

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

Chapter 681

SEWERS

ARTICLE I
Sewage and Land Drainage

§ 681-1. Definitions.

§ 681-1.1. Administration.

§ 681-2. Sanitary and combined sewer requirements.

§ 681-3. Prohibition of dilution.

§ 681-4. Storm sewer requirements.

§ 681-5. Pollution prevention planning.

§ 681-6. Agreements.

§ 681-7. Compliance program.

§ 681-8. Sampling and analytical requirements.

§ 681-9. Spills.

§ 681-10. General.

§ 681-11. Sewer connections.

§ 681-12. Confidential information.

§ 681-12.1. Contact information.

§ 681-12.2. Access.

§ 681-13. Self-monitoring and sampling.

§ 681-13.1. Powers and authority of the General Manager or Inspector.

§ 681-13.2. General prohibitions and liability for damage.

§ 681-14. Offences.

§ 681-14.1. Penalties.

§ 681-14.2. General enforcement powers.

§ 681-14.3. Document retention.

§ 681-14.4. Notice.

§ 681-14.5. Severability.

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

§ 681-15. Repealer; impact on existing agreements; effective dates.

Chapter 681, Article I, Appendix 1, Subject Sectors¹

Chapter 681, Article I, Attachment 1, City of Toronto Combined Sewer Service Area

Chapter 681, Article I, Attachment 2, City of Toronto Basement Flooding Areas (Outside the CSO Areas)

[History: Adopted by the Council of the City of Toronto as indicated in article histories. Amendments noted where applicable.]

General References

Water and sewage services - See Ch. 849.

Water supply - See Ch. 851.

Building Code Act, 1992 - See S.O. 1992, c. 23.

City of Toronto Act, 2006 - See S.O. 2006, c. 11.

Condominium Act, 1998 - See S.O. 1998, c. 19.

Environmental Protection Act - See R.S.O. 1990, c. E.19.

Municipal Freedom of Information and Protection of Privacy Act - See R.S.O. 1990, c. M.56.

Ontario Water Resources Act - R.S.O. 1990, c. O.40.

ARTICLE I

Sewage and Land Drainage

[Adopted 2000-07-06 by By-law No. 457-2000²]

§ 681-1. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ACCREDITED LABORATORY - Any laboratory accredited by an authorized accreditation body in accordance with a standard based on "ISO/IEC/EN 17025: General Requirements for Competence of Calibration and Testing Laboratories" established by the International Organization for Standardization, as amended. **[Added 2005-10-28 by By-law No. 867-2005]**

ACUTE HAZARDOUS WASTE CHEMICALS - Acute hazardous waste chemicals within the meaning of O. Reg. 347, as amended from time to time, made under the *Environmental Protection Act*, R.S.O. 1990, c. E.19 (EPA).

BEST MANAGEMENT PRACTICES (BMP) - An integrated plan established by the General Manager or City Council and any amendments thereof. **[Added 2005-10-28 by By-law No. 867-2005; amended 2016-02-04 by By-law No. 100-2016]**

BIOCHEMICAL OXYGEN DEMAND (BOD) - 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).

¹ Editor's Note: Art. I, Appendix 2, Subject Pollutants was deleted February 4, 2016 by By-law No. 100-2016.

² Editor's Note: See § 681-15 for by-laws repealed by this by-law and for effective date information.

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

BIOMEDICAL WASTE - Biomedical waste as defined in the Ontario Ministry of the Environment Guideline C-4 entitled "The Management of Biomedical Waste in Ontario" dated April 1994, as amended from time to time. **[Added 2005-10-28 by By-law No. 867-2005]**

BIOSOLIDS - Organic solid material recovered from the wastewater treatment process.

BLOWDOWN WATER - 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.

COMBINED SEWER - A sewer intended to function simultaneously as a storm sewer and a sanitary sewer.

COMBUSTIBLE LIQUID - A liquid that has a flash point not less than 37.8 degrees Celsius and not greater than 93.3 degrees Celsius.³

COMPOSITE SAMPLE - A volume of sewage, storm water, uncontaminated water or effluent made up of three or more grab samples that have been combined automatically or manually and taken at intervals during the sampling periods.

CONNECTION or DRAIN - That part or those parts of any pipe, channel or conduit or system of pipes, channels or conduits, including any appurtenances, leading directly to sewage works.⁴**[Amended 2013-12-18 by By-law No. 1696-2013]**

DENTAL AMALGAM - A dental filling material consisting of an amalgam of mercury, silver and other materials such as copper, tin or zinc. **[Added 2005-10-28 by By-law No. 867-2005]**

DENTAL AMALGAM SEPARATOR - Any technology, or combination of technologies, designed to separate dental amalgam particles from dental operation wastewater. **[Added 2005-10-28 by By-law No. 867-2005]**

DOUBLE MUNICIPAL SEWER CONNECTION - A municipal sewer connection providing service to two or more premises.

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. **[Added 2016-02-04 by By-law No. 100-2016]**

FUELS - Alcohol, gasoline, naphtha, diesel fuel, fuel oil or any other ignitable substance intended for use as a fuel.

GENERAL MANAGER - The person appointed by the City from time to time as General Manager of Toronto Water or the successors to that position and includes that person's

³ Editor's Note: The definition of "Commissioner," which previously followed this definition, amended October 28, 2005 by By-law No. 867-2005, was repealed June 22, 2007 by By-law No. 704-2007. In addition, By-law No. 704-2007 amended this article to change "Commissioner" to "General Manager."

⁴ Editor's Note: The definition of "cooling water," which immediately followed this definition, was repealed July 8, 2010 by By-law No. 868-2010.

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

designate(s) or any person(s) duly authorized to act in that person's place. **[Added 2005-10-28 by By-law No. 867-2005; amended 2013-12-18 by By-law No. 1696-2013]**

GRAB SAMPLE - A minimum volume of sewage, storm water, uncontaminated water or effluent suitable for analytical testing which is collected over a period not exceeding 15 minutes. **[Amended 2009-03-31 by By-law No. 358-2009]**

GROUNDWATER - Water below the surface of the ground that occupies a zone of the earth's mantle that is saturated with water. **[Amended 2016-02-04 by By-law No. 100-2016]**

HAULED SEWAGE - Waste removed from a sewage system, including a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet or a sewage holding tank.

HAULED WASTE - Any industrial waste which is transported to and deposited into any location in the sewage works, excluding hauled sewage.

HAZARDOUS INDUSTRIAL WASTE - Hazardous industrial waste within the meaning of O.Reg. 347, as amended from time to time, made under the *Environmental Protection Act*, R.S.O. 1990, c. E.19 (EPA).

HAZARDOUS WASTE CHEMICALS - Hazardous waste chemicals within the meaning of O. Reg. 347, as amended from time to time, made under the *Environmental Protection Act*, R.S.O. 1990, c. E.19 (EPA).

IGNITABLE WASTE - A substance that:

- A. Is a liquid, other than an aqueous solution containing less than 24 percent alcohol by volume and has a flash point less than 93 degrees Celsius, as determined by the Tag Closed Cup Tester (ASTM D-56-97a), the Setaflash Closed Cup Tester (ASTM D-3828-97 or ASTM D-3278-96e1), the Pensky-Martens Closed Cup Tester (ASTM D-93-97), or as determined by an equivalent test method;
- B. Is a solid and is capable, under standard temperature and pressure, of causing fire through friction, absorption of moisture or spontaneous chemical changes and, when ignited, burns so vigorously and persistently that it creates a danger;
- C. Is an ignitable compressed gas (Class 2, Division D) as defined in the regulations under the *Transportation of Dangerous Goods Act, 1992*, S.C. 1992, as amended; or
- D. Is an oxidizing substance (Class 5, Divisions 1 and 2) as defined in the regulations under the *Transportation of Dangerous Goods Act, 1992*, S.C. 1992, as amended.

INDUSTRIAL - Of or pertaining to manufacturing, commerce, trade, business, non-profit, or institutions as distinguished from domestic or residential. **[Amended 2016-02-04 by By-law No. 100-2016]**

INDUSTRY - Any owner or operator of premises which carry on operations or activities of an industrial, commercial, non-profit or institutional nature or purpose and from which there is a discharge of any matter directly or indirectly into a City sanitary sewer, combined sewer or storm sewer. **[Amended 2010-07-08 by By-law No. 868-2010]**

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

INSPECTOR - A person authorized by the City to carry out observations and inspections and take samples as prescribed by this article. **[Added 2005-10-28 by By-law No. 867-2005]**

INTERCEPTOR - A receptacle that is designed and installed to prevent oil, grease, sand or other materials from passing into a drainage system. **[Added 2008-06-24 by By-law No. 577-2008]**

MAINTENANCE ACCESS HOLE - An access point in a private sewer connection to allow for observation, sampling and flow measurement of the sewage, uncontaminated water or storm water therein.

MATTER - Includes any solid, liquid or gas.

MUNICIPAL SEWER CONNECTION - That part of any drain leading from the private sewer connection and connected to the municipal sewer and located within the limits of the public road allowance, or other public lands or public land interests held for sewerage purposes.

NAICS - North American Industrial Classification System. **[Added 2016-02-04 by By-law No. 100-2016]**

NON-CONTACT COOLING WATER - 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 product other than heat, or finished product. **[Added 2002-10-31 by By-law No. 855-2002]**

OCCUPIER or OCCUPANT - includes: **[Added 2016-02-04 by By-law No. 100-2016]**

- 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. **[Added 2016-02-04 by By-law No. 100-2016]**

PATHOLOGICAL WASTE - Pathological waste within the meaning of O. Reg. 347, as amended from time to time, made under the *Environmental Protection Act*, R.S.O. 1990, c. E.19 (EPA).

PCBs - Any monochlorinated or polychlorinated biphenyl or any mixture of them or mixture that contains one or more of them.

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. **[Amended 2016-02-04 by By-law No. 100-2016]**

PESTICIDE - A pesticide regulated under the *Pesticides Act*, R.S.O. 1990, c. P.11 (PA).

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

POLLUTION PREVENTION - The use of processes practices, materials, products or energy that avoid or minimize the creation of pollutants and wastes, at the source.

POLLUTION PREVENTION PLAN or PLAN - A detailed six-year plan that identifies operations or activities of an owner or operator of commercial, institutional or industrial premises identifying specific pollution prevention methods, as described in § 681-5 of this article.⁵

PRIVATE SEWER CONNECTION - That part of any drain or system of drains, including drains or subsurface drainage pipe for surface or subsurface drainage of the land in or adjacent to a building, lying within the limits of the private lands and leading to a municipal sewer connection.

PRIVATE WATER - Water originating from: **[Added 2016-02-04 by By-law No. 100-2016]**

- 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. **[Added 2016-02-04 by By-law No. 100-2016]**

REACTIVE WASTE - A substance that:

- A. Is normally unstable and readily undergoes violent changes without detonating;
- B. Reacts violently with water;
- C. Forms potentially explosive mixtures with water;
- D. When mixed with water, generates toxic gases, vapours or fumes in a quantity sufficient to present danger to human health or the environment;

⁵ Editor's Note: By-law No. 1718-2013 deleted the definition for "Pollution Prevention Plan Summary or Plan Summary".

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- E. 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;
- F. Is capable of detonation or explosive reaction if it is subjected to a strong initiating source or if heated under confinement;
- G. Is readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure; or
- H. Is an explosive (Class 1) as defined in the regulations under the *Transportation of Dangerous Goods Act, 1992*, S.C. 1992, as amended.

SANITARY SEWER - A sewer for the collection and transmission of domestic or industrial sewage or any combination thereof.

SEVERELY TOXIC WASTE - Waste containing any contaminant listed in Schedule 3 of O. Reg. 347, as amended from time to time, made under the *Environmental Protection Act*, R.S.O. 1990, c. E.19 (EPA).

SEWAGE - Any liquid waste containing animal, vegetable, mineral or chemical matter in solution or in suspension but does not include storm water or uncontaminated water.

SEWAGE WORKS - Any works for the collection, transmission, treatment and disposal of sewage, storm water or uncontaminated water, including a combined sewer, sanitary sewer or storm sewer, or any part of such works, but does not include plumbing or other works to which the *Building Code Act, 1992*, S.O. 1992, c. 23, applies.

SEWER - A pipe, conduit, drain, open channel or ditch for the collection and transmission of sewage, storm water or uncontaminated water, or any combination thereof. **[Amended 2000-10-05 by By-law No. 869-2000]**

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. **[Amended 2016-02-04 by By-law No. 100-2016]**

STANDARD METHODS - 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, latest edition.

STANDARDS AND SPECIFICATIONS - City of Toronto's standard construction specifications and drawings for sewers and watermains as prescribed by the General Manager, and amended from time to time. **[Added 2010-07-08 by By-law No. 868-2010]**

STORM SEWER - A sewer for the collection and transmission of uncontaminated water, storm water, drainage from land or from a watercourse or any combination thereof.

STORM WATER - Water from rainfall, other natural precipitation or the melting of snow or ice or a combination of the foregoing. **[Amended 2016-02-04 by By-law No. 100-2016]**

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

SUBJECT POLLUTANT - The element, material or compound listed in § 681-5L as Table 3 to this chapter. **[Amended 2013-12-18 by By-law No. 1718-2013; 2016-02-04 by By-law No. 100-2016]**

SUBJECT SECTOR - Any class of business or activity designated in Appendix 1 to this article, at the end of this chapter. **[Amended 2013-12-18 by By-law No. 1718-2013]**

SUBJECT SECTOR INDUSTRY - Any industry which carries out an activity listed in Appendix 1 to this article, at the end of this chapter, at its premises or at any of its premises, even if the activity is not a primary activity of the industry at any premises.

