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## **The Corporation of the City of Peterborough**

### **By-Law Number 15-075**

Being a By-law to regulate the discharge of sewage and land drainage in the City of Peterborough

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The Corporation of the City of Peterborough by the Council thereof hereby enacts as follows:

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## Section 1 – Definitions

### 1.1 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 347, as amended from time to time, made under the *Environmental Protection Act* (Ontario).
- b. **Authorized representative** – means:
  - i. a principal executive officer of at least the level of vice president if the owner or operator 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 (BOD)** – means 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).
- d. **Biosolids** – means stabilized organic solid material recovered from the wastewater treatment process.
- e. **Blowdown** – means the discharge of re-circulating non-contact cooling water for the purpose of discharging materials contained in the water, the further build-up of which would cause concentrations in amounts exceeding limits established by best engineering practices.
- f. **City** – means The Corporation of the City of Peterborough.
- g. **Combined sewer** – means a sewer intended to function simultaneously as a storm sewer and a sanitary sewer.
- h. **Combustible liquids** – means a liquid that has a flash point not less than 37.8 degrees Celsius and not greater than 93.3 degrees Celsius as defined in the regulations under the Transportation of Dangerous Goods Act, 1992, S.C. 1992, as amended.
- i. **Commercial waste chemical** – means a material which is a commercial waste chemical within the meaning of Ontario Regulation 347, as amended from time to time, made under the *Environmental Protection Act* (Ontario).
- j. **Composite sample** – means a volume of sewage, stormwater, 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 period.
- k. **Connection** – means that part or those parts of any drain or system of drains leading directly to a sewage works.
- l. **Director** – means the Director, Utility Services Department, City of Peterborough, or his/her duly authorized representative.

- m. **Fuels** – means alcohol, gasoline, naphtha, diesel fuel, fuel oil or any other ignitable substance intended for use as a fuel.
- n. **Grab sample** – means a volume of sewage, stormwater, uncontaminated water, or effluent of at least 100 millilitres which is collected over a period not exceeding fifteen minutes.
- o. **Hauled sewage** – means waste removed from a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet, or a sewage holding tank within the meaning of Ontario Regulation 347, as amended from time to time, made under the *Environmental Protection Act* (Ontario).
- p. **Hauled waste** – means any industrial waste which is transported to and deposited into any location in the sewage works, excluding hauled sewage.
- q. **Hazardous industrial waste** – means a material which is a hazardous industrial waste within the meaning of Ontario Regulation 347, as amended from time to time, made under the *Environmental Protection Act* (Ontario).
- r. **Hazardous waste chemical** – means a material which is a hazardous waste chemical within the meaning of Ontario Regulation 347, as amended from time to time, made under the *Environmental Protection Act* (Ontario).
- s. **ignitable waste** – means a material which is an ignitable waste within the meaning of Ontario Regulation 347, as amended from time to time, made under the *Environmental Protection Act* (Ontario).
- t. **Industrial** – means of or pertaining to industry, manufacturing, commerce, trade, business, or institutions as distinguished from domestic or residential.
- u. **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, by-product, or waste product.
- v. **Inspector** – means a person authorized by the City of Peterborough to carry out observations and inspections and to take samples as prescribed by this By-law.
- w. **Monitoring manhole** – means 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.
- x. **Manager of Environmental Protection Division** – means the Manager of Environmental Protection Division, Utility Services Department, City of Peterborough, or his/her duly authorized representative.
- y. **Matter** – means any solid, liquid or gas.
- z. **Municipality** – means the City of Peterborough or its designated representative.
- aa. **NAICS code** – means North American Industrial Classification System code contained in either the NAICS Canada Manual published by Statistic Canada (1997).
- bb. **Non-contact 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.
- cc. **Once-through cooling water** – means non-contact cooling water that has

been circulated once through the cooling device.

- dd. **Owner/Operator** – means the owner or operator of any facility or activity subject to the provisions of this By-law.
- ee. **Pathological waste** – means a material which is a pathological waste within the meaning of Ontario Regulation 347, as amended from time to time, made under the *Environmental Protection Act* (Ontario) or any material which may be designated in writing by the Chief Medical Officer of Health (Ontario).
- ff. **PCB** – means any mono-chlorinated or poly-chlorinated biphenyl or any mixture of these or mixture that contains one or more of them.
- gg. **PCB waste** - means a PCB waste within the meaning of Ontario Regulation 362 made under the *Environmental Protection Act* (Ontario).
- hh. **Person** – means an individual, association, partnership, corporation, municipality, provincial or federal agency, or an agent or employee thereof.
- ii. **Pesticides** – means a pesticide regulated under the *Pesticides Act* (Ontario)
- jj. **pH** – means the logarithm to the base 10 of the reciprocal of the concentration of hydrogen ions in moles per litre of solution.
- kk. **Phenolic compounds** – means those hydroxy derivatives of benzene, or its condensed nuclei.
- ll. **Reactive waste** – means a material which is a reactive waste within the meaning of Ontario Regulation 347, as amended from time to time, made under the *Environmental Protection Act* (Ontario).
- mm. **Sanitary sewer** – means a sewer for the collection and transmission of domestic and industrial sewage or any combination thereof.
- nn. **Severely toxic material** – means any material listed in Schedule 3 of Ontario Regulation 347, as amended from time to time, made under the *Environmental Protection Act* (Ontario).
- oo. **Sewage** – means any liquid waste containing animal, vegetable, mineral or chemical matter in solution or in suspension except uncontaminated water.
- pp. **Sewage works** – means any works for the collection transmission treatment or disposal of sewage or any part of such works.
- qq. **Sewer** – means a pipe, conduit, drain, open channel, ditch or watercourse for the collection and transmission of sewage, sewage and stormwater, or stormwater.
- rr. **Subject pollutant** – means any parameter listed in Table 1 of Schedule H of this bylaw, or any other element, material or compound designated by the Director.
- ss. **Solvent extractable matter (SEM) of animal or vegetable origin** – means grease and oil as determined by one of Methods 5520 in Standard Methods.
- tt. **Solvent extractable matter (SEM) of mineral or synthetic origin** – means grease and oil as determined by one of Methods 5520 in Standard Methods.

- uu. Spill** – means a direct or indirect discharge into the sewage works, storm sewer or the natural environment which is abnormal in quantity or quality in light of all the circumstances of the discharge.
- vv. 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, latest edition.
- ww. 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.
- xx. Stormwater** – means water from rainfall or other natural precipitation or from the melting of snow or ice.
- yy. Subsequent conviction** – means a conviction for an offence which offence occurs after the date of conviction for an earlier offence under this By-law or any predecessor by-law which regulated the discharge of sewage and land drainage in the City of Peterborough.
- zz. Total Kjeldahl Nitrogen (TKN)** – means the sum of the organic nitrogen and ammonia nitrogen.
- aaa. Total Suspended Solids (TSS)** – means solid matter in or on a liquid which matter is removable by filtering and dried at 103-105°C as determined by Method 2540 in Standard Methods.
- bbb. Uncontaminated water** – means any water, including water from a public water works, to which no matter has been added as a consequence of its use, or to modify its use, by any person.
- ccc. Waste disposal site leachate** – means leachate from any waste disposal site.
- ddd. Waste radioactive materials** – means 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.
- eee. Watercourse** – means an open channel, ditch or depression either natural or artificial, in which flow of water occurs either continuously or intermittently.
- fff. Waters** – means a well, lake, river, pond, spring, stream, reservoir, artificial watercourse, intermittent watercourse, groundwater or other water or watercourse.

## **Section 2 – Discharge to Sanitary and 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:
  - 2.1.1 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) as amended from time to time, or any regulation made thereunder from time to time; or which may cause the biosolids from sewage works to fail to meet the criteria relating to contaminants for spreading of Non-Agricultural Source

Material as regulated under the “Nutrient Management Act”, or any regulation made thereunder as amended from time to time; unless the person has been advised in writing by the operator of the sewage treatment works that the biosolids 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

2.1.2 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, rags, feathers, tar, plastics, wood, un-ground 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, ammonia and other nitrogen compounds, trichloroethylene, ketones sulphur dioxide and other sulphur compounds, formaldehyde, chlorine, bromine, or pyridine, in such quantity as may cause a nuisance or 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 storm water, 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 60 degrees Celsius is prohibited.
- f. Sewage having a pH less than 6.0 or greater than 11.5 is prohibited.
- g. Sewage which consists of two or more separate liquid layers.
- h. Sewage containing dyes or colouring materials which pass through a sewage works and discolour the sewage works effluent.
- i. The following materials or sewage containing any of the following in any amount:
  - Fuels
  - PCBs
  - Pesticides
  - Severely Toxic Material
  - Waste Radioactive Materials
- j. The following materials or sewage containing any of the following in any amount are prohibited:
  - Hauled Sewage
  - Hauled Waste
  - Waste Disposal Site Leachate

- k. The following wastes in any amount are prohibited:
  - Acute Hazardous Waste
  - Chemicals
  - Combustible Liquid
  - Hazardous Industrial Waste
  - Hazardous Waste Chemical
  - Ignitable Waste
  - Pathological Waste
  - PCB Waste
  - Reactive Waste

- l. Sewage containing a concentration in excess of the limits set forth in Table 1 of Schedule 'H'.

2.2 In determining whether the limit with respect to any matter described in sub-section 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.

2.3 Sub-clauses 2.1.2.b. and 2.1.2.j do not prevent the discharge of human waste provided such discharge of human waste is into an approved private branch drain or connection to a sanitary sewer or combined sewer.

2.4 Sub-clause 2.1.2.d. does not 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 Climate Change 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,

provided that the discharge to the sanitary sewer or combined sewer shall be subject to an agreement with the municipality in the form as Schedule 'D' to this By-law, or in another form approved by the Director.

2.5 Sub-clause 2.1.2.i. does not prevent the discharge of waste radioactive materials, where all of the following conditions are met:

- a. the waste radioactive materials are being discharged under a valid and current license issued by the Canadian Nuclear Safety Commission or its successor;
- b. a copy of the license has been provided to the Director; and
- c. the person has written approval from the Director permitting such discharge.

