

Authority: Public Works and Infrastructure Committee Item PW10.5, as adopted by City of Toronto Council on February 3 and 4, 2016

**CITY OF TORONTO**

**BY-LAW No. 100-2016**

**To amend City of Toronto Municipal Code Chapter 681, Sewers and Chapter 851, Water Supply.**

Whereas Council has the authority to pass this By-law pursuant to subsections 8(1), (2) and (3) and section 259 of the *City of Toronto Act, 2006*, S.O. 2006, Chapter 11, Schedule A (the "City of Toronto Act, 2006");

The Council of the City of Toronto enacts:

**1. Municipal Code Chapter 681, Sewers, is amended as follows:**

- A. By deleting Chapter 681, Article I, Appendix 2, Subject Pollutants and deleting the reference to this appendix from the Table of Contents.
- B. By adding the following definitions to § 681-1:

FOUNDATION DRAIN - a perforated pipe installed beneath the foundation of a building or structure for the purpose of collecting flows from groundwater infiltration and conveying the flows to a sump pump for disposal on the surface of the ground or to a private service connection or drainage system for disposal in a municipal sewer.

NAICS - North American Industrial Classification System.

OCCUPIER or OCCUPANT - includes:

- A. A person residing at the property; or
- B. A person entitled to the possession of the property if there is no other person residing on or in the property; or
- C. A tenant or leaseholder of the property or a part of the property;

Where any of the above persons is a corporation, it shall also include the officers, directors and shareholders of that corporation.

OWNER - A person who has a right, title, estate, or interest in a property, other than that of only an occupant and, where that person is a corporation, shall include the officers, directors and shareholders of that corporation, and shall include any person with authority or power over or control over that property on the behalf of an owner.

PRIVATE WATER - water originating from:

- A. Storm water and/or groundwater accumulating or collected on private lands; or
- B. A private drainage or waterworks system; or
- C. A well or any other subsurface extraction of groundwater; or
- D. A permanent or temporary wastewater pond, water retention site or other area or site of surface water collection, whether natural or man-made, created, used or caused by or for renovation, repair, maintenance, demolition, construction-related or land development activity or activities; or
- E. A tank, tanker truck, vessel, or other means of water storage and not supplied by the City; or
- F. The permanent or temporary alteration of a natural or pre-existing drainage pattern; or
- G. Any combination of the above-noted activities, where the water from such activity would be discharged directly or indirectly to a municipal storm sewer or municipal sewer connection thereto and such activity is related to renovation, repair, maintenance, demolition construction or land development activity or activities at a property.

PRIVATE WATER DRAINAGE SYSTEM - A subsurface drainage system which may consist of but is not limited to weeping tile(s), foundation drain(s), private water collection sump(s), private water pump or any combination thereof for the disposal of private water on the surface of the ground or to a private sewer connection or drainage system for disposal in a municipal sewer.

SURFACE WATER - water originating from the release of water vapour from the atmosphere that falls upon and spreads or flows across the land's surface.

WEeping TILE - a perforated pipe installed along the perimeter of a building or structure for the purpose of collecting flows from groundwater and/or surface water infiltration and conveying the flows to a sump pump for disposal on the surface of the ground or to a private service connection or drainage system for disposal in a municipal sewer.

- C. By adding the following to the end of § 681-1:

Any reference to any act, statute, regulation, by-law, rule, standard, specification, policy or to a provision thereof shall be deemed to include a reference to any act, statute, regulation, by-law, rule, standard, specification, policy or provision enacted in substitution or amendment thereof.

- D. By deleting the definition of SUBJECT POLLUTANT in § 681-1 in its entirety and replacing it with the following:

SUBJECT POLLUTANT - The element, material or compound listed in § 681-5L as Table 3 to this chapter.

- E. By deleting the definition of GROUND WATER in § 681-1 in its entirety and replacing it with the following:

GROUNDWATER - Water below the surface of the ground that occupies a zone of the earth's mantle that is saturated with water.

- F. By deleting the definition of PERSON in § 681-1 in its entirety and replacing it with the following:

PERSON - A natural person, an association, a partnership or a corporation, municipality and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law.

- G. By deleting the definition of BEST MANAGEMENT PRACTICES (BMP) in § 681-1 in its entirety and replacing it with the following:

BEST MANAGEMENT PRACTICES (BMP) - An integrated plan established by the General Manager or City Council and any amendments thereof.

