
Other Than Township's Water Supply or Private Well Supply**

- (1) No person shall discharge or deposit directly or indirectly, or cause or permit the discharge or deposit of water into the Springfield Sewage Works which originates from a source other than from the Township's water supply or the private water supply for each property to which it is serviced. For the purposes of this Part, water includes but is not limited to storm water or groundwater by mechanical pumping such as a sump pump, or gravity such as water from downspouts or any other similar water distribution or drainage system.

Part 9: Spills

- (1) In the event of a spill to the Sewage 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, if there is any immediate danger to human health and/or safety;

OR

(b) If there is no immediate danger, contact the Township's Water Department at (519) 773-5344, and the owner of the premises where the spill occurred, and any other person whom the person reporting knows or ought to know may be directly affected by the spill.

- (2) The person responsible or the person having the charge, management, and control of the spill or his or her designate shall provide a detailed written report to the Township, within 5 days after the spill, containing the following information to the best of their knowledge:

(a) Location where spill occurred;

(b) Name and telephone number of the person who reported the spill and the location and time where they can be contacted;

(c) Date and time of the spill;

(d) Material spilled;

(e) Characteristics and composition of material spilled, including any Material Safety Data Sheets (MSDS);

(f) Volume of material spilled;

(g) Duration of spill event;

- (h) Work completed and/or any work still in progress in the mitigation of the spill;
 - (i) Preventive actions being taken to ensure a similar spill does not occur again; and
 - (j) Copies of applicable spill prevention and spill response plans.
- (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.
- (4) Nothing in this By-law relieves any persons from complying with any notification or reporting provisions of other government agencies, including Federal and Provincial agencies, or any other By-law of the Township.
- (5) Where the person responsible for the spill or the person having charge, management and control of the spill fails or neglects to carry out or diligently pursue the activities required of it in this Part of the By-law, the Township may take such measures as they deem appropriate to contain the spill, protect the health and safety of citizens, minimize damage to property, protect the environment, clean up the spill and associated residue and restore the affected area to its condition prior to the spill and recover any associated costs from the person responsible for the spill and/or the person having charge, management and control of the spill.
- (6) The Township may invoice the person responsible for the spill to recover any costs related to the spill including but not limited to costs of time, materials, and services arising as a result of the spill. The person responsible for the spill shall pay the costs invoiced.
- (7) The Township may require the person responsible for the spill to prepare and submit a Spill Contingency Plan to the Township to indicate how risk of future incidents will be reduced and how future incidents will be addressed.

Part 10: Separate Businesses with Single Service

- (1) A discharge of matter or sewage to a single private sewer connection from a premises with two or more separate businesses will be considered as being released from each of the separate businesses, unless it is shown to the satisfaction of the Township, by the owner or operator of the premises that the portion of the material or sewage that is in violation of this by-law is being released from only one of the businesses.

Part 11: Manholes

- (1) The Township may require the owner or operator of industrial premises or multi-story residential buildings with one or more connections to a sewage works to install and maintain in good repair in each connection a suitable manhole to allow observation and sampling, and flow measurement of the sewage, uncontaminated water or stormwater therein, provided that where installation of a manhole is not possible, an alternative device or facility may be substituted with the prior written approval of the Township. Every person required to install or maintain a manhole as required by the Township shall install or maintain each manhole or alternative device as required by this section of this By-law.
- (2) Each manhole or alternative device installed as required by this section shall be located on the property of the owner or operator of the premises, as close to the property line as possible, unless the Township has given prior written approval for a different location.
- (3) Each manhole, device or facility installed as required by this section shall be designed and constructed in accordance with good engineering practice and the requirements of the municipal standard, as established by the Township time to time, and shall be constructed and maintained by the owner or operator of the premises at their expense.
- (4) The owner or operator of the industrial premises or multi-story buildings shall at all-time ensure that every manhole, alternative device or facility installed as required by this section is accessible at all times for the purposes of maintaining, observing, sampling and flow measurement of the sewage, uncontaminated water or stormwater therein.
- (5) If the owner or operator of the industrial premises or multi-story building fails to install a manhole or alternate device, the Township by notice in writing, may require the owner or operator of the premises to pay to the Township that amount of money which the Township deems necessary to cover the cost of constructing and installing a manhole or alternate device an upon receipt of such notice, the owner or operator of the premises shall forthwith pay such amount to the Township.