SUBSURFACE DRAINAGE PIPE - A pipe that is installed underground to intercept and convey subsurface water, and includes foundation drain pipes.

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. **[Added 2016-02-04 by By-law No. 100-2016]**

TOTAL PAHs - The calculated total of all the polycyclic aromatic hydrocarbons listed under Canada Ontario Agreement Tier I and II Substances Lists, i.e., anthracene, benzo(a)pyrene, benzo(a)anthracene, benzo(e)pyrene, benzo(b)fluoranthene, benzo(j)fluoranthene, benzo(k)fluoranthene, benzo(g,h,i)perylene, chrysene, dibenzo(a,h)anthracene, dibenzo(a,i)pyrene, dibenzo(a,j)acridine, 7Hdibenzo(c,g)carbazole, dinitropyrene, fluoranthene, indeno(1,2,3-c,d)pyrene, perylene, phenanthrene, and pyrene. **[Amended 2010-07-08 by By-law No. 868-2010]**

UNCONTAMINATED WATER - Water with a level of quality which is typical of potable water normally supplied by the City or whose quality does not exceed the values in Table 2 – Limits for Storm Sewer Discharge of this article, in § 681-4. **[Amended 2010-07-08 by By-law No. 868-2010]**

WASTE DISPOSAL SITE LEACHATE - The liquid containing dissolved or suspended contaminants which emanates from waste and is produced by water percolating through waste or by liquid in waste.

WASTE RADIOACTIVE PRESCRIBED SUBSTANCES - Uranium, thorium, plutonium, neptunium, deuterium, their respective derivatives and compounds and such other substances as the Atomic Energy Control Board may by regulation designate as being capable of releasing atomic energy or as being requisite for the production, use or application of atomic energy.

WASTEWATER - Any liquid waste containing animal, vegetable, mineral or chemical matter in solution or in suspension but does not include storm water or uncontaminated water. **[Added 2010-07-08 by By-law No. 868-2010]**

WATERCOURSE - An open channel, ditch or depression, either natural or artificial, in which flow of water occurs either continuously or intermittently.

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

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

connection or drainage system for disposal in a municipal sewer. **[Added 2016-02-04 by By-law No. 100-2016]**

XYLENES - The total calculated sum of meta- and para xylene and ortho xylene. **[Added 2010-07-08 by By-law No. 868-2010]**

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. **[Added 2016-02-04 by By-law No. 100-2016]**

§ 681-1.1. Administration.

[Added 2007-06-22 by By-law No. 704-2007; amended 2008-06-24 by By-law No. 577-2008; 2013-12-18 by By-law No. 1696-2013; 2016-02-04 by By-law No. 100-2016]

- A. The administration of this chapter shall be under the jurisdiction of the General Manager.
- B. The General Manager shall be authorized to prescribe any City form under this chapter and to amend or revise such forms from time to time.
- C. The General Manager shall be authorized to prescribe the form of any agreement or permit required or permitted under Chapter 681 and to amend or revise such agreements or permit, from time to time, provided that the agreement or permit, amendment(s) or revision(s), as the case may be, are in a form satisfactory to the City Solicitor.
- D. The General Manager shall be authorized to enter into and execute any agreements or permits required under this chapter on behalf of the City.
- 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.

§ 681-2. Sanitary and combined sewer requirements.

- A. No person shall discharge directly or indirectly or deposit or cause or permit the discharge or deposit of sewage into a sanitary sewer, combined sewer, municipal or private sewer connection to any sanitary sewer or combined sewer in circumstances where:
 - (1) To do so may cause or result in:
 - (a) A health or safety hazard to a person authorized by the General Manager to inspect, operate, maintain, repair or otherwise work on a sewage works; **[Amended 2007-06-22 by By-law No. 704-2007]**
 - (b) An offence under the *Ontario Water Resources Act* or the *Environmental Protection Act*, as amended from time to time, or any regulation made thereunder from time to time;

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- (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; [**Amended 2016-02-04 by By-law No. 100-2016**]
 - (d) Interference with the operation or maintenance of a sewage works, or which may impair or interfere with any sewage treatment process;
 - (e) A hazard to any person, animal, property or vegetation;
 - (f) An offensive odour to emanate from sewage works, and without limiting the generality of the foregoing, sewage containing hydrogen sulphide, carbon disulphide, other reduced sulphur compounds, amines or ammonia in such quantity as may cause an offensive odour;
 - (g) Damage to sewage works;
 - (h) An obstruction or restriction to the flow in sewage works.
- (2) The sewage has one or more of the following characteristics:
- (a) (Reserved⁶)
 - (b) Two or more separate liquid layers; or
 - (c) (Reserved)
- (3) The sewage contains:
- (a) Acute hazardous waste chemicals;
 - (b) Combustible liquid;
 - (b.1) Biomedical waste, except where: [**Added 2005-10-28 by By-law No. 867-2005**]
 - [1] The biomedical waste has been discharged in accordance with the Ontario Ministry of the Environment Guideline C-4 entitled "The Management of Biomedical Waste in Ontario" dated April 1994, as amended; and
 - [2] Any human blood and body fluids known to contain viruses and agents in listed "Risk Group 4" as defined in "Laboratory Biosafety Guidelines" published by Health and Welfare Canada, dated 1996, as amended, are decontaminated prior to discharge.
 - (c) Dyes or colouring materials which may or could pass through a sewage works and discolour the sewage works effluent;
 - (d) Fuel;
 - (e) Hauled sewage, except where: [**Amended 2007-06-22 by By-law No. 704-2007; 2008-06-24 by By-law No. 577-2008**]

⁶ Editor's Note: By-law No. 100-2016 deleted §§ 681-2A(2)(a) and (c).

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- [1] The carrier enters into a hauled sewage discharge agreement with the City; and
 - [2] The carrier of the hauled sewage operating as a waste management system has a certificate of approval or provisional certificate of approval issued under the *Environmental Protection Act* or is exempt, under the *Environmental Protection Act*, from the requirement to have a certificate or provisional certificate of approval; and
 - [3] The carrier meets all terms and conditions for the discharge of the hauled sewage that are or may be set from time to time by the General Manager or the City; and
 - [4] The discharge is in accordance with the hauled sewage discharge agreement and the requirements of § 681-6.
- (f) Hauled waste, except where:
- [1] The carrier of the hauled waste operating as a waste management system has a certificate of approval or provisional certificate of approval issued under the *Environmental Protection Act* or is exempt from the requirement to have a certificate or provisional certificate of approval;
 - [2] A copy of the most recent certificate or provisional certificate and any amendment of approval is provided to the General Manager; **[Amended 2007-06-22 by By-law No. 704-2007]**
 - [3] Hauled waste meets the conditions set out in Clauses 23(3)(c) and 25(5)(b) of O. Reg. 347, R.R.O. 1990, as amended from time to time; and
 - [4] The carrier meets all conditions for discharge that are or may be set from time to time with respect to the haulage of waste by the City.
- (g) Ignitable waste.
- (h) Hazardous industrial waste.
- (i) Hazardous waste chemicals.
- (j) Pathological waste.
- (k) PCBs, except where: **[Amended 2007-06-22 by By-law No. 704-2007; 2016-02-04 by By-law No. 100-2016]**
- [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;

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- [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.
- (l) Pesticides, except for those used by the City of Toronto for the following purposes: **[Amended 2016-02-04 by By-law No. 100-2016]**
- [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.
- (m) Reactive waste.
- (n) Severely toxic waste.
- (o) Waste radioactive prescribed substances, except where:
- [1] The waste radioactive prescribed substances are being discharged under a valid and current licence issued by the Atomic Energy Control Board or its successor; and
 - [2] A copy of the licence has been provided to the General Manager.
[Amended 2007-06-22 by By-law No. 704-2007]
- (p) Waste disposal site leachate, except where: **[Amended 2007-06-22 by By-law No. 704-2007]**
- [1] The person has prior written approval from the General Manager which permits the discharge or deposit of the waste disposal site leachate to the sewage works, in accordance with guidelines adopted by the City from time to time; and
 - [2] In the case where a certificate of approval or order has been issued which includes a provision for the disposal of waste disposal site leachate to sewage works, a copy of the certificate of approval or order is provided to the General Manager or, where the person is claiming an exemption, the person has received written notice from the General Manager that the conditions of the exemption are being met.
- (q) Solid or viscous substances in quantities or of such size to be capable of causing obstruction to the flow in a sewer, 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.
[Amended 2000-10-05 by By-law No. 869-2000]

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- (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: **[Amended 2005-10-28 by By-law No. 867-2005; 2016-02-04 by By-law No. 100-2016]**
- (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; 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.
- (5) The City may, from time to time, adopt a BMP plan or plans with respect to any class or classes of industrial sector, and to impose conditions and requirements specific to any such industrial sector that may vary between sectors in any way that the City determines to be appropriate. **[Added 2005-10-28 by By-law No. 867-2005]**
- B. The discharge of non-contact cooling water or uncontaminated water to a sanitary sewer or combined sewer from any new residential properties is prohibited. The discharge of non-contact cooling water or uncontaminated water to a sanitary or combined sewer from industrial, commercial or institutional properties is permissible where: **[Amended 2002-10-31 by By-law No. 855-2002]**
- (1) In the case of a proposed building, no storm sewer exists adjacent to the building; or
 - (2) In the case of an existing building, no storm connection exists to the building.
- C. Discharge of private water. **[Amended 2016-02-04 by By-law No. 100-2016]**
- (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:
 - [1] 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
 - [2] 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

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

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:
 - [1] The concentration limits permitted under the industrial waste surcharge agreement or permit issued under § 681-6 have been complied with; and
 - [2] 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.

Table 1 – Limits for Sanitary and Combined Sewers Discharge
[Amended 2002-10-31 by By-law No. 855-2002; 2010-07-08 by By-law No. 868-2010;
2016-02-04 by By-law No. 100-2016]

Parameter	Limit	Unit	Parameter	Limit	Unit
pH	>6.0 to < 11.5	SU	1,1,2,2- tetrachloroethane	1.4	mg/L ³
Temperature	< 60	Degrees Celsius	1,2-dichlorobenzene	0.05	mg/L ³
Biochemical oxygen demand	300	mg/L ³	1,4-dichlorobenzene	0.08	mg/L ³
Cyanide (total)	2	mg/L ³	3,3'-dichlorobenzidine	0.002	mg/L ³
Fluoride	10	mg/L ³	Benzene	0.01	mg/L ³
Total Kjeldahl Nitrogen	100	mg/L ³	Bis (2-ethylhexyl) phthalate	0.012	mg/L ³
Oil and grease - animal and vegetable (non-mineral) ¹	150	mg/L ³	Chloroform	0.04	mg/L ³
Oil and grease - mineral and synthetic	15	mg/L ³	Cis-1,2-dichloroethylene	4	mg/L ³
Phenolics (4AAP)	1.0	mg/L ³	Di-n-butyl phthalate	0.08	mg/L ³
Phosphorus (total)	10	mg/L ³	Ethyl benzene	0.16	mg/L ³
Suspended solids (total)	350	mg/L ³	Methylene chloride	2	mg/L ³
Aluminum (total)	50	mg/L ³	Nonylphenols	0.02	mg/L ³
Antimony (total)	5	mg/L ³	Nonylphenol ethoxylates ²	0.2	mg/L ³
Arsenic (total)	1	mg/L ³	PCBs	0.001	mg/L ³

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

Parameter	Limit	Unit	Parameter	Limit	Unit
Cadmium (total)	0.7	mg/L ³	Pentachlorophenol	0.005	mg/L ³
Chromium (hexavalent)	2	mg/L ³	Tetrachloroethylene	1	mg/L ³
Chromium (total)	4	mg/L ³	Toluene	0.016	mg/L ³
Cobalt (total)	5	mg/L ³	Total PAHs ²	0.005	mg/L ³
Copper (total)	2	mg/L ³	Trans-1,3-dichloropropylene	0.14	mg/L ³
Lead (total)	1	mg/L ³	Trichloroethylene	0.4	mg/L ³
Manganese (total)	5	mg/L ³	Xylenes (total) ²	1.4	mg/L ³
Mercury (total)	0.01	mg/L ³			
Molybdenum (total)	5	mg/L ³			
Nickel (total)	2	mg/L ³			
Selenium (total)	1	mg/L ³			
Silver (total)	5	mg/L ³			
Tin (total)	5	mg/L ³			
Titanium (total)	5	mg/L ³			
Zinc (total)	2	mg/L ³			

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.

§ 681-3. Prohibition of dilution.

[Amended 2013-12-18 by By-law No. 1696-2013]

No person shall discharge directly or indirectly or deposit or cause or permit the discharge or deposit of sewage directly or indirectly into a sanitary sewer, combined sewer, storm sewer, municipal or private sewer connection to any sanitary sewer, combined sewer or storm sewer in circumstances where water or any chemical, agent or additive has been added to the discharge or deposit for the purposes of dilution to achieve compliance with §§ 681-2 or 681-4 or the consequences of which is dilution, to achieve or result in compliance with §§ 681-2 or 681-4.

§ 681-4. Storm sewer requirements.