- 2.6 Sub-clause 2.1.2.k. does not prevent the discharge of PCBs when:
- a. the owner or operator of the premises has written approval from the municipality which expressly authorizes the discharge from the premises; and
  - b. the discharge contains a concentration of less than 5 micrograms per litre of PCBs.
- 2.7 Sub-clause 2.1.2.j. does not prevent the discharge of waste disposal site leachate when:
- a. the person has prior written approval from the Director which permits the discharge or deposit of the waste disposal site leachate to the sewage works, in accordance with the guidelines adopted by the City from time to time;
  - b. in the case where a Environmental Compliance Approval or order has been issued which includes a provision for the disposal of waste disposal site leachate to the sewage works, a copy of the Environmental Compliance Approval or order is provided to the Director; and
  - c. where the person is claiming an exemption, the person has received written notice from the Director that the conditions of the exemption are being met.
- 2.8 Sub-clause 2.1.2.j. does not prevent the discharge of hauled sewage when:
- a. the carrier of the hauled sewage operating as a waste management system has Environmental Activity and Sector Registry issued under the Environmental Protection Act (Ontario) or is exempt from the requirement to have a certificate or provisional certificate of approval;
  - b. the carrier has written approval from the municipality and a copy of the most recent certificate of approval or provisional certificate and any amendment is provided to the Director; and
  - c. the carrier meets all conditions for discharge that are or may be set forth, by the municipality, in the Hauled Wastewater Policy as amended from time to time.
- 2.9 Sub-clause 2.1.2.j. does not prevent the discharge of hauled waste when:
- a. the carrier of the hauled waste operating as a waste management system has Environmental Activity and Sector Registry issued under the *Environmental Protection Act* or is exempt from the requirement to have a certificate or provisional certificate of approval;
  - b. the carrier has written approval from the municipality and a copy of the most recent certificate of approval or provisional certificate and any amendment is provided to the Director;
  - c. hauled waste meets the conditions set out in Clauses 23(3)(c) and 25(5)(b) of Ontario Regulation 347, as amended from time to time; and
  - d. the carrier meets all conditions for discharge that are or may be set forth, by the municipality, in the Hauled Wastewater Policy as amended from time to time.
- 2.10 Sub-clause 2.1.2.k. does not prevent the discharge of pathological waste that has been decontaminated prior to discharge when:



- a. the owner or operator of the premises has a Environmental Compliance Approval from the Ontario Ministry of the Environment and Climate Change which expressly allows the discharge or written approval from the Director of the Ontario Ministry of the Environment and Climate Change 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 Environmental Compliance Approval or written authorization referred to in clause 2.10.a has been provided to the municipality.
- 2.11 Sub-clause 2.1.2.d. does not prevent the temporary discharge to any sanitary sewer or combined sewer of uncontaminated water from foundation drains or weeping tiles collected by an existing sump pump system or an existing gravity system, which otherwise discharges to the surface of the ground, for a period of time acceptable to the Director, provided that the discharge to the sanitary sewer or combined sewer shall be subject to an agreement with the Municipality in the form of Schedule 'G', or in another form approved by the Director.

### **Section 3 – Discharge to Storm Sewers**

- 3.1 No person shall discharge 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:
- 3.1.1 Matter of any type or at any temperature or in any quantity which may:
- a. damage a storm sewer;
  - b. interfere with the proper operation of a storm sewer;
  - c. obstruct a storm sewer or the flow therein;
  - d. result in a hazard or other adverse impact to any person, animal, property or vegetation;
  - e. impair the quality of the water in any waters; or
  - f. result in the contravention of an approval, requirement, direction or other order under the Ontario Water Resources Act or the Environmental Protection Act (Ontario), as amended from time to time, with respect to the storm sewer or its discharge; is prohibited.
- 3.1.2 Without limiting the generality of the foregoing, any of the following:
- a. water at a temperature greater than 40° Celsius;
  - b. water having a pH less than 6.0 or greater than 9.5;
  - c. water containing dyes or colouring materials which would require a dilution in excess of 4 parts of distilled water to 1 part of such water to produce a mixture the colour of which is not distinguishable from that of distilled water;
  - d. 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;

- e. water having 200 per 100 millilitres Fecal coliforms;
- f. water containing a concentration in excess of the limits set forth in Table 2 of Schedule 'H';
- 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
  - Hauled Waste
  - Paints and Organic Solvents PCBs
  - Pesticides
  - Severely Toxic Material
  - Waste Disposal Site Leachate
  - Waste Radioactive Materials
- i. the following hazardous wastes in any amount:
  - Acute Hazardous Waste Chemicals
  - Hazardous Industrial Waste
  - Hazardous Waste Chemicals
  - Ignitable Waste
  - Pathological Waste
  - PCB Waste
  - Reactive Waste

3.2 Sub-clause 3.1.2.g. does not 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 Environmental Compliance Approval or order relating to the premises under the Environmental Protection Act (Ontario) or the Ontario Water Resources Act which expressly allows the discharge; or
- 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 Environmental Compliance Approval or order referred to in sub-clause 3.2.a. has been provided to the municipality.

3.3 The provisions of sub-clause 3.1.2. apply only to:

- a. the discharge or deposit of stormwater runoff from industrial process areas to a storm sewer; and
- b. to any stormwater discharge to a storm sewer to which the matter prohibited by sub-section 3.1 has been added for the purpose of disposing of the matter.

3.4 The provisions of sub-clauses 3.1.2.c., 3.1.2.d., 3.1.2.e. and 3.1.2.f. do not 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 Environmental Compliance 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 Environmental Compliance Approval or order has been provided to the municipality; or

- b. the owner or operator of the premises has written approval from the Municipality for a Best Management Practices Plan (BMP) which has been prepared in accordance with Schedule 'A'.
- 3.5 A person may be required, by written notice from the Municipality to perform or undertake one or more of the following activities addressing stormwater quality from the person's property:
  - a. a study on stormwater quality and/or quantity;
  - b. modification and/or construction of stormwater facilities;
  - c. development and implementation of a best management plan;
  - d. adoption and implementation of pollution prevention techniques and measures; or
  - e. any other activity set out in the notice.

#### **Section 4 – Connection**

- 4.1 No person shall:
  - 4.1.1 Erect or cause or permit to be erected any new building unless the new building is connected to the sanitary sewer or combined sewer for sanitary or combined sewer for sanitary drainage purposes, save and except an accessory building not required by the Building Code Act, 1992, S.O. 1992 or other applicable law to contain plumbing or a sewage system.
  - 4.1.2 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.
  - 4.1.3 Sub-clause 4.1.1. 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, S.O. 1992, on City property designated as open space or public park lands.
  - 4.1.4 Where no City sanitary sewer exists adjacent to a property, the Director may exempt such property from the application of sub-clause 4.1.1., 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.
- 4.2 In the event that a sewer connection is installed or operated in contravention of any provision of this by-law as a whole, the Director 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.
- 4.3 The Director shall not order such temporary disconnection unless the Director 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 Director to order temporary disconnection of the sewer 30 days after the date of mailing, unless the Director 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.

- 4.4. Any person desiring a sewer connection shall apply for a permit for such connection on forms supplied by the City and accompanied by such plans as may be required and pay a fee for the permit. The owner of the property to be served, or the owner's agent, shall sign the permit, and the owner shall be responsible for the completeness and accuracy of the information furnished on such permits and plans.

4.5 Sewer connections on public or private property:

- 4.5.1 A sewer connection on public property between the sewer main and private property shall be installed:

- a. By the City at the expense of the owner on conditions and rates determined from time to time by the City; or
- b. With the prior written consent of the Director, by the owner of the property, at the property owner's expense under a contract, agreement, or undertaking satisfactory to the Director, in compliance with the City of Peterborough's Engineering Design Standards, as it may be amended from time to time; or
- c. If required by the Director, subject to the execution of an agreement between the owner and the City setting out such terms and conditions as the Director may determine are appropriate, and the Director shall have the authority to execute any such agreement.

- 4.5.2 Sewer connections on private property shall be installed by the owner pursuant to a building permit having been issued for such purpose by the Chief Building Official of the City and in compliance with the Ontario Building Code, as it may be amended from time to time.

- 4.5.3 No direct connection or indirect interconnection between the private storm drainage system and the private sanitary drainage system is permitted.

- 4.5.4 Where a sewer connection on public property between the sewer main and private property is installed by the owner of the private property pursuant to sub-clause 4.5.1.b., the owner of the private property shall pay for the cost of an inspection, the amount of which shall be determined by the City from time to time.

- 4.5.5 An owner may request the City to conduct an inspection by means of an excavation or closed circuit television inspection of any existing municipal sewer connection deemed by the Director to be eligible for such an inspection. In the event the City Inspector determines that an inspection is appropriate, the owner shall deposit a sum of money with the City, in an amount determined by the City to represent the cost of the inspection.

- 4.6 In the event that any person constructs a municipal sewer connection in a manner other than provided for in this section, the City may order the re-excavation of the connection for the purpose of inspection and testing and, if necessary, reconstruction of the work, and the Director 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 City.

