

Authority: Works Committee Report 6, Clause 30, as adopted by City of Toronto Council on September 25, 26, 27 and 28, 2006, and § 169-26B, § 169-52C(8)(d) and § 169-52D(2) of City of Toronto Municipal Code Chapter 169, Officials, City
Enacted by Council: March 6, 2007

CITY OF TORONTO

BY-LAW No. 192-2007

To amend City of Toronto Municipal Code Chapter 849, Water and Sewage Services, to provide a one time retroactive rebate to qualified consumers who discharge to private septic systems and to amend references to certain City officials.

WHEREAS § 849-14 of City of Toronto Municipal Code Chapter 849, Water and Sewage Services, provides that 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 City Clerk 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; and

WHEREAS at its meeting of September 25, 26, 27 and 28, 2006, City Council adopted, without amendment, the staff recommendations in the Recommendations Section of the report (August 16, 2006) from the General Manager, Toronto Water respecting administrative changes to Article I of Chapter 849 respecting the rebate of the sewer service surcharge, including clarification of retroactive provisions of the sewer service surcharge on septic systems; and

WHEREAS § 169-26B of City of Toronto Municipal Code Chapter 169, Officials, City, provides that the City Solicitor, in consultation with the City Clerk, may submit bills directly to Council to make technical amendments to the Municipal Code and other by-laws to correct technical errors and to update by-laws; and

WHEREAS § 169-52C(8)(d) of City of Toronto Municipal Code Chapter 169, Officials, City, provides that a reference to the "Commissioner of Works and Emergency Services" is deemed, based on the service area, in by-laws to be a reference to the "General Manager of Toronto Water";

WHEREAS Water and Sewage Services are the service area of the General Manager of Toronto Water;

WHEREAS § 169-52D(2) of City of Toronto Municipal Code Chapter 169, Officials, City, provides that a reference in by-laws to the "Chief Financial Officer and Treasurer" is deemed to be a reference to the "Deputy City Manager and Chief Financial Officer"; and

WHEREAS City of Toronto Municipal Code Chapter 849, Water and Sewage Services, still contains references to the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Section 849-14 of City of Toronto Municipal Code Chapter 849, Water and Sewage Services, is amended as follows:

- (1) By adding the following subsections:
- G. Consumers who discharge all 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 and who may have previously qualified to receive a rebate pursuant to § 849-14A but who have not previously made such an application to the City, be eligible to apply for and receive a one time retroactive rebate, in the form of either a direct payment or credit to their water account, as determined by the City's Deputy City Manager and Chief Financial Officer or General Manager of Toronto Water, in an amount equivalent to the sewer charge that the consumer has paid to the City for the period commencing on the later of:
- (1) November 1, 1999, or
 - (2) the date that the consumer became responsible for payment of water bills in connection with the property billed, and ending on September 28, 2006.
- H. Consumers who discharge all 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 and who are currently receiving a rebate of the surcharge pursuant to § 849-14A effective from the date of receipt of their application, as prescribed in § 849-14C, be eligible to apply for and receive a one time retroactive rebate, in the form of either a direct payment or credit to their water account, as determined by the City's Deputy City Manager and Chief Financial Officer or General Manager of Toronto Water, in an amount equivalent to the sewer charge that the consumer has paid to the City for the period commencing on the later of:
- (1) November 1, 1999, or
 - (2) the date that the consumer became responsible for payment of water bills in connection with the property billed, and ending on the earlier of September 28, 2006 or the date of receipt of their application pursuant to § 849-14A and § 849-14C.
2. Municipal Code Chapter 849, Water and Sewage Services, is amended by deleting the words "Commissioner of Works and Emergency Services" wherever they appear and replacing them with the words "General Manager of Toronto Water".
3. Municipal Code Chapter 849, Water and Sewage Services, is amended by deleting the words "Chief Financial Officer and Treasurer" wherever they appear and replacing them with the words "Deputy City Manager and Chief Financial Officer".
4. (1) Subject to Subsection (2), this by-law is deemed to have come into force on March 6, 2007.

- (2) The amendments, as enacted by Section 1 of this By-law, came into force on the 28th day of September, 2006.

ENACTED AND PASSED this 6th day of March, A.D. 2007.

GLORIA LINDSAY LUBY,
Deputy Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)