No person shall discharge or deposit or cause or permit the discharge or deposit of matter of any type into a storm sewer, watercourse, municipal or private sewer connection to any storm sewer which may or could:

- A. Interfere with proper operation of a storm sewer.
- B. Obstruct or restrict a storm sewer or the flow therein.
- C. Damage a storm sewer.
- D. Result in any hazard or other adverse impact to any person, animal, property or vegetation.
- E. Contravene or result in the contravention of a certificate of approval or provisional certificate of approval issued under the *Ontario Water Resources Act* or the *Environmental*

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

Protection Act (Ontario) with respect to the storm sewer, its discharge, or both the sewer and its discharge. [**Amended 2000-10-05 by By-law No. 869-2000**]

- F. Have one or more of the following characteristics:
- (1) Visible film, sheen or discolouration.
 - (2) Two or more separate layers⁷.
- G. Contain one or more of the following:
- (1) Acute hazardous waste chemicals.
 - (2) Blowdown water.
 - (3) Combustible liquids.
 - (4) Floating debris.
 - (5) Fuel.
 - (6) Hauled sewage.
 - (7) Hauled waste.
 - (8) Hazardous industrial waste.
 - (9) Hazardous waste chemicals.
 - (10) Ignitable waste.
 - (11) Pathological waste.
 - (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. [**Amended 2016-02-04 by By-law No. 100-2016**]
 - (13) Pesticides, except for those used by the City of Toronto for the following purposes: [**Amended 2016-02-04 by By-law No. 100-2016**]
 - (a) health and safety; or
 - (b) protection of the natural environment; or
 - (c) other uses in compliance with the Ontario Ministry of the Environment and Climate Change legislation.
 - (14) Reactive waste.
 - (15) Severely toxic waste.
 - (16) Sewage.

⁷ Editor's Note: By-law No. 100-2016 deleted §§ 681-4F(3) and (4).

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- (17) Waste radioactive prescribed substances.
 - (18) Waste disposal site leachate.
 - (19) A substance from raw materials, intermediate or final product, used or produced in, through or from an industrial process.
 - (20) A substance used in the operation or maintenance of an industrial site.
- H. Contain E. coli colonies in excess of 200 per 100 mL.
- I. Contain contaminants from raw materials, intermediate or final products or wastewater from an industrial operation.
- J. 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." [Amended 2016-02-04 by By-law No. 100-2016]

Table 2 - Limits for Storm Sewer Discharge
[Amended 2010-07-08 by By-law No. 868-2010; 2016-02-04 by By-law No. 100-2016]

Parameter	Limit	Unit	Parameter	Limit	Unit
pH	>6.0 to <9.5	SU	1,1,2,2-tetrachloroethane	0.017	mg/L ⁵
Temperature	< 40	Degrees Celsius	1,2-dichlorobenzene	0.0056	mg/L ⁵
Biochemical oxygen demand	15	mg/L ⁵	1,4-dichlorobenzene	0.0068	mg/L ⁵
Cyanide (total)	0.02	mg/L ⁵	3,3'-dichlorobenzidine	0.0008	mg/L ⁵
Phenolics (4AAP)	0.008	mg/L ⁵	Benzene	0.002	mg/L ⁵
Phosphorus (total)	0.4	mg/L ⁵	Bis (2-ethylhexyl) phthalate	0.0088	mg/L ⁵
Suspended solids (total)	15	mg/L ⁵	Chloroform	0.002	mg/L ⁵
Arsenic (total)	0.02	mg/L ⁵	Cis-1,2-dichloroethylene	0.0056	mg/L ⁵
Cadmium (total)	0.008	mg/L ⁵	Di-n-butyl phthalate	0.015	mg/L ⁵
Chromium (total)	0.08	mg/L ⁵	Ethyl benzene	0.002	mg/L ⁵
Chromium (hexavalent)	0.04	mg/L ⁵	Methylene chloride	0.0052	mg/L ⁵
Copper (total)	0.04	mg/L ⁵	Nonylphenols	0.001	mg/L ⁵
Lead (total)	0.12	mg/L ⁵	Nonylphenol ethoxylates ⁴	0.01	mg/L ⁵
Manganese (total)	0.05	mg/L ⁵	PCBs	0.0004	mg/L ⁵
Mercury (total)	0.0004	mg/L ⁵	Pentachlorophenol	0.002	mg/L ⁵
Nickel (total)	0.08	mg/L ⁵	Tetrachloroethylene	0.0044	mg/L ⁵
Selenium (total)	0.02	mg/L ⁵	Toluene	0.002	mg/L ⁵
Silver (total)	0.12	mg/L ⁵	Total PAHs ⁴	0.002	mg/L ⁵
Zinc (total)	0.04	mg/L ⁵	Trans-1,3-dichloropropylene	0.0056	mg/L ⁵
			Trichloroethylene	0.0076	mg/L ⁵
			Xylenes (total) ⁴	0.0044	mg/L ⁵

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

Footnote 4: The noted parameters are calculated totals.

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

- K. Contain private water, except where, and only to the extent that: **[Added 2013-12-18 by By-law No. 1696-2013; amended 2016-02-04 by By-law No. 100-2016]**
- (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.

§ 681-5. Pollution prevention planning.

[Amended 2013-12-18 by By-law No. 1718-2013; 2016-02-04 by By-law No. 100-2016]

- A. Every subject sector industry and every industry which discharges any amount of a subject pollutant must submit their first plan to the General Manager with respect to the premises from which the discharge occurs within one year of commencing operations.
- 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.
- C. Form of plan.
- (1) The plan shall be in the form designated by the City for that purpose from time to time.
 - (2) In addition to any other matter or requirement designated by the City, and notwithstanding Subsection C(3), each plan shall include the following:
 - (a) A description of the processes at the premises which use or produce subject pollutants.
 - (b) A description of those processes at the premises which are to be the subject of pollution prevention planning.

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- (c) A list of the subject pollutants present at the premises at any stage of the operations of the premises.
 - (d) A description setting out the types, quantities and concentrations of all subject pollutants discharged, directly or indirectly, to a sewer.
 - (e) A description of current waste reduction, recycling, waste treatment and pollution prevention activities with respect to sewer discharges at the premises.
 - (f) A description of pollution prevention options for subject pollutants and sewer discharge and an evaluation of those options.
 - (g) A list of possible three- and six-year targets to reduce or eliminate the discharge of subject pollutants to the City's sewers.
 - (h) A declaration from an authorized person that the content of the plan is, to the best of that person's knowledge, true, accurate and complete.
- (3) The City may designate a different form for the plan with respect to any class of industrial, commercial or institutional premises, or with respect to any class of industry.
- D. All plans must meet the requirements of this article as determined by the General Manager to be approved.
- 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.
- H. Every subject sector industry and every industry discharging a subject pollutant shall submit a plan update incorporating the items set out in § 681-5C(2) for the approval of the General Manager by the end of the third year from the date which the plan was required to be submitted. Such plan update shall, in addition to the requirements otherwise set out in this article, detail and evaluate the progress of the industry to accomplish the objectives set out in its plan and the industry's ability to accomplish those pollution prevention objectives.
- I. An industry or subject sector industry which discharges a subject pollutant not contained in its approved plan shall update its plan within 90 days of the discharge of the additional

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

subject pollutant to include it unless expressly provided otherwise in this section. This shall not affect the timelines for submitting a plan under § 681-5A and B.

- J.⁸
- (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.
- K. A copy of the plan shall be kept at all times at the premises in respect to which it was prepared and shall be available for inspection by the General Manager at any time.
- L. Table 3 - Subject Pollutants for Pollution Prevention Reporting [**Added 2016-02-04 by By-law No. 100-2016**]

Parameter	Parameter
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
Molybdenum (total)	Di-n-butyl phthalate
Nickel (total)	Ethyl benzene
Selenium (total)	Methylene chloride
Zinc (total)	Nonylphenols
	Nonylphenol ethoxylates
	PCBs

⁸ Editor's Note: By-law No. 100-2016 enacted amendments to § 681-5J which came into effect May 31, 2016.

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

Parameter

Parameter

Pentachlorophenol
Tetrachloroethylene
Toluene
Total PAHs
Trans-1,3-dichloropropylene
Trichloroethylene
Xylenes (total)

§ 681-6. Agreements.

- A. A person may discharge or deposit sewage into or in any connection to a sanitary or combined sewer, otherwise prohibited by this article, where authorized, and only to the extent of such authorization, by: **[Amended 2002-10-31 by By-law No. 855-2002; 2008-06-24 by By-law No. 577-2008]**
- (1) An industrial waste surcharge agreement, subject to Subsection B(1), including conditions for payment of additional costs of operation, repair and maintenance of the sewage works, restrictions on the discharge, and such other terms and conditions as may be deemed appropriate by the General Manager; or
 - (2) A sanitary discharge agreement, subject to Subsection B(2), including conditions for payment for water pollution control treatment purposes that otherwise would have been obtained from a surcharge on the water had it been supplied by the City, restrictions on the discharge, and such other terms and conditions as may be deemed appropriate by the General Manager; or
 - (3) A hauled sewage discharge agreement, subject to Subsection B(3), including conditions for payment, restrictions on the discharge, and such other terms and conditions as may be deemed appropriate by the General Manager; and
 - (4) The industrial waste surcharge rate, the sanitary discharge rate, and the hauled sewage discharge rate will be reviewed and adjusted accordingly from time to time as determined by the City.
 - (5) (a) Where, under a proposed industrial waste surcharge agreement, the anticipated total fee for a one year or lesser term would be \$500 or less calculated in accordance with the rate set out in Chapter 441, Fees and Charges, Appendix D - Schedule 3, Wastewater Services, the General Manager may authorize a discharge or deposit of sewage in accordance with this section by way of an industrial waste surcharge permit in the place of an agreement. **[Added 2009-03-31 by By-law No. 358-2009; amended 2009-12-04 by By-law No. 1206-2009⁹; 2011-02-24 by By-law No. 335-2011¹⁰; 2013-12-18 by By-law No. 1696-2013]**

⁹ Editor's Note: By-law No. 1206-2009 came into force April 1, 2009.

¹⁰ Editor's Note: By-law No. 335-2011 came into force March 1, 2011.

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- (b) Where, under a proposed sanitary discharge agreement, the anticipated total fee for a one year or lesser term would be \$20,000 or less calculated in accordance with the rate set out in Chapter 441, Fees and Charges, Appendix D - Schedule 3, Wastewater Services, the General Manager may authorize a discharge or deposit of sewage in accordance with this section by way of a sanitary discharge permit in the place of an agreement. **[Added 2013-12-18 by By-law No. 1696-2013]**
- (6) Where a permit is issued by the General Manager in the place of an agreement under § 681-6, all requirements and restrictions set out in § 681-6 applicable to an agreement shall apply to the permit and the General Manager may impose such other terms and conditions as may be deemed appropriate. **[Added 2009-03-31 by By-law No. 358-2009]**
- (7) In the case of an industrial waste surcharge agreement or permit or sanitary discharge agreement or permit, the minimum amount payable under such agreement or permit for the initial term of the agreement or permit, and upon any and each extension or renewal, if any, of such term by the General Manager, shall be as set out in Chapter 441, Fees and Charges, Appendix D - Schedule 3, Wastewater Services. **[Added 2009-03-31 by By-law No. 358-2009; amended 2009-12-04 by By-law No. 1206-2009¹¹; amended 2011-02-24 by By-law No. 335-2011¹²]**
- (8) Subject to Section 681-6A(7), the industrial waste surcharge fee in an industrial waste surcharge agreement shall be calculated in accordance with the formula set out in Table 3 below: **[Added 2012-11-29 by By-law No. 1636-2012¹³]**

Table 3- Surcharge Fee Calculation Formula

The formula is based on the cost to treat a unit (kg) of the surchargeable parameter and is applied to additional units (kg) of the parameter received above the applicable Chapter 681 parameter limit. Subject to Section 681-6A(7), the industrial waste surcharge fee is calculated using the parameter that exceeds the Municipal Code Chapter 681, Sewers, parameter limits the most.

$$\text{Surcharge} = C \times \frac{\text{Volume (m}^3\text{)}}{1000} \times R_{\text{kg}} (\$/\text{kg})$$

Where,

C = (actual average concentration, mg/L - By-law Parameter Limit, mg/L) for the parameter that exceeds the applicable Chapter 681, Sewers parameter the most

actual average concentration = the City measured average concentration in the effluent of the discharger, mg/L

By-law Parameter Limit = Chapter 681 parameter limit, mg/L [see Table 1 of Chapter 681 and Section 681-6B(1)]

¹¹ Editor's Note: By-law No. 1206-2009 came into force April 1, 2009.

¹² Editor's Note: By-law No. 335-2011 came into force March 1, 2011.

¹³ Editor's Note: By-law No. 1636-2012 comes into force January 1, 2013.

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

Volume = annual volume discharge m³ divided quarterly for the invoice period

R_{kg} = unit cost per kilogram of parameter being treated, \$/kg, as established under Chapter 441, Fees and Charges, Appendix D - Schedule 3, Wastewater Services, from time to time.

