

THE CORPORATION OF THE VILLAGE OF BANCROFT

BY-LAW NO. 608-94

A by-law to control the discharge of sewage into the sewage system of the Village of Bancroft, pursuant to The Municipal Act, C.45, Section 210, Subsections 83 & 84, R.S.O. 1990.

WHEREAS it is deemed expedient to prohibit and regulate the discharge of domestic sewage and industrial wastes into drain, sewers, sewer systems and sewage works;

NOW THEREFORE the Municipal Council of the Corporation of the Village of Bancroft ENACTS AS FOLLOWS:

SECTION 1

DEFINITIONS

1. In this by-law:

- (a) "acute hazardous waste chemical" means a material which is an acute hazardous waste chemical within the meaning of Ontario Regulation 309 made under the Environmental Protection Act (Ontario);
- (b) "authorized representative of the owner or operator" means
 - (i) A principal executive officer of at least the level of vice president, if the owner or is a corporation; or
 - (ii) A general partner or proprietor if the owner or operator is a partnership or proprietorship, respectively; or
 - (iii) A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the sewage discharge originates;
- (c) "biochemical oxygen demand" means carbonaceous oxygen demand (biochemical) as determined by Method 507 in Standard Methods when an inhibiting chemical has been added to prevent ammonia oxidation;
- (d) "blowdown" means the discharge of recirculating noncontact cooling water for the purpose of discharging materials contained in the water, the further buildup of which would cause concentrations in amounts exceeding limits established by best engineering practices;
- (e) "combined sewer" means a sewer intended to function simultaneously as a storm sewer and a sanitary sewer;
- (f) "commercial waste chemical" means a material which is a commercial waste chemical within the meaning of Ontario Regulation 309 made under the Environmental Protection Act (Ontario);
- (g) "composite sample" means a sample which is composed of a series of grab samples taken at intervals during the sampling period;
- (h) "cyanide (total)" means cyanide as determined by Methods 412B plus one of Method 412C or 412D in Standard Methods;

- (i) "de minimis dose" means a dose of radiation to an individual of .05 millisieverts per year;
- (j) "de minimis waste" means any waste radioactive material that will not result in a dose of radiation exceeding the de minimis dose regardless of the quantity of the material or how it is used or managed;
- (k) "fuels" includes - (i) any ignitable liquid intended for use as a fuel with a flash point less than 61 degrees Celsius as determined by one of the methods in Ontario Regulation 309 made under the Environmental Protection Act (Ontario) and (ii) gasoline, naphtha, diesel fuel or fuel oil;
- (l) "grab sample" is an aliquot of the flow being sampled taken at one particular time and place;
- (m) "hailed sewage" means waste removed from a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet, a sewage holding tank or any other sewage system of a type regulated under Part VII of the Environmental Protection Act (Ontario);
- (n) "hazardous industrial waste" means a material which is a hazardous industrial waste within the meaning of Ontario Regulation 309 made under the Environmental Protection Act (Ontario);
- (o) "hazardous waste chemical" means a material which is a hazardous waste chemical within the meaning of Ontario Regulation 309 made under the Environmental Protection Act (Ontario);
- (p) "ignitable waste" means a material which is an ignitable waste within the meaning of Ontario Regulation 309 made under the Environmental Protection Act (Ontario);
- (q) "industrial" shall mean of or pertaining to industry, manufacturing, commerce, trade, business, or institutions as distinguished from domestic or residential;
- (r) "industrial process area" means any industrial building, property or land area which during manufacturing, processing or storage comes into direct contact with any raw material, intermediate product, finished product, byproduct, or waste product;
- (s) "Kjeldahl Nitrogen" means organic nitrogen as determined by one of Method 420A or 420B in Standard Methods;
- (t) "matter" includes any solid, liquid or gas;
- (u) "municipality" means The Corporation of the Village of the Village of Bancroft or its designated representative;
- (v) "noncontact cooling water" means 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;
- (w) "once-through cooling water" means noncontact cooling water that has been circulated once through the cooling device;

