

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 4-87

TO REGULATE THE DISCHARGE OF SEWAGE AND
LAND DRAINAGE IN THE CITY OF NORTH BAY.

WHEREAS Section 210 (47) of the Municipal Act, R.S.O. 1980, c. 302, as amended, authorized the Council to pass by-laws to prohibit, regulate and inspect discharges to any sewer, sewer system or sewage works;

AND WHEREAS Section 210 (77) of the Municipal Act, authorizes the Council to pass by-laws to make other regulations for sewage or drainage that may be considered necessary for sanitary purposes.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. In this By-law:-

- (a) "Biochemical oxygen demand" means the quantity of oxygen utilized in the biochemical oxidation of matter in 5 days at 20 degrees Celsius;
- (b) "Body of water" means a river, stream, brook, creek, water-course, lake, pond, spring, lagoon, marsh, canal or other flowing or standing water;
- (c) "Colour of a liquid" means the appearance of a liquid from which the suspended solids have been removed;
- (d) "Combined sewer" means a sewer intended to function simultaneously as a storm sewer and a sanitary sewer;
- (e) "Engineer" means the City Engineer of The Corporation of the City of North Bay;
- (f) "Composite sample" means a sample which is composed of a series of grab samples taken at intervals during the sampling period;
- (g) "Connection" means that part or those parts of any drain or system of drains leading directly to a public sewer;
- (h) "Grab sample" is an aliquot of the flow being sampled taken at one particular time and place;
- (i) "Grease, fat or oil" means any matter which is extractable from a sample by trichlorotrifluoroethane or other designated solvent and can be determined as "oil and grease";
- (j) "Inspector" means a person authorized by The Corporation of the City of North Bay;
- (k) "Matter" includes any solid, liquid or gas;
- (l) "Municipality" means The Corporation of the City of North Bay;
- (m) "Person" includes a corporation;
- (n) "pH" means the logarithms to the base 10 of the reciprocal of the concentration of hydrogen ions in moles per litre of solution;
- (o) "Phenolic compounds" means those hydroxy derivatives of benzene and its condensed nuclei, which can be determined as "phenols";

- (p) "Sanitary sewer" means a sewer for the collection and transmission of domestic, commercial and industrial sewage or any of them;
- (q) "Sewage" means any liquid waste containing animal, vegetable, mineral or chemical matter in solution or in suspension, except uncontaminated water;
- (r) "Sewage works" means any works for the collection, transmission, treatment or disposal of sewage or any part of such works;
- (s) "Sewer" means a pipe, conduit, drain, open channel, ditch or watercourse for collection and transmission of sewage or storm water;
- (t) "Standard Methods" means a procedure 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 Water Pollution Control Federation, current at the date of testing or a procedure approved by an analyst of the Ontario Ministry of the Environment;
- (u) "Storm water" means water from rainfall or other natural precipitation, ground water, or water from the melting of snow or ice;
- (v) "Storm sewer" means a sewer for the collection and transmission of uncontaminated water, storm water, drainage from land or from a watercourse or any of them;
- (w) "Suspended solids" means a solid matter in or on a liquid which matter is removable by filtering and can be determined as "total nonfiltrable residue";
- (x) "Uncontaminated water" means any water, including water from a public or private water works, to which no matter has been added as a consequence of its use, or to modify its use, by any person;
- (y) "Watercourse" means an open channel, ditch or depression either natural or artificial, in which a flow of storm water occurs either continuously or intermittently.

2. No person shall discharge or deposit or cause or permit the discharge or deposit into a sanitary sewer, combined sewer, public or private connection to any sanitary sewer or combined sewer, matter of any type or at any temperature or in any quantity which may be or may become harmful to a sewage works, or which may interfere with the proper operation of a sewage works, or which may impair or interfere with any sewage treatment process, or which may be or may become a hazard to persons, animals or property.
3. No person shall discharge or deposit or cause or permit the discharge or deposit into a sanitary sewer, combined sewer, public or private connection to any sanitary sewer or combined sewer any of the following:
 - (a) Matter of a type or quantity that has or may emit a toxic or poisonous chemical odor which may interfere with the proper operation of a sewage works, or sewage containing any one or more of the following: Bromine, carbon disulphide, hydrogen sulphide, formaldehyde or pyridine;
 - (b) Gasoline, benzene, naphtha, fuel oil or other flammable or explosive matter or sewage containing any of these in any quantity;
 - (c) Sewage having pH less than 6.0 or greater than 10.5;
 - (d) Sewage of which the biochemical oxygen demand exceeds 500 milligrams per litre;
 - (e) Sewage containing more than 600 milligrams per litre of suspended solids;
 - (f) Sewage containing more than 150 milligrams per litre of grease, fat or oil;