Part 12: Authority of Designated Sewer Officer to Investigate

- (1) The Designated Sewer Officer may enter upon land and into buildings at any reasonable time without notice or a warrant for the purpose of carrying out any inspection reasonably required to ensure compliance with this By-law, including but not limited to, the following:
 - (a) Inspecting, observing, sampling, and measuring the flow in any private:
 - i. Drainage system;
 - ii. Sump pump connection;
 - iii. Oil and grease interceptor or any other grease trap;

- iv. Wastewater disposal system;
- v. Storm water management facility; and
- vi. Flow monitoring point;

- (b) Determine water consumption by reading water meters;
 - (c) Test flow measuring devices;
 - (d) Take samples of wastewater, storm water, clear-water waste, and subsurface water being released from the premises or flowing within a private drainage system;
 - (e) Perform on-site testing of the wastewater, storm water, clear-water waste, and subsurface water within or being released from private drainage systems, pre-treatment facilities, and storm water management facilities;
 - (f) Make reasonable inquiries and/or require information from any person, orally or in writing, concerning the matter under inspection;
 - (g) Inspect and copy documents;
 - (h) Inspect chemical storage areas and spill containment facilities and request Material Safety Data Sheets (MSDS) sheets for materials stored or used on-site; and
 - (i) Inspect the premises where a release of prohibited or restricted wastes, or of water containing prohibited or restricted wastes, has been made or is suspected of having been made, and to sample any or all matter that in their opinion could have been part of the discharge.
- (2) No person shall prevent, hinder, obstruct, or interfere in any way with the Designated Sewer Officer, and persons deemed, by the Township, to be essential to an inspection or sampling, bearing proper credentials and identification from carrying out any of their powers or duties; including but not limited to, the following:
- (a) entering in or upon, at any reasonable time without a warrant, any land or premises, except land or premises being used as a dwelling house;
 - (b) making such tests or taking such samples as the Designated Sewer Officer or an inspector deems necessary;
 - (c) inspecting or observing any plant, machinery, equipment, work, activity, or documents;
 - (d) making inquiries and taking photographs,
- for the purposes of administering or enforcing this By-law.

- (3) Notwithstanding section (2), a Designated Sewer Officer may obtain an order or a warrant to obtain any information deemed necessary to assess compliance with this By-law.
- (4) Any person who hinders, obstructs or interferes with a Designated Sewer Officer with carrying out inspections or tests under and enforcing the provisions of this By-law, is guilty of an offence.
- (5) Any person who knowingly provides false information in any report or return required under this by-law or who willfully withholds information required under this by-law, is guilty of an offence.

Part 13: Disconnection From Sewer

- (1) Where Sewage or Wastewater which:

- (a) Is hazardous or creates an immediate danger to any person;
- (b) Endangers or interferes with the operation of the Sewage Works; or
- (c) Causes or is capable of causing an adverse effect;

is discharged or deposited to the Sewage Works, the Designated Sewer Officer may at the owner's expense and in addition to any other remedy available, disconnect, plug, or seal off the sewer line discharging or depositing the unacceptable Sewage or Wastewater into the Sewage Works or take such other action as is necessary to prevent such Sewage or Wastewater from entering into the Sewage Works.

- (2) The Sewage or Wastewater may be prevented from being discharged into the Sewage Works until the Designated Sewer Officer is satisfied in his or her sole discretion that the discharge or deposit of Sewage and Wastewater to be made into the Sewage Works complies with this By-law.
- (3) The Designated Sewer Officer may, by notice in writing, advise the owner or occupier of the premises from which the Sewage or Wastewater is being discharged or deposited, of the costs associated with such action deemed by the Designated Sewer Officer as necessary to prevent such Sewage or Wastewater from entering into the Sewage Works, and the owner or occupier, as applicable, shall forthwith reimburse the Township for all such costs.
- (4) Any owner or occupier of a property who has made an illegal connection to the Sewage Works for any purpose is guilty of an offence and shall disconnect immediately and no later than thirty (30) days after written notification has been provided to the owner or occupier as applicable. Failure to comply with this section may result in a temporary disconnection of the sewer connection with the

Township's Sewage Works. The owner shall be responsible for all costs related to the disconnection and reconnection, including all reconnection charges.