- 4.7 Where a catch basin has been installed on private property to drain stormwater from a driveway which slopes towards any structure located on the property, the catch basin shall be connected to the City storm sewer where such is available, and the installation shall include:
- 4.7.1 A flap gate backwater valve installed directly downstream of the private catch basin, so that no stormwater may back up from the City storm sewer into the private catch basin; and
  - 4.7.2 Possible relief structures or retention processes should be predicted such that the stormwater which has collected in the catch basin while the above flap gate backwater valve has closed will not result in local flooding.
- 4.8 Flap gate backwater valve and sump pumps required pursuant to any clause of this article as a whole shall be installed and maintained by the owner or operator of the premises at his or her expense.
- 4.9 Inflow and infiltration of stormwater into sanitary sewer system:
- In this section:
- a. “Directly” shall mean by any physical connection or series of connections that discharges the flow into the sanitary sewer system and for the greater clarity includes any downspout, rainwater leader, catch basin connection lead, and foundation drain lead on private property, that permit stormwater to inflow the sanitary sewer system.
  - b. “Indirectly” shall mean in any manner whatsoever whereby stormwater enters the sanitary sewer system, and for the greater clarity includes any situation where open joints, crack or holes in an underground sanitary sewer system on private property permit stormwater to infiltrate the sanitary sewer system.
- 4.9.1 The owner of any property which has one (1) or more downspout(s) discharging stormwater, either directly or indirectly, into the sanitary sewer connection shall disconnect the down-pipe from the sanitary sewer system and shall conduct the stormwater away from the building in such a manner that the stormwater will not accumulate at or near the building and will not adversely affect adjacent properties. Sanitary sewer openings must be closed in an Ontario Building Code approved manner.
  - 4.9.2 The owner of any property which has one (1) or more rainwater leader(s) discharging stormwater, either directly or indirectly, into the sanitary sewer connection shall disconnect the down-pipe from the sanitary sewer system and shall conduct the stormwater away from the building in such a manner that the stormwater will not accumulate at or near the building and will not adversely affect adjacent properties. Sanitary sewer openings must be closed in an Ontario Building Code approved manner.
  - 4.9.3 The owner of any property which has one (1) or more catch basin(s) discharging stormwater, either directly or indirectly, into the sanitary sewer connection shall disconnect the connection pipe from the underground portions and shall conduct the stormwater to near by storm systems in such a manner that the stormwater will not accumulate at or near the building and will not adversely affect adjacent properties.

- 4.9.4 The owner of any property which has one (1) or more foundation drain connection(s) discharging, either directly or indirectly, into the sanitary sewer connection shall disconnect the foundation drain connection and shall complete a new connection to the municipal stormwater network in such a manner that the stormwater will not accumulate at or near the building and will not adversely affect adjacent properties.
- 4.9.5 For the purpose of sub-clauses 4.9.1 to 4.9.4 inclusive, the work shall be performed in compliance with the Ontario Building Code, and the City of Peterborough's Engineering Design Standards, to the satisfaction of the Director and the Chief Building Official.
- 4.9.6 Alternative solutions are allowed provided that they meet the City's satisfaction as determined by the Director and/or the Chief Building Official.
- 4.9.7 The requirements set out in subsection 4.9 shall be constructed, installed, operated, and maintained by the owner or operator of the premises, at his or her sole expense.
- 4.9.8 An owner may complete 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. The terms of sub-clause 13.5.4. shall apply to any such investigation.
- 4.9.9 If, as a result of the inspection pursuant to sub-clause 4.9.8., the City's Inspector determines that the inflow of stormwater 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 sub-clause 4.9.1. and/or 4.9.2. and/or 4.9.3. and/or 4.9.4. 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.
- 4.9.10 If, as a result of the inspection pursuant to sub-clause 4.9.8., the City's Inspector determines that the infiltration of stormwater 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 sub-clauses 4.9.1. and/or 4.9.2. and/or 4.9.3. and/or 4.9.4. 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.
- 4.9.11 An owner may make an application to the Director for an exemption from the provisions of subsection 4.9, and the Director may permit a connection that does not comply with subsection 4.9 where there is no practical alternate means of drainage available, and compliance with subsection 4.9 is not feasible.
- 4.10 Groundwater drainage system:
- 4.10.1 The groundwater drainage system set out in subsection 4.10 shall be installed and maintained by the owner or operator of the premises, at his or her sole expense.
- 4.10.2 No owner of industrial, commercial or institutional premises shall do anything which may increase design peak flow rates of stormwater or impair the quality of stormwater discharged to a storm sewer.

- 4.10.3 The direct connection of any new private storm sewer connection to the municipal sanitary sewer is prohibited for any new or reconstructed residential, industrial, commercial or institutional buildings.
- 4.10.4 An owner may make an application to the Director for an exemption from the provisions of sub-clause 4.10.3., and the Director may permit a connection that does not comply with sub-clause 4.10.3. where there is no practical alternate means of drainage available, and compliance with sub-clause 4.10.3. is not feasible.
- 4.10.5 Before considering a request for an approval pursuant to sub-clause 4.10.3. the owner or operator of multi-unit residential, industrial, commercial or institutional premises shall be required to submit to the Director for approval a stormwater management report identifying the stormwater quantity and quality control measures being proposed for the site.
- 4.11 Stormwater drainage:
- 4.11.1 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 stormwater from any new or reconstructed residential, industrial, commercial or institutional buildings directly or indirectly to a sanitary sewer system for the purpose of stormwater drainage. Stormwater shall be discharged at grade away from the building in such a manner that the stormwater will not accumulate at or near the building and will not adversely affect adjacent properties.
- 4.11.2 Where compliance with sub-clause 4.11.1. compromises or creates a hazardous situation and where there is no practical alternate means of drainage systems available, an application may be made to the City for an exemption from the provisions of sub-clause 4.11.1.

## **Section 5 – Reports**

- 5.1 Notwithstanding Sections 2, 3 and 4, the owner or operator of any industrial premises or class of industrial premises listed in Schedule 'B' shall not discharge or deposit or cause or permit the discharge or deposit of sewage into or in land drainage works, private branch drains or connections to any sanitary sewer, combined sewer or storm sewer.
- 5.2 Subsection 5.1 does not apply with respect to any industrial premises for which a current Waste Survey Report, prepared in accordance with subsections 5.3 and 5.4, has been filed with the Director.
- 5.3 The Waste Survey Report shall contain the following information and shall be signed by an authorized representative of the owner or operator:
- name and address of the premises and names of its owner and operator;
  - description of process operations, including waste discharge rates and contaminant concentrations, hours of operation and North American Industrial Classification System Codes (NAICS);
  - schematic process diagram indicating waste discharge points and waste descriptions;
  - the generator registration number, if any, assigned with respect to the premises under Ontario Regulation 347, as amended from time to time, made under the *Environmental Protection Act* (Ontario); and

- e. the waste class, hazardous waste number, primary and secondary characteristics and analytical data and the name of the laboratory if any, furnished to the Ontario Ministry of the Environment and Climate Change under Ontario Regulation 347, as amended from time to time, made under the *Environmental Protection Act* (Ontario) relating to any material discharged into or in land drainage works, private branch drains or connections to any sanitary, combined or, storm sewer.
- 5.4 The Waste Survey Report shall be in the form attached as Schedule 'B1'. At the discretion of the Director an industrial premises may be allowed to submit the Waste Survey Report Short Form attached as Schedule 'B2' to meet the requirement of subsection 5.2.
- 5.5 Where a change occurs in the information required under sub-clause 5.3.a. contained in a Waste Survey Report, the owner or operator of the premises shall submit the new information within 30 days of the change.
- 5.6 Where a change occurs in any information required under any of sub-clauses 5.3.b. to 5.3.e. inclusive described in a Waste Survey Report, the owner or operator of the premises shall not discharge or deposit or cause or permit the discharge or deposit of sewage into or in land drainage works, private branch drains or connections to any sanitary sewer, combined sewer or storm sewer, after 60 days after the change occurs unless a new Waste Survey Report has been submitted setting out the change.

## **Section 6 – Agreements**

- 6.1 Subject to subsections 6.2 and 6.3, 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.
- 6.2
- a. An Industrial Waste Surcharge Agreement can only be made for discharge of the following parameters in sewage: suspended solids, biochemical oxygen demand, phenolic compounds.
  - b. The agreement shall be in the form as Schedule 'C', or in another form approved by the Director, and, upon a recommendation from the Director, the municipality is authorized to execute such agreements under authority of this By-law.
- 6.3
- a. A Sanitary Discharge Agreement shall be made for the discharge of sewage which contains water that has originated from a source separate from the municipal water supply system.
  - b. This agreement shall be in the form as Schedule 'D' and, upon a recommendation from the Director, the municipality is authorized to execute such agreements under the authority of By-law 05-105.
- 6.4 No person who has entered into an agreement with the municipality shall be prosecuted under Section 2 of this By-law for the discharge or deposit of any matter 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 7 – Compliance Program**

- 7.1 A compliance program may be issued as set out in subsections 7.2 to 7.5 inclusive for the discharge of a non-complying effluent during the period of planning, design, construction or installation of facilities to eliminate the non-compliance.
- 7.2 The owner or operator of industrial premises may submit to the Director a compliance program to prevent or to reduce and control the discharge or deposit of matter into or in land drainage works, private branch drains or connections to any sanitary sewer or combined sewer from the premises.
- 7.3 The owner or operator of industrial premises may submit to the Director a compliance program to prevent or to reduce and control the discharge or deposit of uncontaminated water or storm water or eliminate the discharge or deposit of matter into or in land drainage works, private branch drains or connections to any storm sewer from the premises.
- 7.4 The Director may issue an approval for a compliance program to the person who submitted the program.
- 7.5 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 matter, uncontaminated water or storm water to which it relates. The final activity completion date shall not be later than the final compliance date in the compliance program.
- 7.6 The compliance program shall be in the form of Schedule 'E', or in another form approved by the Director, and upon recommendation of Director, the municipality is authorized to execute such compliance programs under the authority of this By-law.
- 7.7 A person to whom a compliance program has been issued shall submit a compliance program progress report to the municipality's Manager of Environmental Protection Division within 14 days after the scheduled completion date for each activity listed in the compliance program.
- 7.8 The compliance program progress report shall be in the form of Schedule 'F', or in another form approved by the Director.
- 7.9 A person to whom a compliance program has been issued shall not be prosecuted under Sections 2, 3 or 4 of this By-law for the discharge or deposit of any matter 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 person complies fully with the compliance program.

## **Section 8 – Sampling and Analyses**

- 8.1 When 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 in accordance with approved sampling methods as adopted by the City from time to time.