- (9) In the case of an industrial waste surcharge agreement, a fee for the establishment of any new industrial waste surcharge agreement shall be payable to the City as set out in Chapter 441, Fees and Charges, Appendix D - Schedule 3, Wastewater Services. **[Added 2012-11-29 by By-law No. 1636-2012¹⁴]**
- (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. **[Added 2016-02-04 by By-law No. 100-2016]**

B. Restrictions on agreements.

- (1) An industrial waste surcharge agreement may only be entered into with respect to the discharge of the following treatable parameters in sewage: biochemical oxygen demand, phenolics (4AAP), total kjeldahl nitrogen (TKN), total phosphorus or total suspended solids. **[Amended 2012-11-29 by By-law No. 1636-2012¹⁵]**
- (2) A sanitary discharge agreement or permit may be entered with respect to the discharge of sewage which contains private water. **[Amended 2016-02-04 by By-law No. 100-2016]**
- (3) A hauled sewage discharge agreement may only be entered with respect to the discharge of hauled sewage originating from septic tanks, portable toilets, or holding tanks and household pet waste within the City. **[Added 2008-06-24 by By-law No. 577-2008]**

C. Industrial waste surcharge agreements, sanitary discharge agreements, and hauled sewage discharge agreements shall be in the form prescribed by the General Manager from time to time, provided that the agreement is in a form satisfactory to the City Solicitor. The General Manager shall be authorized to enter into and execute such industrial waste surcharge agreements, sanitary discharge agreements, and hauled sewage discharge agreements on behalf of the City. **[Amended 2007-06-22 by By-law No. 704-2007; 2008-06-24 by By-law No. 577-2008]**

D. The agreements contemplated by Subsection B(1) and (2) may be terminated by the General Manager by written notice at any time where there is an emergency situation of immediate threat or danger to any person, property, plant or animal life, water or sewage works. **[Amended 2007-06-22 by By-law No. 704-2007]**

¹⁴ Editor's Note: By-law No. 1636-2012 came into force January 1, 2013.

¹⁵ Editor's Note: By-law No. 1636-2012 came into force January 1, 2013.

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- 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: **[Added 2007-06-22 by By-law No. 704-2007; amended 2016-02-04 by By-law No. 100-2016]**
- (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. **[Added 2007-06-22 by By-law No. 704-2007; amended 2016-02-04 by By-law No. 100-2016]**
- G. Prior to the execution of the agreement with the City in respect to the discharge or deposit of sewage, where the party is a corporation, such party shall deliver to the City a true copy of its letters of incorporation, letters patent or similar instrument of incorporation and any amendments to such instruments of incorporation and, within 10 days of the occurrence of same, shall deliver to the City a true copy of any change in status or name of such corporation since the date of execution of the agreement. **[Added 2007-06-22 by By-law No. 704-2007]**
- H. The requirements, restrictions and limitations contained in § 681-6B, C, D, E, F and G applying to an agreement for the discharge or deposit of sewage shall apply equally to a permit issued under § 681-4K. **[Added 2013-12-18 by By-law No. 1696-2013]**
- I. Prior to the approval of any permit or agreement under § 681-6 or § 681-4K, the General Manager may require the applicant to provide such plans, specifications, reports, studies, data, analytical results, samples, photographs, records, documentation or other information that would enable the General Manager to fully assess whether or not the actual or potential discharge could contravene this chapter or detrimentally affect the City's inhabitants, its sewer infrastructure or the environment. **[Added 2013-12-18 by By-law No. 1696-2013]**

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

§ 681-7. Compliance program.

[Amended 2007-06-22 by By-law No. 704-2007]

- A. An industry may submit to the General Manager a proposed compliance program setting out activities to be undertaken by the industry that would result in the prevention or reduction and control of the discharge or deposit of matter from the industry's premises into municipal or private sewer connections to any sanitary sewer or combined sewer.
- B. An industry may submit to the General Manager a proposed compliance program setting out activities to be undertaken by the industry that would result in the prevention or reduction and control of the discharge or deposit of private water or storm water from the industry's premises to eliminate the discharge of matter into municipal or private sewer connections to any storm sewer. **[Amended 2016-02-04 by By-law No. 100-2016]**
- C. Upon receipt of an application pursuant to Subsection A or B above, the General Manager may issue an approval for a compliance program for an industry to discharge an effluent that does not comply with Table 1 (located in § 681-2) and Table 2 (in § 681-4) of this article, such approval to be in accordance with guidelines therefore adopted by the City from time to time. The industry shall be entitled to make non-complying discharges in the amount and only to the extent set out in the General Manager's approval during the planning, design and construction or installation of facilities or works needed to implement the approved compliance program.
- D. Every proposed compliance program shall be for a specified length of time during which treatment facilities are to be installed and shall be specific as to the remedial actions to be implemented by the industry, 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.
- E. The industry to which a compliance program has been issued shall submit a compliance program progress report to the General Manager within 14 days after the scheduled completion date of each activity listed in the compliance program.
- F¹⁶. The General Manager may terminate any proposed compliance program by written notice at any time to the industry in the event that the industry fails or neglects to carry out or diligently pursue the activities required of it under its approved compliance program.

§ 681-8. Sampling and analytical requirements.

- 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:

¹⁶ Editor's Note: By-law No. 100-2016, enacted February 4, 2016, deleted §§ 681-7G and H.

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

[Amended 2002-10-31 by By-law No. 855-2002; 2007-06-22 by By-law No. 704-2007; 2008-06-24 by By-law No. 577-2008; 2016-02-04 by By-law No. 100-2016]

- (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.
- B. Compliance or non-compliance with this article may be determined by the analysis of a grab sample or a composite sample done in accordance with Subsection A, may contain additives for its preservation and may be collected manually or by using automatic sampling device.
- C. Where there is no maintenance access hole meeting the requirements of § 681-10 of this article, the General Manager may, by written notice to an industry, make use of an alternate device or facility for the purpose of sampling a discharge to the sewage works. **[Amended 2007-06-22 by By-law No. 704-2007]**

§ 681-9. Spills.

- A. In the event of a spill to a sewage works, the person responsible or the person having the charge, management and control of the spill shall immediately notify the General Manager and provide any information with regard to the spill that is requested. **[Amended 2000-10-05 by By-law No. 869-2000; 2007-06-22 by By-law No. 704-2007]**
- B. 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: **[Amended 2000-10-05 by By-law No. 869-2000; 2007-06-22 by By-law No. 704-2007; 2016-02-04 by By-law No. 100-2016]**
- (1) Location where spill occurred;
 - (2) Name and telephone number of the person who reported the spill and the location and time where they can be contacted;
 - (3) Date and time of spill;
 - (4) Material spilled;
 - (5) Characteristics of material spilled;
 - (6) Volume of material spilled;
 - (7) Duration of spill event;
 - (8) Work completed and any work still in progress in the mitigation of the spill; and

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- (9) Preventive actions being taken to ensure a similar spill does not occur again.
- 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. **[Amended 2000-10-05 by By-law No. 869-2000; 2016-02-04 by By-law No. 100-2016]**
- 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. **[Amended 2007-06-22 by By-law No. 704-2007; 2013-12-18 by By-law No. 1718-2013; 2016-02-04 by By-law No. 100-2016]**

§ 681-10. General.

- A. Maintenance access hole. **[Amended 2000-10-05 by By-law No. 869-2000; 2002-10-31 by By-law No. 855-2002; 2007-06-22 by By-law No. 704-2007; 2010-07-08 by By-law No. 868-2010; 2016-02-04 by By-law No. 100-2016]**
- (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.

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- (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.
 - (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.
 - (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.
 - (5) The provisions of Subsections A(1) to (4) inclusive do not apply to those who own or operate dental offices. Dental offices shall provide a sampling port consisting of a valve, tap, or similar device consistent with technical guidelines that the General Manager may establish from time to time.
- B. Food-related grease interceptors. **[Amended 2002-10-31 by By-law No. 855-2002; 2016-02-04 by By-law No. 100-2016]**
- (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.
- C. Interceptors for motor oil and lubricating grease. **[Amended 2000-10-05 by By-law No. 869-2000; 2002-10-31 by By-law No. 855-2002]**

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- (1) Every owner or operator of a motor vehicle 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 sanitary discharge is directly or indirectly connected to a sewer shall install and maintain an oil interceptor designed to prevent motor oil and lubricating grease from passing into the drainage piping which is connected directly or indirectly to a sewer.
 - (2) The owner or operator of a premises as set out in Subsection C(1) shall install, operate, and properly maintain an oil interceptor in any piping system at its premises that connects directly or indirectly to a sewer. The oil interceptors shall be installed in compliance with the most current requirements of the Ontario Building Code.
- D. Sand and grit interceptors. [**Amended 2002-10-31 by By-law No. 855-2002; 2010-07-08 by By-law No. 868-2010; 2013-12-18 by By-law No. 1718-2013; 2016-02-04 by By-law No. 100-2016**]
- (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.
- E. Garbage grinders. [**Amended 2002-10-31 by By-law No. 855-2002**]
- (1) No person shall install or operate within the City any garbage grinding devices for domestic purposes, the effluent from which will discharge directly or indirectly into a storm or combined sewer.
 - (2) In the case of industrial, commercial or institutional properties where garbage grinding devices are installed in accordance with the Building Code, the effluent from such garbage grinding devices must comply with § 681-2.

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- F. Dental waste amalgam separator. **[Amended 2005-10-28 by By-law No. 867-2005; 2007-06-22 by By-law No. 704-2007¹⁷; 2016-02-04 by By-law No. 100-2016]**
- (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).

§ 681-11. Sewer connections.

A. No person shall:

- (1) Erect or cause or permit to be erected any new or substantially renovated building unless the building is connected to the sanitary sewer or combined sewer for sanitary drainage purposes, save and except a building not required to contain plumbing or a sewage system by the *Building Code Act, 1992*, or any other applicable federal or provincial law. **[Amended 2002-10-31 by By-law No. 855-2002; 2007-06-22 by By-law No. 704-2007; 2013-12-18 by By-law No. 1696-2013]**
- (2) Construct, install, maintain or cause or permit to be constructed, installed or maintained, whether installed prior to the date of the passing of this article or any of its predecessors, a direct or indirect connection to the sanitary sewer connection which would permit anything other than domestic and industrial sewage to discharge into the sanitary sewer connection.
- (3) Section 681-11A(1) shall not apply to the City so as to limit the City from erecting or causing or permitting the erection of Class 1 or Class 4 sewage systems, as defined by the *Building Code Act, 1992*, on City property designated as open space or public park lands. **[Added 2007-06-22 by By-law No. 704-2007]**
- (4) Where no City sanitary sewer exists adjacent to a property, the General Manager may exempt such property from the application of § 681-11A(1), provided that the property contains no more than one single-family dwelling and the new building is connected to a septic system or holding system, to contain the sewage, installed and maintained in compliance with all applicable legislation, regulations and by-laws. **[Added 2007-06-22 by By-law No. 704-2007]**

- B. (1) No sewer connection shall be constructed on any road allowance, easement, or other public land, except by the City or, where authorized in writing by the General Manager, under a written agreement satisfactory to the General Manager. **[Amended 2002-10-31 by By-law No. 855-2002; 2007-06-22 by By-law No. 704-2007; 2010-07-08 by By-law No. 868-2010]**

¹⁷ Editor's Note: This by-law also repealed former § 681-10F, Right of entry, previously amended December 6, 2001 by By-law No. 1109-2001; § 681-10G, Protection from damage; § 681-10H, Damage to the sewage works; and § 681-10I, Unauthorized entry to sewage works.

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- (2) The owner of the property seeking the sewer connection shall make an application in accordance with § 681-11C and shall be responsible for the cost of the sewer connection. **[Amended 2002-10-31 by By-law No. 855-2002; 2007-06-22 by By-law No. 704-2007; 2010-07-08 by By-law No. 868-2010]**
- C. The owner or owner's agent shall apply to the City for a new municipal sewer connection or installations and, where necessary, for the disconnection of the existing municipal sewer connections, and pay to the City the cost of such work on an actual cost basis with a minimum charge equal to the applicable flat rate for such works, as determined by the City from time to time, where there is: **[Amended 2005-10-28 by By-law No. 867-2005; 2008-06-24 by By-law No. 577-2008; 2013-12-18 by By-law No. 1696-2013]**
- (1) A subdivision or severance of a lot or parcel of land or change in location of a building on a lot; or
- (2) A construction of a new or reconstructed building, except to the extent that § 681-11D applies; or
- (3) A disconnection of a dwelling from a septic tank system.
- D. Reconstructed buildings.
- (1) Whenever an existing building is substantially demolished, the existing municipal sewer connections shall be disconnected by the City at the municipal sewers at the expense of the owner of the building. The owner applying for the permit to construct the replacement building shall be required to apply and pay the City for the installation of new municipal sewer connections.
- (2) For the purposes of this section, an existing building is substantially demolished when more than 50 percent of the exterior walls of the first storey above grade are removed, whether or not they are subsequently replaced.¹⁸
- (3) Notwithstanding § 681-11D(1), an owner may apply to the General Manager for the reuse of a municipal sewer connection, up to and including 150 mm in diameter, for the purposes of servicing a residential dwelling if municipal sewer connection meets, as determined by the General Manager, all of the following requirements: **[Added 2010-07-08 by By-law No. 868-2010]**
- (a) The municipal sewer connection must meet current City standards and specifications;
- (b) The municipal sewer connection must not be a double connection;
- (c) The municipal sewer connection must not have record of history of sewer back-ups in respect to properties serviced by that municipal sewer connection; and
- (d) The municipal sewer connection is free of structural and operational defects.

¹⁸ Editor's Note: Former § 681-11D(3), which previously followed this subsection, which permitted an owner to use an existing municipal sewer connection when constructing a replacement building or disconnecting a dwelling from a septic tank, amended October 28, 2005 by By-law No. 867-2005, was repealed June 24, 2008 by By-law No. 577-2008.

