

PARKLAND COUNTY  
PROVINCE OF ALBERTA

BYLAW NO. 2020-08

A BYLAW REGULATING AND PROVIDING FOR THE TERMS AND CONDITIONS FOR THE SUPPLY AND USE OF WASTEWATER SERVICES PROVIDED BY PARKLAND COUNTY

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WHEREAS pursuant to section 3 of the *Municipal Government Act* the purposes of a municipality include providing services, facilities or other things that, in the opinion of council, are necessary or desirable for all or a part of the municipality;

AND WHEREAS pursuant to section 7(a) of the *Municipal Government Act* a council of a municipality may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property;

AND WHEREAS pursuant to section 7(g) of the *Municipal Government Act* a council of a municipality may pass bylaws for municipal purposes respecting public utilities;

NOW THEREFORE the Council of Parkland County, in the Province of Alberta, duly assembled, enacts as follows:

PART I - TITLE AND DEFINITIONS

**Bylaw Title**

This Bylaw shall be known as the “**Wastewater Bylaw**”.

**Definitions and Interpretation**

1

(1) In this Bylaw, unless the context otherwise requires:

- (a) “**Account**” means an agreement between a Customer and the County for the supply of Wastewater Services of which the terms of this Bylaw shall form a part and includes the amounts payable from time to time by the Customer to the County;
- (b) “**Accredited Laboratory**” means any laboratory accredited by an authorized accreditation body in accordance with a standard based on “CAN-P-1585: Requirements for the Accreditation of Environmental Testing Laboratories” established by the Standards Council of Canada, as amended, or “ISO/IEC/EN 17025: General Requirements for Competence of Calibration and Testing Laboratories” established by the International Organization for Standardization, as amended;
- (c) “**Additional Overstrength Surcharge**” means a rate, fee or charge imposed upon a Person who releases Wastewater to the Wastewater System that exceeds one or more constituent concentrations set out in Column “B” of Schedule “D”;
- (d) “**Alberta Private Wastewater Systems Standard of Practice**” means the Alberta Private Wastewater Systems Standard of Practice 2015, adopted by the *Private Wastewater Disposal Systems Regulation*;
- (e) “**Best Management Practices (BMP)**” means an integrated plan to control and reduce the release of Restricted Waste and Prohibited Waste into the Wastewater System to a

practicable extent, through methods including physical controls, Pre-Treatment processes, operational procedures and staff training;

- (f) **“Biochemical Oxygen Demand (BOD)”** means the five-day BOD which is the determination of the molecular oxygen utilized during a five-day incubation period for the biochemical degradation of organic material (carbonaceous demand), and the oxygen used to oxidize inorganic material such as sulphides and ferrous iron, and the amount of oxygen used to oxidize reduced forms of nitrogen (nitrogenous demand) as determined by the appropriate procedure in Standard Methods;
- (g) **“Biomedical Waste”** means biomedical waste as defined in the Waste Control Regulation;
- (h) **“Blowdown Water”** means recirculating water that is discharged from a cooling or heating water system for the purpose of controlling the level of water in the system or for the purpose of discharging from the system materials contained in the system, the further build-up of which would or might impair the operation of the system;
- (i) **“Chemical Oxygen Demand (COD)”** means a measure of the capacity of water to consume oxygen as a result of oxidation of inorganic chemicals and decomposition of organic Matter;
- (j) **“Chief Administrative Officer”** means the Chief Administrative Officer of the County or the Chief Administrative Officer’s delegate;
- (k) **“Clear-Water Waste”** includes Non-Contact Cooling Water and other water that has not come into contact with Wastewater contaminant sources;
- (l) **“Code of Practice”** means a set of practices applicable to specific Designated Sector Operations; a code of practice identifies mandatory procedures, equipment, training or other provisions required as a condition of Wastewater discharge into the Wastewater System. A code of practice may be included in approved Best Management Practices;
- (m) **“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;
- (n) **“Compliance Program”** means the necessary steps undertaken by a Customer to bring Wastewater discharged into the Wastewater System into compliance with the terms and conditions of this Bylaw or related permit. Compliance Programs are applicable to existing Customers only; new Customers must fully comply with the requirements of this Bylaw;
- (o) **“Composite Sample”** means a volume of Wastewater made up of four or more Grab Samples that have been combined automatically or manually and taken at intervals during the sampling periods;
- (p) **“Cooling Water”** means water that is used in a process for the purpose of removing heat and that has not, by design, come into contact with any raw material, intermediate product, waste product or finished product, but does not include Blowdown Water;
- (q) **“Council”** means the municipal council of the County;

- (r) **“County”** means the municipal corporation of Parkland County and its duly authorized employees, agents, contractors and other representatives or the geographic area contained within the boundaries thereof, as the context requires;
- (s) **“Customer”** means any Person receiving Wastewater Services, including without limiting the generality of the foregoing, any Person who discharges any Matter, including Wastewater, into the Wastewater System, and where the context or circumstances so require, also includes any Person:
  - (i) who has made an application for Wastewater Services or otherwise seeks to receive Wastewater Services;
  - (ii) who is named on an Account;
  - (iii) who is the Owner or occupant of a property for which an application for Wastewater Services has been made, which has been connected to the Wastewater System or which receives Wastewater Services; or
  - (iv) who acts as agent or representative of a Customer;
- (t) **“Dental Amalgam”** means a dental filling material consisting of an amalgam of mercury, silver and other materials such as copper, tin or zinc;
- (u) **“Dental Amalgam Separator”** means any technology, or combination of technologies, designed to separate Dental Amalgam particles from dental operation Wastewater;
- (v) **“Designated Sector Operations”** means Industrial, commercial or Institutional sectors required to adopt Codes of Practice;
- (w) **“Domestic Wastewater”** means sanitary Wastewater produced on residential premises, or sanitary waste and Wastewater from sanitary facilities produced on a non-residential property;
- (x) **“Dwelling”** means a private residence with sleeping and cooking facilities used or intended to be use as a residence;
- (y) **“Engineering Design Standards”** means the County’s Minimum Engineering Design Standards, or in the absence of such standards, generally accepted municipal engineering standards;
- (z) **“Emergency”** means a condition that creates an imminent danger or a real possibility of Property damage, or personal injury, or when a condition or situation is declared to be an emergency by Council, or the Federal or Provincial Crown, or other civil authority having jurisdiction;
- (aa) **“Facilities”** means any infrastructure forming part of the Wastewater System, including without limitation: Wastewater treatment plants, Wastewater lagoons, pumping stations, Wastewater Mains, Wastewater Service Lines, valves, fittings, chambers, meters, and all other equipment and machinery of whatever kind owned by the County that is used for the collection, transmission, treatment and disposal of Wastewater;
- (bb) **“Fees and Charges Bylaw”** means the County’s Fees and Charges Bylaw, as amended or replaced from time to time, and, for greater certainty, shall refer to the most recent

bylaw or bylaws of the County that establishes rates, fees or charges payable for, or in connection with, Wastewater Services, regardless of the name of that bylaw;

- (cc) **"Flashpoint"** means the temperature at which enough vapour collects on the surface of a liquid to become flammable. The lower the flashpoint, the more flammable the material is;
- (dd) **"Fuel"** means alcohol, gasoline, naphtha, diesel fuel, fuel oil or any other ignitable substance intended for use as a fuel;
- (ee) **"Grab Sample"** means a volume of Wastewater, Storm Water or Uncontaminated Water which is collected over a period not exceeding 15 minutes;
- (ff) **"Groundwater"** means water beneath the earth's surface accumulating as a result of seepage;
- (gg) **"Hauled Waste"** means any Industrial waste which is transported to and deposited into any location in the Wastewater System, excluding Hauled Wastewater.
- (hh) **"Hauled Wastewater"** means Wastewater removed from a collection 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;
- (ii) **"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 a hazardous substance within the meaning of the *Environmental Protection and Enhancement Act* and Waste Control Regulation;
- (jj) **"Ignitable Waste"** means a substance that is:
  - (i) a liquid, other than an aqueous solution containing less than 24 percent alcohol by volume and has a Flashpoint 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) 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) a compressed gas within the meaning of the *Dangerous Goods Transportation and Handling Regulation* and the *Dangerous Goods Transportation and Handling Act*; or
  - (iv) an oxidizing substance within the meaning of the *Dangerous Goods Transportation and Handling Regulation* and *Dangerous Goods Transportation and Handling Act*;

- (kk) **"Industrial"** means of or pertaining to manufacturing, commerce, trade or business, as distinguished from domestic or residential;
- (ll) **"Industry Customer"** means any Owner or operator of Industrial, commercial or Institutional premises from which there is a discharge of any Matter directly or indirectly into the Wastewater System;
- (mm) **"Inspector"** means a Person authorized by the County to conduct inspections, take measurements, conduct sampling, and perform testing, as contemplated in this Bylaw;
- (nn) **"Institution"** means a facility, usually owned by a government, operated for public purposes, such as schools, universities, medical facilities (hospitals, nursing stations, nursing homes), museums, prisons, government offices, military bases. Some of these facilities produce non-residential discharges to the Wastewater System from, for example, laboratories, chemical use, or Industrial processes;
- (oo) **"Institutional"** means of or pertaining to an Institution;
- (pp) **"Lower Explosive Limit (LEL)"** means the concentration of a gas or vapour in the air. Below the LEL, there is not enough vapour in the air to fuel a fire;
- (qq) **"Matter"** includes any solid, liquid or gas;
- (rr) **"Monitoring Access Point"** means an access point, such as a chamber, in a Private Wastewater Line to allow for observation, sampling and flow measurement of the Wastewater, Uncontaminated Water or Storm Water therein;
- (ss) **"Multiple Dwelling"** means a wholly or partially residential development containing more than one Dwelling, whether or not the development is within a single building;
- (tt) **"Non-Contact Cooling Water"** means water which is used to reduce temperature for the purpose of cooling and which does not come into direct contact with any raw material, intermediate or finished product other than heat;
- (uu) **"Non-Domestic Wastewater"** means all Wastewater except Domestic Wastewater and Uncontaminated Water;
- (vv) **"Occupant"** means a Person occupying a Property, including a lessee or licensee, who has actual use, possession or control of the Property;
- (ww) **"Oil and Grease"** means n-Hexane extractable Matter as described in Standard Methods;
- (xx) **"Oil-Water Separator"** means a three-stage oil-water separator that meets the Standard for Oil-Water Separators (ULC-S656-14) prepared by Underwriters' Laboratories of Canada or the equivalent oil-water separation technology able to achieve a Wastewater quality of 100 mg/L of Oil and Grease (mineral-synthetic/hydrocarbons) or less;
- (yy) **"Overstrength"** means Wastewater released to the Wastewater System that is higher in concentration for one or more constituent concentrations set out in Schedule "D" of this Bylaw;