- (g) Sewage which consists of two or more separate liquid layers;
- (h) Atomic wastes and radioactive materials except as may be permitted under the Atomic Energy Control Act (Canada) currently in force and regulations thereunder;
- (i) Sewage at a temperature greater than 65 degrees Celcius;
- (j) Storm water or uncontaminated water, except that which may be discharged into a combined sewer;
- (k) Sewage containing any of the following matter in excess of the indicated concentrations:

<u>Matter</u>	<u>Concentration in Milligrams per litre</u>	<u>Expressed as</u>
Aluminum	50	Al
Arsenic	1.0	As
Barium	5.0	Ba
Cadmium	2.0	Cd
Chloride	1500	Cl
Chromium	5.0	Cr
Copper	5.0	Cu
Cyanide	2.0	CN
Fluoride	10	F
Iron	50	Fe
Lead	5.0	Pb
Mercury	0.1	Hg
Nickel	5.0	Ni
Phenolic Compounds	1.0	
Phosphorous	100	P
Sulphate	1500	SO4
Sulphide	2.0	S
Tin	5.0	Sp
Zinc	5.0	Zn

The presence in sewage of any one of the matters on this list in a concentration in excess of its limit constitute a separate offence.

- 4. No person shall discharge or deposit or cause or permit the discharge or deposit into a storm sewer, land drainage works, watercourse, public or private connection to any storm sewer, matter of any type or at any temperature or in any quantity which may interfere with the proper operation of a storm sewer or which may obstruct a storm sewer or the flow therein or which may impair the quantity of the water in any well, reservoir or other body of water.
- 5. No person shall discharge or deposit or cause or permit the discharge or deposit into a storm sewer, land drainage works, watercourse, public or private connection to any storm sewer any of the following:
 - (a) Any matter that has or may emit an offensive odour which causes or likely to cause harm or material discomfort to any person or damage to property or to plant and animal life.
 - (b) Gasoline, benzene, naphtha, fuel oil or other flammable or explosive matter or sewage containing any of these in any quantity.
 - (c) Sewage having a pH less than 6.0 or greater than 9.5.
 - (d) Sewage of which the biochemical oxygen demand exceeds 15 milligrams per litre.
 - (e) Sewage containing more than 15 milligrams per litre of suspended solids
 - (f) Sewage containing more than 15 milligrams per litre of grease, fat or oil..

- (g) Sewage which consists of two or more separate liquid layers.
- (h) Atomic wastes and radioactive materials except as may be permitted under the Atomic Energy Control Act (Canada) currently in force and regulations thereunder.
- (i) Sewage or uncontaminated water at a temperature greater than 65 degrees Celsius.
- (k) Sewage containing any matter which will not pass through a screen having openings not larger than 3.35 millimetres square (No. 6 standard sieve).
- (l) Sewage containing any of the following matter in excess of the indicated concentrations:

<u>Matter</u>	<u>Concentration in Milligrams per Litre</u>	<u>Expressed As</u>
Aluminum	1.0	Al
Ammonia	10.0	N
Arsenic	1.0	As
Barium	1.0	Ba
Cadmium	0.1	Cd
Chlorine	1.0	Cl
Chromium	1.0	Cr
Copper	1.0	Cu
Cyanide	0.1	CN
Fluoride	2.0	F
Iron	1.0	Fe
Lead	1.0	Pb
Manganese	1.0	Mn
Mercury	0.001	Hg
Nickel	1.0	Ni
Phenolic Compounds	0.02	
Phosphorous	1.0	P
Tin	1.0	Sn
Zinc	1.0	Zn

The presence in sewage of any one of the matters on this list in a concentration in excess of its limit constitutes a separate offence.