Part 14: Sanitary Sewer Connections

(1) No person shall:

- (a) erect, or cause or permit to be erected, any building on lands that are serviced by a Sanitary Sewer Connection unless the new building is connected to the Springfield Sewage Works;
- (b) construct, install, maintain, use, or cause or permit to be constructed, installed, maintained, or used, whether or not installed prior to the date of the passing of this By-law or any of its predecessors, a direct or indirect connection to the Sanitary Sewer Connection which would permit anything other than sewage to discharge or deposit into the Sewage Works; and
- (c) construct, install, maintain, use, or cause or permit to be constructed, installed, maintained, or used, a direct or indirect Connection to the Sanitary Sewer Connection without final inspection and written approval by the Township and all such Connections require a clean-out at the property line and every fifty (50) feet thereafter.

(2) No sanitary sewer Connection shall be constructed on any road allowance, easement, or other public land, unless written approval has been granted by the Township. The owner of the premise(s) served by the Sanitary Sewer Connection shall be responsible for the entire cost of such sewer connection. If a sewer stub has not been installed to the property line, the owner is required to pay for the entire costs to install a new sewer stub from the sewer main to the property line.

(3) Reconstructed Buildings:

- (a) Whenever an existing building is substantially damaged or demolished, the existing municipal Sanitary Sewer Connections shall be disconnected by the Township at the owner's expense at the property line and a temporary cap shall be placed to prevent ground water from entering into the Sewage Works.
- (b) For the purposes of this section, an existing building is substantially damaged or demolished when more than fifty percent of the exterior walls of the first storey above grade are removed whether or not they are subsequently replaced. The Township has the sole and absolute discretion to determine when an existing building is substantially damaged or demolished.

(4) An owner of a premise who is applying for a permit to construct a replacement building, or to disconnect a dwelling from a septic tank, to connect to a Sanitary Sewer Connection shall be entitled to use an existing municipal sanitary sewer Connection which, upon inspection by the Township, is found by the

Township to be in satisfactory condition. The owner shall pay for the cost of any inspection, installation fees, and any other associated costs, as required in the amount determined from time to time by the Township.

(5) Any person wanting to make a Sanitary Sewer Connection shall make an application to the Township on forms supplied by the Township's Water Department and pay the applicable fee for the application. The owner of the property to be serviced shall complete and sign the application, and the owner shall be responsible for the completeness and accuracy of the information furnished on such application and plans.

(6) Sewer Connections on Public and Private Property:

(a) A sanitary sewer Connection on private property between the property line and the building shall be installed by the owner of the property, subject to the owner obtaining a building permit including completed submission to the Township of Form 1 (A), and payment of the applicable connection fee, the amount of which shall be determined from time to time by the Township. The owner must adhere to all conditions set out in the permit, including the sanitary sewer specifications in Form 1 (A). All costs associated with the sewer connection shall be at the expense of the owner.

(b) A Sanitary Sewer Connection on public property between the sewer main and private property shall be installed by the Township at the expense of the owner. The owner is required to complete and submit to the Township Form 1 (B) and submit to the Township a construction deposit in the amount determined by the Township.

(c) If the Sanitary Sewer Connection is for a new lot, the owner is required to pay for an impost fee, the amount of which shall be determined by the Township.

(7) Only one Sanitary Sewer Connection is allowed for each property. No multiple connections shall be permitted.

(8) Where a Sanitary Sewer Connection is installed or operated in contravention of this By-law, the Township may order the temporary disconnection of any sewer connection whenever, and for so long as, the Township deems it necessary to prevent continued or repeated violations of this By-law.

(9) Where an owner of a building has requested an inspection by the Township by means of an excavation or closed circuit television inspection of any existing municipal sanitary sewer Connection, the owner shall deposit with the Township in the amount determined by the Township. If upon inspection a structural problem is found in the Township's portion of the sanitary sewer Connection, the deposit will be refunded.