- H. By deleting the definition of SPILL in § 681-1 in its entirety and replacing it with the following:

SPILL - A direct or indirect discharge into the municipal sewage works which is abnormal in quantity or quality in light of all the circumstances of the discharge.

- I. By deleting the definition of STORM WATER in § 681-1 in its entirety and replacing it with the following:

STORM WATER - Water from rainfall, other natural precipitation or the melting of snow or ice or a combination of the foregoing.

- J. By deleting the definition of INDUSTRIAL in § 681-1 in its entirety and replacing it with the following:

INDUSTRIAL - Of or pertaining to manufacturing, commerce, trade, business, non-profit, or institutions as distinguished from domestic or residential.

- K. By deleting § 681-1.1E in its entirety and replacing it with the following:

E. The General Manager shall be authorized to amend or revise City standards and specifications, Environmental Code of Practices and Best

Management Practices relating to this Chapter as may be required from time to time.

- L. By deleting § 681-2A(1)(c) in its entirety and replacing it with the following:
- (c) Biosolids from the municipal sewage works to no longer meet the objectives and criteria as listed in the Nutrient Management Act, 2002, ONTARIO REGULATION 267/03, as amended from time to time;
- M. By deleting § 681-2A(2)(a) and § 681-2A(2)(c).
- N. By deleting § 681-2A(3)(k) in its entirety and replacing it with the following:
- (k) PCBs, except where:
    - [1] The person has a valid Certificate of Approval or a valid Environmental Compliance Approval for a mobile site or PCB mobile waste disposal system issued under the *Environmental Protection Act* (EPA) that has been complied with or, where the person is claiming exemption under a regulation, the person has demonstrated to the General Manager that the conditions of the exemption are met;
    - [2] A copy of the most recent valid certificate or provisional certificate or valid Environmental Compliance Approval and any amendment is provided to the General Manager; and
    - [3] The person has written approval from the General Manager that the person has met a condition for an exemption under the regulations in relation to their discharge of PCBs to the sewage works.
- O. By deleting § 681-2A(3)(l) in its entirety and replacing it with the following:
- (l) Pesticides, except for those used by the City of Toronto for the following purposes:
    - [1] health and safety; or
    - [2] protection of the natural environment; or
    - [3] other uses in compliance with the Ontario Ministry of the Environment and Climate Change legislation.
- P. By deleting § 681-2A(4) in its entirety and replacing it with the following:
- (4) The sewage contains a concentration in excess of any one or more of the limits in Table 1 entitled Limits for Sanitary and Combined Sewers Discharge, unless:

- (a) The discharge is expressly authorized in a Best Management Practices (BMP) Plan approved by Council or the General Manager and the discharge is in accordance with such plan; or
- (b) The discharge is in accordance with a valid discharge agreement or permit or compliance agreement entered into in accordance with § 681-6 of this Chapter; or
- (c) The person has demonstrated to the General Manager that one or more of the parameter limits contained in Table 1 cannot be met as a result of water conservation measures and the General Manager has exercised discretion to impose mass loading limits in addition to or in place of concentration-based limits.

Q. By deleting § 681-2C in its entirety and replacing it with the following:

C. Discharge of private water.

- (1) The discharge of private water, directly or indirectly to a municipal sanitary sewer or combined sewer is prohibited, unless:
  - (a) The discharge is in accordance with a sanitary discharge agreement or permit entered into in accordance with § 681-6 which is in good standing; provided, however, that this requirement shall not apply to rainwater used for washroom facilities; and
  - (b) The discharge either:
    - (i) does not exceed any of the limits set out under Table 1 of § 681-2, with respect to biochemical oxygen demand, phenolics (4AAP), total kjeldahl nitrogen (TKN), total phosphorus or total suspended solids; or
    - (ii) does exceed a limit set out under Table 1 of § 681-2 with respect to any of biochemical oxygen demand, phenolics (4AAP), total kjeldahl nitrogen, total phosphorus or total suspended solids but the discharge is in accordance with an industrial waste surcharge agreement or permit entered into in accordance with § 681-6 and the discharger is in good standing under that agreement or permit.