- b. All tests, measurements and analyses of sewage, uncontaminated water or storm water required by the By-law shall be carried out in accordance with the procedures, modified or unmodified, as described in Standard Methods or analytical methods adopted and approved by the Manager of Environmental Protection Division.
- c. For each one of the following metals: aluminium, antimony, arsenic, bismuth, cadmium, chromium, cobalt, copper, iron, lead, manganese, mercury, molybdenum, nickel, selenium, silver, tin, titanium, vanadium, zirconium and zinc whose concentration is limited in Tables 1 and 2 of Schedule 'H', the analysis shall be for the quantity of total metal, which includes all metal both dissolved and particulate.

## **Section 9 – Spills**

- 9.1 Every person who discharges or deposits or causes or permits the discharge 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 responsible for operating the sewage works and receiving the discharge or deposit.
- 9.2 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 City responsible for managing the land drainage works or storm sewer.
- 9.3 Every person who discharges or deposits or causes or permits the discharge or deposit of any of the items listed in sub-clauses 2.1.2.i. or 2.1.2.k. into or in land drainage works, private branch drains or connections to any sanitary sewer or combined sewer shall, forthwith notify the City responsible for operating the sewage works and receiving the discharge or deposit.
- 9.4 Every person who discharges or deposits or causes or permits the discharge or deposit of any of the items listed sub-clauses 3.1.2.g. or 3.1.2.h into or in land drainage works, private branch drains or connections to any storm sewer shall forthwith notify the municipality managing the land drainage works or storm sewer.
- 9.5 For any of the discharges or deposits in subsections 9.1, 9.2., 9.3. and 9.4, for which the person is required to forthwith notify the municipality, the notification shall include the following information:
  - a. name of the person and the address of the 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.
- 9.6 Within five days following a discharge or deposit to which subsection 9.5 applies, the person shall submit to the City a detailed written report describing the cause of the spill and the actions taken or to be taken to prevent a recurrence.

## **Section 10 – Pollution Prevention Planning**

- 10.1 The Director may require the owner or operator of industrial, commercial and/or institutional premises with one or more connections to a sewage works to prepare a pollution prevention plan and submit to the Director a plan summary with respect to the premises within 90 days of written notification.
- 10.1.1 For the purpose of Section 10, a plan refers to a pollution prevention plan as prepared in accordance with this subsection 10.3.
- 10.1.2 For the purpose of Section 10, a plan summary refers to a summary of the pollution prevention plan as prepared in accordance with subsection 10.4
- 10.2 Two years after a plan summary is approved the Director may require the owner or operator to revise and update the pollution prevention plan and the plan summary.
- 10.3 Each plan shall be in the form designated by the Director for that purpose from time-to-time.
- 10.3.1 In addition to any other matter or requirement designated by the City, and notwithstanding subsection 10.3.2., 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.
  - 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.
- 10.3.2 The City may designate a different form for the plan with respect to any class of industrial, commercial or institutional premises.

- 10.4 The plan summary shall be in the form designated by the Director for that purpose from time to time.
- 10.4.1 In addition to any other matter or requirement designated by the Director, and notwithstanding subsection 10.4.2., each plan summary 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.
  - c. A list of the subject pollutants present at the premises at any stage of the operations of the premises.
  - d. A declaration from an authorized person that the content of the plan summary is, to the best of that person's knowledge, true, accurate and complete.
- 10.4.2 The Director may designate a different form for the plan summary with respect to any class of industrial, commercial or institutional premises.
- 10.5 In the event that an Owner/Operator submitting a plan summary is not sent written notice from the Director that its plan summary has not been approved by the Director within 90 days of the Owner/Operator delivering the plan summary to the Director, the plan summary shall be deemed to have been approved by the Director.
- 10.6 Where an Owner/Operator receives notice from the Director that its plan summary has not been approved, the premises shall have 90 days to amend and resubmit its plan summary to the Director for approval in accordance with this bylaw.
- 10.7 In the event that a plan summary, which has been re-submitted to the Director in accordance with subsection 10.6. continues to fail to comply with the requirements of this bylaw, the Director shall so notify the Owner/Operator, and the premises shall be deemed to be in contravention of subsection 10.1 of this bylaw and shall continue to be in contravention of this bylaw until such time as the Director approves of an amended plan summary resubmitted by the premises, in accordance with this bylaw.
- 10.8 A copy of the pollution prevention plan and plan summary shall be kept at all times at the premises in respect to which it was prepared and shall be available for inspection by the Director at any time.

## **Section 11 – General**

- 11.1 The owner or operator of industrial, commercial and/or institutional premises with one or more connections to a sewage works shall install and maintain in good repair in each connection a suitable monitoring manhole or other monitoring point approved by the City to allow observation and sampling of sewage, uncontaminated water or stormwater and measurement of the flow of sewage, uncontaminated water or stormwater therein, provided that where installation of a monitoring manhole is not possible, an alternative device or facility may be substituted with the written approval of the Director.
- 11.2 The monitoring manhole or alternate device shall be located on the property of the owner or operator of the premises, unless the Director has given written approval for a different location.

- 11.3 Every monitoring manhole, device or facility installed as required by subsection 11.2 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/her expense.
- 11.4 The owner or operator of industrial premises shall at all times ensure that every monitoring manhole, device or facility installed as required by subsection 11.2 is at all times accessible for purposes of observing and sampling the sewage, uncontaminated water or storm water, and measuring the flow of sewage, uncontaminated water or storm water therein.
- 11.5 The municipality may require the owner or operator of industrial premises to install and maintain devices to monitor sewage, uncontaminated water or stormwater discharges and to submit regular reports regarding the discharges to the municipality.
- 11.6 For the purpose of the administration of this By-law, an inspector may, for the purpose of carrying out observations and inspections, enter in or upon any land or premises, except land or premises being used as a dwelling, at any time without a warrant, and may take such tests and samples as are necessary for the purposes of the inspection.
- 11.7 No person shall prevent, hinder, obstruct or interfere in any way with the Director or an inspector, bearing proper credential 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/she deems necessary; or
  - c. inspecting or observing any plant, machinery, equipment, work or activity for the purposes of administering or enforcing this By-law.
- 11.8 No person shall break, alter, damage, destroy, deface or tamper or cause or permit the breaking, damaging, destroying, defacing or tampering with:
- a. any part of a sewage works; or
  - b. any permanent or temporary device installed in a sewage works for the purpose of measuring, sampling and testing of sewage, uncontaminated water or stormwater.
- 11.9
- a. The agreement contemplated by Section 6 may be terminated by the City on 30 days written notice if the discharge of any matter covered by such agreement is causing a contravention of subsection 2.1.
  - b. The compliance program contemplated by Section 6 may be terminated by the City on 30 days written notice if the discharge or deposit of matter, uncontaminated water or stormwater covered by such compliance program is causing a contravention of subsection 2.1 or 3.1.
- 11.10 The agreement contemplated by Section 6 and the compliance program contemplated by Section 7 may be terminated by the City 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, or waters.
- 11.11 Unauthorized Entry to Sewage Works: Unless specifically authorized by the Director, no person shall enter any sewage works.

- 11.12 No person shall install or operate within the City, any garbage shredding or grinding device for industrial, commercial, institutional or multi-residential purposes, the effluent from which will discharge directly or indirectly into the sewage works without fully complying with the conditions set out in this By-law.
- 11.13 Every owner or operator of a premises from which dental waste amalgam may be discharged, which waste may directly or indirectly enter a sewer, shall install, operate and properly maintain dental waste amalgam separator(s) in accordance with Ontario Regulation 196/03 made under the Dentistry Act.
- 11.14 All interceptors or traps for the removal oil, grease and solids must be maintained by the owner, at the owner's expense, in good working order. The owner shall produce maintenance records for the preceding eighteen month period upon request by the municipality. The municipality shall have the right to enter upon the premises at any time to inspect the operation and maintenance of an interceptor.

## **Section 12 – Offences**

- 12.1 Every person 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 \$10,000, for a first offence and \$25,000, for any subsequent conviction.
- 12.2 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 \$50,000, for a first offence and \$100,000, for any subsequent conviction.
- 12.3 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.

## **Section 13 – Repeal and Effective Date**

- 13.1 By-law 05-104 "To regulate the discharge of sewage and land drainage in the City of Peterborough Area" is hereby repealed on the date this By-law comes into effect.
- 13.2 Notwithstanding subsection 13.1, any agreement entered into by the municipality or a program approval issued by the Director pursuant to the provisions of By-law 05-104 as amended, provided that such agreement was in effect immediately prior to the passage of this By-law and further provided that the owner or operator was not in breach of such agreement, remains in effect in accordance with its terms and conditions.
- 13.3 This By-law comes into effect on the date it receives third reading.

## **Section 14 – Short Title**

- 14.1 This By-law may be referred to as the "Sewer By-law".

By-law read a first, second and third time and passed this 27<sup>th</sup> day of April, 2015.