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- (4) For the purposes of § 681-11D(3)(d), the City will carry out a closed circuit television sewer inspection along the entire municipal portion of the sewer connection, the results of which must indicate that the sewer connection is free of structural and operational defects. **[Added 2010-07-08 by By-law No. 868-2010]**
- (5) The owner, upon making an application under § 681-11D(3), shall pay to the City any fees, charges and costs as may be prescribed or determined by the City from time to time. **[Added 2010-07-08 by By-law No. 868-2010]**
- E. In the event that a sewer connection is installed or operated in contravention of any provision of this article, the General Manager may, until such time as the violations are rectified, order the temporary disconnection of such sewer connection. During any disconnection in accordance with this section, no person shall use or cause or permit the use of such a connection. 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. **[Amended 2007-06-22 by By-law No. 704-2007; 2016-02-04 by By-law No. 100-2016]**
- F. The General Manager shall not order such temporary disconnection unless the General Manager has first mailed to the property owner and occupant, if any, a registered letter specifying the nature of the violation or violations of this article and indicating the intention of the General Manager to order temporary disconnection of the sewer 30 days after the date of mailing, unless the General Manager is satisfied that the violation or violations set out in the notice will be rectified within that time. 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. **[Amended 2007-06-22 by By-law No. 704-2007]**
- G. (1) Any person who requires or desires a new sewer connection to be supplied to a property or a change or alteration to the existing sewer connection in relation to a property shall submit an application for such connection, change or alteration on the prescribed City form to the General Manager accompanied by such investigational studies, reports, drainage plans, grading plans, engineering plans and other detailed documentation and information as may be required by the General Manager to determine if the application is in accordance with the standards and specifications and the requirements of this chapter. **[Amended 2002-10-31 by By-law No. 855-2002; 2007-06-22 by By-law No. 704-2007; 2010-07-08 by By-law No. 868-2010]**
- (2) The applicant shall pay to the City, at the time of making the application, all applicable fees, charges, deposits and costs, including the cost for disconnection of the existing sewer connection and for the new sewer connection, if one is required. **[Amended 2002-10-31 by By-law No. 855-2002; 2007-06-22 by By-law No. 704-2007; 2010-07-08 by By-law No. 868-2010]**
- (3) The owner of the property, or the owner's agent, shall sign the application, and the owner shall be responsible for the completeness and accuracy of the information furnished on such application and in the supporting documentation to be provided in accordance with § 681-11G(1). **[Amended 2002-10-31 by By-law No. 855-2002; 2007-06-22 by By-law No. 704-2007; 2010-07-08 by By-law No. 868-2010]**

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- H. Sewer connections on public or private property. [**Amended 2002-10-31 by By-law No. 855-2002; 2005-10-28 by By-law No. 867-2005; 2007-06-22 by By-law No. 704-2007; 2008-06-24 by By-law No. 577-2008; 2010-07-08 by By-law No. 868-2010; 2013-07-19 by By-law No. 1030-2013**]
- (1) Upon approval by the General Manager of an application submitted under § 681-11G, a sewer connection on public property between the sewer main and private property shall be installed by the City, at the expense of the owner of the property obtaining the sewer connection, in accordance with the standards and specifications and upon such conditions, rates, fees, charges and costs as may be prescribed or determined by the City from time to time.
 - (2) Notwithstanding § 681-11H(1), upon approval by the General Manager of an application submitted under § 681-11G, the General Manager may authorize, in writing, the property owner seeking the sewer connection to install the sewer connection provided that:
 - (a) The owner meets one of the following conditions:
 - [1] The installation of a sewer service connection is within a new or existing unassumed subdivision; or
 - [2] The installation of a sewer service connection is to be constructed in conjunction with the construction of new sewage works related to the owner's project; or
 - [3] The installation of a sewer service connection is approved by the General Manager within an easement; and
 - (b) A written agreement between the City and the owner of the property, in respect to the installation, any related work and acceptance of risk by the owner, is first entered into on such terms and conditions as are acceptable to the General Manager and in a form satisfactory to the City Solicitor; and
 - (c) The installation is wholly at the expense and risk of the owner including payment by the owner to the City of any rates, fees, charges and costs prescribed or determined by the City from time to time or costs otherwise incurred by the City as a result of or related to the installation and inspection of the work; and
 - (d) The installation is in accordance with the City's standards and specifications, the agreement set out in § 681-11H(2)(b) and under a building permit having been issued for such purpose by the Chief Building Official of the City.
 - (2.1) The General Manager may exempt, where appropriate, an owner from the conditions contained in § 681-11H(2)(a) where the General Manager is satisfied that the service connections can be properly installed by the owner in accordance with the City specifications and other requirements set out in § 681-11H(2)(b), (c) and (d) are met.

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- (3) The General Manager is authorized to enter into and execute an agreement provided in § 681-11H(2)(b), unless Council has otherwise delegated responsibility to enter and execute the form of agreement to another City division head or official.
- I. Methods and materials used in the construction of sewer connections shall resist entry of roots and acid or alkali damage, and otherwise be in accordance with requirements determined by the General Manager from time to time. **[Amended 2002-10-31 by By-law No. 855-2002; 2007-06-22 by By-law No. 704-2007]**
- J. Separate Connections. **[Amended 2013-12-18 by By-law No. 1696-2013]**
- (1) No person shall install or cause the installation of a municipal sewer connection that services more than one building on a property unless otherwise permitted under the Building Code and this section.
- (2) No person shall install or cause the installation of a municipal sewer connection that services more than one property.
- (3) The General Manager may authorize a single service connection to service a single property containing multiple buildings, parcels of tied land, condominiums, and/or freehold parcels, provided that:
- (a) Such servicing complies with the Building Code; and
- (b) The General Manager is satisfied that:
- [1] The proposed servicing meets the Standards and Specifications;
- [2] The owner of the lands upon which the service connection is located is directly responsible for the payment of any fees and charges for the supply of municipal sewer services to the property;
- [3] The owner of the lands upon which the service connection is located is directly responsible for all discharges to municipal sewage works, compliance with this chapter and any enforcement measures and sanctions arising from non-compliance with this chapter;
- [4] The manner of ownership of the property will not impede the City's ability to collect fees or charges or enforce compliance with this chapter or Chapter 441, Fees and Charges, and Chapter 849, Water and Sewage Services and Utility Bill; and
- [5] The general intent of this subsection has been met.
- (4) Where an authorization is provided by the General Manager under § 681 11J(3), the General Manager may make such authorization conditional on such terms and conditions as the General Manager considers appropriate to meet the requirements of § 681-11J(3)(b).

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- (5) For the purpose of § 681-J(3), a "parcel of tied land" shall be as defined under section 24(1) of Ontario Regulation 49/01, made under the *Condominium Act, 1998*, as amended from time to time.
- K. A private sanitary sewer connection shall not be installed until: **[Amended 2002-10-31 by By-law No. 855-2002]**
- (1) The municipal sewer to which the municipal sewer connection is made is fully completed and accepted for operation; and
 - (2) The municipal sewer connection is satisfactorily installed.
- L. In the event that any person constructs a municipal sewer connection in a manner other than provided for in this section, the General Manager may order the re-excavation of the connection for the purpose of inspection and testing and, if necessary, reconstruction of the work, and the General Manager may have these works performed at the expense of the owner or disconnect the sewer connection, in which case it shall not be reconnected except with the approval of the General Manager. **[Amended 2000-10-12 by By-law No. 958-2000; 2002-10-31 by By-law No. 855-2002; 2007-06-22 by By-law No. 704-2007]**
- M. The owner of any building erected upon lands that abut on a street which is not serviced by a storm sewer shall construct a down-pipe from the eavestrough that shall discharge the water at grade with provisions to prevent soil erosion and shall conduct the storm water away from the building in such a manner that the storm water will not accumulate at or near the building and will not adversely affect adjacent properties.
- N. (Reserved)¹⁹
- O. (1) Where a catch basin or similar drainage collection system has been installed or is proposed to be installed on private property to drain storm water from a driveway sloped downwards towards any residential building located on the property, the storm water from the drainage collection system shall be discharged at grade away from the building in such a manner that the storm water will not accumulate at or near the building and will not adversely affect adjacent properties. **[Amended 2000-10-12 by By-law No. 958-2000; 2002-10-31 by By-law No. 855-2002; 2010-07-08 by By-law No. 868-2010]**
- (2) An owner may make an application to the General Manager for an exemption from the provisions of § 681-11O(1) where compliance with that provision would create a hazardous condition or is not technically feasible. **[Amended 2000-10-12 by By-law No. 958-2000; 2002-10-31 by By-law No. 855-2002; 2010-07-08 by By-law No. 868-2010]**
 - (3) Where an owner makes an application to the General Manager for an exemption from the provisions of § 681-11O(1) under § 681-11O(2), the catch basin or similar drainage collection system installed or is proposed to be installed shall not be connected to the City storm sewer unless, as determined by the General Manager:

¹⁹ Editor's Note: Former § 681-11N, which contained exceptions from § 681-11D(1) in the case of storm sewers, was repealed October 31, 2002 by By-law No. 855-2002.

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

[Amended 2000-10-12 by By-law No. 958-2000; 2002-10-31 by By-law No. 855-2002; 2010-07-08 by By-law No. 868-2010]

- (a) Compliance with § 681-11O(1) would create a hazardous condition or is not technically feasible; and
- (b) The owner of the property has made an application in accordance with § 681-11G for a storm sewer connection in the manner and on the forms prescribed by the General Manager; and
- (c) The driveway sloped downwards towards a residential building is lawfully permitted; and
- (d) A storm sewer is existing immediately adjacent to the subject property and has capacity to handle any additional storm water flow resulting from the connection; and
- (e) The storm sewer connection shall have no detrimental effects to the storm drainage system, either as a whole or in part; and
- (f) A flap gate backwater valve is installed upstream of the public portion of the sewer connection at the streetline, so that no storm water may back up from the City storm sewer into the private catch basin; and
- (g) A sump pump, is located in the overflow sump, to discharge any storm water which has collected in the catch basin while the above flap gate backwater valve has closed to prevent a backup of storm water; and
- (h) The sump pump and any required storage system is appropriately sized to drain the collection area to prevent flooding into the building; and
- (i) A written agreement between the City and the owner of the property, with terms and conditions in respect to the installation, any related work and acceptance of risk by the owner as are acceptable to the General Manager and in a form satisfactory to the City Solicitor, is first entered into; and
- (j) The installation is wholly at the expense and risk of the owner including payment by the owner to the City of any rates, fees, charges and costs prescribed or determined by the City from time to time or costs otherwise incurred by the City as a result of or related to the installation and inspection of the work; and
- (k) The written agreement between the City and the owner of the property as required by Section 681-11O(3)(i) is registered on title to the property at the expense of the owner, where permitted by the applicable land registry legislation and in a form satisfactory to the City Solicitor. **[Added 2013-12-18 by By-law No. 1696-2013]**

P. Flap gate backwater valve and sump pumps required pursuant to Subsection O shall be installed and maintained by the owner or operator of the premises at his or her expense.

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- Q. Inflow and infiltration of storm water into sanitary sewer system. **[Amended 2002-10-31 by By-law No. 855-2002]**
- (1) The owner of any building which has a roof water leader discharging storm water, either directly or indirectly, into the sanitary sewer connection shall disconnect the down-pipe from the underground portions at grade and shall conduct the storm water away from the building in such a manner that the storm water will not accumulate at or near the building and will not adversely affect adjacent properties.
 - (2) For the purposes of this section:
 - (a) "Directly" shall mean by any physical connection or series of connections between the roof water leader and the sanitary sewer system.
 - (b) "Indirectly" shall mean in any manner whatsoever whereby storm water enters the sanitary sewer system, and for the greater certainty includes but is not limited to any situation where open joints in underground sewer connections on private property permit storm water to infiltrate the sanitary sewer system. **[Amended 2013-12-18 by By-law No. 1696-2013]**
 - (3) An owner may request the General Manager to conduct an inspection by means of an excavation or closed circuit television inspection to determine the source of inflow or infiltration into the sanitary sewer system. Upon such request, the owner shall pay to the City any fees, charges and costs as may be prescribed or determined by the City from time to time including, without limitation, any closed circuit television inspection fee. **[Amended 2005-10-28 by By-law No. 867-2005; 2010-07-08 by By-law No. 868-2010]**
 - (4) If, as a result of the inspection pursuant to Subsection Q(3), the General Manager determines that the infiltration of storm water into the sanitary sewer system occurs solely as a result of a structural problem in the City's portion of the connection, the provisions of Subsection Q(1) will not apply to the owner with respect to the premises in relation to which the inspection was performed. **[Amended 2007-06-22 by By-law No. 704-2007]**
 - (5) If, as a result of the inspection pursuant to Subsection Q(3), the General Manager determines that the infiltration of storm water into the sanitary sewer system occurs as a result of structural problems in both the City's portion of the connection and the owner's portion of the connection, the provisions of Subsection Q(1) will not apply to the owner with respect to the premises in relation to which the inspection was performed, and the deposit will be refunded if the owner completes repairs to the owner's portion of the connection to correct deficiencies in that portion of the connection identified in the inspection. **[Amended 2007-06-22 by By-law No. 704-2007]**
- R. Private water drainage system. **[Amended 2002-10-31 by By-law No. 855-2002; 2005-10-28 by By-law No. 867-2005; 2007-06-22 by By-law No. 704-2007; 2016-02-04 by By-law No. 100-2016]**

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- (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.
- S. Storm water drainage. **[Amended 2002-10-31 by By-law No. 855-2002; 2005-10-28 by By-law No. 867-2005]**
- (1) An owner shall discharge storm water, unless a connection to a combined or storm sewer is otherwise permitted or authorized by the General Manager in writing under this section or § 681-11O, in a manner that is in compliance with §§ 629-11A, 629-11A.1(1) and 629-20 of Chapter 629, Property Standards. **[Amended 2010-07-08 by By-law No. 868-2010; 2013-12-18 by By-law No. 1696-2013]**
 - (2) No person shall construct, install or maintain, or cause or permit to be constructed, installed or maintained, drainage from any roof water leader or downspout that conveys storm water from any new or reconstructed residential, industrial, commercial or institutional buildings directly or indirectly to a sanitary, combined or storm sewer connection for the purpose of storm water drainage. **[Amended 2007-06-22 by By-law No. 704-2007; 2010-07-08 by By-law No. 868-2010]**
 - (3) No person shall permit or maintain the connection of a downspout from any building directly or indirectly to a combined or storm sewer in the combined sewer area of the City, as identified on the map attached as Attachment 1. **[Added 2007-11-20 by By-law No. 1252-2007²⁰]**

²⁰ Editor's Note: By-law No. 1255-2008, enacted December 3, 2008, provided that § 681-11S(3) come into force four years from the date of enactment of By-law No. 1252-2007.