- (2) The concentration limits set out in Table 1 in § 681-2 do not apply where:
- (a) A higher concentration of discharge is otherwise permitted under an industrial waste surcharge agreement or permit; and
  - (b) The industrial waste surcharge agreement or permit under § 681-2C(a) is in good standing, including without limitation the following:
    - (i) The concentration limits permitted under the industrial waste surcharge agreement or permit issued under § 681-6 have been complied with; and
    - (ii) No fee, charge or cost, or part thereof, payable to the City under an industrial waste surcharge agreement or permit remains unpaid 30 days from the date of issuance of the invoice for same.
- (3) For the purposes of § 681-2C, "in good standing" means that the discharger has strictly complied with the terms of the agreement or permit and the General Manager has not issued a notice of default or an order to comply under this Chapter or the applicable agreement or permit to the discharger.

R. By deleting Table 1 in § 681-2 in its entirety and replacing it with the following:

**Table 1 - Limits for Sanitary and Combined Sewers Discharge**

Parameter	Limit	Unit	Parameter	Limit	Unit
pH	>6.0 to < 11.5	SU	1,1,2,2- tetrachloroethane	1.4	mg/L <sup>3</sup>
Temperature	< 60	Degrees Celsius	1,2-dichlorobenzene	0.05	mg/L <sup>3</sup>
Biochemical oxygen demand	300	mg/L <sup>3</sup>	1,4-dichlorobenzene	0.08	mg/L <sup>3</sup>
Cyanide (total)	2	mg/L <sup>3</sup>	3,3'-dichlorobenzidine	0.002	mg/L <sup>3</sup>
Fluoride	10	mg/L <sup>3</sup>	Benzene	0.01	mg/L <sup>3</sup>
Total Kjeldahl Nitrogen	100	mg/L <sup>3</sup>	Bis (2-ethylhexyl) phthalate	0.012	mg/L <sup>3</sup>
Oil and grease - animal and vegetable (non-mineral) <sup>1</sup>	150	mg/L <sup>3</sup>	Chloroform	0.04	mg/L <sup>3</sup>
Oil and grease - mineral and synthetic	15	mg/L <sup>3</sup>	Cis-1,2-dichloroethylene	4	mg/L <sup>3</sup>
Phenolics (4AAP)	1.0	mg/L <sup>3</sup>	Di-n-butyl phthalate	0.08	mg/L <sup>3</sup>
Phosphorus (total)	10	mg/L <sup>3</sup>	Ethyl benzene	0.16	mg/L <sup>3</sup>

Parameter	Limit	Unit	Parameter	Limit	Unit
Suspended solids (total)	350	mg/L <sup>3</sup>	Methylene chloride	2	mg/L <sup>3</sup>
Aluminum (total)	50	mg/L <sup>3</sup>	Nonylphenols	0.02	mg/L <sup>3</sup>
Antimony (total)	5	mg/L <sup>3</sup>	Nonylphenol ethoxylates <sup>2</sup>	0.2	mg/L <sup>3</sup>
Arsenic (total)	1	mg/L <sup>3</sup>	PCBs	0.001	mg/L <sup>3</sup>
Cadmium (total)	0.7	mg/L <sup>3</sup>	Pentachlorophenol	0.005	mg/L <sup>3</sup>
Chromium (hexavalent)	2	mg/L <sup>3</sup>	Tetrachloroethylene	1	mg/L <sup>3</sup>
Chromium (total)	4	mg/L <sup>3</sup>	Toluene	0.016	mg/L <sup>3</sup>
Cobalt (total)	5	mg/L <sup>3</sup>	Total PAHs <sup>2</sup>	0.005	mg/L <sup>3</sup>
Copper (total)	2	mg/L <sup>3</sup>	Trans-1,3-dichloropropylene	0.14	mg/L <sup>3</sup>
Lead (total)	1	mg/L <sup>3</sup>	Trichloroethylene	0.4	mg/L <sup>3</sup>
Manganese (total)	5	mg/L <sup>3</sup>	Xylenes (total) <sup>2</sup>	1.4	mg/L <sup>3</sup>
Mercury (total)	0.01	mg/L <sup>3</sup>			
Molybdenum (total)	5	mg/L <sup>3</sup>			
Nickel (total)	2	mg/L <sup>3</sup>			
Selenium (total)	1	mg/L <sup>3</sup>			
Silver (total)	5	mg/L <sup>3</sup>			
Tin (total)	5	mg/L <sup>3</sup>			
Titanium (total)	5	mg/L <sup>3</sup>			
Zinc (total)	2	mg/L <sup>3</sup>			

Footnote 1: The noted parameter is calculated.