- (zz) **“Overstrength Surcharge”** means a rate, fee or charge imposed upon a Person who releases Wastewater to the Wastewater System that exceeds one or more constituent concentrations set out in Column A of Schedule “D”;
- (aaa) **“Owner”** means:
- (i) in the case of land, the Person who is registered under the *Land Titles Act* as the owner of the fee simple estate in the parcel of land; or
  - (ii) in the case of any property other than land, the Person in lawful possession of it;
- (bbb) **“Pathological Waste”** means pathological waste within the meaning of the federal *Human Pathogens and Toxins Act*;
- (ccc) **“PCBs”** means any monochlorinated or polychlorinated biphenyl or any mixture of them or mixture that contains one or more of them;
- (ddd) **“Peace Officer”** includes a Bylaw Enforcement Officer appointed by the County, a Community Peace Officer whose appointment includes enforcement of the County's Bylaws and a member of the Royal Canadian Mounted Police;
- (eee) **“Person”** means any individual, firm, partnership, association, corporation, trustee, executor, administrator or other legal representative to whom the context applies according to law;
- (fff) **“Pesticide”** means a pesticide regulated under the *Pests Control Products Act*, the *Pesticide (Ministerial) Regulation*, and/or *Pesticide Sales, Handling, Use and Application Regulation*;
- (ggg) **“Pre-Treatment”** means the reduction, elimination or alteration of Matter in Wastewater prior to discharge into the Wastewater System. This reduction or alteration can be obtained by physical, chemical, or biological processes, through pollution prevention, or by other means, except by diluting the concentration of the pollutants;
- (hhh) **“Private Wastewater Line”** means that portion of a Service Connection that extends from the property line to an improvement or location on a Customer's Property that receives, or is to receive, Wastewater Services, comprised of the Customer-owned assembly of pipes, fittings, fixtures, traps and appurtenances for the collection and transmission of Wastewater into the Wastewater System;
- (iii) **“Private Wastewater Disposal System”** means a system for the treatment and disposal of Wastewater that is not connected to the Wastewater System, including on-site Wastewater treatment systems as defined in the Alberta Private Wastewater Systems Standard of Practice;
- (jjj) **“Prohibited Waste”** means prohibited waste as defined in Schedule “B” of this Bylaw;
- (kkk) **“Property”** means:
- (i) in the case of land, a parcel of land including any buildings; or
  - (ii) in other cases, personal property;

- (III) **“Recreational Vehicle”** means a vehicular or trailer type unit designed to provide temporary living quarters for recreational, camping, travel or seasonal use;
- (mmm) **“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 as defined in the regulations under the *Explosives Act*;
- (nnn) **“Restricted Waste”** means restricted waste as defined in Schedule “C” of this Bylaw;
- (ooo) **“Sampling Port”** means a valve, tap, or similar device on equipment, a drainpipe or at another suitable location, to allow for sampling, consistent with technical guidelines that the County may establish or adopt from time to time;
- (ppp) **“Service Connection”** means all of the infrastructure, pipes, fittings, fixtures, traps and appurtenances required to achieve a physical connection between the County’s Wastewater Main and the structure, improvement or location that receives Wastewater Services, to allow a Customer to discharge Wastewater, which includes a Wastewater Service Line and a Private Wastewater Line;
- (qqq) **“Spill”** means a direct or indirect discharge into the Wastewater System which is abnormal in quantity or quality in light of all the circumstances of the discharge;
- (rrr) **“Standard Methods”** means a procedure or method set out in Standard Methods for the Examination of Water and Wastewater published jointly by the American Public Health Association, American Water Works Association and the Water Environment Federation, recent or latest edition, or approved in writing by the County;
- (sss) **“Storm Sewer”** means a pipe, conduit, drain, open channel or ditch for the collection and transmission of Uncontaminated Water, Storm Water, drainage from land or from a Watercourse or any combination thereof;
- (ttt) **“Storm Water”** means the water running off the surface of a drainage area during and immediately after a period of rain or snow melt;

- (uuu) **"Subsurface Water"** means Groundwater including foundation drain water;
- (vvv) **"Terms and Conditions"** means the terms and conditions in respect of Wastewater Services described in the Schedules of this Bylaw;
- (www) **"Total Suspended Solids (TSS)"** means insoluble Matter in liquid that is removable by filtration, as determined by the appropriate procedure described in Standard Methods;
- (xxx) **"Toxic Substance"** means any substance defined as toxic under the *Environmental Protection Act* 1999, and within the meaning of Alberta's *Waste Control Regulation*;
- (yyy) **"Uncontaminated Water"** means water with a level of quality which is typical of potable water normally supplied by the County;
- (zzz) **"Violation Ticket"** has the same meaning as in the *Provincial Offences Procedure Act*;
- (aaaa) **"Waste Disposal Site Leachate"** means the liquid containing dissolved or suspended contaminants which emanates from waste (solid waste or garbage) and is produced by water percolating through waste or by liquid in waste;
- (bbbb) **"Waste Radioactive Substances"** means substances defined in the federal *Nuclear Safety and Control*, and the regulations passed thereunder;
- (cccc) **"Wastewater"** means the composite of water and water-carried wastes discharged from residential, commercial, Industrial or Institutional premises, or any other source;
- (dddd) **"Wastewater Discharge Permit"** means a permit issued pursuant to this Bylaw by the County, or an authorized representative of the County, which authorizes and/or governs the discharge of Wastewater or other Matter into the Wastewater System;
- (eeee) **"Wastewater Main"** means those pipes installed for the collection and transmission of Wastewater within the County to which a Service Connection may be connected;
- (ffff) **"Wastewater Service Line"** means that portion of a Service Connection owned by the County that extends from the Wastewater Main to the property line of a Property that receives, or is to receive, Wastewater Services;
- (gggg) **"Wastewater Services"** includes the collection, transmission, treatment and disposal of Wastewater, as applicable, and associated services offered to the Customer under this Bylaw;
- (hhhh) **"Wastewater Services Guidelines"** means those guidelines, procedures, protocols, requirements, specifications or standards adopted by the Chief Administrative Officer from time to time pursuant to section 5 of this Bylaw;
- (iiii) **"Wastewater Sludge"** means solid material recovered from the Wastewater treatment process;
- (jjjj) **"Wastewater System"** means the infrastructure and works used by the County or its authorized representatives for the collection, transmission, treatment and disposal of Wastewater, including, without limitation, Wastewater Mains, Service Connections, Wastewater Treatment Facilities and all other associated pipes, valves, fittings, chambers, equipment and machinery;

(kkkk) **“Wastewater Treatment Facility”** means any structure or thing used for the physical, chemical, biological or radiological treatment of Wastewater, and includes sludge treatment, Wastewater Sludge storage and disposal facilities; and

(llll) **“Watercourse”** means an open channel, ditch or depression, either natural or artificial, in which flow of water occurs either continuously or intermittently.

(2) In this Bylaw, a citation of or reference to any act or regulation of the Province of Alberta or of Canada, or of any other bylaw of the County, is a citation of or reference to that act, regulation, or bylaw as amended or replaced.

## PART II - PROVISION OF WASTEWATER SERVICES

### Other Public Utilities Prohibited

2 All Wastewater Services provided within the boundaries of the County shall be provided by the County or its authorized representative.

### Terms and Conditions

3 All Wastewater Services shall be provided in accordance with the Schedules of this Bylaw.

### Rates, Fees and Charges

4

(1) The County will provide Wastewater Services to Customers within the County at the rates, fees or other charges specified in the Fees and Charges Bylaw.

(2) Subject to subsection (3), additional services provided by the County to a Customer will be billed to the Customer in accordance with an agreement between the Customer and the County.

(3) Additional costs arising from:

(a) requirements or requests for specific non-routine services not more particularly described in this section or the acts or omissions of any particular Customer or defined group of Customers, or

(b) repairs or remedies of any loss or damage to Facilities or other Property that is caused by a Customer or any other party for whom a Customer is responsible in law, including, without limitation, any costs or damages described in any judgment of a court in the County's favour

may, at the Chief Administrative Officer's sole option (and in addition to any other legally available remedies), be added to a Customer's Account as an additional amount due and payable by the Customer to the County.

### Wastewater Services Guidelines

5

(1) Subject to subsection (2), the Chief Administrative Officer may adopt, amend, repeal and replace Wastewater Services Guidelines from time to time as the Chief Administrative Officer deems advisable.

- (2) Wastewater Services Guidelines must not be inconsistent with this Bylaw and, in the event of an inconsistency, this Bylaw shall prevail.
- (3) Without limiting the generality of subsection (1), Wastewater Service Guidelines may deal with any or all of the following subject matters:
  - (a) procedures or requirements that a Customer must comply with before a Service Connection is installed or activated, or before Wastewater Services are provided, or as a condition of ongoing provision of Wastewater Services;
  - (b) Customer Accounts, including, without limitation, provisions or requirements concerning: opening an Account, making payments on an Account, consequences for failure to pay Accounts in full, lost bills, dishonoured cheques, collection of delinquent Accounts, adjusting improperly billed Accounts, handling of confidential Customer Account information, closing an Account, and any other matter relating to Customer Accounts;
  - (c) procedures or requirements concerning investigating Customer complaints and concerns;
  - (d) procedures or requirements for upgrading, re-sizing, relocating or otherwise changing a Service Connection, whether at the instigation of the County or at the request of a Customer; and
  - (e) the turn-on and turn-off of Wastewater Services, whether at the instigation of the County or at the request of a Customer.

### Notices

- 6 In any case in which written notice is required to be provided to a Customer pursuant to this Bylaw, the Chief Administrative Officer may serve notice:
  - (a) personally;
  - (b) by mailing or delivering a copy of the notice to the last known address of the Customer as disclosed in the County's assessment roll for the Property;
  - (c) by email, if the Customer has consented to receive documents from the County electronically and has provided an email address to the County for that purpose; or
  - (d) if the Customer does not answer the door, by placing the written notice on the door of the Property.

### Authority of the Chief Administrative Officer

- 7 Without restricting any other power, duty or function granted by this Bylaw, the Chief Administrative Officer is authorized to, in accordance with this Bylaw and all other applicable laws:
  - (a) take any steps and carry out any actions required to give effect to, and enforce, the provisions of this Bylaw;
  - (b) establish forms for the purpose of this Bylaw; and
  - (c) delegate any powers, duties or functions under this Bylaw to an employee of the Municipality.

### PART III - ENFORCEMENT

#### Offence

8 A Person who contravenes any provision of this Bylaw is guilty of an offence.

#### Subsequent Offence

9 In the case of an offence that occurs on more than one occasion, the specified penalty for the second or subsequent offence shall be subject to an escalating fine as laid out in Schedule "E".

#### Continuing Offence

10 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a Person guilty of such an offence may be liable to a fine in an amount not less than that established by this Bylaw for each such day.