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- (4) No person shall permit or maintain the connection of a downspout from any building directly or indirectly to a storm sewer in the Basement Flooding Study Areas of the City, as identified on the map attached as Attachment 2.²¹ **[Added 2008-12-03 by By-law No. 1255-2008²²]**
 - (5) No person shall permit or maintain the connection of a downspout from any building directly or indirectly to a storm sewer in any other area of the City not otherwise prohibited under § 681-11S(3) or § 681-11S(4). **[Added 2008-12-03 by By-law No. 1255-2008²³]**
 - (6) An owner may make an application to the General Manager for an exemption from the provisions of § 681-11S(2), § 681-11S(3), § 681-11S(4) or § 681-11S(5) where, in the case of § 681-11S(2), compliance with that provision would create a hazardous condition; and where, in the case of § 681-11S(3), § 681-11S(4) or § 681-11S(5), the disconnection of downspouts, in respect to a property, would create a hazardous condition or is not technically feasible. **[Added 2007-11-20 by By-law No. 1252-2007; amended 2008-12-03 by By-law No. 1255-2008;²⁴ 2010-07-08 by By-law No. 868-2010]**
 - (7) Where an owner makes an application for an exemption under § 681-11S(6), the owner shall supply such plans, photographs and other documentation as the General Manager may request and, in each case, the determination of an exemption shall be in the General Manager's sole discretion. **[Added 2010-07-08 by By-law No. 868-2010]**
- T. Private residential conventional non-salt water swimming pools, hot tubs, spas or wading pools. **[Amended 2000-10-12 by By-law No. 958-2000; 2002-10-31 by By-law No. 855-2002; 2008-06-24 by By-law No. 577-2008; 2010-07-08 by By-law No. 868-2010; 2016-02-04 by By-law No. 100-2016]**
- (1) Subject to § 681-11U, no person shall discharge wastewater from a private residential swimming pool or hot tub/spa or wading pool:
 - (a) Into a storm drainage system, unless otherwise permitted under § 681-11T(3); or
 - (b) In a manner that may cause or causes the wastewater to flow onto an adjoining property; or
 - (c) Over a valley or ravine wall or slope in a manner that may cause or causes the erosion or instability of the valley or ravine wall or slope; or
 - (d) In a manner other than is permitted under § 681-11T(2) or (3).

²¹ Editor's Note: Attachment 2 is included at the end of this chapter.

²² Editor's Note: This by-law provided for the redesignation of former § 681-11S(4) as § 681-11S(6). This by-law also provided that § 681-11S(4) come into force five years from the date of the enactment of this by-law.

²³ Editor's Note: This by-law provided that § 681-11S(5) come into force eight years from the date of the enactment of this by-law.

²⁴ Editor's Note: This by-law provided that § 681-11S(6) come into force four years from the date of the enactment of By-law No. 1252-2007.

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- (2) Unless otherwise permitted under § 681-11T(3) and subject to § 681-11U, a person is permitted to discharge wastewater from a private residential swimming pool or hot tub/spa or wading pool either:
 - (a) By way of a temporary connection to the sanitary sewer; or
 - (b) By way of a controlled discharge to the owner's property such that the discharge is at all times contained within the owner's property until it evaporates or infiltrates into the ground.
 - (3) Subject to § 681-11U, a person is permitted to discharge wastewater from a private residential swimming pool or hot tub/spa or wading pool to a storm sewer provided that all of the following conditions are met:
 - (a) There are no algaecides in the private residential swimming pool or hot tub/spa or wading pool water; and
 - (b) The private residential swimming pool or hot tub/spa or wading pool water is held in the pool for one week after the last dosage of chlorine and the chlorine concentration in the wastewater is at or below 0.01 mg/L; and
 - (c) The private residential swimming pool or hot tub/spa or wading pool water is treated with sodium sulphite to achieve the 0.01 total chlorine limit; and
 - (d) The copper concentration of the private residential swimming pool or hot tub/spa or wading pool water is at or below 0.04 mg/L; and
 - (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.
 - (4) For the purposes of § 681-11T, "private residential" means a swimming pool serving five or fewer single-family residences.
- U. Private swimming pool water or hot tub/spa - private residential salt water swimming pools. **[Amended 2008-06-24 by By-law No. 577-2008; 2010-07-08 by By-law No. 868-2010]**
- (1) No person shall discharge wastewater from a private residential salt water swimming pool or hot tub/spa except:
 - (a) To the sanitary sewer, either by:
 - [1] A permanent connection to the sanitary drain on the owner's property; or
 - [2] By way of a temporary connection to the sanitary drain on the owner's property; or

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- (b) By way of a controlled discharge to the owner's property such that the discharge is at all times contained within the owner's property until it evaporates or infiltrates into the ground provided that it does not migrate onto adjacent lands.
 - (2) For the purposes of § 681-11U, "private residential" means a salt water swimming pool serving five or fewer single-family residences.
- V. Notwithstanding § 681-11T or U: **[Added 2008-06-24 by By-law No. 577-2008; amended 2010-07-08 by By-law No. 868-2010]**
 - (1) Rainwater resting on a tarp which covers a swimming pool or hot tub/spa or wading pool may be discharged to a storm sewer, subject to § 681-4.
 - (2) Any water or wastewater including rainwater resting on a tarp which covers a swimming pool shall not be discharged to or near a ravine such that it flows to a ravine in a manner that may cause or causes the erosion or instability of the valley or ravine wall or slope or causes injury or destruction of trees and vegetation.
- W. Notwithstanding § 681-11T, U or V: **[Added 2008-06-24 by By-law No. 577-2008; amended 2016-02-04 by By-law No. 100-2016]**
 - (1) The backwash water from the swimming pool filter shall be discharged to the sanitary sewer or owner's property in a manner that does not flow on to the street or a neighbouring property; and
 - (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.
- X. Sewer investigations. **[Added 2013-12-18 by By-law No. 1696-2013]**
 - (1) Where a person disputes the City's determination of the location of a defect in a sewer connection, that person may apply in writing to the General Manager to request the City to conduct an inspection of the sewer connection.
 - (a) The applicant shall set out, in the application, the basis upon which the applicant disputes the City's determination of the location of a defect in the sewer connection and provide any available reports, photographs or other supporting information as may be available.
 - (b) By submitting an application and as a condition of the City conducting an inspection, the property owner shall be deemed to have consented to the City having reasonable access to the property owner's private plumbing and sewer system. Where the applicant is not the property owner, the application shall include the written consent of the property owner for such reasonable access.

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- (c) If the General Manager, in that person's sole discretion, determines that an inspection is necessary to determine the location or cause of the blockage or defect, the person requesting the inspection shall pay to the City the deposit specified in Chapter 441, Fees and Charges, Appendix D - Schedule 3, Wastewater Services, Reference Number 10, Sewers, prior to the commencement of the inspection.
 - (d) The method of inspection shall be in the sole discretion of the General Manager and, without limitation, may consist of excavation within the municipal road allowance, closed circuit television inspection of the connection via the sewer or otherwise as the General Manager deems appropriate.
 - (e) The deposit shall be in the form of either cash or a certified cheque, or applied to the applicant's water account, as may be determined by the General Manager.
- (2) If, upon an inspection under § 681-11X(1), a defect is found by the City on the municipal sewer connection and has not been caused or contributed to by the property owner, the City shall refund the deposit paid.
- (3) (a) If, upon an inspection under § 681-11X(1), no defect is found by the City on the municipal sewer connection or the property owner has been determined by the General Manager to have caused or contributed to the defect, the General Manager shall determine the actual cost of the excavation, restoration and any other services and work performed by the City in relation to the inspection and the applicant shall pay those actual costs in addition to any costs or damages which may be payable under Chapter 681 related to the cause of the defect which may be deducted by the City from the deposit required under § 681-11X(1).
- (b) In the event that the actual cost of the work is greater than the deposit, the applicant shall immediately pay to the City the difference between the actual cost and the deposit.
- (c) In the event that the actual cost of the work is less than the amount deposit, the General Manager shall refund the difference between the actual cost and the deposit to the owner.

§ 681-12. Confidential information.

- A. All information submitted to and collected by the City that is contained in plans, reports, surveys, monitoring and inspection and sampling activities will, except as otherwise provided in this section, be available for disclosure to the public in accordance with the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA). **[Amended 2013-12-18 by By-law No. 1718-2013]**
- B. In the event that any person in submitting information to the City or to the General Manager in any form, as required under this article, where such information is confidential

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

or proprietary or otherwise, may be exempt from disclosure under MFIPPA, the person submitting the information shall so identify that information upon its submission to the City or the General Manager and shall provide sufficient details as to the reason for its purported exemption from disclosure. **[Amended 2007-06-22 by By-law No. 704-2007]**

§ 681-12.1. Contact information.

[Added 2010-07-08 by By-law No. 868-2010; amended 2013-12-18 by By-law No. 1696-2013]

- A. For administering or enforcing the requirements under this chapter or any other applicable chapter or by-law of the City, the General Manager may require an owner of a property to which sewer services or sewer works are supplied or will be supplied, to provide to the General Manager in writing:
- (1) That owner's full name and telephone number;
 - (2) The full name and telephone number of any occupiers of the property; and
 - (3) The full name and telephone number of a person authorized by the owner to provide the General Manager with access to the sewer services or sewer works or the location where sewer services or sewer works are to be supplied.

§ 681-12.2. Access.

[Added 2010-07-08 by By-law No. 868-2010]

- A. No person shall deny access to the General Manager to a property for any purpose as provided for in this chapter.
- B. No person shall deny access to the General Manager to a property where that person has been given reasonable notice by the General Manager of the intent to exercise a power of entry in accordance with the *City of Toronto Act, 2006*.
- C. The General Manager may, in accordance with the requirements of this chapter, enter upon a property to which sewer services or sewer works are used or supplied by the City:
- (1) To inspect, repair, alter or disconnect the sewer pipe(s), valve(s), machinery, equipment and other works and appurtenances used to supply the sewer services or sewer works;
 - (2) To inspect, install, repair, replace, maintain or alter the sewer services or sewer works; or
 - (3) To shut off or reduce the supply of sewer services.
- D. If an owner discontinues the use of sewer services at a property or the General Manager lawfully decides to cease supplying sewer services to a land or property, the General Manager may enter on the land or property:
- (1) To shut off or discontinue the use or supply of sewer services by that land or property;
 - (2) To remove any property of the City from the property; or

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- (3) To determine whether sewer services have been, or are being, unlawfully used.
- E. The powers of entry of the City and General Manager are subject to sections 375 to 379, inclusive, of the *City of Toronto Act, 2006*.

§ 681-13. Self-monitoring and sampling.

[Added 2005-10-28 by By-law No. 867-2005²⁵]

- A. Every owner of an industrial premises shall carry out any monitoring and sampling of any discharge to a sewer, as may be required in writing by an inspector, and provide the results to the inspector in a format acceptable to the inspector within the time specified by the inspector.
- B. An inspector may require that samples obtained under Subsection A be submitted by the owner for analysis by an accredited laboratory, at the owner's expense.
- C. The owner shall supply the results of the analysis in Subsection B to the inspector in a format acceptable to the inspector within the time specified by the inspector.

§ 681-13.1. Powers and authority of the General Manager or Inspector.

[Added 2007-06-22 by By-law No. 704-2007]

- A. Power of entry.

The General Manager may, in accordance with the requirements of this chapter, enter upon a property to which sewage services or sewage works are supplied by the City:

- (1) To install, inspect, maintain, repair, alter, replace or disconnect a sewer, municipal sewer connection, subsurface drainage pipe or other sewage works.
- (2) To shut off or reduce the supply of sewage services or sewage works provided by the City.
- (3) The powers of entry of the General Manager may be exercised by an employee, officer or agent of the City.

- B. Inspection.

- (1) The General Manager or an Inspector may enter on a property at any reasonable time for the purpose of carrying out an inspection to determine compliance with this chapter or an order or direction of the City or General Manager or an Inspector issued in accordance with this chapter.
- (2) For the purposes of any inspection, the General Manager or an Inspector may:
 - (a) Require the production for inspection of documents or things relevant to the inspection;

²⁵ Editor's Note: This by-law also renumbered former §§ 681-13 and 681-14 as §§ 681-14 and 681-15, respectively.