(Sgd.) Daryl Bennett, Mayor

(Sgd.) John Kennedy, City Clerk

## **Schedule 'A' to By-law 15-075 - Best Management Practices (BMP) Plan**

A Best Management Practices Plan is a plan agreed to by the City with guidance from the Ontario Ministry of the Environment and Climate Change and is developed for activities which are associated with or ancillary to industrial manufacturing or treatment processes. The ancillary sources addressed in a BMP plan are material storage areas; loading and unloading areas; plant site runoff; in-plant transfer, process, and material handling areas; and sludge and hazardous waste disposal areas. In general, the BMP Plan will include practices used by industry for pollution control from these sources, safety programs, fire protection, protection against loss of valuable raw materials or products, etc. The following elements must be included in a BMP Plan:

### **General**

1. Name and location of facility
2. Statement of BMP policy and objectives
3. Review by plant manager

### **Specific**

1. Establishment of BMP Committee
2. Risk Identification and Assessment
3. Reporting of BMP Incidents
4. Materials Compatibility
5. Good Housekeeping
6. Preventive Maintenance
7. Inspection and Records
8. Security
9. Employee Training

By-law 15-075, 27 April, 2015; Schedule 'A'

## Schedule 'B' TO BY-LAW 15-075 - Industrial Sectors

<b>NAICS</b>	<b>Industrial Category</b>
212299	All Other Metal Ore Mining
213114	Support Activities for Metal Mining
213115	Support Activities for Non-metallic Minerals (except Fuels)
212399	All Other Non-metallic Mineral Mining
23561	Roofing, Siding, and Sheet Metal Contractors
337124	Metal Household Furniture Manufacturing
337125	Household Furniture (except Wood and Metal) Manufacturing
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing (pt)
212399	All Other Non-metallic Mineral Mining
327999	All Other Miscellaneous Non-metallic Mineral Product Manufacturing (pt)
331112	Electrometallurgical Ferroalloy Product Manufacturing
331419	Primary Smelting and Refining of Nonferrous Metal
331492	Secondary Smelting, Refining, and Alloying of Nonferrous Metal (except Copper and Aluminium)
331491	Nonferrous Metal (except Copper and Aluminium) Rolling, Drawing, and Extruding (pt)
332811	Metal Heat Treating
332431	Metal Can Manufacturing
332439	Other Metal Container Manufacturing
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing (pt)
332439	Other Metal Container Manufacturing
332919	Other Metal Valve and Pipe Fitting Manufacturing
332998	Enamelled Iron and Metal Sanitary Ware Manufacturing
332919	Other Metal Valve and Pipe Fitting Manufacturing
332312	Fabricated Structural Metal Manufacturing
332321	Metal Window and Door Manufacturing
33242	Metal Tank (Heavy Gauge) Manufacturing
332322	Sheet Metal Work Manufacturing
332439	Other Metal Container Manufacturing
332323	Ornamental and Architectural Metal Work Manufacturing
332311	Prefabricated Metal Building and Component Manufacturing
332312	Fabricated Structural Metal Manufacturing
332321	Metal Window and Door Manufacturing
332323	Ornamental and Architectural Metal Work Manufacturing
33637	Motor Vehicle Metal Stamping
332116	Metal Stamping
332812	Metal Coating, Engraving (except Jewellery and Silverware), and Allied Services to Manufacturers
332919	Other Metal Valve and Pipe Fitting Manufacturing
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing
332117	Powder Metallurgy Part Manufacturing
332439	Other Metal Container Manufacturing
332919	Other Metal Valve and Pipe Fitting Manufacturing
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing
332323	Ornamental and Architectural Metal Work Manufacturing
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing
332439	Other Metal Container Manufacturing
333512	Machine Tool (Metal Cutting Types) Manufacturing
333513	Machine Tool (Metal Forming Types) Manufacturing
333518	Other Metalworking Machinery Manufacturing
42151	Metals Service Centres and Offices
42194	Jewellery, Watch, Precious Stone, and Precious Metal Wholesalers
332813	Electroplating, Plating, Polishing, Anodizing, and Colouring
334412	Bare Printed Circuit Board Manufacturing
334416	Electronic Coil, Transformer, and Other Inductor Manufacturing
44711	Gasoline Stations with Convenience Store
44719	Other Gasoline Stations
811121	Automotive Body, Paint, and Interior Repair and Maintenance



811112	Automotive Exhaust System Repair
811198	All Other Automotive Repair and Maintenance
811113	Automotive Transmission Repair
811111	General Automotive Repair
811118	Other Automotive Mechanical and Electrical Repair and Maintenance
811191	Automotive Oil Change and Lubrication Shops
812921	Photo finishing Laboratories (except One-Hour)
812922	One-Hour Photo finishing
62121	Offices of Dentists
62211	General Medical and Surgical Hospitals
62221	Psychiatric and Substance Abuse Hospitals
62231	Specialty (except Psychiatric and Substance Abuse) Hospitals
621511	Medical Laboratories
339116	Dental Laboratories
54138	Testing Laboratories
81232	Dry-cleaning and Laundry Services (except Coin- Operated)
48821	Support Activities for Rail Transportation
485999	All Other Transit and Ground Passenger Transportation
48541	School and Employee Bus Transportation
48711	Scenic and Sightseeing Transportation, Land
485991	Special Needs Transportation
485999	All Other Transit and Ground Passenger Transportation
48521	Interurban and Rural Bus Transportation
48541	School and Employee Bus Transportation
48849	Other Support Activities for Road Transportation
481111	Scheduled Passenger Air Transportation
481112	Scheduled Freight Air Transportation
481212	Non-scheduled Chartered Freight Air Transportation
481211	Non-scheduled Chartered Passenger Air Transportation
48799	Scenic and Sightseeing Transportation, Other
323117	Books Printing
323114	Quick Printing
323119	Other Commercial Printing
323110	Commercial Lithographic Printing
323111	Commercial Gravure Printing
323112	Commercial Flexographic Printing
323113	Commercial Screen Printing
323119	Other Commercial Printing
323116	Manifold Business Forms Printing
32591	Printing Ink Manufacturing
325188	All Other Basic Inorganic Chemical Manufacturing
325191	Gum and Wood Chemical Manufacturing
32511	Petrochemical Manufacturing
325199	All Other Basic Organic Chemical Manufacturing
32532	Pesticide and Other Agricultural Chemical Manufacturing
325998	All Other Miscellaneous Chemical Product and Preparation Manufacturing
325992	Photographic Film, Paper, Plate, and Chemical Manufacturing
42269	Other Chemical and Allied Products Wholesalers
325211	Plastics Material and Resin Manufacturing
325611	Soap and Other Detergent Manufacturing
325412	Pharmaceutical Preparation Manufacturing
32551	Paint and Coating Manufacturing
32411	Petroleum Refineries
324191	Petroleum Lubricating Oil and Grease Manufacturing
324199	All Other Petroleum and Coal Products Manufacturing
324121	Asphalt Paving Mixture and Block Manufacturing
324122	Asphalt Shingle and Coating Materials Manufacturing
32616	Plastics Bottle Manufacturing
326191	Plastics Plumbing Fixture Manufacturing
326199	All Other Plastics Product Manufacturing
31611	Leather and Hide Tanning and Finishing

316999	All Other Leather Good Manufacturing
316993	Personal Leather Good (except Women's Handbag and Purse) Manufacturing
31321	Broad woven Fabric Mills
31323	Nonwoven Fabric Mills
31332	Fabric Coating Mills
31411	Carpet and Rug Mills
313111	Yarn Spinning Mills
313112	Yarn Texturizing, Throwing, and Twisting Mills
313113	Thread Mills
313221	Narrow Fabric Mills
313241	Weft Knit Fabric Mills
313249	Other Knit Fabric and Lace Mills
313311	Broad woven Fabric Finishing Mills
313312	Textile and Fabric Finishing (except Broad woven Fabric) 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
315119	Other Hosiery and Sock Mills
315191	Outerwear Knitting Mills
315192	Underwear and Nightwear Knitting Mills
811192	Car Washes

NOTES:

NAICS = North American Industrial Classification System

By-law 15-075, 27 April, 2015; Schedule 'B'

**Schedule ‘B1’ TO BY-LAW 15-075 - Waste Survey Report**

**Section 1 – General Information**

(a) Name of Person Submitting Report: \_\_\_\_\_  
(name)

\_\_\_\_\_  
(company name, corporation, owner) (telephone no.)

\_\_\_\_\_  
(postal address) (postal code)

(b) Company Officer responsible for effluent control:

\_\_\_\_\_  
(name) (telephone no.)

(c) Location of Premises:

\_\_\_\_\_  
(number, street, or road, municipality)

The information contained in this report to the best of my knowledge and belief is true, complete and accurate.

\_\_\_\_\_  
(authorized representative)

\_\_\_\_\_  
(title) (date)

**Section 2 – Product or Service Information**

(a) North American Industrial Classification System (NAICS)

_____	_____	_____
_____	_____	_____

(b) Brief description of manufacturing or service activities:

_____
_____
_____

(c) Principal products produced or services rendered:

_____
_____
_____

(d) Number of Employees:

plant: \_\_\_\_\_ office: \_\_\_\_\_

(e) Number of shifts per day: \_\_\_\_\_ Number of days per week: \_\_\_\_\_

(f) Are major processes:

☐ batch      ☐ continuous      ☐ both

If batch, average number of batches per 24-hour day: \_\_\_\_\_

(g) Is the production subject to seasonal variation?

☐ yes      ☐ no

If yes, briefly describe seasonal production cycle:

_____
_____
_____

(h) Is there a special clean-up period?    ☐ yes    ☐ no

If yes, briefly describe clean-up period activities:

_____
_____
_____

**Section 3 – Waste Characteristics**

(a) List all sources of water supply:

(b) Type of waste discharged (check all that apply):

TYPE		AVG. FLOW/DAY (m3/day)	
<input type="checkbox"/> sanitary		<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> non-contact cooling		<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> contact cooling		<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> process		<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> other		<input type="checkbox"/> estimated	<input type="checkbox"/> measured

(c) Wastes are discharged to (check all that apply):

TYPE		AVG. FLOW/DAY (m3/day)	
<input type="checkbox"/> sanitary #1		<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> sanitary #2		<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> storm sewer # 1		<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> storm sewer #2		<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> ground water		<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> surface water		<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> evaporation		<input type="checkbox"/> estimated	<input type="checkbox"/> measured

(attach additional list as necessary)

(d) Expected characteristics of wastes discharged to sanitary and storm sewers  
(complete Pollutant Information Sheets for the discharge of each sewer)

(e) Monitoring point

☐ Manhole

☐ Other

☐ None

**Section 4 – Physical Lay-out**

Layout sketch of property (to scale or approximate) to co-ordinate buildings, pre-treatment works, property boundaries, effluent lines, and sanitary and storm sewer connections. (Number sewers so that they can be related to Pollutant Information Sheets).

**Section 5 – Regulation 347 Information**

For wastes discharged into or in connections to any sanitary sewer or combined sewer or storm sewer.