#### Vicarious Liability

11 For the purposes of this Bylaw, an act or omission by an employee or agent of a Person is deemed also to be an act or omission of the Person if the act or omission occurred in the course of the employee's employment with the Person, or in the course of the agent's exercising the powers or performing the duties on behalf of the Person under their agency relationship.

#### Corporations and Partnerships

12

- (1) When a corporation commits an offence under this Bylaw, every principal, director, manager, employee or agent of the corporation who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.
- (2) If a partner in a partnership is guilty of an offence under this Bylaw, each partner in that partnership who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence.

#### Fines and Penalties

13

- (1) A Person who is guilty of an offence may be liable to a fine in an amount not less than \$100.00 and not exceeding \$10,000.00.
- (2) Without restricting the generality of subsection (1) the fine amounts established for use on Violation Tickets is set out in Schedule "E".

#### Warnings and Violation Tickets

14

- (1) A Peace Officer is hereby authorized to use discretion in determining whether to issue a written warning or a Violation Ticket pursuant to the *Provincial Offences Procedures Act* to any Person

who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

- (2) Subject to the *Provincial Offences Procedure Act* and the regulations thereunder, if a Violation Ticket is issued in respect of an offence, the Violation Ticket may;
- (a) specify the fine amount established by this Bylaw for the offence; or
  - (b) require a Person to appear in court without the alternative of making a voluntary payment.

### **Voluntary Payment**

15 A Person who commits an offence may:

- (a) if a Violation Ticket is issued in respect of the offence; and
  - (b) if the Violation Ticket specifies the fine amount established by this Bylaw for the offence;
- make a voluntary payment by submitting to a Clerk of the Provincial Court, on or before the initial appearance date indicated on the Violation Ticket, the specified penalty set out on the Violation Ticket.

### **Obstruction**

16 No Person shall obstruct, hinder or impede any authorized representative of the County in the exercise of any of their powers or duties pursuant to this Bylaw.

## **PART IV - GENERAL**

### **Schedules**

17 The following schedules are included in, and form part of, this Bylaw:

- (a) Schedule "A" – Terms and Conditions of Wastewater Services;
- (b) Schedule "B" – Prohibited Wastes;
- (c) Schedule "C" – Restricted Wastes;
- (d) Schedule "D" – Wastewater Overstrength Limits; and
- (e) Schedule "E" – Specified Penalties.

### **Severability**

18 Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

### **Repeal**

19 This Bylaw repeals Bylaw No. 01-2003.

**Enactment**

20 This bylaw shall come into force and take effect on the day of third reading and signing thereof.

READ a first time this \_\_\_ day of \_\_\_\_\_, 2020.

READ a second time this \_\_\_ day of \_\_\_\_\_, 2020.

READ a third time this \_\_\_ day of \_\_\_\_\_, 2020.

SIGNED AND PASSED this \_\_\_ day of \_\_\_\_\_, 2020.

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Mayor

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Chief Administrative Officer

**SCHEDULE "A"**  
**TERMS AND CONDITIONS OF WASTEWATER SERVICES**

**PART I - GENERAL PROVISIONS**

**Duty to Supply**

1

- (1) The County having constructed, operated and maintained a Wastewater System as a public utility shall continue, insofar as there is sufficient capacity, to supply Wastewater Services, upon such terms as Council considers advisable, to any Customer within the County situated along a Wastewater Main.
- (2) All Wastewater Services provided by the County shall be provided in accordance with these Terms and Conditions, and these Terms and Conditions shall apply to and be binding upon all Customers receiving Wastewater Services from the County.

**No Guarantee of Continuous Supply**

2

- (1) The County does not guarantee or warrant the continuous capacity to collect, store and transmit Wastewater and the County reserves the right to restrict the availability of Wastewater Services or to disconnect or shut-off Wastewater Services, in whole or in part, with or without notice, in accordance with this Bylaw.
- (2) The County shall not be liable for damages, including losses caused by a break within the Wastewater System or caused by the interference or cessation of Wastewater transmission, including when necessary or advisable for the repair or proper maintenance of the County's Wastewater System, or generally for any accident due to the operation of the County's Wastewater System or for the disconnection of a Service Connection or shut-off of Wastewater Service.

**Requirement to Connect to Wastewater System**

3

- (1) Subject to subsection (2), every Property that does or will generate Wastewater and is located adjacent to a Wastewater Main must connect to the Wastewater System. For greater certainty, any new development, including redevelopment, on a Property must be connected prior to occupancy, and any existing development on a Property must connect to the Wastewater System on or before 3 years of the coming into force of this bylaw.
- (2) The Chief Administrative Officer may, in his or her discretion, exempt a given development on a Property from the connection requirement established by subsection (1).
- (3) Where an exemption has been granted under subsection (2), the Chief Administrative Officer may, at any time after the granting of the exemption, require that the new development or redevelopment in question be connected to the Wastewater System within an alternate timeframe prescribed by the Chief Administrative Officer.
- (4) If an Owner fails to take all required steps to connect the Owner's Property to the Wastewater System when required, by this section, to do so, the County may enter onto the Property in question and, at the Owner's sole expense, take any and all steps that the County considers

necessary to connect that Property to the Wastewater System, including, without restriction, constructing a Private Wastewater Line and related facilities on the Property.

- (5) The Owner of a Property in respect of which the Chief Administrative Officer has provided an exemption under subsection (2) shall install, at the Owner's expense, a Private Wastewater Disposal System that meets the approval of the Chief Administrative Officer.
- (6) An Owner who installs a Private Wastewater Disposal System pursuant to subsection (5) shall be responsible for obtaining, and complying with, all permits, certificates, licenses, inspections, reports, and other authorizations necessary for the installation and operation of the Private Wastewater Disposal System, and for complying with all applicable laws and regulations.

### **Alternate Wastewater System**

4

- (1) Subject to subsection (2), once a Property is connected to the Wastewater System,
  - (a) no Person shall, unless authorized in writing by the Chief Administrative Officer, continue to use any Private Wastewater Disposal System located on that Property for the collection or disposal of Wastewater; and
  - (b) any existing Private Wastewater Disposal System that is located on the Property shall be decommissioned, at the Owner's expense, in accordance with all applicable laws and regulations.
- (2) The Chief Administrative Officer may allow a Person to maintain a Private Wastewater Disposal System subject to such terms and conditions as the Chief Administrative Officer deems necessary, which may include, without limiting the generality of the foregoing, restrictions on the period of time for which the Private Wastewater Disposal System may be used and the purposes for which it may be used.
- (3) No Person who has been granted permission by the Chief Administrative Officer to maintain a Private Wastewater Disposal System shall allow that alternate facility to be connected, directly or indirectly, to the Wastewater System.

## **PART II - SERVICE CONNECTIONS**

### **Application for Service Connection**

5

- (1) A Customer requesting Wastewater Services involving a new Service Connection shall apply to the Chief Administrative Officer by submitting an application in a form acceptable to, or adopted by, the Chief Administrative Officer, paying all associated fees and supplying information regarding the location of the Property to be served, the manner in which the Service Connection will be utilized, and any other information that may be reasonably required by the Chief Administrative Officer.
- (2) Upon receipt of all required application documents, information and fees, verification of the Customer's identity and the accuracy of the information, the Chief Administrative Officer will advise the Customer whether and on what terms the County is prepared to supply Wastewater Services to the Customer, the type and character of the Service Connection(s) it is prepared to approve for the Customer, and any conditions, including without limitation, payments by the

Customer, that must be satisfied as a condition of installation of a Service Connection(s) and supply of Wastewater Services.

### **Easements and Rights-of-Way**

- 6 At the request of the Chief Administrative Officer, the Customer shall grant or cause to be granted to the County, without cost to the County, such easements or rights-of-way over, upon or under Property owned or controlled by the Customer as the County may reasonably require for the construction, installation, maintenance, repair, and operation of the Wastewater System.

### **Design and Engineering Requirements for Service Connections**

- 7 Detailed requirements for engineering and construction of Service Connections are set out in the Engineering Design Standards, or as may be otherwise directed by the Chief Administrative Officer. It is the Customer's responsibility to supply, at the Customer's cost, any plans and engineering reports pertaining to the Service Connection that the County may reasonably require, signed and sealed by a professional engineer.

### **Construction of Service Connections**

8

- (1) The County shall, subject to the terms of this Bylaw, provide and install all Facilities up to the property line, but the Customer shall be responsible for, and shall pay, all costs incurred by the County in connection with the provision and installation of the Wastewater Service Line.
- (2) The Customer shall be responsible for, and shall bear all costs associated with, the provision and installation of the Private Wastewater Line and all other piping and equipment or other facilities of any kind whatsoever on the Customer's side of the property line and:
  - (a) shall ensure that the Customer's proposed Private Wastewater Line receives approval from the County prior to construction;
  - (b) shall ensure that all work undertaken on behalf of the Customer is performed by qualified workers holding appropriate certifications, in accordance with this Bylaw and applicable requirements set out in the Engineering Design Standards and the Wastewater Services Guidelines; and
  - (c) shall not backfill the excavation until such time as the County has inspected and approved of the work.
- (3) If an excavation is backfilled in contravention of subsection (2)(c), the Chief Administrative Officer may, in addition to any other rights and remedies that may be available to the County, require the Customer in question to dig out and expose the work at the Customer's cost.

### **Authorizations and Approvals for Private Wastewater Line**

9

- (1) The Customer shall be responsible for obtaining all permits, certificates, licenses, inspections, reports, and other authorizations necessary for the installation and operation of the Private Wastewater Line.
- (2) The County shall not be required to commence Wastewater Services to a Property unless and until the Customer has complied with the requirements of all governmental authorities,

permits, certificates, licenses, inspections, reports and other authorizations, all right-of-way agreements, and all of the County's requirements applicable to the installation and operation of the Private Wastewater Line. The County reserves the right, but is not obligated, to verify that all necessary authorizations have been obtained by the Customer.

### **Repair and Maintenance of Wastewater Service Line**

10 The County is responsible for the repair, maintenance and replacement of Wastewater Service Lines, but the Customer shall be responsible for, and shall pay, all costs incurred by the County in connection with the maintenance, repair or replacement of Wastewater Service Lines.

### **Repair and Maintenance of Private Wastewater Lines**

11

- (1) The Customer is responsible for the repair, maintenance and replacement of Private Wastewater Lines located on the Customer's Property, and for all costs associated therewith.
- (2) The Chief Administrative Officer may require a Customer to perform work described in subsection (1) if the Chief Administrative Officer, in his or her discretion, considers such work to be necessary or desirable for the protection or proper operation of the Wastewater System.
- (3) Where the Chief Administrative Officer requires a Customer to perform work pursuant to subsection (2), the Chief Administrative Officer shall establish a deadline by which the work in question must be completed by the Customer.
- (4) If a Customer fails to complete, by the deadline established under subsection (3), all work required by the Chief Administrative Officer, to the satisfaction of the Chief Administrative Officer, the County may, at its option, and in addition to any other remedy available, enter onto the Customer's Property and perform the said work.
- (5) The Customer shall pay all costs incurred by the County in performing work pursuant to subsection (4).