- (x) "owner" or "operator" means the owner or operator of any facility or activity subject to the provisions of this by-law;
- (y) "pathological waste" means a material which is a pathological waste within the meaning of Ontario Regulation 309 made under the Environmental Protection Act (Ontario) or any material which may be designated in writing by the Chief Medical Officer of Health (Ontario);
- (z) "PCB" means any monochlorinated or poly-chlorinated biphenyl or any mixture of these or mixture that contains one or more of them;
- (aa) "PCB waste" means a PCB waste within the meaning of Ontario Regulation 148/86 made under the Environmental Protection Act (Ontario);
- (bb) "person" includes an individual, association, partnership, corporation, municipality, Provincial or Federal agency, or an agent or employee thereof;
- (cc) "pesticides" means a pesticide regulated under the Pesticides Act (Ontario);
- (dd) "pH" means the logarithm to the base of 10 of the reciprocal of the concentration of hydrogen ions in moles per litre of solution;
- (ee) "phenolic compounds" means those derivatives of aromatic hydrocarbons which have a hydroxyl group directly attached to the ring as determined by one of Method 510B or 510C in Standard Methods;
- (ff) "phosphorus" means total phosphorus as determined by both Method 424C plus one of Method 424D, 424E, 424F, or 424G in Standard Methods;
- (gg) "reactive waste" means a material which is a reactive waste within the meaning of Ontario Regulation 309 made under the Environmental Protection Act (Ontario);
- (hh) "sanitary sewer" means a sewer for the collection and transmission of domestic, commercial, institutional and industrial sewage or any combination thereof;
- (ii) "severely toxic material" means any material listed in Schedule 3 of Ontario Regulation 309 made under the Environmental Protection Act (Ontario);
- (jj) "sewage" means any liquid waste containing animal, vegetable or mineral matter in solution or in suspension, except uncontaminated water;
- (kk) "sewage works" means any works for the collection, transmission, treatment or disposal of sewage, or any part of such work;
- (ll) "SIC code" means Standard Industrial Classification Code contained in either the Standard Industrial Classification Manual published by the Minister of Supply and Services Canada, 1980 (Canadian SIC) or the Standard Industrial Classification Manual published by the Executive Office of the President, Office of Management and Budget, 1972 (U.S. SIC);

- (mm) "solvent extractable matter of animal or vegetable origin" means grease and oil as determined by one of Methods 503A, 503B, 503C, or 503D in Standard Methods;
- (nn) "solvent extractable matter of mineral or synthetic origin" means grease or oil as determined by Method 503E in Standard Methods;
- (oo) "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, 16th Edition (1985), current at the date of testing, or a procedure published by the Ontario Ministry of the Environment and Energy as a standard method or the equivalent of a standard method;
- (pp) "storm sewer" means a sewer for the collection and transmission of uncontaminated water, stormwater, drainage from land or from a watercourse or any combination thereof;
- (qq) "stormwater" means water from rainfall or other natural precipitation or from the melting of snow or ice;
- (rr) "suspended solids" means solid matter in or on a liquid which matter is removable by filtering and dried at 103-105 degrees Celsius as determined by Method 209C Standard Methods;
- (ss) "uncontaminated water" means water to which no matter has been added as a consequence of its use, or to modify its use, by any person;
- (tt) "waste disposal site leachate" means leachate from any waste disposal site; and
- (uu) "waste radioactive materials" means any waste material exhibiting the property of spontaneous disintegration of atomic nuclei usually with the emission of penetrating radiation or particles.

SECTION 2

DISCHARGES TO SANITARY SEWERS

DISCHARGES TO COMBINED SEWERS

2(1) No person shall discharge or deposit or cause or permit the discharge or deposit of matter of a kind listed below into or in land drainage works, private branch drains or connections to any sanitary sewer or combined sewer:

1. matter of any type or at any temperature or in any quantity which may be or may become a health or safety hazard to a sewage works employee, or which may be or may become harmful to a sewage works, or which may cause the sewage works effluent to contravene any requirement by or under the Ontario Water Resources Act or the Environmental Protection Act (Ontario), or which may cause the sludge from sewage works to fail to meet the criteria relating to contaminants for spreading the sludge on agricultural lands under Ontario's Guidelines for Sewage Sludge Utilization on Agricultural Lands (as revised January, 1986) unless the person has been advised in writing by the Superintendent of the sewage treatment works that the sludge from the sewage treatment works

will never be used on agricultural lands, 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 is or may result in a hazard to any person, animal, property or vegetation and;

2. without limiting the generality of the foregoing, any of the following:

- (a) Solid or viscous substances in quantities or of such size as to be capable of causing obstruction to the flow in a sewer, including but not limited to ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rages, feathers, tar, plastics, wood, unground garbage, animal guts or tissues, paunch manure, and whole blood.
- (b) Sewage that may cause an offensive odour to emanate from a 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 that may cause an offensive odour.
- (c) Except in the case of discharge into a combined sewer, stormwater, water from drainage of roofs or land, water from a watercourse or uncontaminated water.
- (d) Water other than stormwater that has originated from a source separate from the water distribution system of the municipality.
- (e) Sewage or uncontaminated water at a temperature greater than 65 degrees Celsius.
- (f) Sewage having a pH of less than 5.5 or greater than 9.5.
- (g) Sewage containing more than 15 milligrams per litre of solvent extractable matter of mineral or synthetic origin.
- (h) Sewage containing more than 150 milligrams per litre of solvent extractable matter of animal or vegetable origin.
- (i) Sewage in which the biochemical oxygen demand exceeds 300 milligrams per litre.
- (j) Sewage containing more than 350 milligrams per litre of suspended solids.
- (k) Sewage containing more than 10 milligrams per litre of phosphorus.
- (l) Sewage containing more than 100 milligrams per litre of Kjeldahl nitrogen.
- (m) Sewage containing more than 1 milligram per litre of phenolic compounds.
- (n) Sewage which consists of two or more separate liquid layers.
- (o) Sewage containing dyes or colouring materials which pass through a sewage works and discolour the sewage works effluent.

- (p) Sewage containing any of the following in excess of the indicated concentrations;

1500 milligrams/litre

Chlorides expressed as Cl
Sulphates expressed as SO

50 milligrams/litre

Aluminum expressed as Al
Iron expressed as Fe

10 milligrams/litre

Fluorides expressed as F

5 milligrams/litre

Antimony expressed as Sb
Bismuth expressed as Bi
Chromium expressed as Cr
Cobalt expressed as Co
Lead expressed as Pb
Manganese expressed as Mn
Molybdenum expressed as Mo
Selenium expressed as Se
Silver expressed as Ag
Tin expressed as Sn
Titanium expressed as Ti
Vanadium expressed as V

2 milligrams/litre

Cyanide (total) expressed as CN

1 milligram/litre

Arsenic expressed as As
Cadmium expressed as Cd

0.1 milligrams/litre

Mercury expressed as Hg

- (q) The following materials or sewage containing any of the following in any amount;

Fuels
PCBs
Pesticides
Severely Toxic Materials
Waste Radioactive Materials

- (r) The following materials or sewage containing any of the following in any amount;

Hauled Sewage
Waste Disposal Site Leachate

- (s) The following hazardous wastes in any amount;

Acute Hazardous Waste Chemicals
Hazardous Industrial Wastes
Hazardous Waste Chemicals
Ignitable Wastes
Pathological Wastes
PCB Wastes
Reactive Wastes

- (2) In determining whether the limit with respect to any matter prescribed in subsection 2(1) is contravened, the volume of any water that has been added for the purpose of enabling the limit to be met and of any storm sewer discharges to a combined sewer shall be disregarded for the purposes of calculating whether the limit has been met so that compliance with the limit cannot be attained by dilution.
- (3) Subclauses 2(1) 2.(b) and 2(1) 2.(s) do not apply to prevent the discharge of human waste.
- (4) Subclause 2(1) 2.(d) does not apply to prevent the discharge of:
 - (a) Water taken in an amount greater than 50,000 litres per day from a separate source when the owner or operator of the premises has a Permit To Take Water issued by the Ontario Ministry of the Environment and a copy of such permit has been provided to the municipality, or
 - (b) Water taken in an amount less than 50,000 litres per day from a separate source when the owner or operator of the premises has provided the municipality with the following information:
 - (i) Address of premises where the water is being used;
 - (ii) Location of the water source, and
 - (iii) Amount of water being taken.
- (5) Subclause 2(1) 2.(q) does not apply to prevent the discharge of waste radioactive materials where they are being discharged in accordance with a licence from the Atomic Energy Control Board and a copy of the licence has been provided to the municipality or to the discharge of de minimis waste.
- (6) Subclause 2(1) 2.(q) does not apply to prevent the discharge of PCBs when,
 - (a) the owner or operator of the premises has a certificate of approval relating to the premises from the Ontario Ministry of the Environment and Energy which expressly allows the discharge or written approval from the Director of the Ontario Ministry of the Environment and Energy which expressly authorizes the discharge from the premises;
 - (b) the owner or operator of the premises has written approval from the municipality which expressly authorizes the discharge from the premises;
 - (c) the discharge contains a concentration of less than 5 micrograms per litre of PCBs; and
 - (d) a copy of the certificate of approval or written authorization referred to in clause (a) has been provided to the municipality.
- (7) Subclause 2(1) 2.(r) does not apply to prevent the discharge of waste disposal site leachate when,
 - (a) the waste disposal site leachate is being discharged pursuant to a certificate of approval or order relating to the premises under the Environmental Protection Act (Ontario) or the Ontario Water Resources Act which expressly allows the discharge;