(a) Generator registration number: \_\_\_\_\_

For wastes discharged into or in connections to any sanitary sewer or combined sewer or storm sewer (complete Section 6 for each sewer)

(a) Description of waste:  
\_\_\_\_\_  
\_\_\_\_\_

(b) Description of generating process:  
\_\_\_\_\_  
\_\_\_\_\_

(c) Primary characteristic:  
\_\_\_\_\_  
\_\_\_\_\_

Analytical data (if applicable):  
\_\_\_\_\_  
\_\_\_\_\_

Waste Class: \_\_\_\_\_ Hazardous Waste Number: \_\_\_\_\_

(d) Secondary characteristic:  
\_\_\_\_\_  
\_\_\_\_\_

Analytical data (if applicable):  
\_\_\_\_\_  
\_\_\_\_\_

**Section 6 – Pre-treatment**

Pre-treatment devices or processes used for treating wastes or sludge before discharge to the sanitary sewer system (check as many as appropriate):

- ☐ Air flotation
- ☐ Centrifuge
- ☐ Chemical precipitation

- ☐ Chlorination
- ☐ Cyclone
- ☐ Filtration
- ☐ Flow Equalization
- ☐ Grease or oil separation, type: \_\_\_\_\_
- ☐ Grease trap
- ☐ Grit Removal
- ☐ Ion Exchange
- ☐ Neutralization, pH correction
- ☐ Ozonation
- ☐ Reverse Osmosis
- ☐ Screening
- ☐ Sedimentation
- ☐ Septic tank
- ☐ Solvent separation
- ☐ Spill protection
- ☐ Sump
- ☐ Biological treatment, type \_\_\_\_\_
- ☐ Rainwater diversion or storage \_\_\_\_\_
- ☐ Other chemical treatment, type \_\_\_\_\_
- ☐ Other physical treatment, type \_\_\_\_\_
- ☐ Other, type \_\_\_\_\_
- ☐ No pre-treatment provided

Section 7 – Pollutant Information Sheet (Controlled Matter)

Information for: ☐ sanitary sewer    ☐ storm sewer number

Indicate by placing an “x “ in the appropriate box for each listed parameter whether it is, “known to be absent” or “known to be present” and the concentration in milligrams per litre if present.

PARAMETER	KNOWN PRESENT	KNOWN ABSENT	CONCENTRATION mg/litre
BOD	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Cyanide	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Fluoride	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
TKN	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
SEM(Animal & Vegetable)	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
SEM(Mineral & Synthetic)	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Phenolics (4AAP)	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Phosphorous (Total)	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Chlorides	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Sulphates	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
TSS	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Aluminium	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Antimony	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Arsenic	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Bismuth	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Cadmium	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Chromium	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Cobalt	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Copper	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Iron	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Lead	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Manganese	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Mercury	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Molybdenum	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Nickel	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Selenium	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Silver	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Tin	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Titanium	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Vanadium	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Zirconium	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Zinc	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Benzene	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Chloroform	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
1,4-dichlorobenzene	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Cis-1,2-dichloroethylene	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Ethyl benzene	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Dichloromethane	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Tetrachloroethylene	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Toluene	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Trichloroethylene	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Xylenes (Total)	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
1,1-Dichloroethylene	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Trans-1,2-dichloroethylene	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Vinyl Chloride	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>
Nonylphenols	<input type="checkbox"/>	<input type="checkbox"/>	<div></div>



PARAMETER	KNOWN PRESENT	KNOWN ABSENT	CONCENTRATION mg/litre
Nonylphenol ethoxylates	<input type="checkbox"/>	<input type="checkbox"/>	_____
reactive wastes	<input type="checkbox"/>	<input type="checkbox"/>	_____
severely toxic materials	<input type="checkbox"/>	<input type="checkbox"/>	_____
waste radioactive material	<input type="checkbox"/>	<input type="checkbox"/>	_____
ignitable wastes	<input type="checkbox"/>	<input type="checkbox"/>	_____
pathological wastes	<input type="checkbox"/>	<input type="checkbox"/>	_____
PCB wastes	<input type="checkbox"/>	<input type="checkbox"/>	_____
pesticides	<input type="checkbox"/>	<input type="checkbox"/>	_____
acute hazardous waste chemicals	<input type="checkbox"/>	<input type="checkbox"/>	_____
fuels	<input type="checkbox"/>	<input type="checkbox"/>	_____
hazardous industrial wastes	<input type="checkbox"/>	<input type="checkbox"/>	_____
hazardous waste chemicals	<input type="checkbox"/>	<input type="checkbox"/>	_____

By-law 15-075, 27 April, 2015; Schedule ‘B1’

**Schedule ‘B2’ to By-law 15-075 - Waste Survey Report Short Form**

**Section 1 – General Information**

(a) Name of Person Submitting Report: \_\_\_\_\_  
(name)

\_\_\_\_\_  
(company name, corporation, owner) (telephone no.)

\_\_\_\_\_  
(postal address) (postal code)

(b) Company Officer responsible for effluent control:

\_\_\_\_\_  
(name) (telephone no.)

(c) Location of Premises:

\_\_\_\_\_  
(number, street, or road, municipality)

The information contained in this report to the best of my knowledge and belief is true, complete and accurate.

\_\_\_\_\_  
(authorized representative)

\_\_\_\_\_  
(title) (date)

**Section 2 - Product or Service Information**

(a) North American Industrial Classification System (NAICS)

_____	_____	_____
_____	_____	_____
_____	_____	_____

(b) Brief description of manufacturing or service activities:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(c) Principal products produced or services rendered:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Section 3. Waste Characteristics

(a) List all sources of water supply:

(b) Type of waste discharged (check all that apply):

TYPE		AVG. FLOW/DAY (m3/day)	
<input type="checkbox"/> sanitary	<div></div>	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> non-contact cooling	<div></div>	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> contact cooling	<div></div>	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> process	<div></div>	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> other	<div></div>	<input type="checkbox"/> estimated	<input type="checkbox"/> measured

(c) Wastes are discharged to (check all that apply):

TYPE		AVG. FLOW/DAY (m3/day)	
<input type="checkbox"/> sanitary sewer	<div></div>	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> storm sewer	<div></div>	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> ground water	<div></div>	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> surface water	<div></div>	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> evaporation	<div></div>	<input type="checkbox"/> estimated	<input type="checkbox"/> measured

(attach additional list as necessary)

By-law 15-075, 27 April, 2015; Schedule ‘B2’

## Schedule 'C' to By-law 15-075 – Industrial Waste Surcharge Agreement

This Agreement made this \_\_\_\_\_ day of \_\_\_\_\_ A.D. \_\_\_\_\_

### Between:

The Corporation of the City of Peterborough  
(hereinafter called the "City")

and

\_\_\_\_\_  
(hereinafter called the "Company")

### Recitals

- A. The City of Peterborough enacted By-law No.15-075 on the 27th day of April, A.D., 2015 relating to the discharge of sewage and land drainage in the City of Peterborough area, hereinafter referred to as "the By-law".
- B. The said By-law prohibits the discharge or deposit of sewage containing certain substances in quantities in excess of the limits set by the By-law but provides that the City may permit the discharge of sewage which would otherwise be prohibited by the said By-laws 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.
- C. A person who has entered into such an agreement shall not be prosecuted under the By-laws for discharge or deposit of sewage in accordance with the terms of the agreement.
- D. The Company carries on an industrial activity within the City at the premises known as \_\_\_\_\_ which activity produces a sewage discharge in which the quantity of one or more of Suspended Solids, Biochemical Oxygen Demand (hereinafter referred to as B.O.D.), or Phenolic Compounds, is above the permissible limits set out in the said By-law which results in materially adding to the cost of treatment at the municipal sewage works.

**Now therefore** the parties hereto mutually covenant and agree as follows:

- 1.1 During the currency of this agreement the Quantity of Sewage Discharged by the Company from its premises at \_\_\_\_\_ to the sanitary sewer or combined sewer system shall not exceed \_\_\_\_\_ cubic metres per day and the rate of such discharge of sewage from the said premises shall not exceed \_\_\_\_\_ cubic metres per hour.
- 1.2 In calculating the quantity of sewage for the purposes of this agreement, stormwater shall be excluded.
- 2.1 During the currency of this agreement only, the quality of the sewage discharged by the Company from the said premises to the sanitary sewer or combined sewer system may exceed the limits set by the by-law with respect to the quantity of Suspended Solids, B.O.D., or Phenolic Compounds, provided that they shall not exceed the following limits at any time.

- a. Suspended Solids \_\_\_\_\_ milligrams/litre
  - b. B.O.D. \_\_\_\_\_ milligrams/litre
  - c. Phenolic Compounds \_\_\_\_\_ milligrams/litre
- 3.1 The discharge of sewage by the Company from the said premises containing Suspended Solids, B.O.D., or Phenolic Compounds, in excess of the above limits shall constitute a contravention of this agreement and thus a contravention of the By-Law.
- 4.1 In determining the quality of sewage for the purposes of this agreement, the volume of any stormwater or any water which is required to be deducted for the purposes of Section 6 of By-law No. 15-075 shall be deducted and Standard Methods as defined in the By-law shall be used.
- 5.1 This agreement shall remain in force from \_\_\_\_\_ until December 31<sup>st</sup> \_\_\_\_\_ and be automatically renewed on January 1<sup>st</sup>, \_\_\_\_\_ and annually thereafter, on the same terms unless a new agreement is reached or this agreement is terminated as hereinafter provided.
- 6.1 This agreement may be terminated by the municipality at any time on 30 days written notice sent by registered mail addressed to the Company at the said premises, if:
- a. The sewage is causing a health or safety hazard to a sewage works employee; or
  - b. The sewage is causing damage to the sewers, materially increasing their maintenance costs or causing a dangerous condition; or
  - c. The sewage is causing damage to the sewage treatment process or causing a dangerous condition in the treatment works; or
  - d. The sewage is causing the biosolids from the sewage works, to fail to meet criteria relating to contaminants for spreading the Non-Agricultural source Material on agricultural lands under Ontario's Nutrient Management Act or any regulation made thereunder as amended from time to time;
  - e. The sewage is causing the sewage works effluent to contravene any requirement by or under the Ontario Water Resources Act or the Environmental Protection Act (Ontario); or
  - f. The sewage is causing a hazard to any person, animal, property, or vegetation; or
  - g. The sewage is contrary to the said By-laws in any way other than as provided herein.
- 7.1 This agreement may be terminated by the City at any time where there is an emergency situation of immediate threat or danger to any person, property, plant or animal life, or waters.
- 8.1 This agreement may be terminated by the Company at any time on three (3) months written notice sent by registered mail addressed to the Clerk of the Municipality.
- 9.1 In the event of a renewal if the City gives written notice sent by registered mail to the Company as aforesaid at any time within thirty (30) days before or after the start of each calendar year, that the amount of the fee or any of the limits

herein before set out are to be changed and no new agreement can be reached between the City and the Company, this agreement may be terminated at the option of the City at any time without notice ninety (90) days after the registered notice was sent.

