

BY-LAW NUMBER 74-3

OF THE CORPORATION OF THE TOWN OF KIRKLAND LAKE

BEING A BY-LAW to control the discharge of sewage into the sewage system of the Municipality pursuant to paragraphs ⁷¹~~69~~ and ¹²⁹~~125~~ of subsection 1 of section 379 of The Municipal Act R.S.O., ¹⁹⁷⁰~~1960~~ ²⁸⁴~~C 249~~.

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

NOW THEREFORE THE COUNCIL of the CORPORATION of the TOWN OF KIRKLAND LAKE enacts as follows:

1. That this BY-LAW be known as the SEWER-USE BY-LAW.

2. In this By-law,

(a) Biochemical oxygen demand (BOD) means the quantity of oxygen utilized in the biochemical oxidation of organic matter in five (5) days at 20 degrees centigrade, as determined in accordance with Standard Methods and expressed in parts per million;

(b) "coliform count" means the number of all coliform bacteria and expressed in number of coliform bacteria per 100 millilitres of solution as determined in accordance with Standard Methods;

(c) "colour of a liquid" means the appearance of a liquid from which the suspended solids have been removed as determined in accordance with Standard Methods;

(d) "grease" is defined as that material of any origin extracted by hexane from an acidified sample using Standard Methods which would not be volatilized during the procedure. This includes fats, waxes, free fatty acids calcium and magnesium soaps, mineral oils and other fatty materials;

(e) "matter" includes any gaseous liquid or solid substances, or any combination thereof;

(f) "Municipality" means the Corporation of the Town of Kirkland Lake;

(g) "parts per million (ppm)" means parts per million by weight;

(h) "parts per billion (ppb)" means parts per billion by weight;

(i) "person" includes any corporation aggregate or sole;

(j) "pH" means the logarithm of the reciprocal of the concentration of hydrogen ions in grams per litre of solution;

(k) "phenolic compounds" means those hydroxy derivatives of benzene or its condensed nuclei which can be identified by the 4 _____ Aminoantipyrene

method in accordance with Standard Methods.

- (l) "sanitary sewer" means a sewer for the collection and transmission of domestic, commercial and industrial wastes or any of them;
- (m) "sanitary sewer connection" means any drainage works, pipe or other device that connects directly or indirectly to a sanitary sewer;
- (n) "sewage" includes drainage, storm water, domestic wastes, commercial wastes, industrial wastes and wastewater;
- (o) "sewage works" means all sewers, sewer systems, sewage pumping stations, sewage treatment plants and other works for the collection, acceptance, transmission, treatment and disposal of sewage, or for any one or more of them;
- (p) "Standard Methods" means, unless the context otherwise requires the methods and procedures set out in the edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association and current at the time of any examination of sewage;
- (q) "storm sewer" means a sewer for the collection and transmission of storm water run off, drainage or sewage derived from the draining of land or from a watercourse, or any one or more of them;
- (r) "storm sewer connection" means any land drainage works, pipe or other device that connects directly or indirectly to a storm sewer;
- (s) "suspended solids" means solid matter in or on a liquid which matter is removable by filtering as determined in accordance with Standard Methods;
- (t) "watercourse" means an open channel or ditch constructed as or resulting from the construction of a municipal work in which a flow of storm water occurs either continuously or intermittently including road ditches and other natural depressions or watercourses draining unto any such open channel or ditch whether connected to a storm sewer or not.

3. No person shall discharge into land drainage works, private branch drains or connections to any sewer, sewer system or sewage works for the carrying away of domestic sewage or industrial wastes or both, which are connected directly or indirectly to the sewage system any matter or quantity of matter which may be or become harmful to any sewage works, or which may interfere with their proper operation, or which may impair or interfere with any sewage treatment process, or which may or

may tend to obstruct any sewer, or which may be or may become a hazard to persons, property, animals, fish, birds or fowl and without limiting the generality of the foregoing, any of the following:

(a) sewage containing more than a total of one hundred (100) parts per million of oil, fat and grease of animal and vegetable origin;

(b) sewage containing more than a total of fifteen (15) parts per million of oil, grease and tar of mineral origin;

(c) sewage at a temperature in excess of one hundred and fifty (150) degrees fahrenheit;

(d) subject to subparagraph (b) hereof, flammable or explosive matter and without limiting the generality of the foregoing gasoline, benzene, naptha, fuel oil, acetone or other solvents;

(e) any quantity of matter capable of obstructing the flow in or interfering with the proper operation of any part of the sewage works, and without limiting the generality of the foregoing, any such quantity of ashes, cinders, garbage, sand, straw, mud, shavings, metal, glass, rags, feathers, plastic, wood or cellulose;