Footnote 2: The noted parameters have calculated totals.

Footnote 3: mg/L is expressed in milligrams per litre.

- S. By deleting § 681-4F(3) and (4).
- T. By deleting § 681-4G(12) in its entirety and replacing it with the following:
- (12) PCBs, except where approved by an Ontario Provincial Ministry as part of a legal instrument, such as a valid Environmental Compliance Approval, a valid Certificate of Approval or order, and that legal instrument has been complied with.
- U. By deleting § 681-4G(13) in its entirety and replacing it with the following:
- (13) Pesticides, except for those used by the City of Toronto for the following purposes:
- health and safety; or
  - protection of the natural environment; or
  - other uses in compliance with the Ontario Ministry of the Environment and Climate Change legislation.

V. By deleting the following paragraph in § 681-4J:

Contain a concentration, expressed in milligrams per litre, in excess of any one or more of the limits in Table 2 of this article entitled "Limits for Storm Sewer Discharge".

and replacing it with the following:

Contain a concentration in excess of any one or more of the limits in Table 2 of this Chapter entitled "Limits for Storm Sewer Discharge".

W. By deleting § 681-4K in its entirety and replacing it with the following as § 681-4K:

K. Contain *private water*, except where, and only to the extent that:

- (1) The person discharging has satisfied the General Manager, prior to discharging, that all other requirements of § 681-4 have been met; and
- (2) The General Manager has provided prior written approval by way of a discharge agreement or permit being entered into in accordance with § 681-6 on such terms and conditions as the General Manager deems appropriate to protect the City, the municipal sewage works, other City infrastructure and the natural environment including but not limited to those requirements in § 681-6.

X. By deleting Table 2 in § 681-4 in its entirety and replacing it with the following:

**Table 2 - Limits for Storm Sewer Discharge**

Parameter	Limit	Unit	Parameter	Limit	Unit
pH	>6.0 to <9.5	SU	1,1,2,2-tetrachloroethane	0.017	mg/L <sup>5</sup>
Temperature	< 40	Degrees Celsius	1,2-dichlorobenzene	0.0056	mg/L <sup>5</sup>
Biochemical oxygen demand	15	mg/L <sup>5</sup>	1,4-dichlorobenzene	0.0068	mg/L <sup>5</sup>
Cyanide (total)	0.02	mg/L <sup>5</sup>	3,3'-dichlorobenzidine	0.0008	mg/L <sup>5</sup>
Phenolics (4AAP)	0.008	mg/L <sup>5</sup>	Benzene	0.002	mg/L <sup>5</sup>
Phosphorus (total)	0.4	mg/L <sup>5</sup>	Bis (2-ethylhexyl) phthalate	0.0088	mg/L <sup>5</sup>
Suspended solids (total)	15	mg/L <sup>5</sup>	Chloroform	0.002	mg/L <sup>5</sup>
Arsenic (total)	0.02	mg/L <sup>5</sup>	Cis-1,2-dichloroethylene	0.0056	mg/L <sup>5</sup>
Cadmium (total)	0.008	mg/L <sup>5</sup>	Di-n-butyl phthalate	0.015	mg/L <sup>5</sup>
Chromium (total)	0.08	mg/L <sup>5</sup>	Ethyl benzene	0.002	mg/L <sup>5</sup>
Chromium (hexavalent)	0.04	mg/L <sup>5</sup>	Methylene chloride	0.0052	mg/L <sup>5</sup>
Copper (total)	0.04	mg/L <sup>5</sup>	Nonylphenols	0.001	mg/L <sup>5</sup>