- (b) the owner or operator of the premises has written approval from the municipality which expressly authorizes the discharge from the premises; and
 - (c) a copy of the certificate of approval or written authorization referred to in clause (a) has been provided to the municipality.
- (8) Subclause 2(1) 2.(r) does not apply to prevent the discharge of hauled sewage when,
- (a) the carrier of the hauled sewage is a waste transportation system operating under a licence issued under Part VII of the Environmental Protection Act (Ontario);
 - (b) the carrier has written approval from the municipality which includes a specified time and location for the discharge;
 - (c) the discharge occurs at the approved time and location.
- (9) Subclause 2(10) 2.(s) does not apply to prevent the discharge of pathological waste that has been decontaminated prior to discharge when,
- (a) the owner or operator of the premises has a certificate of approval from the Ontario Ministry of the Environment and Energy which expressly allows the discharge or written approval from the Director of the Ontario Ministry of the Environment and Energy which expressly authorizes the discharge from the premises;
 - (b) the owner or operator of the premises has written approval from the municipality which expressly authorizes the discharge from the premises; and
 - (c) a copy of the certificate of approval written authorization referred to in clause (a) has been provided to the municipality.

SECTION 3

DISCHARGES TO STORM SEWERS

- 3(1) No person shall discharge or deposit or cause or permit the discharge or deposit of matter of a kind listed below into or in land drainage works, private branch drains or connections to any storm sewer,
- 1. matter of any type or at any temperature or in any quantity which may:
 - (a) interfere with the proper operation of a storm sewer;
 - (b) obstruct a storm sewer or the flow therein;
 - (c) result in a hazard to any person, animal, property or vegetation;
 - (d) impair the quality of the water in any well, lake, river, pond, spring, stream, reservoir or other water or watercourse; or

- (e) result in the contravention of an approval, requirement, direction or other order under the Ontario Water Resources Act or the Environmental Protection Act (Ontario) with respect to the storm sewer or its discharge; and

2. without limiting the generality of the foregoing, any of the following:

- (a) water at a temperature greater than 40 degrees Celsius;
- (b) water having a pH less than 6.0 or greater than 9.0;
- (c) water containing more than 15 milligrams per litre of suspended solids;
- (d) water containing dyes or colouring material which discolour the water;
- (e) water containing solvent extractable matter of animal or vegetable origin or of mineral or synthetic origin which causes a visible film, sheen or discolouration on the water surface;
- (f) water containing any of the following in excess of the indicated concentrations:

200 micrograms/litre

Chromium expressed as Cr

50 micrograms/litre

Zinc expressed as Zn

Lead expressed as Pb

Nickel expressed as Ni

10 micrograms/litre

Copper expressed as Cu

1 microgram/litre

Cadmium expressed as Cd

Mercury expressed as Hg

200 per 100 millilitres

Fecal coliforms

- (g) the following matter in any amount:

Sewage

Once-through cooling water

Blowdown

- (h) the following materials in any amount:

Automotive or Machine Oils and Greases

Fuels

Paints and Organic Solvents

PCBs

Pesticides

Severely Toxic Materials

Waste Disposal Site Leachate

Waste Radioactive Materials

- (i) the following hazardous wastes in any amount:

Acute Hazardous Waste Chemicals
Hazardous Industrial Wastes
Hazardous Waste Chemicals
Ignitable Wastes
Pathological Wastes
PCB Wastes
Reactive Wastes

- 3(2) Subclause 3(1) 2.(g) does not apply to prevent the discharge of once-through cooling water or blowdown when,

- (a) the once-through cooling water or blowdown is being discharged pursuant to a certificate of approval or order relating to the premises under the Environmental Protection Act (Ontario) or the Water Resources Act which expressly allows the discharge;
- (b) the owner or operator of the premises has written approval from the municipality which expressly authorizes the discharge from the premises; and
- (c) a copy of the certificate of approval or order referred to in clause (a) has been provided to the municipality.

- 3(3) The provisions of Clause 3(1) 2. apply only to (1) the discharge of stormwater runoff from industrial process areas to a storm sewer, and (2) to any stormwater discharge to a storm sewer to which the matter prohibited by subsection 1 has been added for the purpose of disposing of the matter.