### **Customer Responsibility for Service Connection**

12

- (1) The Customer assumes full responsibility for the proper use of any Service Connection and any Wastewater Services provided by the County and for the condition, suitability and safety of any and all devices or equipment necessary for receiving Wastewater Services that are located on the Customer's Property.
- (2) The Customer shall be responsible for determining whether the Customer requires any devices to protect the Customer's Property from damage that may result from the use of a Service Connection or Wastewater Services, or to protect the safety or reliability of the Wastewater System. The Customer shall provide and install any such devices at the Customer's sole expense.

### **Compliance with Requirements and Use of Service Connection**

13

- (1) A Customer shall ensure that the Customer's facilities comply with the requirements of this Bylaw, all applicable statutes, codes, standards and regulations and with the County's specifications.

- (2) A Customer shall not use a Service Connection or any Wastewater Service received in a manner so as to interfere with any other Customer's use of a Service Connection, or Wastewater Services.
- (3) A Customer who has breached subsection (2) shall, at the Chief Administrative Officer's request, take whatever action is required to correct such interference or disturbance at the Customer's expense.

### **Abandonment of Service Connection**

- 14 Whenever a Customer wishes to abandon a Service Connection, the Customer shall first obtain approval from the Chief Administrative Officer for the method and location of abandonment and the Customer shall assume responsibility for all costs associated with the same.

### **Ownership of Facilities**

15

- (1) The County retains ownership of all Facilities necessary to provide Wastewater Services to a Customer, up to the property line, unless a written agreement between the County and a Customer specifically provides otherwise.
- (2) Payment made by a Customer for costs incurred by the County for supplying and installing Facilities does not entitle the Customer to ownership of any such Facilities, unless a written agreement between the County and the Customer specifically provides otherwise.

### **Access to Facilities**

16

- (1) No Person shall obstruct or impede the County's free and direct access to any Facilities.
- (2) A Customer shall be responsible for managing vegetation on the Property owned or controlled by the Customer to maintain adequate clearances and reduce the risk of contact with the County's Facilities.
- (3) A Customer shall not install or allow to be installed on Property owned or controlled by the Customer any temporary or permanent structures that could interfere with the proper and safe operation of the County's Facilities or result in non-compliance with applicable statutes, regulations, standards or codes.
- (4) Where a Customer contravenes any provision of this section and fails to remedy such contravention within ten (10) days after receiving from the Chief Administrative Officer a notice in writing to do so, then in addition to any other legal remedy available the Chief Administrative Officer may take any steps necessary to remedy the contravention and may charge any costs of doing so to the Customer's Account.

### **Interference with or Damage to Facilities**

- 17 No Person shall interfere with or alter any Facilities or permit the same to be done by any Person other than an authorized agent of the County, except as authorized by the Chief Administrative Officer.

### **Protection of Facilities on Customer's Property**

18 The Customer shall furnish and maintain, at no cost to the County, the necessary space and protective barriers to safeguard Facilities installed or to be installed upon the Customer's Property. If the Customer refuses, the Chief Administrative Officer may, at his or her option, furnish and maintain, and charge the Customer for furnishing and maintaining, the necessary protection. Such space and protective barriers shall be in conformity with applicable laws and regulations and subject to the Chief Administrative Officer's specifications and approval.

### **Customer to Pay Relocation Costs**

19 The Customer shall pay all costs of relocating the County's Facilities at the Customer's request, if such relocation is for the Customer's convenience, or if necessary to remedy any violation of law or regulation caused by the Customer. If requested by the County, the Customer shall pay the estimated cost of the relocation in advance.

### **Prohibited Extension of Customer Owned Facilities**

20 A Customer shall not extend or permit the extension of a Private Wastewater Line or any other Customer-owned piping, equipment or other assets that are connected directly or indirectly to the Wastewater System, beyond the Property in respect of which they are used to supply Wastewater Services through a Service Connection.

## **PART III - UTILITY ACCOUNTS**

### **Requirement for Account**

21

- (1) The Owner of a Property shall apply for an Account with the County, in a form acceptable to the County, and pay all applicable fees as a condition of obtaining Wastewater Services, regardless of whether the provision of services requires installation of a new Service Connection(s) or construction of any new Facilities.
- (2) In the case of a Multiple Dwelling, the Chief Administrative Officer may require that a separate Account be opened in respect of each Dwelling, as applicable, within the Multiple Dwelling, regardless of the number of Service Connections associated with the Multiple Dwelling.
- (3) Except as provided under this Bylaw, the County shall not grant Wastewater Services to, or open an Account in the name of, an Occupant that is not the Owner of the Property.
- (4) Notwithstanding subsection (3) above, an Owner may request to have bills mailed to an Occupant that is not the owner of the Property under the Owner's name; however, the Owner of a Property where Wastewater Services are received shall be responsible for all services delivered or consumed and all fees, rates and charges levied for services delivered or consumed.
- (5) If, notwithstanding subsection (3), Wastewater Services are currently being provided to an Occupant that is not the Owner of the Property, the Owner of the Property shall forthwith inform the County of this and apply for an Account with the County, failing which the County may deem an application to have been received from the Owner of the Property and open an Account in the Owner's name.
- (6) Upon the change of ownership of a Property supplied with Wastewater Services, the new Owner shall apply for an Account with the County, failing which the County may deem an application

to have been received from the new Owner of the Property and open an Account in the new Owner's name.

### **Security Deposits**

22

- (1) The Chief Administrative Officer may, in his or her sole discretion, at the time of a Customer's application for Wastewater Services or at any time thereafter require the Customer to post a security deposit or increase an existing security deposit.
- (2) The Chief Administrative Officer may, in his or her sole discretion, determine that a Customer is not required to post a security deposit or is no longer required to maintain an existing security deposit.
- (3) A deposit made by a Customer shall be returned to the Customer when a Customer's Wastewater Services are terminated and the Customer's Account is closed. Where a Customer's Wastewater Services are terminated and the Customer's Account is closed for non-payment, prior to any refund, the security deposit will be applied to the balance owing by the Customer to the County.
- (4) The County is not obliged to pay interest on any security deposit held by the County to a Customer.

### **Obligation to Pay**

23

- (1) The Chief Administrative Officer may add to a Customer's Account the charges for all Wastewater Services provided by the County to the Customer, and the Customer is obligated to pay in full all such charges without reduction or set-off for any reason whatsoever, on or before the due date for the charges.
- (2) For greater certainty, non-receipt of a bill or invoice does not relieve a Customer from the obligation to pay for Wastewater Services provided.
- (3) Billing shall be in accordance with the following:
  - (a) The amount of the billing shall be based upon the rates, fees and charges set out in the Fees and Charges Bylaw or elsewhere in this Bylaw;
  - (b) Customers shall be billed monthly, unless the Chief Administrative Officer specified otherwise;
  - (c) For rates, fees and charges that are based on water consumption, the water consumption through Service Connections shall be determined by the applicable meter reading, obtained at such frequency as may be determined by the Chief Administrative Officer in his or her discretion, with a consumption estimate to be utilized in months for which no meter reading is scheduled to occur;
  - (d) Where a meter reading is not obtainable a water consumption estimate may, at the Chief Administrative Officer's discretion, be used.
- (4) Where, pursuant to any provision of this Bylaw, a Service Connection that provides Wastewater Service to a Customer has been disconnected, or Wastewater Service has otherwise been shut-

off or discontinued, the Customer shall continue, for the duration of the disconnection, shut-off or discontinuance of service, to be obligated to pay all applicable non-consumption related rates, fees and charges set out in this Bylaw and the Fees and Charges Bylaw, including, without restriction, all applicable flat rate or fixed rate charges for Wastewater Services.

- (5) Payment on Accounts may be made to the County at such locations designated, and under any payment methods approved, by the Chief Administrative Officer from time to time.

### **Past Due Accounts**

24

- (1) A late payment charge shall be applied to all charges on a Customer's Account if the Customer's payment has not been received by the County by the due date. The Customer may also be charged a dishonoured cheque charge for each cheque returned for insufficient funds.
- (2) Any charge on a Customer's Account remaining unpaid after the due date will be in arrears and constitute a debt owing to the County and is recoverable by any or all of the following methods, namely:
- (a) by action, in any Court of competent jurisdiction;
  - (b) by discontinuing the provision of Wastewater Service, in accordance with this Bylaw;
  - (c) by the Chief Administrative Officer adding the outstanding Account balance to the tax roll of an Owner of a Property in accordance with the *Municipal Government Act*.

### **Discontinuance of Wastewater Services**

25

- (1) In addition to any other remedy available, if the Chief Administrative Officer believes there is any actual or threatened danger to life or Property, or in any other circumstances the nature of which, in the Chief Administrative Officer's sole judgment, requires such action, the Chief Administrative Officer has the right to, without prior notice to the Customer, discontinue the provision of Wastewater Services to a Customer or Property.
- (2) In addition to any other remedy available, the Chief Administrative Officer may discontinue the provision of Wastewater Services to a Customer or Property after providing forty-eight (48) hours advance notice to the Customer in the following circumstances:
- (a) if the Customer neglects or refuses to pay when due any amounts required to be paid under this Bylaw, which amount is not the subject of a good faith dispute;
  - (b) as required by law;
  - (c) if the Customer is in violation of any provision of this Bylaw or any agreement between the Customer and the County for the provision of Wastewater Services;
  - (d) if Wastewater discharged by a Customer is hazardous or creates a danger, endangers or interferes with the operation of the Wastewater System, or causes or is capable of causing an adverse effect; or

- (e) any other similar circumstances to those described above that the Chief Administrative Officer determines, in his or her sole discretion, acting reasonably, require the discontinuance of Wastewater Service upon forty-eight (48) hours' notice.
- (3) When Wastewater Service is to be discontinued pursuant to subsection (1) or (2), the Chief Administrative Officer may use any means to discontinue the Wastewater Service, including, without restriction, disconnecting, shutting-off or sealing a Service Connection, prohibiting a Customer from discharging Wastewater into the Wastewater System or requiring a Customer to take action to prevent Wastewater from entering the Wastewater System.
- (4) The County may impose, upon Customers, fees and charges, as set out in the Fees and Charges Bylaw, for the discontinuance or disconnection of Wastewater Services and for the restoration or reconnection of Wastewater Services and may, in addition, require the Customer to reimburse the County for any costs incurred by the County in taking action under this section.
- (5) Before the County restores or reconnects Wastewater Services, the Customer shall pay:
- (a) any amount owing to the County for the provision of Wastewater Services;
  - (b) any amount owing pursuant to subsection (4); and
  - (c) any applicable security deposit.