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- (b) Inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - (c) Require information from any person concerning a matter related to the inspection; and
 - (d) Alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
- (3) No person shall fail or refuse to comply with a request by the General Manager or an Inspector to produce for inspection any document or thing or information relevant to the inspection carried out by the General Manager or Inspector in accordance with § 681-13.1A or 681-13.1B. **[Amended 2014-03-20 by By-law No. 260-2014]**
- (4) The City, General Manager or an Inspector may enter upon lands for the purposes of an inspection and the other activities set out in § 681-13.1B pursuant to an order issued in accordance with section 378 of the *City of Toronto Act, 2006*. Where a provincial court judge or justice of the peace has issued an order authorizing the City to enter on a property for the purpose of carrying out an inspection for the purposes and to exercise the powers set out in this section, no person, when requested to do so by the General Manager or an Inspector, shall neglect or refuse to produce or deliver any information or documents or things required by this chapter. **[Amended 2014-03-20 by By-law No. 260-2014]**

C. Obstruction.

- (1) No person shall represent or cause to be represented that he or she is an owner or occupier of a property if he or she is not.
- (2) No person shall prevent, hinder, obstruct or interfere, or attempt to prevent, hinder, obstruct or interfere, in any manner, the General Manager, an Inspector or any City personnel, or agents in the exercise of an activity, power or performance of a duty under this chapter or in the administration or enforcement of this chapter. The activities may include, without limitation, the following:
 - (a) Entering in or upon, at any reasonable time without a warrant, any land, property or premises, except premises being used as a dwelling house in which case reasonable notice shall be provided in accordance with this chapter and the *City of Toronto Act, 2006*; or
 - (b) Making such tests or taking such samples as the General Manager deems necessary; or
 - (c) Inspecting or observing any plant, machinery, equipment, work, activity or documents; or
 - (d) Repairing, maintaining, altering, disconnecting, removing, replacing, or installing sewage works or any related item.

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- (3) No person shall furnish any false or misleading information to the General Manager or any City personnel, agents or contractors in the exercise of an activity, power or performance of a duty or administrative function under this chapter, including but not limited to any information provided or submitted on or with any application or in respect to any inspection or enforcement of this chapter. **[Added 2013-12-18 by By-law No. 1696-2013]**

D. Limitations on power of entry.

The powers of entry of the City, General Manager and Inspector are subject to sections 375 to 379, inclusive, of the *City of Toronto Act, 2006*.

§ 681-13.2. General prohibitions and liability for damage.

[Added 2007-06-22 by By-law No. 704-2007]

A. Protection from damage.

No person shall uncover, make any connection with, or opening into, break, alter, damage, destroy, deface or tamper or cause or permit the breaking, damaging, destroying, defacing or tampering with:

- (1) Any part of a sewage works; or
- (2) Any permanent or temporary device installed in any part of the sewage works for the purposes of flow measuring, sampling and testing of sewage, uncontaminated water or storm water.

B. Damage to the sewage works.

Any person discharging sewage, uncontaminated water or storm water to the municipal sewage works shall be responsible for ensuring that such sewage, uncontaminated water or storm water conforms at all times to the provisions of this article and shall be liable for any damage or expense arising out of his or her failure to properly check and control such discharge, including the cost of investigation, repairing or replacing any part of any municipal sewage works damaged thereby and for any damages or injury to any person or property caused by such discharge.

C. Unauthorized entry to sewage works.

Unless specifically authorized by the General Manager, no person shall enter any sewage works.

D. Pre-construction investigation and construction damage. **[Added 2013-12-18 by By-law No. 1696-2013]**

- (1) Any person constructing works including, without limitation, piles, caissons, boreholes, foundations, tie backs or intrusive below grade works within the vicinity of City municipal sewage works shall be responsible for ensuring that such construction works conform at all times to the provisions of this section and shall be liable for any damage or expense in respect to the City's municipal sewage works or infrastructure

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

caused or contributed to by such person's undertaking of such construction works, including but not limited to the cost of investigation, repairing or replacing any part of any City municipal sewage works or infrastructure damaged thereby and for any damages or injury to any person or property caused by such undertaking, construction or installation.

- (2) (a) Where the General Manager determines that an inspection of the City municipal sewage works by closed circuit television or such other method of inspection that the General Manager considers appropriate in the circumstances is necessary to determine the pre and post condition of City municipal sewage works or infrastructure in the vicinity of proposed construction works identified in § 681-13.2D(1), the person constructing such works shall pay to the City the deposit specified in Chapter 441, Fees and Charges, prior to the commencement of the construction works, and the City may deduct the cost of such inspection from the deposit.
 - (b) In the event that the actual cost of the inspection is greater than the deposit, the person shall immediately pay to the City the difference between the actual cost and the deposit.
 - (c) In the event that the actual cost of the inspection is less than the amount deposit, upon completion of the post-construction inspection, the General Manager shall refund the difference between the actual cost and the deposit to the person, subject to the City's right to set off any remaining balance of the deposit against any damages to the City's municipal sewage works or infrastructure caused or contributed by the construction works.
- (3) The deposit shall be in the form of either cash or a certified cheque, as may be determined by the General Manager.

§ 681-14. Offences.

[Amended 2001-02-01 by By-law No. 81-2001; 2010-07-08 by By-law No. 868-2010]

- A. Every person who contravenes any provision of this chapter, and every director or officer of a corporation who knowingly concurs in a contravention by the corporation of any provision of this chapter, is guilty of an offence.
- B. Any fine imposed under § 681-14.1 shall be payable in addition to any fees and charges payable under this chapter, Chapter 849 and Chapter 441, as applicable.

§ 681-14.1. Penalties.

[Added 2010-07-08 by By-law No. 868-2010]

- A. Fine - for contravention - person, director, officer.

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- (1) Every person who contravenes a provision of this chapter and every director or officer of a corporation who knowingly concurs in a contravention by the corporation of a provision of this chapter, upon conviction, shall be liable to a fine of not more than \$50,000 for a first offence and to a fine of not more than \$75,000 for any subsequent offence.
- (2) Despite § 681-14.1A(1), every person who contravenes any of the provisions of § 681-2, 681-3 or 681-4 of this chapter and every director or officer of a corporation who knowingly concurs in a contravention by the corporation of any of those sections, upon conviction, shall be liable to a fine of not more than \$50,000 for a first offence and to a fine of not more than \$100,000 for any subsequent offence.

B. Fine - for contravention - corporation.

Despite § 681-14.1A, if a corporation is convicted of an offence under this chapter, it shall be liable to a fine of not more than \$100,000 for a first offence and to a fine of not more than \$100,000 for any subsequent offence.

C. Fine - for contravention - continuing offence.

Despite § 681-14.1A and B, in the case of a continuing offence, every person who contravenes any of the sections in this chapter and every director or officer of a corporation who knowingly concurs in a contravention by the corporation of any of the sections in this chapter, upon conviction, shall be liable to a fine of not more than \$10,000 for each day or part day that the offence continues and the total of all of the daily fines for the offence shall not be limited to \$100,000.

D. Fine - for contravention - continuing offence - corporation.

Despite § 681-14.1A, B and C, in the case of a continuing offence, if a corporation is convicted of an offence for any of the sections in this chapter, it shall be liable to a fine of not more than \$10,000 for each day or part day that the offence continues and the total of all of the daily fines for the offence shall not be limited to \$100,000.

E. Special fine.

In addition to any other fine under § 681-14.1A, B, C or D or a combination of the foregoing, every person who gains an economic advantage or economic gain from contravening this chapter shall be liable to a special fine in an amount equal to the fair market value of the economic advantage or economic gain so obtained from the contravention.

§ 681-14.2. General enforcement powers.

[Added 2010-07-08 by By-law No. 868-2010]

A. Restraining order.

If this chapter is contravened, in addition to any other remedy or penalty imposed by this chapter, the contravention may be restrained by application by the City under the provisions of section 380 of the *City of Toronto Act, 2006*.

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- B. Order to discontinue activity.
- (1) Under the provisions of section 384 of the *City of Toronto Act, 2006*, the General Manager may order any person who has contravened this chapter or who has caused or permitted the contravention of this chapter or the owner or occupier of the property on which the contravention occurred to discontinue the contravening activity.
 - (2) Any person who contravenes an order under § 681-14.2B(1) is guilty of an offence.
- C. Work order.
- (1) Under the provisions of section 385 of the *City of Toronto Act, 2006*, the General Manager may order any person who has contravened this chapter or who has caused or permitted the contravention of this chapter or the owner or occupier of the property on which the contravention occurred to do work to correct the contravention.
 - (2) Any person who contravenes an order under § 681-14.2C(1) is guilty of an offence.
- D. Remedial action.
- (1) In accordance with section 386 of the *City of Toronto Act, 2006*, where any matter or thing is required to be done under this chapter, in default of it being done by the person directed or required to do so, that matter or thing may be done by the City which shall be at that person's expense and the City may recover the costs incurred for doing such matter or thing from the person directed or required to do it by adding the costs to the tax roll and collecting them in the same manner as municipal property taxes.
 - (2) For the purposes of § 681-14.2D(1), the General Manager may enter upon the subject property at any reasonable time.

§ 681-14.3. Document retention.

[Added 2010-07-08 by By-law No. 868-2010]

- A. Any document required to be produced for inspection or approval or retained under this chapter by an owner of a property shall be retained by the owner for a period of seven years.

§ 681-14.4. Notice.

[Added 2010-07-08 by By-law No. 868-2010]

- A. Where an order is issued by the General Manager, the person to whom the order is made shall be deemed to have received the order on the date it is posted in a conspicuous place at the subject property or delivered in person or three days after being posted by first class prepaid mail to the person at the last known address provided to the General Manager or, where no address for the person has been provided to the General Manager, by first class prepaid mail to the address for the person identified on the tax rolls.

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- B. The manner of delivery, set out in § 681-14.4A, shall be in the discretion of the General Manager.

§ 681-14.5. Severability.

[Added 2010-07-08 by By-law No. 868-2010]

Despite that any section or sections of this chapter, or any part or parts thereof, may be found by any court of law to be invalid or illegal or beyond the power of the Council to enact, that section or sections or part or parts thereof shall be deemed to be severable, and all other sections of this chapter, or parts thereof, are separate and independent therefrom and enacted as such.

§ 681-15. Repealer; impact on existing agreements; effective dates.

- A. Former City of Toronto By-law No. 78-91, A By-law Respecting Sewers and the Discharge and Deposit of Sewage and Land Drainage; former City of North York By-law No. 31442, as amended, A By-law regulating the discharge of sewage and land drainage to the municipal sanitary and storm sewer system; former City of Scarborough By-law No. 17777, A By-law to regulate the discharge into public sewers of sewage and storm water, including industrial wastes; former City of Etobicoke By-law No. 1994-23 Sewer Use By-law; former City of York By-law No. 2880-94, To Regulate the discharge of sewage and land drainage in the City of York; former Borough of East York By-law No. 100-90, To regulate the discharge and deposit of sewage and land drainage in the Borough of East York; and Chapter 292, Sewers, Article III, of the Municipal Code of the former City of Toronto; former North York By-law No. 10532, A By-law for requiring of the connection to be made to sanitary sewer, are hereby repealed. **[Amended 2001-02-01 by By-law No. 81-2001; 2008-06-24 by By-law No. 577-2008]**
- B. Notwithstanding § 681-15A, industrial waste surcharge agreements and sanitary discharge agreements entered into by the former Municipality of Metropolitan Toronto, or a compliance program issued by the General Manager or a compliance program agreement entered into by the City pursuant to the provisions of the former Metro Toronto By-law No. 153-89, as amended, and in effect immediately prior to the passage of this article, remain in force in accordance with their terms and conditions. **[Amended 2000-10-05 by By-law No. 869-2000; 2007-06-22 by By-law No. 704-2007]**
- C. This article, with the exception of §§ 681-2 and 681-4, shall come into force on the 6th day of July, A.D. 2000. Sections 681-2 and 681-4 of this article shall come into force on November 1, 2002. **[Amended 2002-06-20 by By-law No. 547-2002]**
- D. By-law No. 153-89 of the former Municipality of Metropolitan Toronto, a By-law "To regulate the discharge of sewage and land drainage in the Metropolitan Area," with the exception of Sections 2 and Section 3, is hereby repealed. Sections 2 and 3 of By-law No. 153-89 of the former Municipality of Metropolitan Toronto shall be deemed to be in force, throughout the City of Toronto until November 1, 2002. Sections 2 and 3 of the former Municipality of Metropolitan Toronto By-law No. 153-89 are repealed as of November 1, 2002. **[Amended 2001-02-01 by By-law No. 81-2001; 2002-06-20 by By-law No. 547-2002]**

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

- E. Former Metropolitan Toronto By-law No. 96-80, as amended, a by-law to regulate the discharge of water obtained from a private water works system into the Metropolitan sewer system and to charge a rate therefor, is repealed. **[Added 2002-10-31 by By-law No. 855-2002]**

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

CHAPTER 681, ARTICLE I

APPENDIX 1²⁶
SUBJECT SECTORS

[Amended 2002-02-15 by By-law No. 80-2002²⁷; 2008-06-24 by By-law No. 577-2008; 2013-12-18 by By-law No. 1718-2013²⁸]

Column 1	Column 2
NAICS	Industrial Category
212299	All Other Metal Ore Mining
212399	All Other Nonmetallic Mineral Mining
213114	Support Activities for Metal Mining
213115	Support Activities for Nonmetallic Minerals (except Fuels)
327999	All Other Miscellaneous Nonmetallic Mineral Product Manufacturing (pt)
331112	Electrometallurgical Ferroalloy Product Manufacturing
331419	Primary Smelting and Refining of Nonferrous Metal
331491	Nonferrous Metal (except Copper and Aluminum) Rolling, Drawing, and Extruding (pt)
331492	Secondary Smelting, Refining, and Alloying of Nonferrous Metal (except Copper and Aluminum) (pt)
332116	Metal Stamping
332117	Powder Metallurgy Part Manufacturing
332311	Prefabricated Metal Building and Component Manufacturing
332312	Fabricated Structural Metal Manufacturing
332321	Metal Window and Door Manufacturing
332322	Sheet Metal Work Manufacturing
332323	Ornamental and Architectural Metal Work Manufacturing
332420	Metal Tank (Heavy Gauge) Manufacturing
332431	Metal Can Manufacturing
332439	Other Metal Container Manufacturing
332811	Metal Heat Treating

²⁶ Editor's Note: Art. I, Appendix 2, Subject Pollutants was deleted February 4, 2016 by By-law No. 100-2016.