Part 15: Offences

- (1) Every person other than a corporation who contravenes any provision of this By-law is guilty of an offence and on conviction is liable, for every day or part thereof upon which such offence occurs or continues, to a fine of not more than Ten Thousand Dollars (\$10,000.00) for a first offence and not more than Twenty-five Thousand Dollars (\$25,000.00) for any subsequent offence.
- (2) Every corporation that contravenes any provision of this By-law is guilty of an offence and on conviction is liable for every day or part thereof upon which such offence occurs or continues, to a fine of not more than Fifty Thousand Dollars (\$50,000.00) for a first offence and not more than One Hundred Thousand Dollars (\$100,000.00) for any subsequent offence.
- (3) In this By-law subsequent offence means any offence that occurs after the date of conviction for any earlier offence under this By-law or any of its predecessors.
- (4) In the event that any person constructs a Sanitary Sewer Connection in a manner other than provided for herein, whether as to design, approval, supervision, or inspection, the Designated Sewer Officer may order the re-excavation of a sanitary sewer Connection for the purposes of inspection and testing, and, if necessary, reconstruction of the work at the owner's expense and the Designated Sewer Officer may have the work performed at the expense of the owner or disconnect the said sewer connection, in which case it shall not be reconstructed except with the prior written approval of the Designated Sewer Officer. Any expenses incurred by the Township is the responsibility of the owner and may be added to the tax roll and collected in the same manner as property taxes.
- (5) The continuation of a condition violating the provisions of this By-law shall be considered contravention of this By-law, notwithstanding that it existed prior to the passage hereon.
- (6) When a person has been convicted of an offence under this by-law, the Ontario Superior Court of Justice or any court of competent jurisdiction, may, in addition to any penalty imposed on the person convicted, issue an Order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted or make any other such order as permitted by law.

Part 16: Provision of Notice

- (1) Where written notice under this By-law is required to be given by a consumer, notice shall be sufficiently given when it is:
 - (a) delivered personally to the Designated Sewer Officer of the Township with a copy to the Chief Administrative Officer;

OR

- (b) if sent by prepaid registered mail and addressed to the Designated Sewer Officer of the Township with a copy to the Chief Administrative Officer, when the Designated Sewer Officer receives the written notice.
- (2) Where written notice under this By-law is required to be given by the Township to the consumer, notice shall be sufficiently given if it is:
- (a) delivered personally to the latest address for the consumer whose name appears in the Township's records and given to a person acting for, or on behalf of, the consumer,;
- OR
- (b) if sent by prepaid registered mail addressed to the consumer, whose name appears in the records of the Township to the latest address for the consumer in the Township's records or to such other address as the consumer may provide in writing to the Township.

Part 17: Access to Information

- (1) All information submitted to and collected by the Township 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*, as amended.
- (2) In the event that any person is submitting information to the Township, as required under this By-law, 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*, as amended, the person submitting the information shall so identify that information upon its submission to the Township or the Township where such information is confidential or proprietary or otherwise, may be exempt from disclosure.

Part 18: Severability

- (1) If any section, clause or provision of this By-law, including anything contained in the schedules attached hereto is declared invalid for any reason by a court of competent jurisdiction, the same shall not affect the validity of this By-law as a whole or any part thereof other than the section, clause or provision so declared to be invalid and it is hereby declared to be the intention that such a provision shall be severed from the By-law and that all the remaining sections, clauses or provisions of the By-law shall remain in full force and effect until repealed.

Part 19: Interpretation

- (1) Headings are for reference purposes and shall not affect in any way the meaning or interpretation of the provisions of this by-law.
- (2) In this By-law, a word interpreted in the singular number has a corresponding meaning when used in the plural.

Part 20: Repeal of By-law

- (1) Any other by-laws or provisions in other by-laws found to be inconsistent with this new By-law are hereby deemed to be repealed.

Part 21: Enactment

- (1) This By-law shall come into full force and take effect on the final passing thereof.

READ a FIRST and SECOND time this 19th day of September, 2013.

READ a THIRD time and **FINALLY PASSED** this 19th day of September, 2013.


Mayor, D. Mennill


Clerk, M. Casavecchia-Somers

Part 22: Schedule "A"
Prohibited Waste

No person shall directly or indirectly discharge or deposit or cause or permit the discharge or deposit of matter of any type including but not limited to Sewage and Wastewater into a Sanitary Sewer, municipal or private sewer Connection to any Sewage Works where:

(1) To do so may cause or result in:

- (a) Damage to the Sewage Works including but not limited to the pumping station, Aylmer Lagoons, Ontario Police College Pumping Station, or private property;
- (b) The release of an offensive odour from Sewage Works; and without limiting the generality of the foregoing, sewage containing hydrogen sulphide, carbon disulphide, other reduced sulphur compounds, amines or ammonia in such quantity as may cause an offensive odour;
- (c) An obstruction or restriction which blocks or otherwise impacts the flow in the Sewage Works;
- (d) Interference with the operation or maintenance of a sewage works, or which may impair or interfere with any sewage treatment process;
- (e) a hazard to any person, animal, property, or vegetation;
- (f) An offence under the *Ontario Water Resources Act* or the *Environmental Protection Act*, as amended, or any regulation made thereunder from time to time;
- (g) A health and/or safety hazard to any authorized person who inspects, operates, maintains, repairs, or otherwise works on a Sewage Works;
- (h) The presence of toxic gases, vapours, or fumes within the Sewage Works that in a quantity sufficient to present danger to human health or the environment.

(2) The matter has any one or more of the following characteristics:

- (a) Two or more separate liquid layers;
- (b) A pH less than 6.0 or greater than 10.5; or
- (c) A temperature greater than sixty (60) degrees Celsius.

(3) The matter contains:

- (a) Hazardous Substances;

- (b) Combustible Liquid;
 - (c) Biomedical Waste, including any of the following categories: human anatomical waste, animal waste, untreated microbiological waste, waste sharps, and untreated human blood and body fluids known to contain viruses and agents listed in "Risk Group 4" as defined in "laboratory biosafe guidelines" published by Health Canada, dated 2004, as amended;
 - (d) Specified risk material for bovine spongiform encephalopathy as defined in the federal fertilizers regulations (C.R.C., c.666), as amended from time to time, including material from the skull, brain, trigeminal ganglia, eyes, tonsils, spinal cord, and dorsal root ganglia of cattle aged 30 months or older, or material from the distal ileum of cattle of all ages;
 - (e) Dyes or coloring materials which may or could pass through a wastewater works and discolor the Sewage Works effluent;
 - (f) Fuel;
 - (g) Ignitable Waste;
 - (h) Pathological Waste;
 - (i) PCB's;
 - (j) Pesticides which are not otherwise regulated in this By-law;
 - (k) Reactive Waste;
 - (l) Toxic Substances which are not otherwise regulated in this By-law;
 - (m) Waste Radioactive Prescribed Substances in quantities or of such size to be capable of causing obstruction to the flow in the Sewage Works, 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.
- (4) The matter contains a concentration, expressed in mg/l in excess of any one or more of the limits in Schedule "B" of this By-law.

Part 23: Schedule "B"
Restricted Waste

Table A:

CONVENTIONAL CONTAMINANTS and PHYSICAL PARAMETERS

<u>SUBSTANCE</u>	<u>CONCENTRATION LIMIT</u> (expressed as Mg/L unless otherwise indicated)
Biochemical Oxygen Demand	300
Chemical Oxygen Demand	600
Oil and Grease - animal and vegetable	150
Oil and Grease - mineral and synthetic/hydrocarbon	15
Total Suspended Solids	300
pH	6.0 - 10.5 (unit less)
Temperature	60 degrees Celsius

Table B:
ORGANIC CONTAMINANTS

<u>SUBSTANCE</u>	<u>CONCENTRATION LIMIT</u> (expressed as Mg/L unless otherwise indicated)
Benzene	0.01
Chloroform	0.04
Dichlorobenzene (1,2-)	0.05
Dichlorobenzene (1,4)	0.08
Ethylbenzene	0.07
Hexachlorobenzene	0.0001
**Methylene chloride (dichloromethane)	0.09
PCBs (chlorobiphenyls)	0.004
**Phenols, Total (or Phenolic compounds)	0.1
**Tetrachloroethane (1,1,2,2 -)	0.06
**Tetrachloroethylene	0.06
Toluene	0.02
Trichloroethylene	0.05
Xylenes, total	0.3