<b>Parameter</b>	<b>Limit</b>	<b>Unit</b>	<b>Parameter</b>	<b>Limit</b>	<b>Unit</b>
Lead (total)	0.12	mg/L <sup>5</sup>	Nonylphenol ethoxylates <sup>4</sup>	0.01	mg/L <sup>5</sup>
Manganese (total)	0.05	mg/L <sup>5</sup>	PCBs	0.0004	mg/L <sup>5</sup>
Mercury (total)	0.0004	mg/L <sup>5</sup>	Pentachlorophenol	0.002	mg/L <sup>5</sup>
Nickel (total)	0.08	mg/L <sup>5</sup>	Tetrachloroethylene	0.0044	mg/L <sup>5</sup>
Selenium (total)	0.02	mg/L <sup>5</sup>	Toluene	0.002	mg/L <sup>5</sup>
Silver (total)	0.12	mg/L <sup>5</sup>	Total PAHs <sup>4</sup>	0.002	mg/L <sup>5</sup>
Zinc (total)	0.04	mg/L <sup>5</sup>	Trans-1,3-dichloropropylene	0.0056	mg/L <sup>5</sup>
			Trichloroethylene	0.0076	mg/L <sup>5</sup>
			Xylenes (total) <sup>4</sup>	0.0044	mg/L <sup>5</sup>

Footnote 4: The noted parameters are calculated totals.

Footnote 5: mg/L is expressed in milligrams per litre.

- Y. By deleting § 681-5B in its entirety and replacing it with the following:
- B. (1) Every subject sector industry and every industry which discharges any amount of a subject pollutant shall prepare a new plan and submit it to the General Manager with respect to the premises from which the discharge occurs, every six years, unless such industry continually meets the requirements of and is participating in a Best Management Practices Plan approved by Council.
- (2) Notwithstanding Subsection B(1), after submission of the first plan, a subsequent new plan shall not be required where the discharger:
- (a) Continually is participating in and is in full compliance with a Best Management Practices Plan approved by Council or the General Manager; or
- (b) Is classified as offices of dentists under the NAICS.
- Z. By deleting § 681-5E, F and G in their entirety and replacing them with the following:
- E. Unless the General Manager has advised an industry that its plan is not approved within 90 days of the date of the General Manager's receipt of such plan, the plan shall be deemed to have been approved by the General Manager.
- F. Where an industry receives notice from the General Manager that its plan has not been approved, the industry shall have 90 days to amend and re-submit its plan to the General Manager for approval in accordance with this Chapter.

- G. In the event that a plan re-submitted to the General Manager in accordance with Subsection F continues to fail to comply with the requirements of this Section, the General Manager shall so notify the industry, and the industry shall be in contravention of this Section and remain in contravention until such time as a plan acceptable to the General Manager has been received from the discharger.
- AA. By deleting § 681-5J in its entirety and replacing it with the following:
- J. (a) Every owner or operator of a premises, from which dental amalgam may be discharged and directly or indirectly enter a municipal sewer connection or municipal sewer, shall submit to the General Manager their first plan, which shall include proof of the most recent maintenance of the amalgam separator in the form of an invoice detailing such service.
- (b) Proof of compliance with the manufacturer's recommended maintenance schedule or the dental office maintenance schedule, whichever is performed more frequently, shall be submitted to the General Manager no later than one month after every maintenance on the amalgam separator is performed.
- (c) A new plan for an owner or operator of a premises, from which dental amalgam may be discharged and directly or indirectly enter a municipal sewer connection or municipal sewer, shall be submitted to the General Manager only when there is a change in:
- (1) Ownership; or
  - (2) Address; or
  - (3) Dental practice; or
  - (4) The number of patient chairs; or
  - (5) The brand of the amalgam separator; or
  - (6) Third party maintenance of the amalgam separator.
- BB. By adding as § 681-5L, the following table as "Table 3 - Subject Pollutants for Pollution Prevention Reporting":

**Table 3 - Subject Pollutants for Pollution Prevention Reporting**

<b>Parameter</b>	<b>Parameter</b>
Arsenic (total)	1,1,2,2-tetrachloroethane
Cadmium (total)	1,2-dichlorobenzene
Chromium (hexavalent)	1,4-dichlorobenzene
Chromium (total)	3,3'-dichlorobenzidine
Cobalt (total)	Benzene
Copper (total)	Bis (2-ethylhexyl) phthalate
Lead (total)	Chloroform
Mercury (total)	Cis-1,2-dichloroethylene

<b>Parameter</b>	<b>Parameter</b>
Molybdenum (total)	Di-n-butyl phthalate
Nickel (total)	Ethyl benzene
Selenium (total)	Methylene chloride
Zinc (total)	Nonylphenols
	Nonylphenol ethoxylates
	PCBs
	Pentachlorophenol
	Tetrachloroethylene
	Toluene
	Total PAHs
	Trans-1,3-dichloropropylene
	Trichloroethylene
	Xylenes (total)

CC. By adding the following as § 681-6A(10):

- (10) The fees and charges applicable to an agreement or permit under § 681-6 and payable by a discharger shall be in accordance with Chapter 441, Fees and Charges, Appendix D, Schedule 3, Wastewater Services and this Section and subject to Subsection A(7), as applicable.