### **Right of Entry and Inspection**

26

- (1) As a condition of receipt of Wastewater Services and as operational needs dictate, an Inspector shall have the right to enter a Customer's Property at all reasonable times, or at any time during an Emergency, for the purpose of:
- (a) installing, maintaining, replacing, testing, monitoring or removing any facilities associated with the Wastewater System;
  - (b) investigating or responding to a Customer complaint or inquiry;
  - (c) conducting an unannounced inspection where the County has reasonable grounds to believe that unauthorized use of water or interference with Facilities has occurred or is occurring;
  - (d) inspecting, observing, sampling and measuring the flow in any Private Wastewater Line, Monitoring Access Point, Sampling Port or other component of the Wastewater System;
  - (e) taking samples of Wastewater, Storm Water, Clear-Water Waste and Subsurface Water being released from a Customer's premises or flowing within a Service Connection;
  - (f) performing on-site testing of the Wastewater, Storm Water, Clear-Water Waste and Subsurface Water within or being released from Private Wastewater Lines, Pre-Treatment facilities and Storm Water management facilities;
  - (g) collecting and analyzing samples of Hauled Wastewater or Hauled Waste coming to a discharge location into the Wastewater System;

- (h) making inspections of the types and quantities of chemicals being handled or used on a Customer's premises in relation to possible release to the Wastewater System;
  - (i) requiring information from any Person concerning a matter relevant to the Wastewater Services or Wastewater System;
  - (j) inspecting and copying documents relevant to the Wastewater Services or Wastewater System, or removing such documents from premises to make copies;
  - (k) inspecting chemical storage areas and Spill containment facilities and requesting Safety Data Sheets (SDS) for materials stored or used on site;
  - (l) inspecting the premises where a release of Prohibited Waste or Restricted Waste, or of water containing Prohibited Waste or Restricted Waste has been made or is suspected of having been made, and to sample any or all Matter that could reasonably have been part of the release; and
  - (m) for any other purpose incidental to the provision of Wastewater Services.
- (2) The Inspector shall make reasonable efforts to notify the Customer in advance of entering a Customer's property or to notify any other Person who is at the Customer's property and appears to have authority to permit entry, except:
- (a) in cases of an Emergency;
  - (b) where entry is permitted by order of a court or other authority having jurisdiction;
  - (c) where otherwise legally empowered to enter;
  - (d) where the purpose of the entry is in accordance with subsection (1)(c) above.
- (3) No Person shall hinder or prevent an Inspector from carrying out any of the Inspector's duties under this Bylaw.
- (4) The Customer shall pay a no access fee sufficient to cover the County's reasonable out-of-pocket and administrative costs, if an Inspector's lawful entry to a Customer's Property is prevented or hindered, whether by a Customer not keeping a scheduled appointment or for any other cause.

### **Removal of County Facilities**

27 Where any Customer discontinues Wastewater Services furnished by the County, or the County lawfully refuses to continue any longer to supply it, any authorized representative of the County may at all reasonable times enter the Customer's Property to remove any Facilities in or upon such Property.

## **PART IV - USE AND PROTECTION OF THE WASTEWATER SYSTEM**

### **Protection of Wastewater System**

28

- (1) No Person shall interfere with the free discharge of any Wastewater Main or part thereof, or do any act or thing that may impede or obstruct the flow to, or clog up, the Wastewater System.

- (2) No Person shall connect any storm drain, roof leaders, weeping tile or sump pump to any portion of the Wastewater System.
- (3) In case of a blockage, either wholly or in part, of the Wastewater System by reason of negligence or the failure or omission to strictly comply with the provisions of this Bylaw, the Customer concerned or Person responsible shall be liable for all clogs and the cleaning of such blockages and for any other amount for which the County may be held liable for due to such blockages.

### **Unauthorized Use of Wastewater System**

29

- (1) No Person shall use the Wastewater System, or allow the Wastewater System to be used:
  - (a) in a manner that will impede the Wastewater System's use by other Customers;
  - (b) unless an Account has been opened by the Customer; or
  - (c) in any other unauthorized manner.
- (2) If the Chief Administrative Officer finds an unauthorized use of the Wastewater System including without restriction any tampering with any of the Facilities, the Chief Administrative Officer may make such changes in its Facilities or take such other corrective action as may be appropriate to ensure only the authorized use of the Facilities, and also to ensure the safety of the general public.
- (3) Upon finding an unauthorized use of the Wastewater System, the Chief Administrative Officer may immediately disconnect the Service Connection or shut-off Wastewater Services, without notice, and shall charge the Person all costs incurred in correcting the condition, in addition to any other rights and remedies that may be available to the County.
- (4) A Person that uses the Wastewater System in contravention of this section shall pay the following charges:
  - (a) the applicable rate for the Wastewater Services used based on an estimate by the Chief Administrative Officer of the value the contravention of this section;
  - (b) all costs incurred by the County in dealing with the contravention; and
  - (c) any other applicable fees or charges provided for in this Bylaw.

### **Releases to the Wastewater System and Wastewater Discharge Permits**

30

- (1) No Person shall release, or permit the release of, any Matter into the Wastewater System except:
  - (a) Domestic Wastewater;
  - (b) Non-Domestic Wastewater that complies with the requirements of this Bylaw;
  - (c) Hauled Wastewater, including septage, that complies with the requirements of this Bylaw, or where a Wastewater Discharge Permit authorizing the release has been issued by the County or an authorized representative of the County; or

- (d) Storm Water, Clear-Water Waste, Subsurface Water or other Matter where a Wastewater Discharge Permit authorizing the release has been issued by the County, or an authorized representative of the County.
- (2) No Person shall release or permit the release of any Prohibited Waste or Restricted Waste, without a valid Wastewater Discharge Permit that authorizes the release in question.
  - (3) The Chief Administrative Officer may prohibit, or set discharge concentration and loading rate limits for, any Matter not identified in a Schedule to this Bylaw if the Chief Administrative Officer determines, acting reasonably, that it is necessary to do so in order to protect the Wastewater System, meet Wastewater standards or legislative requirements, control biosolids quality or adopt prohibitions, discharge concentration limits or flow rate limits established by a third party, and no Person shall discharge Wastewater to the Wastewater System in contravention of a prohibition or limit established pursuant to this subsection.
  - (4) If required by the County, a Customer shall complete and submit an application for a Wastewater Discharge Permit, and such application shall be of a type, and in a form, specified by the County.
  - (5) If required by the County, a Customer shall not discharge to the Wastewater System until the Customer has obtained a Wastewater Discharge Permit from the County or an authorized representative of the County.
  - (6) The County and its authorized representatives may issue, and amend, a Wastewater Discharge Permit to allow the discharge of Wastewater into the Wastewater System upon such terms and conditions as the County or its authorized representative, as applicable, considers appropriate and, without limiting the generality of the foregoing, may, in the Wastewater Discharge Permit:
    - (a) place limits and restrictions on the quantity, composition, frequency and nature of the Wastewater permitted to be discharged;
    - (b) require the holder of a Wastewater Discharge Permit to repair, alter, remove, add to, or construct new Pre-Treatment facilities; and
    - (c) provide that the Wastewater Discharge Permit will expire on a specified date, or upon the occurrence of a specified event.
  - (7) A Person that holds, or is subject to, a Wastewater Discharge Permit shall comply with the Wastewater Discharge Permit.

### **No Dilution**

- 31 No Person shall dilute, or permit to be diluted, any Wastewater for the purpose of achieving compliance with this Bylaw.

### **Sampling**

32

- (1) Subject to section 39(6) of this Schedule, where sampling is required for the purposes of determining the concentration of constituents in Wastewater, Storm Water or Uncontaminated Water, the sample may:

- (a) be collected manually or by using an automatic sampling device; and
  - (b) contain additives for its preservation.
- (2) For the purpose of determining compliance with Schedules "B" or "C", discrete Wastewater streams within premises may be sampled, at the discretion of the County or its Inspector.
- (3) Any single Grab Sample may be used to determine compliance with Schedules "B" or "C".
- (4) All tests, measurements, analyses and examinations of Wastewater, its characteristics or contents pursuant to this Bylaw shall be carried out in accordance with "Standard Methods" and be performed by a laboratory accredited for analysis of the particular substance(s) using a method which is within the laboratory's scope of accreditation or to the satisfaction of the County as agreed in writing prior to sample analysis.

### Customer Self-Monitoring

33 A Customer shall, at the Customer's expense, complete any monitoring or sampling of any discharge to the Wastewater System as required by the County, and provide the results to the County, or if directed by the County, to an authorized representative of the County, in the form specified by the County or its authorized representative, as applicable.

### Hauled Wastewater

34

- (1) In this Section:
- (a) **"Approved Hauler"** means a Person that has been authorized, pursuant to subsections (2) to (4), to discharge Hauled Wastewater or Hauled Waste into one or more Transfer Stations; and
  - (b) **"Transfer Station"** means a facility owned or operated by Parkland County at which Hauled Wastewater or Hauled Waste may be discharged from Wastewater hauling vehicles into the Wastewater System.
- (2) A Person who is the owner or operator of one or more vehicles designed to collect, transport and discharge Hauled Wastewater or Hauled Waste may apply, to the County, for approval to discharge Hauled Wastewater or Hauled Waste at a Transfer Station.
- (3) An application made pursuant to subsection (2) shall:
- (a) be in a form adopted by, or acceptable to, the County;
  - (b) be accompanied by any fee or charge established by the County, which may include, without restriction, a fee payable to obtain a Transfer Station access card or access code; and
  - (c) contain any information that may be required by the County.
- (4) Upon receipt of a complete application pursuant to subsection (3), accompanied by any applicable fee or charge that is payable to the County, the County may authorize the applicant to, subject to the requirements of this Bylaw, discharge Hauled Wastewater or Hauled Waste at

one or more Transfer Stations and, upon granting such an authorization, shall provide the applicant with one or more access cards or access codes required for entry to the Transfer Station or Transfer Stations in question.