- 3(4) The provisions of Subclause 3(1) 2.(c), (d), (e), and (f) do not apply to prevent the discharge of stormwater runoff from industrial process areas to a storm sewer when,

- (a) the owner or operator of the premises has a certificate of approval or order relating to the premises under the Environmental Protection Act (Ontario) or the Ontario Water Resources Act which expressly allows the discharge and a copy of the certificate of approval or order has been provided to the municipality.

SECTION 4

AGREEMENTS

- 5(1) Subject to subsection (2) and (3) the discharge or deposit of sewage that would otherwise be prohibited by this by-law may be permitted into or in any connection to any sanitary sewer or combined sewer to an extent fixed by agreement with the municipality under such conditions with respect to payment of additional sewage service rates or otherwise as may be necessary to compensate for any additional costs of operation, repair, and maintenance of the sewage works.
- (2) An agreement can only be made for discharge of the following parameters in sewage: suspended solids, biochemical oxygen demand, phenolic compounds, solvent extractable matter of animal or vegetable origin, Kjeldahl nitrogen, and phosphorus.
- (3) An agreement between municipal and private parties may be entered into that meets the intent and provisions of this by-law and that the Reeve and Clerk are hereby authorized to execute such an agreement.

- (4) A person who has entered into an agreement with the municipality shall not be prosecuted under Section 2 of this by-law for the discharge or deposit of sewage containing the matters specified in the agreement and in compliance with the agreement during the period within which the agreement is applicable and so long as the agreement is being fully complied with.

SECTION 5

COMPLIANCE PROGRAM

- 5(1) A compliance program may be issued as set out in Subsections (2) to (5) for the discharge of a non-complying effluent during the period of planning, design, construction or installation of facilities to eliminate the non-compliance.
- (2) The owner or operator of the industrial premises may submit to the municipality a program to prevent or to reduce and control the discharge or deposit of sewage into or in land drainage works, private branch drains or connections to any sanitary sewer or combined sewer from the premises.
- (3) The owner or operator of industrial premises may submit to the municipality a program to prevent or to reduce and control the discharge or deposit of uncontaminated water or stormwater or eliminate the discharge or deposit of sewage into or in land drainage works, private branch drains or connections to any storm sewer from the premises.
- (4) The municipality may issue an approval for a compliance program to the person who submitted the program.
- (5) Every compliance program shall be for a specified length of time during which the facilities are to be installed and shall be specific as to the remedial actions to be implemented, the dates of commencement and completion, and the materials or other characteristics of the sewage, uncontaminated water or stormwater to which it relates.
- (6) A person to whom a compliance has been issued shall submit a compliance program progress report within 14 days after the scheduled completion date for each activity listed in the compliance program, in a form satisfactory to the municipality.
- (7) A person to whom a compliance program has been issued shall not be prosecuted under Section 2 or 3 of this by-law for the discharge or deposit of sewage, uncontaminated water or stormwater containing the matters specified in the compliance program and in compliance with the compliance program during the period within which the compliance program is applicable and so long as the compliance program is being fully complied with.

SECTION 6

SAMPLING AND ANALYSIS

- 6(1) Where a sample is required for the purpose of determining the characteristics or contents of the sewage, uncontaminated water or stormwater to which reference is made in this by-law;

- (a) one sample alone is sufficient and, without limiting the generality of the foregoing the sample may be a grab sample or a composite sample, may contain additives for its preservation and may be collected manually or by using an automatic sampling device;
- (b) except as otherwise specifically provided in this by-law, all tests, measurements, analyses and examinations of sewage, uncontaminated water and stormwater, shall be carried out in accordance with Standard Methods; and
- (c) for each one of the following metals: aluminum, antimony, arsenic, bismuth, cadmium, chromium, cobalt, copper, iron, lead, manganese, mercury, molybdenum, nickel, selenium, silver, tin, titanium, vanadium and zinc whose concentration is limited in Subclauses 2(1) 2.(p) and 3(1) 2.(f), the analysis shall be for the quantity of total metal, which includes all metal both dissolved and particulate.