- 10.1 Except as herein otherwise expressly provided the company shall conform to the provisions of the said by-law of the City relating to the discharge of sewage and in the event of termination of this agreement the Company shall conform to the provisions of the said By-law.
- 11.1 The Company hereby covenants and agrees to pay to the City of Peterborough a fee based on an average excess \_\_\_\_\_ of \_\_\_\_\_ milligrams/litre, an estimated annual plant discharge of \_\_\_\_\_ cubic metres, and at a treatment cost set by Council on a year to year basis.
- 11.2 The said fee shall become due and be paid quarter yearly on the last days of March, June, September and December in each year of any renewal until terminated as herein provided. The fee payable for the period \_\_\_\_\_ to December 31, \_\_\_\_\_ shall be (\$ \_\_\_\_\_), payable in quarter yearly instalments of (\$ \_\_\_\_\_).
- 12.1 The Company covenants and agrees to pay to the City of Peterborough on demand interest on overdue amounts at the prime rate existing for the day on which such amount is due and calculated from such date to the date of payment.
- 12.2 In Subsection 12.1 “prime rate” means the lowest rate of interest quoted by chartered banks to the most creditworthy borrowers for prime business loans as determined and published by the Bank of Canada in the periodic publication entitled the Bank of Canada Review.
- 13.1 The City of Peterborough may terminate this agreement at its option without notice if the Company fails for more than two months to pay an overdue amount but such termination shall not relieve the Company from its liability to make such payment.
- 14.1 Where the Company has substantially reduced the quantity of the substances discharged under the terms of this agreement by reason of the installation of pre-treatment facilities or a change in its processes or operations, the Company shall be entitled to a reduction in the charge so that the payments shall be based on the reduced quantity discharged.
- 14.2 Provided that the effective date for the reduction in the amount of the charge shall be on the first day following a complete calendar month from the date the Company notifies the municipality in writing of the change, and the municipality shall have such additional time as may be necessary in the circumstances to take samples and re-evaluate the quantity of the waste being discharged. If such samples indicate that the Company has reduced its waste by more than 10 percent, under the terms of this agreement, the amount of the charge will be adjusted retroactive to the effective date mentioned above.
- 14.3 Where it is determined that the quantity of the substances discharged under the terms of this agreement has increased by more than 10%, the City of Peterborough shall be entitled to increase the charge so that payments shall be based on the increased quantity discharged.
- 14.4 An increase under Subsection (3) shall not take effect until the City of Peterborough notifies the Company in writing of the increase in the amount of the charge, and the effective date of the increase.
- 15.1 This agreement shall enure to the benefit of, and be binding upon the heirs, executors, administrators, successors and assigns of the parties hereto.

16.1 This agreement has been reviewed and is acceptable to The Corporation of the City of Peterborough.

**In witness whereof** the parties have affixed their Corporate Seals attested to by the hands of their respective proper officers

Signed, Sealed and Delivered in the presence of:

**The Corporation of the City of Peterborough**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

The Company

By: \_\_\_\_\_

Position: \_\_\_\_\_

By: \_\_\_\_\_

Position: \_\_\_\_\_

I/We have authority to bind the corporation.

By-law 15-075, 27 April, 2015; Schedule ‘C’

## Schedule 'D' to By-Law 15-075 – Sanitary Discharge Agreement

This agreement made this \_\_\_\_\_ day \_\_\_\_\_ of A.D. \_\_\_\_\_

### Between:

The Corporation of the City of Peterborough  
(hereinafter called the "City")

and

\_\_\_\_\_  
(hereinafter called the "Company")

### Recitals

- A. The Council of the City of Peterborough on the 24th day of May, A.D. 2005, passed By-law No. 05-105 to regulate the discharge of water obtained from a private waterworks system into the sewer system and to charge a rate therefore.
- B. The Company at its premises situate at \_\_\_\_\_ (the "premises") obtains water from a private waterworks system (the "water") and discharges the water into a sanitary sewer or combined storm and sanitary sewer (the "sewer") which directly or indirectly enters into the City sewer system.

**Now therefore** the parties hereto mutually covenant and agree as follows:

- 1.1 During the term of this agreement the Company may discharge the water from its premises into the sewer.
- 2.1 The Company shall pay to the City, as hereinafter provided, an amount calculated by multiplying the volume of the water discharged by the rate.
- 3.1 The rate shall be the rate established from time to time by By-law 05-105 and amendments thereto.
- 4.1 If the Company has installed a flow measuring device or meter, satisfactory to the Director indicating the volume of water discharged, the volume of the water discharged into the sewer shall be the volume measured by the device or meter.
- 4.2 The Company shall provide to the Director, Utility Services Department, 500 George Street North, Peterborough, Ontario, K9H 3R9, a statement setting forth the reading on such flow measuring device or meter on each of the last days of March, June, September and December in each year within seven (7) days of such reading.
- 5.1 If the Company has not installed a flow measuring device or meter, for the measurement of the volume of water discharged, the parties agree that the volume of water discharged into the sewer shall be deemed to be the volume agreed to in writing from time to time. The parties agree that, as of the date of this agreement, the volume of water discharged into the sewer shall be deemed to be \_\_\_\_\_.
- 5.2 The parties understand and agree that the volume of water in clause 5.1 is estimated only and that a greater or lesser volume of water discharged in any calendar month shall not affect the amount to be paid by the Company under clause 2.1 except as hereinafter provided.



- 5.3 Where it is established to the satisfaction of the Director, Utility Services Department for the City of Peterborough that the volume of water discharged by the Company in any quarter year is:
- a. more than 10% greater than the volume of water specified in clause 5.1, the Company shall pay to the City at the time of the next quarter yearly payment following the date the Director is so satisfied, an amount equal to the difference between the volume of water discharged and the volume of water specified in clause 5.1 multiplied by the rate, or
  - b. more than 10% less than the volume of water specified in clause 5.1, the Company shall be credited with and deduct from the next quarter yearly payment following the date the Director is so satisfied, an amount equal to the difference between the volume of water specified in clause 5.1 and the volume of water discharged multiplied by the rate.
- 5.4 The Company covenants and agrees to notify the Director of any increase or decrease in the volume of water discharged which is more than 10% greater or lesser than the volume set forth in clause 1.1.
- 6.1 If the Company is discharging the water into the sewer on a batch basis and reporting the volume of discharge each time such a discharge occurs the parties agree that the reported volume, subject to verification from time to time, shall be deemed to be the volume of water discharged.
- 6.2 The City shall calculate the amounts payable under clause 2.1 for each quarter year based upon the reported volume and invoice the Company accordingly.
- 7.1 The Company covenants and agrees that the Director or his authorized representative, may enter the premises at any time for the purpose of carrying out inspections and may take such tests and samples as are necessary for the purposes of the inspection.
- 8.1 The Company covenants and agrees upon request of the Director to provide operating data and production records as are necessary for the purpose of determining the volume of the water discharged.
- 9.1 The Company covenants and agrees to pay to the City the amounts calculated under clause 2.1:
- a. where the Company has not installed a flow measuring device or meter, quarter yearly in arrears on the last business days of March, June, September and December in each year or
  - b. where the Company has installed a flow measuring device or meter, within 14 days of the date of the invoice under clause 4.3, provided that if the Company fails to provide a statement under clause 4.2 or the City fails to provide an invoice under clause 4.3, the payment shall be due 35 days after the last day of March, June, September and December in each year.
  - c. where the Company is discharging the water into the sewer on a batch basis, within 14 days of the date of the invoice under clause 6.2, provided that if the City fails to provide an invoice under clause 6.2, the payment shall be due 35 days after the last day of March, June, September and December in each year.
- 10.1 The Company covenants and agrees to pay to the City on demand interest at the prime rate on the day on which such amount is due and calculated from such date to the date of payment.

- 10.2 In clause 10.1 “prime rate” means the lowest rate of interest quoted by chartered banks to the most creditworthy borrowers for prime business loans as determined and published by the Bank of Canada in the periodic publication entitled the Bank of Canada Review.
- 11.1 This agreement shall remain in force from, \_\_\_\_\_ until December 31, \_\_\_\_\_ and be automatically renewed on January 1, \_\_\_\_\_ and annually thereafter, on the same terms unless a new agreement is reached or this agreement is terminated as hereinafter provided.
- 12.1 This agreement may be terminated by the company at any time on two months’ written notice sent by registered mail addressed to the City Clerk.
- 13.1 This agreement may be terminated by the City at any time on a days’ written notice personally delivered to the Company at the said premises, where there is an emergency situation of immediate threat or danger to any person, property, plant or animal life, or water.
- 14.1 The City may terminate this agreement upon 15 days’ notice at any time after an amount owing hereunder is overdue for more than one month, provided that such overdue amount is not paid within such 15- day period.
- 15.1 Except as herein otherwise expressly provided, the Company shall conform to the provisions of By-law No.05-105 relating to the discharge of sewage and land drainage in the Peterborough area.
- 16.1 Notice hereunder may be given by either party to the other by:
- a. Personal delivery to the address of the other party as below described, or
  - b. Prepaid registered mail addressed to the other party as below described.
- 16.2 The address for service of the City is:
- City Clerk  
City Hall  
500 George Street North  
Peterborough, Ontario K9H 3R9
- or such other address as the City may advise in writing from time to time.
- 16.3 The address for service of the Company is:
- or such other address as the Company may advise in writing from time to time.
- 17.1 In the event of the termination of this agreement, the Company shall conform to the provisions of By-law No. 05-105 and any amendments thereto.
- 18.1 This agreement shall enure to the benefit of, and be binding upon the successors and assigns of the Company.