- (5) No Person, other than an Approved Hauler, shall discharge or permit the discharge of Hauled Waste or Hauled Wastewater into the Wastewater System.
- (6) An Approved Hauler shall not discharge or permit the discharge of Hauled Wastewater or Hauled Waste into the Wastewater System:
  - (a) except in accordance with the requirements of this Bylaw;
  - (b) except at a Transfer Station approved by the County;
  - (c) unless the Approved Hauler meets all conditions for discharge that are or may be set from time to time by the County or its authorized representatives, including, without restriction, payment of applicable fees and charges;
  - (d) unless the Hauled Wastewater or Hauled Waste meets all conditions set out in all applicable federal and provincial environmental protection regulations;
  - (e) unless the Approved Hauler, operating as a waste management system, is certified according to all applicable federal and provincial legislation and a copy of the most recent certificate of approval, or provisional certificate, and any amendments thereto is provided to the County and/or its authorized representative;
  - (f) without a manifest, in a form approved by the County, completed and signed by the carrier of the Hauled Wastewater or Hauled Waste and submitted to the County by the 10<sup>th</sup> of each month for the month prior; and
  - (g) without the use of a discharge hose placed securely in the discharge portal at the approved Transfer Station.
- (7) An Approved Hauler shall:
  - (a) safeguard the access card or access code provided by the County pursuant to subsection (4) so as to ensure that access card or access code is not lost, duplicated or used by any Person other than the Approved Hauler;
  - (b) ensure that the vehicle used by the Hauler to collect, transport and discharge Hauled Wastewater or Hauled Waste is kept clean, well maintained and in a safe condition;
  - (c) if the Approved Hauler's vehicle was used to transport any Matter which, if discharged into the Wastewater System, would result in contravention of this Bylaw, clean the holding tank of the vehicle before collecting any Hauled Wastewater or Hauled Waste;
  - (d) collect, transport and discharge Hauled Wastewater or Hauled Waste so as to prevent spillage of the Hauled Wastewater or Hauled Waste;
  - (e) immediately report, to the County, any spillage of wastewater or debris, or damage to a Transfer Station, caused or contributed to by the Approved Hauler;

- (f) upon exiting a Transfer Station, ensure that the Transfer Station access gate is closed and locked, unless:
    - (i) another Approved Hauler is using the Transfer Station at that time; or
    - (ii) the access gate in question automatically closes and locks.
  - (g) allow an Inspector to access a vehicle used by the Approved Hauler to collect, transport and discharge Hauled Wastewater or Hauled Waste, for the purpose of undertaking inspections, measurement, sampling and testing to determine compliance with this Bylaw.
- (8) If an Approved Hauler contravenes a provision of this Bylaw, the County may, in addition to any other remedy available, revoke or cancel an authorization provided pursuant to subsection (4) and prohibit the Approved Hauler from discharging Hauled Wastewater or Hauled Waste at Transfer Stations.

### **Non-Contact Cooling Water**

- 35 The discharge of Non-Contact Cooling Water or Uncontaminated Water to the Wastewater System from any residential property is prohibited unless the discharge is in accordance with a Wastewater Discharge Permit.

### **Water Originating from a Source Other Than County Water Supply**

- 36 The discharge of water originating from a source other than the County's water supply, including Storm Water or Groundwater, directly or indirectly to the Wastewater System is prohibited, unless the discharge is in accordance with a Wastewater Discharge Permit.

### **Spills**

37

- (1) In the event of a Spill, the Person responsible for the Spill or the Person having the charge, management and control of the Spill, shall:
- (a) immediately notify and provide any requested information with regard to the Spill to:
    - (i) if there is any immediate danger to human health and/or safety:
      - (A) 9-1-1 emergency; and
      - (B) the County Utility Department's emergency phone number.
- or
- (ii) if there is no immediate danger
    - (A) the County Utility Department's emergency phone number;
    - (B) the Owner of the premises where the Spill occurred; and
    - (C) any other Person whom the Person reporting knows or ought to know may be directly affected by the Spill;

- (b) provide a detailed report on the Spill to the County and, if directed by the County, to an authorized representative of the County, within five (5) working days after the Spill, containing the following information to the best of his or her knowledge:
- (i) location where the Spill occurred;
  - (ii) name and telephone number of the Person who reported the Spill and the location and time, where and when they can be contacted;
  - (iii) date and time of Spill;
  - (iv) material spilled;
  - (v) characteristics and composition of material spilled;
  - (vi) volume of material spilled;
  - (vii) duration of Spill event;
  - (viii) work completed and any work still in progress in the mitigation of the spill;
  - (ix) preventive actions being taken to ensure a similar Spill does not occur again; and
  - (x) copies of applicable Spill prevention and Spill response plans.
- (2) The Person responsible for a Spill, and the Person having charge, management and control of the Spill, shall do everything reasonably possible to contain the Spill, protect the health and safety of other Persons, 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.
- (3) Nothing in this Bylaw relieves any Person from complying with any notification or reporting provisions of:
- (a) other government agencies, including federal and provincial agencies, as required and appropriate for the material and circumstances of the Spill; or
  - (b) any other Bylaw of the County.
- (4) Without limiting any other remedy available, any costs incurred by the County as a result of a Spill may, at the County's option, be charged to a Person responsible for the Spill as an amount due and payable by that Person to the County.
- (5) The County may require a Person responsible for a Spill to prepare and submit a Spill contingency plan to the County to indicate how risk of future Spills will be reduced and how future Spills will be addressed.

### **Monitoring Access Points**

38

- (1) A Customer who is the Owner or operator of commercial, Institutional or Industrial premises shall install and maintain in good repair in each Private Wastewater Line a suitable Monitoring Access Point to allow observation, sampling and flow measurement of the Wastewater, Uncontaminated Water or Storm Water therein, provided that, where installation of a

Monitoring Access Point is not possible, an alternative device or facility, which may include, without restriction, a Sampling Port, may be substituted with the prior written approval of the County.

- (2) The Chief Administrative Office may require a Customer that is not otherwise captured by subsection (1) to comply with subsection (1) if, in the opinion of the Chief Administrative Officer, acting reasonably, it is necessary or desirable to do so in order to protect the Wastewater System, or Persons or Property.
- (3) Each Monitoring Access Point, or alternative device or facility, shall be located as close to the property line as possible, unless the County has given prior written approval for a different location.
- (4) Each Monitoring Access Point, or alternative device or facility, installed shall be designed and constructed in accordance with good engineering practice and the requirements of the Engineering Design Standards, and shall be constructed and maintained by the Customer at the Customer's expense.
- (5) A Customer who is the Owner or operator of premises at which a Monitoring Access Point, or alternative device or facility, is installed shall at all times ensure that every Monitoring Access Point, or alternative device or facility, is accessible to the County and its Inspectors for the purposes of observing, sampling and flow measurement of the Wastewater, Uncontaminated Water or Storm Water therein.

### Overstrength Surcharge

39

- (1) In this section:
  - (a) **"Additional Overstrength Concentration Limit"** means the concentration limit, in mg/L, of a Substance set out in Column B of Schedule "D" of this Bylaw;
  - (b) **"Additional Overstrength Surcharge Mass"** means the mass, in kg, of a Substance, to which an Additional Overstrength Surcharge is applied, which mass is determined by applying the following formula:

$$\text{Additional Overstrength Surcharge Mass} = ((\text{Measured Substance Concentration} - \text{Additional Overstrength Concentration Limit}) \times \text{Water Volume}) \times 1,000,000 \text{ (to convert mg to kg);}$$

- (c) **"Substance"** means a substance identified in Schedule "D" of this Bylaw;
- (d) **"Overstrength Concentration Limit"** means the concentration limit, in mg/L, of a Substance set out in Column A of Schedule "D" of this Bylaw;
- (e) **"Overstrength Surcharge Mass"** means the mass, in kg, of a Substance, to which an Overstrength Surcharge is applied, which mass is determined by applying the following formula:

$$\text{Overstrength Surcharge Mass} = ((\text{Measured Substance Concentration} - \text{Overstrength Concentration Limit}) \times \text{Water Volume}) \times 1,000,000 \text{ (to convert mg to kg)}$$

- (f) **“Measured Substance Concentration”** means the concentration, in mg/L, of a Substance found in Wastewater discharged, by the Customer, into the Wastewater System; and
- (g) **“Water Volume”** means:
  - (i) if the Property in question receives metered water service from the County, the volume of treated water delivered to, or consumed by, the Customer during the relevant period; and
  - (ii) if the Property in question does not receive metered water service from the County, the volume of Wastewater discharged by the Customer into the Wastewater System during the relevant period;

as determined by the County.

- (2) The County may impose Overstrength Surcharges upon Customers who discharge, into the Wastewater System, Wastewater containing one or more Substances with Measured Substance Concentrations that exceed the applicable Overstrength Concentration Limit.
- (3) The County may impose Additional Overstrength Surcharges upon Customers who discharge, into the Wastewater System, Wastewater containing one or more Substances with Measured Substance Concentrations that exceed the applicable Additional Overstrength Concentration Limit, and, for greater certainty, such Additional Overstrength Surcharges shall be payable in addition to, not in lieu of, the applicable Overstrength Surcharge.
- (4) The Overstrength Surcharges payable per unit of Overstrength Surcharge Mass and the Additional Overstrength Surcharges payable per unit of Additional Overstrength Surcharge mass are set out in the Fees and Charges Bylaw.
- (5) Overstrength Surcharges and Additional Overstrength Surcharges are payable in addition to any other rates, fees and charges payable for, or in connection with, Wastewater Services.
- (6) Testing to identify Substances present, and Measured Substance Concentrations, for the purpose of calculating Overstrength Surcharges and Additional Overstrength Surcharges, shall be conducted by the County or its Inspector, or by the Customer to the satisfaction of the County that a representative sample is obtained, using automated sampling devices or in accordance with the following manual sampling protocol:
  - (a) samples from the Wastewater produced at a location will be collected each day for a minimum of two days;
  - (b) a minimum of four Grab Samples of equal volume shall be taken each day, such samples to be taken at least one hour apart;
  - (c) the analysis shall be conducted on a Composite Sample made of each day's Grab Samples; and
  - (d) the respective results of these tests for each of the days on which samples are taken, shall be averaged to determine the characteristics and concentration of the Wastewater being discharged into the Wastewater System.

## PART V - INTERCEPTORS AND PRE-TREATMENT

### Food-Related Grease Interceptors

40

- (1) Every Customer who is the Owner or operator of a 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 the Wastewater System, shall take all necessary measures to ensure that Oil and Grease are prevented from entering the Wastewater System in excess of the provisions of this Bylaw.
- (2) The Customer referred to in subsection (1) shall install, operate, and properly maintain, at the Customer's expense, an Oil and Grease interceptor in any piping system at its premises that connects directly or indirectly to the Wastewater System. The Oil and Grease interceptors shall be installed in compliance with the most current requirements of the applicable Building Code and the National Plumbing Code of Canada.
- (3) All Oil and Grease interceptors shall be maintained in good working order according to the manufacturer's recommendations. The testing, maintenance and performance of the interceptor shall meet the requirements of CAN/CSA B-481. Traps should be cleaned before the thickness of the organic material and solids residuals is greater than twenty-five percent of the available volume; cleaning frequency should not be less than every four weeks. Maintenance requirements should be posted in the workplace in proximity to the grease interceptor. Maintenance and clean out shall be documented at the time it is performed.
- (4) A maintenance schedule and record of maintenance carried out shall be submitted to the County and/or its authorized representative upon request for each interceptor installed.
- (5) A Customer who is the Owner or operator of premises as set out in subsection (1) shall, for two years, keep the records which document the maintenance and clean outs performed for interceptor clean-out and Oil and Grease disposal.