DD. By deleting § 681-6B(2) in its entirety and replacing it with the following:

- (2) A sanitary discharge agreement or permit may be entered with respect to the discharge of sewage which contains private water.

EE. By deleting § 681-6E and § 681-6F and replacing them with the following:

- E. (1) Where a person has entered into an agreement or permit with the City in respect to the discharge or deposit of sewage or private water, that person shall notify the General Manager in writing, within no more than 10 days of the occurrence, of:
- (a) Any change in ownership of the property upon or from which the discharge of sewage is occurring;
  - (b) In the case where such party is a lessee or licensee of the property upon or from which the discharge of sewage is occurring, the termination of such lease or licence;
  - (c) In the case where a corporation is a party to such an agreement, any change in control or majority ownership of such corporation;
  - (d) In the case where a partnership is a party to such an agreement, any change in the partnership status or partners;

- (e) Any change in the manner of discharge or deposit of the sewage by such person;
  - (2) In the event that a person fails to provide written notice as required by Subsection E, the City may terminate the agreement without further notice on the 11th day following such occurrence.
- F. An agreement or permit under this Chapter shall not be assignable or in any way transferable to any other person without the express written authorization of the City.
- FF. By deleting the words "uncontaminated water, ground water" in § 681-7B and replacing it with the words "private water".
- GG. By deleting § 681-7G and H in their entirety.
- HH. By deleting § 681-8A in its entirety and replacing it with the following:
  - A Except as otherwise specifically provided in this Chapter, all tests, measurements, analyses and examinations of sewage, stormwater, or private water required pursuant to or referenced in this chapter, shall be carried out by an accredited laboratory in accordance with those methods determined by the General Manager as appropriate for the type of test, measurement, analysis, or examination undertaken, which may include but not limited to:
    - (1) Standard Methods; or
    - (2) Established methods developed or approved, or both, by the Ontario Ministry of the Environment; or
    - (3) Methods developed or approved, or both, by Environment Canada; or
    - (4) Methods developed by U.S. Environmental Protection Agency or International Standards Organizations.
- II. By deleting the following paragraph in § 681-9B:

The person shall provide a detailed report on the spill to the General Manager, within five days after the spill, containing the following information to the best of his or her knowledge:

and replacing it with the following:

In addition to the requirement under Subsection A, the person responsible for or the person having the charge, management and control of the spill to the municipal sewage works shall provide a detailed written report on the spill to the

General Manager, within five days after the spill, containing at a minimum the following information to the best of that person's knowledge after exercising due diligence:

- JJ. By deleting § 681-9C in its entirety and replacing it with the following:
- C. The person responsible for the spill to the municipal sewage works and the person having the charge, management and control of the spill shall do everything reasonably possible to contain the spill, protect the health and safety of persons, animals and aquatic life, protect the environment, minimize damage to property, clean up the spill and contaminated residue and restore the affected area to its condition prior to the spill.
- KK. By deleting § 681-9D in its entirety and replacing it with the following:
- D. Industries, at whose premises a spill to the municipal sewage works of a subject pollutant has occurred and who are required to have a pollution prevention plan pursuant to § 681-5, shall prepare an updated plan incorporating the information set out in Subsection B and shall submit it, in writing, to the General Manager within 30 days of the spill.
- LL. By deleting § 681-10A(1) in entirety and replacing it with the following:
- (1) (a) The owner or operator of a commercial, institutional or industrial premises or multi-storey residential building(s) with one or more connections to the municipal sewage works shall install and maintain in good repair in each connection a maintenance access hole constructed in accordance with the standards and specifications and suitable to allow the General Manager to observe, sample and measure the flow within that connection.
- (b) Notwithstanding § 681-10A(1)(a), where installation of a maintenance access hole is not physically possible, the General Manager may authorize, in writing, the use of an alternative sampling access point(s) provided that it allows for the same access and achieves the same purpose as the maintenance access hole.
- (c) Upstream of the maintenance access hole(s) required under Subsection (1)(a) or, where authorized, alternative sampling access point(s) under Subsection (1)(b), the owner or operator of a commercial, institutional or industrial premises or multi-storey residential building(s) shall install a sampling port constructed in accordance with the standards and specifications and suitable to allow the General Manager to separately observe, sample and measure the flow from the premises to the municipal sewage works of:

- (i) any sewage;
- (ii) any private water;
- (iii) any storm water.

