

Authority: Strategic Policies and Priorities Committee Report No. 8, Clause No. 1,
as adopted by City of Toronto Council on April 26, 27 and 28, 1999
Enacted by Council: September 29, 1999

CITY OF TORONTO

BY-LAW No. 660-1999

To rebate the surcharge on water rates for sewage purposes for the portion of water that is not discharged to the sanitary sewer system.

WHEREAS By-law No. 32-93 of The Municipality of Metropolitan Toronto Act provided that Metropolitan Council may rebate the surcharge on water rates for sewage works purposes for the portion of water that is not discharged into the sanitary sewer system; and

WHEREAS the sewer surcharge rebate policy is to apply to the City of Toronto:

Now therefore, the Council of the City of Toronto HEREBY ENACTS as follows:

1. In this By-law, "Consumer" shall mean a residential, industrial, commercial or institutional consumer of water in the City of Toronto.
2. Consumers may submit to the Clerk of the City an application in the form set out by the City.
3. The City shall, where a consumer has made a successful application under this By-law, rebate to the Consumer that portion of the surcharge on water rates for sewage service purposes paid by a Consumer to the City in relation to the portion of the water that is not discharged by that Consumer to the sanitary sewer system.
4. Consumers shall be required, at their sole expense, to submit to the City a detailed engineering report issued by an independent licensed professional engineer no later than nine months from the date of the application, setting out the Consumer's water consuming processes and providing a water balance for the account. The water balance shall cover a minimum period of five days over a minimum of three separate occasions and shall include at least one balance showing seasonal variation.
5. Applications shall be granted only if the amount of reduction in sewage discharged in relation to water supplied is in conformance with the following:
 - (1) for Consumers with a total annual water consumption of up to and including 1500 cubic metres, sewage flow must be more than 20% less than total annual water consumption; or
 - (2) for Consumers with a total annual water consumption between 1500 cubic metres and up to and including 15,000 cubic metres, sewage flow must be more than 15% less than total annual water consumption; or

- (3) for Consumers with a total annual water consumption between 15,000 cubic metres and up to and including 1,500,000 cubic metres, sewage flow must be more than 10% less than total annual water consumption; or
- (4) for Consumers with a total annual water consumption of over 1,500,000 cubic metres sewage flow must be more than 5% less than total annual water consumption.

6. The City shall be entitled to conduct an inspection of the Consumer's premises to verify any and all information in relation to the application submitted by the Consumer.

7. If the Consumer is discharging to a storm sewer system which is routed to a City treatment plant for treatment, the City shall not grant any rebate to that Consumer.

8. The City shall make no rebate to any Consumer in relation to cooling water discharged into storm sewers.

9. Each year Consumers who have been granted a rebate, in order to receive a rebate for the current year, shall submit to the City's Commissioner of Works and Emergency Services in a form and content satisfactory to the City's Commissioner of Works and Emergency Services, annual verification of the Consumer's water consumption and sewage discharge, no later than the 1st day of February of each calendar year. Any failure to comply with this requirement shall result in the revocation of any rebate granted to the Consumer pursuant to this By-law.

10. In the event of any change concerning sewage discharge in relation to the amount of water supplied, the Consumer shall immediately notify the City Commissioner of Works and Emergency Services. Any failure to comply with this requirement shall entitle the City to revoke or suspend any rebate granted to the Consumer, and to require the Consumer to pay the full surcharge from the time of the change.

11. No Consumer shall be entitled to a rebate until such rebate is authorised by the City's Commissioner of Works and Emergency Services in accordance with this By-law. However, once authorised, the Consumer shall be entitled to a rebate from the date of the receipt of the application by the City Clerk.

12. Any Consumer who is in arrears with regard to payments for water rates or sewer surcharges shall not be entitled to any rebate so long as such arrears remain outstanding.

13. The rebate provided for in section 3 of this By-law shall be at a rate of \$0.3858 per cubic metre of discharge, or at such other rate as determined by City Council from time to time.

14. (1) Consumers who discharge all of the sewage produced at their premises to a private septic system that is not connected to the City's sewage system or a municipal sewer system may make an application to the Clerk of the City in the form set out by the City for a rebate of the surcharge on water rates for sewage service purposes paid by the Consumer to the City.

(2) The City shall be entitled to conduct an inspection of the Consumer's premises to verify any and all information in relation to the application submitted by the Consumer.

(3) No Consumer shall be entitled to a rebate until such rebate is authorised by the City's Chief Financial Officer and Treasurer or the City's Commissioner of Works and Emergency Services in accordance with this By-law. However, once authorized, the consumer shall be entitled to a rebate from the date of the receipt of the application by the City Clerk.

(4) Any Consumer who is in arrears with regard to payments for water rates or sewer surcharges shall not be entitled to any rebate so long as such arrears remain outstanding.

(5) In the event of any change in relation to the Consumer's connection to a private septic tank or connection to a City sewer, the Consumer shall immediately notify the Clerk of the City. Any failure of the Consumer to comply with this subsection shall entitle the City to revoke or suspend any rebate granted to the Consumer, and to require the Consumer to pay the full surcharge from the time of the change.

(6) The rebate pursuant to this section shall be at the rate of 55.85 per cent of the retail combined water and sewer service rate applicable to the Consumer, or at such other rate determined by City Council from time to time.

15. Section 292-4 of the Municipal Code of the former City of Toronto is hereby repealed.

16. By-law No. 32-93 of the former Municipality of Metropolitan Toronto is hereby repealed.

17. This By-law shall come into force on the 1st day of November, A.D. 1999.

ENACTED AND PASSED this 29th day of September, A.D. 1999.

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

(Corporate Seal)