### Vehicle and Equipment Service Oil and Grease Interceptors

41

- (1) Every Customer who is the 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 establishment where motor vehicles are repaired, lubricated or maintained and where the discharge is directly or indirectly connected to the Wastewater System shall install an Oil and Grease interceptor designed to prevent motor oil and lubricating grease from passing into the Wastewater System in excess of the limits in this Bylaw.
- (2) The Customer referred to in subsection (1) shall install, operate, and properly maintain an Oil and Grease interceptor in any piping system at its premises that connects directly or indirectly to the Wastewater System. The Oil and Grease interceptors shall be installed in compliance with the most current requirements of the applicable Building Code and be maintained as recommended by the Canadian Fuels Association (formerly the Canadian Petroleum Products Institute).

- (3) All Oil and Grease interceptors and separators shall be maintained in good working order and according to the manufacturer's recommendations and shall be inspected regularly to ensure performance is maintained to the manufacturer's specifications for performance and to ensure the surface oil and sediment levels do not exceed the recommended level. In the absence of manufacturer's recommendations, the floating Oil and Grease shall not accumulate in the final stage chamber of the Oil and Grease separator in excess of 5% of the wetted height and the settled solids shall not accumulate in the final stage chamber of the Oil and Grease separator in excess of 25% of the wetted height. Maintenance and clean out shall be documented at the time it is performed.
- (4) A maintenance schedule and record of maintenance shall be submitted to the County and/or its authorized representative upon request for each Oil and Grease interceptor installed.
- (5) A Customer who is the Owner or operator of the premises as set out in subsection (1) shall, for two years, keep the records which document the maintenance and clean outs performed for interceptor clean-out and Oil and Grease disposal.

### **Sediment Interceptors**

42

- (1) Every Customer who is the Owner or operator of premises from which sediment may directly or indirectly enter the Wastewater System, including but not limited to premises using a ramp drain or area drain and vehicle wash establishments, shall take all necessary measures to ensure that such sediment is prevented from entering the Wastewater System in excess of the limits in this Bylaw.
- (2) All sediment interceptors shall be maintained in good working order, at the Customer's expense, according to manufacturer's recommendations and shall be inspected regularly to ensure performance is maintained to the manufacturer's specifications for performance. In the absence of manufacturer's recommendations, the settled solids shall not accumulate in the final stage chamber of the sediment interceptor in excess of 25% of the wetted height. Maintenance and clean out shall be documented at the time it is performed.
- (3) A Customer who is the Owner or operator of a premises as set out in subsection (1), shall, for two years, keep the records which document interceptor clean-out and sediment disposal.
- (4) A maintenance schedule and record shall be submitted to the County and/or its authorized representative upon request for each sediment interceptor installed.

### **Dental Amalgam Separator**

43

- (1) Every Customer who is the Owner or operator of premises from which Dental Amalgam may be discharged, which waste may directly or indirectly enter the Wastewater System, shall install, operate and properly maintain, at the Customer's expense, Dental Amalgam Separator(s) with at least 95% efficiency in amalgam weight and certified *ISO 11143 – "Dental Equipment: Amalgam Separators"*, in any piping system at its premises that connects directly or indirectly to the Wastewater System except where the sole dental-related practice at the premises consists of one or more of the following specialties or type of practice:
  - (a) Orthodontics and dentofacial orthopedics;

- (b) Oral and maxillofacial surgery;
  - (c) Oral medicine and pathology;
  - (d) Periodontics; or
  - (e) a dental practice consisting solely of visits by a mobile dental practitioner who prevents any Dental Amalgam from being released directly or indirectly to the Wastewater System.
- (2) Notwithstanding compliance with subsection (1) all Persons operating or carrying on the business of a dental practice shall comply with Schedules "B" and "C" of this Bylaw.
- (3) All Dental Amalgam Separators shall be maintained in good working order and according to the manufacturer's recommendations.
- (4) A Customer who is the Owner or operator of a premises as set out in subsection (1), shall, for two years, keep the records which document Dental Amalgam Separator clean-out and waste disposal. .
- (5) A maintenance schedule and record of maintenance shall be submitted to the County and/or its authorized representative upon request for each Dental Amalgam Separator installed.

#### **Pre-Treatment Facilities**

44

- (1) Where required by the County, a Customer shall install, on premises that the Customer owns or occupies, and prior to the sampling point, a Wastewater Pre-Treatment facility.
- (2) Pre-Treatment facilities shall be installed, operated and maintained by the Customer at the Customer's expense.
- (3) The Customer shall ensure the design, operation and maintenance of the Pre-Treatment facility achieves the treatment objectives, operates and is maintained in accordance with the manufacturer's recommendations.
- (4) The maintenance records and waste disposal records shall be submitted to the County and/or its authorized representative upon request.
- (5) The Customer shall keep documentation pertaining to the Pre-Treatment facility and waste disposal for two years.

#### **Disposal**

- 45 No Person shall discharge the waste products of an interceptor, Dental Amalgam Separator or Pre-Treatment facility into the Wastewater System or a Storm Sewer and shall ensure that such waste products are disposed of in a safe manner.

**PART VI - COMPLIANCE PROGRAMS, BEST MANAGEMENT PRACTICES AND CODES OF PRACTICE**

**Compliance Programs**

46

- (1) Without limiting any other provision of this Bylaw governing Wastewater Discharge Permits, the County may require an Industry Customer to apply for and obtain a Wastewater Discharge Permit to discharge Wastewater to the Wastewater System that does not comply with Schedule "B" and/or "C" of this Bylaw. The Industry Customer shall be entitled to make non-complying discharges in the amount and only to the extent set out in the Wastewater Discharge Permit.
- (2) As a term set out in the Wastewater Discharge Permit, the County, or its authorized representative, may require an Industry Customer to submit a Compliance Program setting out activities to be undertaken by the Industry Customer that would result in the prevention or reduction and control of the discharge or deposit of Matter, including, without restriction, Uncontaminated Water, Ground Water or Storm Water from the Industry Customer's premises into the Wastewater System. This may include, but is not limited to, planning, design and construction or installation of facilities or works needed to implement the approved Compliance Program.
- (3) Each Compliance Program shall include the following:
  - (a) a description of the processes at the premises which produce discharges that do not comply with the requirements of this Bylaw;
  - (b) a description of those processes at the premises which are to be the subject of the Compliance Program;
  - (c) a list of non-complying pollutants present at the premises at any stage of the operations at the premises;
  - (d) a description setting out the types, quantities and concentrations of all non-complying pollutants discharged, directly or indirectly, to the Wastewater System;
  - (e) a description of current Wastewater reduction, recycling, treatment and compliance activities at the premises with respect to discharges to the Wastewater System from the premises;
  - (f) a description of compliance options for non-complying pollutants and Wastewater discharge and an evaluation of those options;
  - (g) a list of possible targets and timeframes (in compliance with any Wastewater Discharge Permit that may have been issued to the Customer) to reduce or eliminate the discharge of non-complying Matter to the Wastewater System;
  - (h) a declaration, from a Person authorized by the Industry Customer, that the content of the Compliance Program is, to the best of that Person's knowledge, true, accurate and complete.
- (4) Every proposed Compliance Program shall be for a specified length of time during which Pre-Treatment facilities or other measures are to be installed or implemented and shall be specific

as to the remedial actions to be implemented by the Industry Customer, the dates of commencement and completion of the activity and the materials or other characteristics of the Matter to which it relates. The final activity completion date shall not be later than the final compliance date in the Compliance Program.

- (5) Industry Customers that are required to submit a Compliance Program shall also submit a Compliance Program progress report to the County, or, if directed by the County, to an authorized representative of the County, within fourteen (14) days after the scheduled completion date of each activity listed in the Compliance Program.
- (6) the County may terminate any proposed Wastewater Discharge Permit related to a Compliance Program by written notice at any time to the Industry Customer in the event that the Industry Customer fails or neglects to carry out or diligently pursue the activities required of it under its Compliance Program.
- (7) Where an Industry Customer receives notice from the County that its Compliance Program has not been approved, the County may provide the Industry Customer with a date by which it must submit an amended Compliance Program to the County for approval in accordance with this section.
- (8) In the event that a Compliance Program resubmitted to the County in accordance with subsection (7) does not comply with the requirements of this Bylaw, the County shall so notify the Industry Customer and the Industry Customer shall be in contravention of subsection (1) and shall continue to be in contravention until such time as the County approves an amended Compliance Program resubmitted by the Industry Customer, in accordance with this section.
- (9) When required by the County, an Industry Customer which has received approval from the County for its Compliance Program shall submit a revised and updated Compliance Program for the approval of the County within the timeframe specified by the County. Such revised and updated Compliance Program shall, in addition to the requirements otherwise set out in this section, detail and evaluate the progress of the Industry Customer to accomplish the objectives set out in its Compliance Program.
- (10) A copy of the Compliance Program shall be kept at all times at the premises in respect of which it was prepared and shall be available for inspection by the County and/or its authorized representative at any time.

### **Best Management Practices and Codes of Practice**

47

- (1) The County may adopt Best Management Practices and Codes of Practice and may, without limiting the generality of the foregoing, adopt Best Management Practices and Codes of Practice that have been established or adopted by a third party.
- (2) The County may define Designated Sector Operations to which a Code of Practice Applies and may, without limiting the generality of the foregoing, adopt definitions or descriptions of Designated Sector Operations that have been established by a third party.
- (3) A Code of Practice adopted by the County applies to all Customers that fall within the Designated Sector Operations to which that Code of Practice applies, but does not apply to a

Customer that is subject to a Wastewater Discharge Permit, unless the Wastewater Discharge Permit specifies otherwise, and does not apply to the discharge of Domestic Wastewater.

- (4) All Customers to whom a Code of Practice applies shall comply with that Code of Practice.
- (5) Nothing in a Code of Practice relieves a Person discharging Wastewater from complying with this Bylaw, a Wastewater Discharge Permit or any other applicable enactment, but if a Code of Practice establishes a requirement that is inconsistent with a requirement in this Bylaw, the requirement in the Code of Practice shall prevail.
- (6) A Customer that is subject to a Code of Practice must submit to the County or, if directed by the County, to an authorized representative of the County, a completed Code of Practice registration form, in the form approved by the County:
  - (a) within ninety (90) days after the date that the Code of Practice was adopted or established, if the Customer was receiving Wastewater Services at the time that the Code of Practice was adopted or established; and
  - (b) in all other cases, within thirty (30) days of the date on which the Customer began to receive Wastewater Services.
- (7) A Customer who has submitted a Code of Practice registration form must report to the County or, if directed by the County, to an authorized representative of the County, any change in the ownership, name, location, contact person, telephone number, or email address of the Customer within thirty (30) days of the change by submitting a completed Code of Practice registration form showing the changes.
- (8) A Customer who has submitted a Code of Practice registration form must, within 30 days of any change in the Customer's practices or operations that results in the Customer no longer falling within the Designated Sector Operations to which the Code of Practice applies, report the change to the County or, if directed by the County, to an authorized representative of the County, by submitting a completed Code of Practice registration form describing the changes.