- 6. (a) No person shall connect to a municipal storm sewer or a municipal drainage ditch any drainage piping that conveys or discharges sewage from any property or that is designed to convey or discharge sewage from any property.
- (b) The owner of any property shall not connect or allow to remain connected to a municipal storm sewer or municipal drainage ditch, any drainage piping that conveys or discharges sewage from such property or that is designed to convey or discharge sewage from such property.
- (c) No person shall connect to the municipal sanitary sewer any drainage piping that conveys or discharges surface water from any property or that is designed to convey or discharge surface water from any property.
- (d) The owner of any property shall not connect or allow to remain connected to a municipal sanitary sewer any drainage piping that conveys or discharges surface water from such property or that is designed to convey or discharge surface water from such property.
- (e) The Council, upon the recommendation of the City Engineer, may, upon 14 days notice require the owner of any property to take all necessary steps and make all necessary alterations, installations and connections to ensure that all sub-surface water from such property shall flow or drain into the municipal storm sewer or the municipal drainage ditch as the case may be.

7. (a) No person shall connect any sewer or local watercourse to a City sewage work or body of water without the approval of the City Engineer.
- (b) The City Engineer, with the approval of City Council, may from time to time, establish such standards as are necessary to govern the design and construction of all sewage works and all persons must conform to such standards when constructing any new sewage works; adherence to these standards shall be by means by which the City Engineer shall judge if the sewage works conform to this by-law.
- (c) The City Engineer shall have the power to inspect the plans and specifications of any sewage work to ensure that the construction of sewage systems connected to or to be connected to City sewage works comply with these standards.
- (d) The City Engineer shall have the power to inspect the work during its construction, and to order such changes as are necessary to ensure that these standards are maintained.
- (e) No person shall be permitted to make a temporary connection to any municipal sewer or treatment works without permission from City Council and until an agreement in a form satisfactory to the City Solicitor has been executed.

8. In this section,

- (a) "building drain" means the horizontal piping of gravity drainage piping in or adjacent to a building or other structure that receives the discharge from drainage piping and conveys it to the building sewer and includes offsets;
- (b) "building sewer" means that part of drainage piping outside a building or other structure that,
 - (i) connects a building drain to the main sewer or, where the place of disposal of the sewage is on the property, to the place of disposal on the property; and
 - (ii) commence at a point three feet from the outer face of the wall of the building or other structure and terminates at the property line or place of disposal on the property.

- (c) Each building sewer shall be constructed in a proper and workmanlike fashion and the trench in which such building sewer is laid, for its full length to the point at which it is joined with the public sewer, shall be left and remain open until it has been inspected and authorized by the City Engineer. All such trenches shall be properly backfilled to the satisfaction of the City Engineer.
- (d) No person shall construct a building sewer without first having obtained a permit so to do from the City Engineer.
- (e) No person shall construct any building sewer until after all work on the floors and walls of the building in respect of which the building sewer is to be constructed has been completed up to grade level.
- (f) In the event of default of any of the above conditions the municipality shall have the right to prohibit the use of the building sewer in conjunction with the municipal system, and may disconnect the sewer at the owner's expense until the above conditions have been met.
- (g) No person shall cover, connect, or use any sewer until it has been inspected and approved by the City Engineer.
- (h) No person shall connect or put into use any building sewer which has not received the inspection and authorization referred to above.
- (h) No permit for the construction of any sewer or building sewer shall be issued unless the owner first agrees, as part of the consideration for the issuance of such permit, to allow inspections of the proposed sewer or building sewer to be made by the City Engineer or any persons authorized by him.
- (i) Every property owner shall be fully responsible for the cost of constructing the building sewer servicing his property.
- (j) No person shall connect any sewer to any municipal system without first having had it inspected by the City Engineer or person authorized by the Regional Engineer for such purpose, and receiving the written approval of the City Engineer for the connection.