(f) sewage having a pH less than 5.5 or greater than 9.5 or which due to its nature or content, becomes less than 5.5 or greater than 9.5 during transmission to a sewage treatment plant;

(g) sewage of which the B.O.D. exceeds three hundred (300) parts per million;

(h) sewage in which suspended solids exceed three hundred and fifty (350) parts per million;

(i) sewage that may cause a nuisance, and without limiting the generality of the foregoing, sewage containing hydrogen sulphide, carbon disulphide, ammonia, trichloroethylene, sulphur dioxide, formaldehyde, chlorine bromine or pyridine, in such quantity that an offensive odour could emanate from the sewage works or could cause a nuisance;

(j) sewage containing animal waste, and without limiting the generality of the foregoing, containing intestines, stomach casings, hides, hooves, toenails, horns, bones or poultry heads or sewage containing hair, wool, fur, feathers, paunch manure or fleshings in a quantity sufficient to interfere with the proper operation of the sewage works;

(k) sewage containing any of the following matter in excess of the indicated concentrations:

phenolic compounds	- 100 ppb
total cyanides expressed as HCN	- 2 ppm
chlorides, as Cl	- 1500 ppm
sulphates, as SO ₄	- 1500 ppm
total sulphides expressed as H ₂ S	- 2 ppm
total copper, expressed as Cu	- 3 ppm
total chromium, expressed as Cr	- 3 ppm
total nickel, expressed as Ni	- 3 ppm
total lead, expressed as Pb	- 3 ppm
total zinc, expressed as Zn	- 3 ppm
total cadmium, expressed as Cd	- 3 ppm

(l) radioactive materials except as may be permitted under the Atomic Energy Control Act R.S.C. 1952 chapter 11, and amendments thereto and regulations thereunder;

(m) storm run off, sewage derived from the drainage of lands or roofs or water used for cooling purposes;

4. No person shall discharge, cause or permit the discharge or deposit into or in (i) land drainage works, private branch drains or connections to any sewer, sewer system or sewage works for the carrying away of domestic sewage or industrial wastes or both, that are capable of discharging sewage into any well, lake, river, pond, spring, stream, reservoir, or other water or watercourse, or into any shore or bank thereof, or into any place from which the sewage may be discharged into or deposited in any well, lake, river, pond, spring, stream, reservoir, or other water or watercourse, (ii) any storm sewer or any sewer connected to a storm sewer, any of the following:

(a) sewage at a temperature in excess of one hundred and fifty degrees fahrenheit (150 degrees F.);

(b) sewage containing more than a total of fifteen (15) parts per million of fat, oil, grease, and other matter which is soluble in either;

(c) subject to subparagraph (b) hereof, flammable or explosive matter, and without limiting the generality of the foregoing, gasoline, benzene, naptha, fuel oil, acetone or other solvents;

(d) any quantity of matter capable of obstructing the flow in or interfering with the proper operation of any part of the sewage works and without limiting the generality of the foregoing, any such quantity of ashes, cinders, garbage, sand, straw, mud, shavings, metal, glass, rags, feathers, plastics, wood, cellulose,

tar, animal wastes or other matter that is not dissolved in a liquid at the time of its introduction into the sewage works;

(e) sewage containing any matter in a quantity or concentration that will or may cause the death of or injury of any person, property, animal, fish, bird or fowl;

(f) sewage having a pH less than 5.5 or greater than 9.5 or which due to its nature or content becomes less than 5.5 or greater than 9.5 during transmission through the sewage works;

(g) sewage in which suspended solids content exceed fifteen (15) parts per million, or sewage containing any suspended solids which are incapable of passing through a screen having openings not larger than one quarter (1/4) of an inch square;

(h) sewage that has or may cause an offensive odour, and without limiting the generality of the foregoing, sewage containing hydrogen sulphide, carbon disulphide, ammonia, trichloroethylene, sulphur dioxide, formaldehyde, chlorine, bromine, pyridine, in such quantity that an offensive odour could emanate from the sewage works or could cause a nuisance;

(i) sewage of which the B.O.D. exceeds fifteen (15) parts per million;

(j) sewage containing coloured matter which sewage would require a dilution in excess of four (4) parts of distilled water to one (1) part of such sewage to produce a mixture the colour of which is not distinguishable from that of distilled water when tested in accordance with the Ontario Water Resources Commission Standard Laboratory Sewage Colour Determination Test;