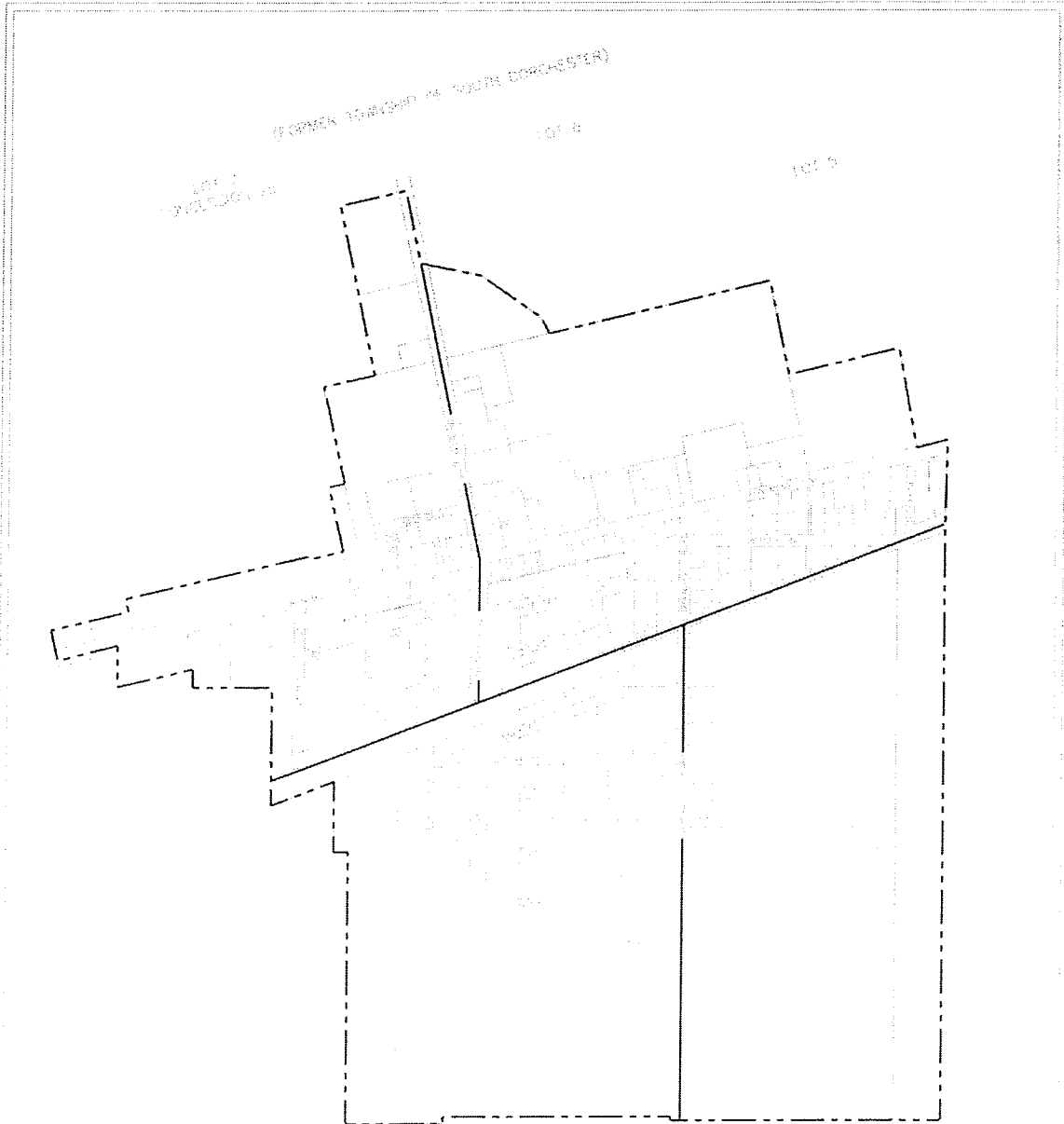
Table C:
Inorganic Contaminants

<u>SUBSTANCE</u>	<u>CONCENTRATION LIMIT</u> (expressed as Mg/L unless otherwise indicated)
Aluminum	1.0
Arsenic	0.2
Barium	0.1
Beryllium	1.0
Cadmium	0.008
Chlorides	1,500
Cobalt	5.0
Chromium	0.2
Copper	0.04
Cyanide	0.1
Fluoride	2.0
Iron	1.0
Lead	0.12
Manganese	1.0
Mercury	0.0001
Molybdenum, total	5.0
Nickel	0.08

Nitrogen, Total Kjeldahl	50
Phosphorus	0.4
Selenium	0.2
Silver	0.12
Sulphide (as H₂S)	1.0
Tin	1.0
Zinc	0.05

Part 24:

Schedule "C" Village of Springfield



TOWNSHIP OF MALAHIDE
SPRINGFIELD