- (k) No person shall construct or install any part of any building drain more than one metre (three feet) beyond the exterior surface of the walls of the building to which it is appurtenant except by the owner or by anyone else under the direct supervision of a licensed drainlayer or a licensed plumber.
 - (l) No existing building sewer shall be used for a connection to a new building unless it has first been examined and tested by the City Engineer and found to comply with all the requirements of this by-law.
 - (m) No building sewer shall be constructed or installed except by the owner or by anyone else under the direct supervision of a licensed drainlayer or a licensed plumber.
9. (a) For other than private living quarters or dwelling units, grease, oil or sand interceptors shall be provided for the proper handling of liquid wastes containing grease, flammable wastes, sand or other harmful ingredients. These facilities shall be provided in accordance with the standards and specifications set by the City Engineer.
- (b) (i) The owner of any property served by a building sewer carrying industrial waste shall install one or more suitable control manholes in the building sewer to facilitate observation, sampling and measurement of the wastes.
 - (ii) Such manholes shall be easily accessible and safely located and shall be constructed in accordance with plans approved by the City Engineer.
 - (iii) Such manholes shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.
10. The disposal of pesticides and herbicides to a sewer system or watercourse is prohibited without the approval of the City Engineer for each discharge.

11. (a) No person shall maliciously, wilfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the sewage works of the municipal corporation.
- (b) No person shall wilfully or negligently obstruct or otherwise impede the flow in existing piped or open watercourses draining a road, street or any area.
12. (a) The owner or occupant of commercial, institutional or industrial premises with one or more connections to a public sewer shall install and maintain in good repair in each connection a suitable manhole to allow observation, sampling and measurement of the flow of sewage therein, provided that where installation of a manhole is not possible, an alternative device or facility may be substituted with the approval of the Engineer.
- (b) Every manhole, device or facility installed as required by Section 6 (a) of this by-law shall be designed and constructed in accordance with good engineering practice, and shall be constructed and maintained on the lands of the owner or occupant of the premises at his expense.
- (c) The owner or occupant of commercial, institutional or industrial premises shall ensure that every manhole, device or facility installed as required by Section 6 (a) of this by-law is accessible at all reasonable times for the purposes of observing, sampling and measuring the flow of sewage therein.
13. (a) The discharge or deposit of sewage that would otherwise be prohibited by this by-law may be permitted in the sanitary or combined sewer or a sewage works to an extent fixed by agreement with the City, under such conditions with respect to payment or otherwise as may be necessary to compensate for any additional costs of treatment.
- (b) A person who has entered into an agreement with the Municipality with respect to the discharge or deposit of sewage shall not be prosecuted under this by-law for the discharge or deposit of sewage in accordance with the terms of that agreement.


4. (a) The owner or occupant of commercial, institutional or industrial premises may submit to the Engineer a program to prevent or to reduce and control the discharge or deposit of sewage or uncontaminated water from those premises into connections to a sewage works or to a storm water.
 - (b) The Engineer may issue an approval to be known as a program approval to the person who submitted the program.
 - (c) A person to whom a program approval has been issued shall not be prosecuted under this by-law for the discharge or deposit of sewage during the period within which the program approval is applicable provided that the person complies fully with the terms of the program approval.
5. No person shall prevent, hinder, obstruct or interfere in any way with the Engineer or an inspector, bearing proper credentials and identification from:
 - (a) entering in or upon any land or premises, except land or premises being used as a dwelling house, at any reasonable time;
 - (b) making such tests or taking such samples as he deems necessary; or
 - (c) inspecting or observing any plant, machinery, equipment, work or activity for the purposes of administering or enforcing this by-law.
5. No person shall break, damage, destroy, deface or tamper with:
 - (a) any part of a public sewage works;
 - (b) any device whether permanently or temporarily installed in a public sewage works or connection to a public sewer for the purpose of measuring, sampling and testing of sewage, storm water or uncontaminated water;
7. (a) Every person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine of not more than \$2,000.00 for every day or part thereof upon which such offence occurs or continues.
 - (b) Any person convicted under this by-law shall forfeit and pay for a breach of any provision of this by-law a minimum penalty of \$500.00 exclusive of costs for the first offence, a minimum penalty of \$750.00 exclusive of costs for the second offence and a minimum penalty of \$1,000.00 exclusive of costs for each subsequent offence.

18. By-laws Nos. 2229, 149-70, 34-71 and 118-71 to regulate the discharge of sewage and land drainage in the City of North Bay are hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL THE 5TH DAY OF JANUARY , 1987.

READ A SECOND TIME IN OPEN COUNCIL THE 19TH DAY OF JANUARY , 1987.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 19TH DAY OF JANUARY, , 1987.


MAYOR


CITY CLERK