²⁷ Editor's Note: This by-law came into force November 6, 2001.

²⁸ Editor's Note: By-law No. 1718-2013 deleted "Column 3 - Initial P2Plan Due Date" and "Column 4 - Six Year P2 Plan Due Date" and their contents.

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

Column 1	Column 2
NAICS	Industrial Category
332812	Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers
332813	Electroplating, Plating, Polishing, Anodizing, and Coloring
332919	Other Metal Valve and Pipe Fitting Manufacturing
332998	Enameled Iron and Metal Sanitary Ware Manufacturing
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing (pt)
333512	Machine Tool (Metal Cutting Types) Manufacturing
333513	Machine Tool (Metal Forming Types) Manufacturing
333518	Other Metalworking Machinery Manufacturing
334412	Bare Printed Circuit Board Manufacturing
334416	Electronic Coil, Transformer, and Other Inductor Manufacturing
33637	Motor Vehicle Metal Stamping
337124	Metal Household Furniture Manufacturing
337125	Household Furniture (except Wood and Metal) Manufacturing
313111	Yarn Spinning Mills
313112	Yarn Texturizing, Throwing, and Twisting Mills
313113	Thread Mills
313210	Broadwoven Fabric Mills
313221	Narrow Fabric Mills
313230	Nonwoven Fabric Mills
313241	Weft Knit Fabric Mills
313249	Other Knit Fabric and Lace Mills
313311	Broadwoven Fabric Finishing Mills
313312	Textile and Fabric Finishing (except Broadwoven Fabric) Mills
313320	Fabric Coating Mills
314110	Carpet and Rug Mills
314991	Rope, Cordage, and Twine Mills
314992	Tire Cord and Tire Fabric Mills
314999	All Other Miscellaneous Textile Product Mills
315111	Sheer Hosiery Mills

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

Column 1	Column 2
NAICS	Industrial Category
315119	Other Hosiery and Sock Mills
315191	Outerwear Knitting Mills
315192	Underwear and Nightwear Knitting Mills
323110	Commercial Lithographic Printing
323111	Commercial Gravure Printing
323112	Commercial Flexographic Printing
323113	Commercial Screen Printing
323114	Quick Printing
323116	Manifold Business Forms Printing
323117	Books Printing
323119	Other Commercial Printing
325910	Printing Ink Manufacturing
339116	Dental Laboratories
447110	Gasoline Stations with Convenience Store
447190	Other Gasoline Stations
481111	Scheduled Passenger Air Transportation
481112	Scheduled Freight Air Transportation
481211	Nonscheduled Chartered Passenger Air Transportation
481212	Nonscheduled Chartered Freight Air Transportation
485210	Interurban and Rural Bus Transportation
485410	School and Employee Bus Transportation
485991	Special Needs Transportation
485999	All Other Transit and Ground Passenger Transportation
487110	Scenic and Sightseeing Transportation, Land
487990	Scenic and Sightseeing Transportation, Other
488210	Support Activities for Rail Transportation
488490	Other Support Activities for Road Transportation
541380	Testing Laboratories
621210	Offices of Dentists
621511	Medical Laboratories

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

Column 1	Column 2
NAICS	Industrial Category
622110	General Medical and Surgical Hospitals
622210	Psychiatric and Substance Abuse Hospitals
622310	Specialty (except Psychiatric and Substance Abuse) Hospitals
811111	General Automotive Repair
811112	Automotive Exhaust System Repair
811113	Automotive Transmission Repair
811118	Other Automotive Mechanical and Electrical Repair and Maintenance
811121	Automotive Body, Paint, and Interior Repair and Maintenance
811191	Automotive Oil Change and Lubrication Shops
811192	Car Washes
811198	All Other Automotive Repair and Maintenance
812320	Dry cleaning and Laundry Services (except Coin-Operated)
812921	Photofinishing Laboratories (except One-Hour)
812922	One-Hour Photofinishing
31611	Leather and Hide Tanning and Finishing
316993	Personal Leather Good (except Women's Handbag and Purse) Manufacturing
316999	All Other Leather Good Manufacturing
324110	Petroleum Refineries
324121	Asphalt Paving Mixture and Block Manufacturing
324122	Asphalt Shingle and Coating Materials Manufacturing
324191	Petroleum Lubricating Oil and Grease Manufacturing
324199	All Other Petroleum and Coal Products Manufacturing
325110	Petrochemical Manufacturing
325188	All Other Basic Inorganic Chemical Manufacturing
325191	Gum and Wood Chemical Manufacturing
325199	All Other Basic Organic Chemical Manufacturing
325211	Plastics Material and Resin Manufacturing
325320	Pesticide and Other Agricultural Chemical Manufacturing
325412	Pharmaceutical Preparation Manufacturing
325510	Paint and Coating Manufacturing

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

Column 1	Column 2
NAICS	Industrial Category
325611	Soap and Other Detergent Manufacturing
325992	Photographic Film, Paper, Plate, and Chemical Manufacturing
325998	All Other Miscellaneous Chemical Product and Preparation Manufacturing
326160	Plastics Bottle Manufacturing
326191	Plastics Plumbing Fixture Manufacturing
326199	All Other Plastics Product Manufacturing

NOTES:

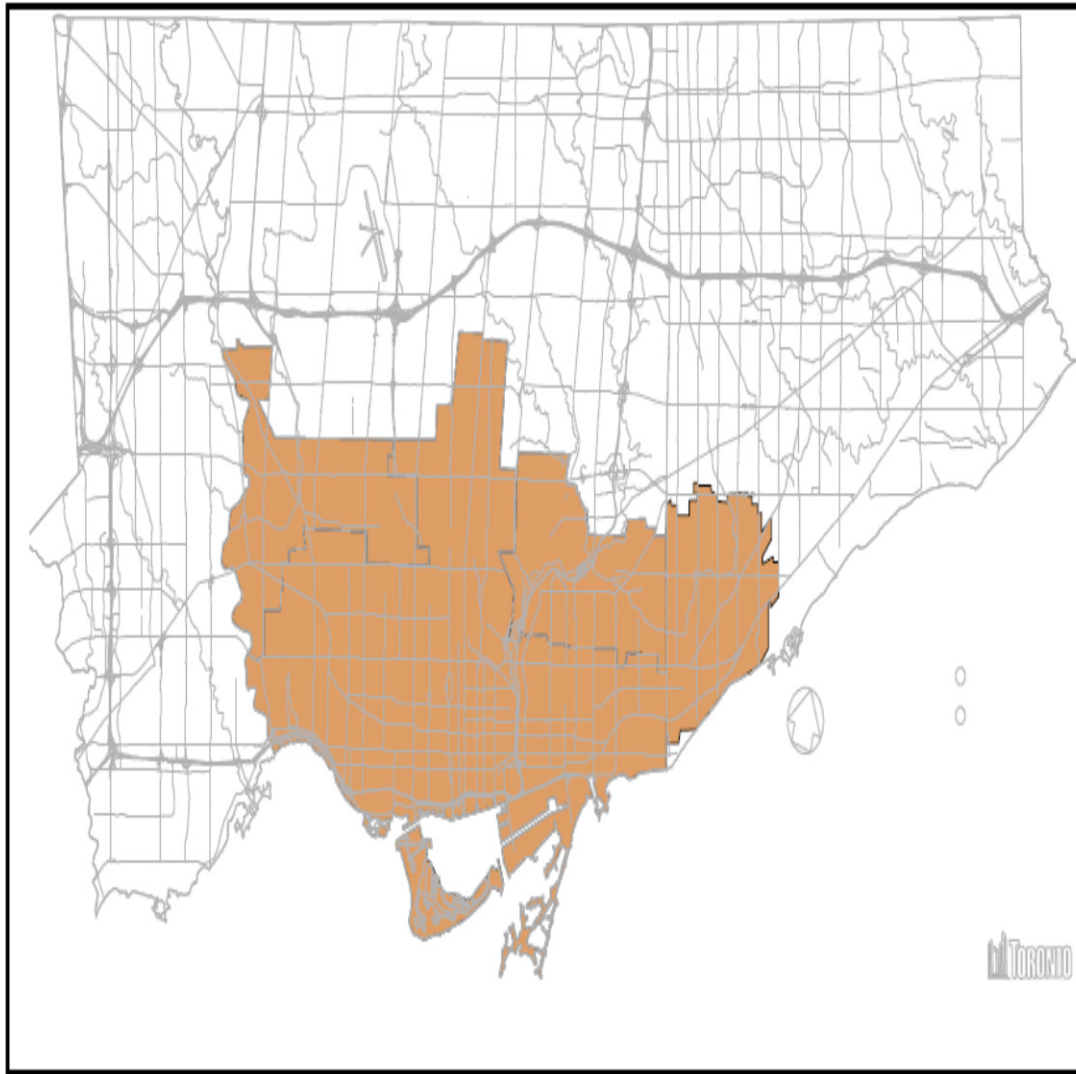
NAICS = North American Industrial Classification System

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

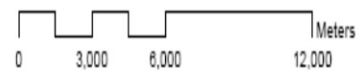
CHAPTER 681, ARTICLE I

ATTACHMENT 1

FIGURE 1. CITY OF TORONTO COMBINED SEWER SERVICE AREA
[Added 2007-11-20 by By-law No. 1252-2007²⁹]



 Combined Sewer Area

 Meters
0 3,000 6,000 12,000

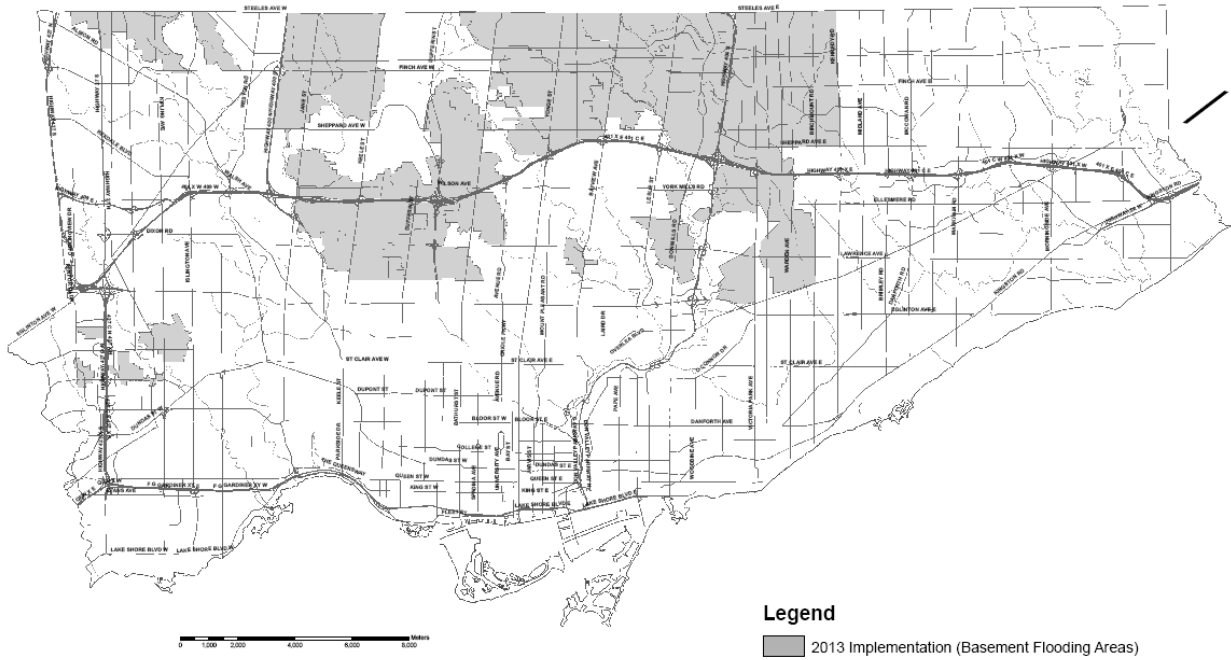
²⁹ Editor's Note: This by-law comes into force three years from the date of its enactment.

TORONTO MUNICIPAL CODE
CHAPTER 681, SEWERS

CHAPTER 681, ARTICLE I
ATTACHMENT 2

FIGURE 2. CITY OF TORONTO BASEMENT FLOODING AREAS
(OUTSIDE THE CSO AREAS)

[Added 2008-12-03 by By-law No. 1255-2008³⁰]



³⁰ Editor's Note: This by-law comes into force five years from the date of its enactment.