**In witness whereof** the parties have affixed their Corporate Seals attested to by the hands of their respective proper officers

Signed, Sealed and Delivered in the presence of:

**The Corporation of the City of Peterborough**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

By: \_\_\_\_\_

Position: \_\_\_\_\_

By: \_\_\_\_\_

Position: \_\_\_\_\_

I have authority to bind the corporation.

By-law 15-075, 27 April, 2015; Schedule ‘D’

Schedule ‘E’ to By-law 15-075 - Letter of Compliance Program

LETTERHEAD

Address: Date:

Attention of:

Compliance Program Number:

In accordance with the provision of Section 6 of the City of Peterborough By-law 15-075, you are hereby granted a compliance program subject to the following conditions:

1. During the period covered by this compliance program only, the quality of the \_\_\_\_\_ (sewage, uncontaminated water or stormwater) discharged by your Company from the said premises to the \_\_\_\_\_ (sanitary, combined or storm) sewer system may exceed the limits set by By-law 15-075 with respect to the parameters listed below provided that they shall not exceed the following limits at any time:

	Parameter	Limit (mg/Litre)
(a)		
(b)		
(c)		
(d)		
(e)		
(f)		

2. The discharge of \_\_\_\_\_ (sewage, uncontaminated water or stormwater) by your company from the said premises containing the parameters listed in Item 1 in excess of the limits listed in Item 1 shall constitute a contravention of this compliance program and thus a contravention of the said By-law.

3. The compliance program may be terminated at any time on 30 days written notice sent by registered mail addressed to the Company at the said premises, if:
- a. The sewage is causing a health or safety hazard to a sewage works employee; or
  - b. The sewage is causing damage to the sewers, materially increasing their maintenance costs or causing a dangerous condition; or
  - c. The sewage is causing damage to the sewage treatment process or causing a dangerous condition in the treatment works; or
  - d. The sewage is causing the biosolids from the sewage works, to fail to meet the criteria relating to contaminants for spreading of Non-Agricultural source Material on agricultural lands under Ontario’s Nutrient Management Act or any regulation made thereunder as amended from time to time; or
  - e. The sewage is causing the sewage works effluent to contravene any requirement by or under the Ontario Water Resources Act or the Environmental Protection Act (Ontario); or
  - f. The sewage is causing a hazard to any person, animal, property, or vegetation: or
  - g. The sewage is contrary to By-law 15-075 in any way other than as provided herein.
4. The compliance program may be terminated at any time where there is an emergency situation of immediate threat or danger to any person, property, plant or animal life, or waters.
5. This compliance program shall remain in force until \_\_\_\_\_ provided the following timetable is adhered to:

COMPLIANCE PROGRAM ACTIVITIES	SCHEDULED COMMENCEMENT DATE	SCHEDULED COMPLETION DATE
a. Select Engineer		
b. Engineering Investigation of Plant Conditions (Industrial Process Review & Wastewater Characterization)		
c. Select Treatment Process & Design Criteria (Treatability Studies)		
d. Detailed Design of Treatment System (Plans & Specifications)		
e. Select Contractor For Installation/ Construction		
f. Commence Construction		

COMPLIANCE PROGRAM ACTIVITIES	SCHEDULED COMMENCEMENT DATE	SCHEDULED COMPLETION DATE
g. Pre-treatment System Start Up		
h. Preparation of Operations Manual		
i. Operator Training		

6. You must, however, take all necessary steps to ensure that all other conditions and parameters listed in the By-law are not exceeded, as there are no other exemptions.
7. You must acknowledge your acceptance of this compliance program by returning a signed copy of this letter of compliance program within 30 days of your receipt of the letter.
8. This Compliance Program has been reviewed and is acceptable to The Corporation of The City of Peterborough.

Manager, Environmental Protection Services

City Official

Authorized Representative

Company Name

By-law 15-075, 27 April, 2015; Schedule ‘E’

## Schedule 'F' to By-Law 15-075 - Compliance Program Progress Report

COMPANY NAME:

ADDRESS:

DATE SUBMITTED:

AUTHORIZED REPRESENTATIVE:

1. Compliance program activity description:

2. Scheduled completion date for above activity:

3. Activity completed on schedule? YES ☐ NO ☐

4. If not on schedule, indicate anticipated completion date:

5. State reason for delay, if applicable:

6. What action has been initiated to return project to original schedule?

\* Report to be submitted to the Manager, Environmental Protection Services within 14 days after scheduled completion of each activity listed in the Compliance Program.

By-law 15-075, 27 April, 2015; Schedule 'F'

**Schedule 'G' to By-Law 15-075 – Temporary Sanitary Discharge  
Agreement Form**

**This agreement** made this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

**Between:**

**The Corporation of the City of Peterborough**  
hereinafter called the "City"

and

\_\_\_\_\_  
hereinafter called the "Owner"

**Recitals**

- A. The Council of the City of Peterborough on the 27th day of April, 2015 passed By-law 15-075, to regulate the discharge of uncontaminated water from a foundation drain collected by an existing sump pump system or an existing gravity system into the sanitary sewer system, for a specified period of time.
- B. The Owner, at its premises situate at \_\_\_\_\_, (the "Premises") has an existing sump pump system or an existing gravity system that collects uncontaminated ground water and discharges the same to the surface of the ground, which discharge is creating safety problems and/or causing a nuisance on the Premises and/or on the adjacent public road allowance during certain times of the year;

**Now therefore** the parties mutually covenant and agree as follows:

1. During the term of this agreement, the Owner may discharge uncontaminated ground water from the Premises into the sanitary sewer.
2. The Owner shall, during the term of this agreement, undertake to connect the discharge of uncontaminated ground water to the storm sewer located in the public road allowance at the earliest reasonable opportunity, under terms and conditions to be prescribed by the Director of Utility Services for the City. (The City shall reimburse the Owner for the cost of all plumbing and drain laying work associated with this undertaking, upon its completion to the satisfaction of the Director of Utility Services.)\*
3. This agreement shall remain in force from \_\_\_\_\_, until \_\_\_\_\_. On or before the expiry of this agreement, the Owner shall disconnect the discharge of uncontaminated ground water from the sanitary sewer.
4. Except as herein expressly provided, the Owner shall conform to all of the provisions of By-law 15-075, relating to the discharge of sewage and land drainage in the Peterborough area.
5. This agreement shall enure to the benefit of, and be binding upon, the Owner and their heirs, executors, administrators, successors and assigns.



Signed, Sealed & Delivered in the presence of:

**The Corporation of the City of Peterborough**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

The Owner

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Owner

\*This sentence to be included if the City has agreed to reimburse the Owner.

By-law 15-075, 27 April, 2015; Schedule ‘G’

**Schedule ‘H’ to By-Law 15-075 – Discharge Limits**

**Table 1 - Sanitary and Combined Sewer Discharge Limits**

<b>Parameter</b>	<b>Limit mg/L</b>	<b>Parameter</b>	<b>Limit mg/L</b>
BOD	300	Nickel	3
Cyanide	2	Selenium	5
Fluoride	10	Silver	5
TKN	100	Tin	5
SEM(Animal & Vegetable)	150	Titanium	5
SEM(Mineral & Synthetic)	15	Vanadium	5
Phenolics (4AAP)	1	Zirconium	5
Phosphorous (Total)	10	Zinc	2
Chlorides	1500	Benzene	0.01
Sulphates	1500	Chloroform	0.04
TSS	350	1,4-dichlorobenzene	0.08
Aluminium	50	Cis-1,2-dichloroethylene	4
Antimony	5	Ethyl benzene	0.16
Arsenic	1	Dichloromethane	1
Bismuth	5	Tetrachloroethylene	0.016
Cadmium	0.7	Toluene	0.4
Chromium	3	Trichloroethylene	0.4
Cobalt	5	Xylenes (Total)	1.4
Copper	2	1,1-Dichloroethylene	0.002
Iron	50	Trans-1,2-dichloroethylene	0.002
Lead	1	Vinyl Chloride	0.002
Manganese	5	Nonylphenols	0.001
Mercury	0.01	Nonylphenol ethoxylates	0.01
Molybdenum	5		

Table 2 – Storm Sewer Discharge Limits

Parameter	Limit mg/L	Parameter	Limit mg/L
BOD	15	Zinc	0.04
Cyanide	0.005	Benzene	0.1
Phenolics (4AAP)	0.008	Chloroform	0.002
Phosphorous (Total)	(0.4)	1,4-dichlorobenzene	0.0068
TSS	15	Cis-1,2-dichloroethylene	0.2
Arsenic	0.1	Tetrachloroethylene	0.05
Cadmium	0.001	Toluene	0.002
Chromium(Hexavalent)	0.08(0.04)	Trichloroethylene	0.02
Copper	0.04	Xylenes (Total)	0.04
Lead	0.12	1,1-Dichloroethylene	0.04
Manganese	0.05	Trans-1,2-dichloroethylene	0.2
Mercury	0.0004	Vinyl Chloride	0.6
Nickel	0.08	Nonylphenols	0.001
Selenium	0.1	Nonylphenol ethoxylates	0.01
Silver	0.12		

By-law 15-075, 27 April, 2015; Schedule ‘H’