## **PART VII - MISCELLANEOUS**

### **Information Provided**

48

- (1) If a Person who submits documentation to the County, or an authorized representative of the County, pursuant to this Bylaw considers some or all of the information contained in the document to be confidential, or otherwise wishes to request that some or all of the information not be disclosed, that Person shall indicate this, in writing, on the documentation in question.
- (2) No Person shall supply false information or make inaccurate statements in any document or information required to be supplied to the County or an authorized representative of the County pursuant to this Bylaw.

**SCHEDULE "B"**  
**PROHIBITED WASTES**

No Person shall discharge directly or indirectly or deposit or cause or permit the discharge or deposit of Wastewater into the Wastewater System in circumstances where:

1 to do so may cause or result in:

- (a) a health or safety hazard to a Person authorized by the County to inspect, operate, maintain, repair or otherwise work on the Wastewater System;
- (b) an offence under, or contravention of, any applicable federal or provincial legislation, or bylaw, as amended from time to time, or any regulation made thereunder from time to time;
- (c) Wastewater Sludge from the Wastewater Treatment Facility to which Wastewater discharges, either directly or indirectly, to fail to meet the objectives and criteria as listed in any applicable federal or provincial legislation, as amended from time to time;
- (d) interference with the operation or maintenance of the Wastewater System, or which may impair or interfere with any Wastewater treatment process;
- (e) a hazard to any Person, animal, property or vegetation;
- (f) an offensive odour emanating from the Wastewater System, and without limiting the generality of the foregoing, Wastewater containing hydrogen sulphide, carbon disulphide, other reduced sulphur compounds, amines or ammonia in such quantity as may cause an offensive odour;
- (g) damage to the Wastewater System; or
- (h) an obstruction or restriction to the flow in the Wastewater System;

2 the Wastewater has two or more separate liquid layers;

3 the Wastewater contains:

- (a) a Hazardous Substance;
- (b) combustible liquid;
- (c) Biomedical Waste, including, but not limited to, 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 Biosafety Guidelines" published by Health Canada, dated 2004, as amended;
- (d) specified risk material for bovine spongiform encephalopathy as defined in the federal *Fertilizers Regulations*, 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 colouring materials which may or could pass through the Wastewater System and discolour the Wastewater within the Wastewater System;
  - (f) Fuel;
  - (g) Ignitable Waste;
  - (h) Pathological Waste;
  - (i) PCBs;
  - (j) a Pesticide which is not otherwise regulated in this Bylaw;
  - (k) Reactive Waste;
  - (l) a Toxic Substance which is not otherwise regulated in this Bylaw;
  - (m) Waste Radioactive Substances in excess of concentrations greater than those specified for release to the environment under the *Nuclear Safety and Control Act* and Regulations or amended versions thereof; or
  - (n) solid or viscous substances in quantities or of such size to be capable of causing obstruction to the flow in the Wastewater System, 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 Wastewater contains a concentration, expressed in milligrams per litre, in excess of any one or more of the limits in Schedule "C" of this Bylaw, unless:
- (a) the discharge is in accordance with a valid Wastewater Discharge Permit,
  - (b) the discharge is authorized in a Code of Practice approved by the County or and authorized representative of the County; and
  - (c) all requirements of Part V of Schedule "A" of this Bylaw (Interceptors and Pre-Treatment) have been fully satisfied.

**SCHEDULE "C"**  
**RESTRICTED WASTES**

The following substances are Restricted Waste when present in Wastewater at a concentration in excess of the applicable concentration listed below:

**Table A - CONVENTIONAL CONTAMINANTS**

Substance	Concentration Limit (mg/L)
Biochemical Oxygen Demand	10,000
Chemical Oxygen Demand	20,000
Oil and Grease, Total – Animal and Vegetable + Mineral and Synthetic/Petroleum Hydrocarbons	500
Total Suspended Solids	5,000
Total Kjeldahl Nitrogen	500
Phosphorus	200

Concentrations that do not exceed these constituent concentrations limits are permitted for discharge, however may be subject to an Overstrength Surcharge or Additional Overstrength Surcharge.

**Table B - INORGANIC CONTAMINANTS**

Substance	Concentration Limit (mg/L)
Arsenic (As)	1.0
Cadmium (Cd)	0.10
Chlorine (total) (Cl <sub>2</sub> )	5.0
Chromium (Hexavalent) (Cr+6)	2.0
Chromium (total) (Cr)	4.0
Cobalt (Co)	5.0
Copper (Cu)	2.0
Cyanide (CN)	2.0
Lead (Pb)	1.0
Mercury (Hg)	0.10
Molybdenum (Mo)	5.0
Nickel (Ni)	4.0
Selenium (Se)	1.0
Silver (Ag)	5.0
Sulphide (S=)	3.0
Thallium (Tl)	1.0
Zinc (Zn)	2.0

**Table C - ORGANIC CONTAMINANTS**

Substance	Concentration Limit (mg/L)
Benzene	0.5
Ethylbenzene	0.5
Oil and Grease – Mineral and Synthetic/Petroleum Hydrocarbons	100
Phenols, Total (or phenolic compounds)	1.0
Toluene	0.5

Xylene	0.5
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Wastewater that falls outside one or more of the parameter limits listed below is Restricted Waste:

**Table D – PHYSICAL PARAMETERS**

<b>Parameter</b>	<b>Limit</b>
Flashpoint	Not $\leq 60.5^{\circ}$ C
Lower Explosive Limit (LEL) in headspace	10% of the LEL
pH	6.0 - 11.5 (unitless)
Temperature	60 degrees Celsius

**SCHEDULE "D"**  
**WASTEWATER OVERSTRENGTH LIMITS**

<b>Substance</b>	<b>Column A</b>	<b>Column B</b>
	<b>Overstrength Surcharge Concentration Limits, (mg/L)</b>	<b>Additional Overstrength Concentration Limits, (mg/L)</b>
Biochemical Oxygen Demand (BOD)	300	3000
Chemical Oxygen Demand (COD)	600	6000
Oil and Grease , Total (O&G) – Animal and Vegetable + Mineral and Synthetic/Petroleum Hydrocarbons	100	400
Total Suspended Solids (TSS)	300	3000
Total Kjeldahl Nitrogen (TKN)	50	200
Total Phosphorus (TP)	10	75

Note: Concentrations in column A become surchargeable with a second tier surcharge when reaching concentrations in column B.

**SCHEDULE "E"**  
**SPECIFIED PENALTIES**

Section	Description	Penalty	
		Violation Ticket	
		First Offence	Second or Subsequent Offence
Bylaw, s. 17	Obstruct an authorized representative	\$1,000	\$2,500
Schedule "A", s.4(1)(a)	Unauthorized use of Private Wastewater Disposal System, after connection to Wastewater System	\$750	\$2,000
Schedule "A", s. 4(1)(b)	Fail to decommission Private Wastewater Disposal System, after connection to Wastewater System	\$750	\$2,000
Schedule "A", s. 8(2)(c)	Backfill before Service Connection inspection	\$1,000	\$2,500
Schedule "A", s. 11	Contravention of Repair and Maintenance Requirements	\$750	\$2,000
Schedule "A", s. 13(2)	Interfere with another Customer's Service Connection/Wastewater Services	\$750	\$2,000
Schedule "A", s. 16(1)	Obstruct access to Facilities	\$1,000	\$2,500
Schedule "A", s. 16(2)	Failure to manage vegetation on Property	\$750	\$2,000
Schedule "A", s. 16(3)	Install structure that interferes with proper and safe operation of Facilities	\$750	\$2,000
Schedule "A", s. 17	Interfere with or alter Facilities	\$1,000	\$2,500
Schedule "A", s. 20	Extend Customer-owned infrastructure beyond Property	\$750	\$2,000
Schedule "A", s.26(3)	Hinder Inspector	\$1,000	\$2,500
Schedule "A", s. 28	Contravention of requirement respecting protection of Wastewater System	\$750	\$2,000
Schedule "A", s. 29(1)(a)	Impede Wastewater Use of other Customers	\$750	\$2,000
Schedule "A", s. 29(1)(b)	Use Wastewater System without an Account	\$750	\$2,000
Schedule "A", s. 29(1)(c)	Use Wastewater System in unauthorized manner	\$750	\$2,000

Schedule "A", s. 30(1)	Release of Matter to Wastewater System in contravention of Section 30(1) of Schedule "A"	\$750	\$2,000
Schedule "A", s. 30(2)	Release of Prohibited Waste or Restricted Waste without a Wastewater Discharge Permit	\$750	\$2,000
Schedule "A", s. 30(3)	Contravention of prohibition or limit established pursuant to Section 30(3) of Schedule "A"	\$750	\$2,000
Schedule "A", s. 30(7)	Failure to comply with Wastewater Discharge Permit	\$750	\$2,000
Schedule "A", s. 31	Diluting Wastewater to comply with Bylaw	\$750	\$2,000
Schedule "A", s.33	Failure to conduct required monitoring or sampling	\$750	\$2,000
Schedule "A", s.34	Contravention of requirements respecting discharge of Hauled Wastewater	\$750	\$2,000
Schedule "A", s.35	Discharging Non-Contact Cooling Water or Uncontaminated Water unless in accordance with Wastewater Discharge Permit	\$750	\$2,000
Schedule "A", s. 36	Discharging water originating from a source other than the Beaumont Water Supply unless in accordance with a Wastewater Discharge Permit	\$750	\$2,000
Schedule "A", s. 37	Failure to comply with requirements respecting Spills	\$750	\$2,000
Schedule "A", s. 38(1) and (2)	Failure to install, and/or maintain, required Monitoring Access Point or alternative device or facility	\$750	\$2,000
Schedule "A", s. 38(3) to (5)	Failure to comply with additional requirements respecting Monitoring Access Points, or alternative devices or facilities	\$750	\$2,000
Schedule "A", ss. 40 to 43	Failure to comply with requirements respecting interceptors and dental waste	\$750	\$2,000
Schedule "A", s. 44	Failure to comply with requirements respecting Pre-Treatment facilities	\$750	\$2,000

Schedule "A", s.45	Improper disposal of waste product of interceptor, Dental Amalgam Separator or Pre-Treatment facility	\$750	\$2,000
Schedule "A", s. 46	Failure to comply with requirements respecting Compliance Programs	\$1,000	\$2,500
Schedule "A", s. 47(4)	Failure to comply with a Code of Practice	\$1,000	\$2,500
Schedule "A", s. 47(6) to (8)	Failure to comply with Code of Practice registration and reporting requirements	\$1,000	\$2,500
Schedule "A", s. 48(2)	Supply False Information	\$1,000	\$2,500
Contravention of a provision of this Bylaw not identified above		\$500	\$1,000