SECTION 7

SPILLS

- 7(1) Every person who discharges or deposits or causes or permits the discharge or deposit of sewage into or in land drainage works, private branch drains or connections to any sanitary sewer or combined sewer shall, if such discharge or deposit is not in the ordinary course of events forthwith notify the municipality or the agency responsible for operating the sewage works receiving the discharge or deposit.
- (2) Every person who discharges or deposits or causes or permits the discharge or deposit of uncontaminated water or stormwater into or in land drainage works, private branch drains or connections to any storm sewer shall, if such discharge or deposit is not in the ordinary course of events forthwith notify the municipality or the agency responsible for managing the land drainage works or storm sewer.
- (3) Every person who discharges or deposits or causes or permits the discharge or deposit of any of the items listed in Subclauses 2(1) 2.(q) and (s) into or in land drainage works, private branch drains or connections to any sanitary sewer or combined sewer shall forthwith notify the municipality or the agency responsible for operating the sewage works receiving the discharge or deposit.
- (4) Every person who discharges or deposits or causes or permits the discharge or deposit of any of the items listed in Subclauses 3(1) 2.(h) and (i) into or in land drainage works, private branch drains or connections to any storm sewer shall forthwith notify the municipality or agency responsible for managing the land drainage works or storm sewer.
- (5) For any of the discharges in Subsections 7(1), (2), (3) and (4) for which the person is required to forthwith notify the municipality or agency, the notification shall include the following information:
 - (a) name of the company and the address of location of spill;
 - (b) name of person reporting the spill and telephone number where that person can be reached;
 - (c) time of the spill;
 - (d) type and volume of material discharged and any associated hazards; and
 - (e) corrective actions being taken to control the spill.

- (6) Within five days following a discharge to which Subsection (5) applies, the person shall submit to the municipality or agency a detailed written report describing the cause of the spill and the actions taken or to be taken to prevent a recurrence.

SECTION 8

GENERAL

- 8(1) The owner or operator of industrial premises with one or more connections to a sewage works shall install and maintain in good repair in each connection a suitable manhole to allow observation and sampling of the sewage 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 written approval of the Clerk/Administrator of the municipality.
- (2) The manhole or alternate device shall be located on the property of the owner or operator of the premises, unless the Clerk/Administrator of the municipality has given written approval for a different location.
- (3) Every manhole, device or facility installed as required by Subsection (2) shall be designed and constructed in accordance with good engineering practice and the requirements of the municipality, and shall be constructed and maintained by the owner or operator of the premises at his expense.
- (4) The owner or operator of industrial premises shall at all times ensure that every manhole, device or facility installed as required by Subsection (2) is at all times accessible for purposes of observing and sampling the sewage and measuring the flow of sewage therein.
- (5) The municipality may require the owner or operator of industrial premises to install and maintain devices to monitor sewage discharges and to submit regular reports regarding the discharges to the municipality.
- (6) For the purposes of the administration of this by-law, a person appointed by Council for the purpose may, upon production of his identification, enter any industrial premises, to observe, to measure the flow of sewage to any sewer and to collect any samples required.
- (7) No person shall break, damage, destroy, deface or tamper or cause or permit the breaking, damaging, destroying, defacing or tampering with:
- (a) any part of the sewage works; or
 - (b) any permanent or temporary device installed in a sewage works for the purpose of measuring, sampling and testing of sewage.
- (8) The agreement contemplated by Section 4 and the compliance program contemplated by Section 5 may be terminated by the municipality on 30 days written notice if the discharge of sewage covered by such agreement or compliance program is causing contravention of Clauses 2(1)1. and 3(1)1. of the by-law.
- (9) The agreement contemplated by Section 4 and the compliance program contemplated by Section 5 may be terminated by the municipality be written notice at any time where there is an emergency situation of immediate threat or danger to any person, property, plant or animal life, or waters.

SECTION 9

OFFENCES

- 9(1) 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.
- (2) Every person other than a Corporation who contravenes any provision of this by-law is guilty of an offence and on conviction is liable for every day or part thereof upon which such offence occurs or continues to a fine of not more than \$5,000.00 for a first offence and \$10,000.00 for any subsequent conviction.
- (3) Every Corporation which contravenes any provision of this by-law is guilty of an offence and on conviction is liable for every day or part thereof upon which such offence occurs or continues to a fine of not more than \$25,000.00 for a first offence and \$50,000.00 for any subsequent conviction.
- (4) In this by-law, subsequent conviction means a conviction for an offence which offence occurs after the date of conviction for an earlier offence under this by-law.
- (5) Subsections (2) and (3) come into force on the date Section 11 of Bill No. 59 of the 1987 Municipal Act Amendment Act come into force and Subsection (1) is thereupon repealed.

THAT By-Law No. 14-72, and any other by-laws inconsistent with this by-law are hereby repealed.

READ a first, second and third time and finally passed this 28th day of February, 1994.


Lloyd Churchill, Reeve


Dean F. Paterson, Clerk/Administrator