MM. By deleting § 681-10A(2) in entirety and replacing it with the following:

- (2) The maintenance access hole or alternative sampling access point shall be located on the property of the owner of the premises, as close to the property line as possible, unless the General Manager has given prior written approval for a different location.

NN. By deleting § 681-10A(3) in entirety and replacing it with the following:

- (3) Each maintenance access hole and sampling access point shall be designed, constructed and installed in accordance with good engineering practice and the standards and specifications and shall be constructed and maintained by the owner or operator of the premises at his or her expense.

OO. By deleting § 681-10A(4) in its entirety and replacing it with the following:

- (4) The owner or operator of an industrial, commercial or institutional premises or a multi-storey residential building shall at all times ensure that every maintenance access hole or sampling access point required by Subsection A(1) is accessible to the General Manager for the purposes of separately observing, sampling and measuring the flow of the sewage, private water or storm water therein.

PP. By deleting § 681-10B in its entirety and replacing it with the following:

B. Food-related grease interceptors.

- (1) Every owner or operator of an industrial operation where food is cooked, heated, processed or prepared that is connected directly or indirectly to a municipal sewer connection or municipal sewer shall:
  - (a) Take all necessary measures to ensure that oil and grease are prevented from entering the municipal sewer connection or municipal sewer;
  - (b) Install a grease interceptor in any piping system or private water drainage system at its premises that connects directly or indirectly to a municipal sewer connection or municipal sewer, in compliance with the Building Code;
  - (c) Install a new grease interceptor where the General Manager

determines that an existing grease interceptor in an industrial operation where food is cooked, heated, processed or prepared is detrimentally affecting the municipal sewage works or any part thereof; and

- (d) Operate and properly maintain a grease interceptor in any piping system or private water drainage system at its premises that connects directly or indirectly to a sewer, according to the requirements of the Food Service Establishment Environmental Code of Practice.

- (2) Every owner or operator of a mobile industrial operation where food is cooked, heated, processed or prepared shall follow Section 11 of the Food Service Establishment Environmental Code of Practice.

QQ. By deleting § 681-10D in its entirety and replacing it with the following:

D Sand and Grit Interceptors.

- (1) Every owner or operator of a premises from which sand, grit or similar materials may directly or indirectly enter a municipal sewer connection or municipal sewer shall take all necessary measures to ensure that such materials is prevented from entering the drain, a municipal sewer connection or a municipal sewer.
- (2) Catch basins installed on private property for the purposes of collecting storm water and carrying it into the municipal storm sewers shall be equipped with goss traps or an equivalent and the installation of these catch basins on private property shall comply with the Standards and Specifications.
- (3) No combination of a maintenance access hole and catch basin shall be installed on private property.
- (4) Every owner or operator of an industrial vehicle or equipment wash operation or a premise where sand, grit or similar materials is discharged to a municipal sewer connection or a municipal sewer shall install, operate, and properly maintain an interceptor, designed for the purpose of intercepting such discharges, in any piping system at the premises that connects directly or indirectly to a municipal sewer connection or a municipal sewer. The interceptor shall be installed in compliance with the most current requirements of the Building Code.

RR. By deleting § 681-10F in its entirety and replacing it with the following:

F. Dental waste amalgam separator.

- (1) Every owner or operator of a premises, from which dental amalgam may be discharged and may directly or indirectly enter a municipal sewer connection or a municipal sewer, shall install, operate and properly maintain dental amalgam separator(s) in any piping system at its premises that connects directly or indirectly to a municipal sewer connection or a municipal sewer.
- (2) Notwithstanding compliance with § 681-10F, all persons operating or carrying on the business of a dental practice shall comply with § 681-2A(4).

SS. By adding to the end of § 681-11E the following:

The cost of the disconnection and reconnection shall be borne by the property owner and shall be payable to the City before any reconnection is made.