(k) sewage containing toxic or poisonous matter in sufficient quantity to constitute a hazard to persons, property, animals, fish, birds or fowl and without limiting the generality of the foregoing, sewage containing any of the following matter in excess of the indicated concentrations:

phenolic compounds	- 0.020 ppm
total cyanides, expressed as HCN	- 0.1 ppm
total cadmium, expressed as Cd	- 1.0 ppm
total chromium, expressed as Cr	- 1.0 ppm
total copper, expressed as Cu	- 1.0 ppm
total nickel, expressed as Ni	- 1.0 ppm
total zinc, expressed as Zn	- 1.0 ppm
total iron, expressed as Fe	- 17.0 ppm
chlorides, as Cl	- 1500 ppm
sulphates, as SO ₄	- 1500 ppm

(l) sewage in which the coliform count exceed two thousand four hundred (2400) per one hundred (100) millilitres as determined by Standard Methods;

(m) radioactive materials except as may be permitted by the Atomic Energy Control Act, R.S.C. 1952 chapter 11, and amendments thereto and regulations thereunder;

5. Where grease, oil and grit interceptors are provided at the cost of the owner to prevent the discharge of wastewaters containing amounts of these substances in excess of the amounts permitted by this by-law they shall be properly maintained and placed in locations readily accessible for cleaning and inspection and shall be of a design in keeping with good engineering practices.

6. (a) The owner of any property served by a sewer, connecting any industrial building, shopping centre or the like or apartment building of more than twenty (20) suites with any sewer in the municipality, shall install one or more suitable manholes in the said sewer to facilitate observations, sampling and measurement of the waste water therefrom;

(b) Such manholes shall be designed in accordance with good engineering practices and Municipal Standards and shall be constructed and maintained at the cost of the owner on the lands of such owner and abutting the property line adjacent to the municipal sewer so that all wastes from the property pass through such manholes;

(c) These manholes shall be subject to inspection at all reasonable times by a duly authorized representative of the Municipality bearing proper credentials and identification to inspect, observe, measure, sample and test all wastes.

7. Except as otherwise specifically provided in this by-law, all tests, measurements, analyses and examinations of sewage, its characteristics or contents shall be carried out in accordance with Standard Methods.

8. The discharge of sewage that would otherwise be prohibited by this by-law may be permitted to an extent fixed by agreement with the Municipality under such conditions with respect to payment or otherwise as may be necessary to compensate for any additional costs of treatment. Any agreement shall be subject to the approval of the Ontario Ministry of the Environment.

9. Where an agreement with the Municipality cannot be executed for the acceptance of sewage otherwise prohibited by this by-law, the person responsible shall only be allowed a sewer connection when satisfactory sewage pre-treatment facilities have been installed and working in such a manner as to meet the provi-

sions of this by-law.

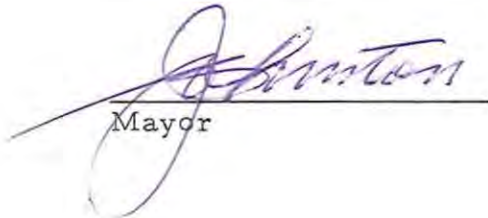
10. This Sewer-Use By-law is administered by the Sewage and Sanitation Supervisor or his agent and a certified true copy is on file in the office of the Town Clerk of the Town of Kirkland Lake.

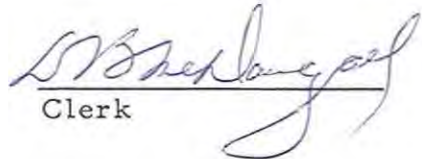
11. Every person who contravenes any provisions of this by-law shall upon conviction thereof, forfeit and pay, at the discretion of the convicting magistrate, a penalty (exclusive of costs) not exceeding three hundred dollars (\$300.00) for each offence. Each day in which any such contravention occurs shall be deemed to be a separate offence. Such penalties shall be recoverable under the provisions of the The Summary Convictions Act.

12. If any paragraph, clause, sentence or provision of this By-law is for any reason declared invalid by a Court of competent jurisdiction then such decision shall not affect the validity of any other part thereof.

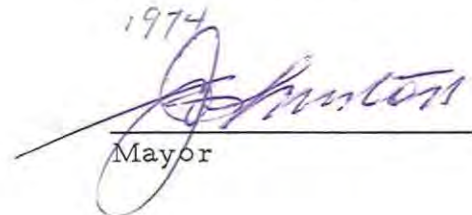
13. This By-law shall come into force and have effect immediately on the final passing thereof.

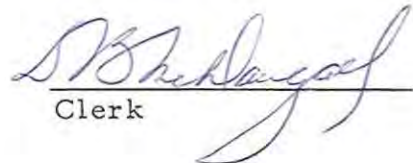
READ a first time in open Council this 22nd day of January 1974.


Mayor


Clerk

READ a second and third time in open Council this 5 day of February

1974

Mayor


Clerk