TT. By deleting § 681-11R in its entirety and replacing it with the following:

R Private water drainage system.

- (1) No owner of industrial premises shall do anything which may increase design peak flow rates of storm or sewage or impair the quality of storm or sewage discharged to a municipal storm sewer connection or municipal storm sewer or municipal sanitary sewer connection or municipal sanitary sewer.
- (2) The direct connection of any new private sewer connection to the municipal storm sewer or municipal sanitary sewer is prohibited for any new or reconstructed residential, industrial, commercial or institutional buildings.
- (3) An owner may make an application to the General Manager for an exemption from the provisions of Subsection R(2), and the General Manager may permit a connection that does not comply with Subsection R(2) where there is no practical alternate means of drainage available, and compliance with Subsection R(2) is not feasible.
- (4) Before considering a request for an approval pursuant to Subsection R(3), the owner or operator of multi-unit residential, industrial, commercial or institutional premises shall be required to submit to the General Manager for approval a storm water management report identifying the storm water quantity and quality control measures being proposed for the site.
- (5) No direct connection or indirect interconnection between the private storm drainage system and the private sanitary drainage system is permitted.



- (6) The private water drainage system set out in Subsection R shall be installed and maintained by the owner or operator of the premises, at his or her sole expense.

UU. By deleting the following paragraph in § 681-11T:

Private swimming pool water - conventional non-salt water swimming pools or hot tub/spa or wading pools.

and replacing it with:

Private Residential Conventional Non-Salt Water Swimming Pools, Hot Tubs, Spas or Wading Pools.

VV. By deleting § 681-11T(3)(e) in its entirety and replacing it with the following:

- (e) The owner of a private residential swimming pool, hot tub, spa or wading pool, either directly, or through a tenant, operator or service contractor, complies with the City's *Environmental Best Management Practices for Swimming Pools*. Notwithstanding the foregoing, where there is a discrepancy between the City's *Environmental Best Management Practices for Swimming Pools* and any provision of this Chapter, the provision(s) in this Chapter shall supersede.

WW. By deleting § 681-11W(2) in its entirety and replacing it with the following:

- (2) The owner of a swimming pool, hot tub, spa or wading pool, either directly or through a tenant, operator or service contractor, shall comply with the City's *Environmental Best Management Practices for Swimming Pools and Hot Tubs/Spas*. Notwithstanding the foregoing, where there is a discrepancy between the City's *Environmental Best Management Practices for Swimming Pools* and any provision of this Chapter, the provision(s) in this Chapter shall supersede.

2. Municipal Code Chapter 851, Water Supply, is amended as follows:

A. By deleting the definition of OCCUPIER in § 851-1 in its entirety and replacing it with the following:

OCCUPIER or OCCUPANT - includes:

- (1) A person residing at the property; or
- (2) A person entitled to the possession of the property if there is no other person residing on or in the property; or
- (3) A tenant or leaseholder of the property or a part of the property;

Where any of the above persons is a corporation, it shall also include the officers, directors and shareholders of that corporation.

- B. By deleting the definition of OWNER in § 851-1 in its entirety and replacing it with the following:

OWNER - A person who has a right, title, estate, or interest in a property, other than that of only an occupant and, where that person is a corporation, shall include the officers, directors and shareholders of that corporation, and shall include any person with authority or power over or control over that property on the behalf of an owner.

- C. By adding in § 851-12, directly after the title and before § 851-12A, the following:

For the purposes of this section, any reference to a "fire hydrant" means a fire hydrant owned by the City.

- D. By adding in § 851-13, directly after the title and before § 851-13A, the following:

For the purposes of this section, any reference to a "fire hydrant" means a fire hydrant owned by the City.

- E. By inserting the following as a new section § 851-8D(6) and by renumbering existing clauses § 851-8D(6) through to § 851-8D(19), inclusive, to now read 851-8D(7) through to § 851-8D(20), respectively.

§ 851-8D(6). Private Fire Hydrants

- (6) No person shall use a private fire hydrant for any purpose other than firefighting or fire suppression without the installation of a backflow prevention device and a City supplied water meter.

3. This by-law comes into force on February 4, 2016, save and except the amendment to § 681-5J which shall take effect on May 31, 2016.

Enacted and passed on February 4, 2016.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)