



THE CORPORATION OF THE TOWNSHIP OF  
ASHFIELD-COLBORNE-WAWANOSH

**BY-LAW NUMBER 23-2024**

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**BEING A BY-LAW** to regulate storm sewer use in the Township of Ashfield-Colborne-Wawanosh.

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**WHEREAS** under section 11 of the Municipal Act, 2001, a municipality may pass bylaws respecting matters within the sphere of jurisdiction of Public utilities, and Public utilities includes a system to provide for services relating to stormwater;

**AND WHEREAS** section 391 of the Municipal Act, 2001 provides that the Township of Ashfield-Colborne-Wawanosh may impose fees or charges on persons for services or activities provided or done by or on behalf of it;

**AND WHEREAS** section 10(1) of the Municipal Act, 2001 provides that Section 11 shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

**NOW THEREFORE** the Council of The Township of Ashfield-Colborne-Wawanosh ENACTS as follows:

**DEFINITIONS**

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

**ACCREDITED LABORATORY** – Any laboratory accredited by an authorized accreditation body in accordance with a standard based on “CAN-P-1585: Requirements for the Accreditation of Environmental Testing Laboratories” established by the Standards Council of Canada, as amended, or “ISO/IEC/EN 17025: General Requirements for Competence of Calibration and Testing Laboratories” established by the International Organization for Standardization, as amended.

**ACUTE HAZARDOUS WASTE CHEMICALS** – A material which is an acute hazardous waste chemical within the meaning of R.R.O. 1990, Regulation 347, as amended, made under the Environmental Protection Act.

**AUTHORIZED REPRESENTATIVE OF THE OWNER OR OPERATOR**

(a) A principal executive officer of at least the level of vice-president, if the owner or operator is a corporation; or

(b) A general partner or proprietor if the owner or operator is a partnership or proprietorship; or

(c) A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the stormwater originates.

**BIOCHEMICAL OXYGEN DEMAND (BOD)** – The five-day BOD which is the determination of the molecular oxygen utilized during a five-day incubation period for the biochemical degradation of organic material (carbonaceous demand), and the oxygen used to oxidize inorganic material such as sulphides and ferrous iron, and the amount of oxygen used to oxidize reduced forms of nitrogen (nitrogenous demand) as determined by the appropriate procedure in Standard Methods.

**BIOMEDICAL WASTE** - Biomedical waste as defined in the Ontario Ministry of the Environment Guideline C-4 entitled The Management of Biomedical Waste in Ontario dated November 2009, as amended from time to time.

**BLOWDOWN** – Recirculating water that is discharged from a cooling or heating water system for the purpose of controlling the level of water in the system or for the purpose of discharging from the system materials contained in the system, the further build-up of which would or might impair the operation of the system.

**BUILDING** – Every building which:

- (a) Is located within 100 metres of a sewer; and
- (b) Is located on a parcel of land abutting on a public highway or street in which a sewer is located or a parcel of land not more than 0.3 metres from a public highway or street in which a sewer is located; and
- (c) (i) Contains, or is required by any other by-law, regulation or statute to contain, any sleeping, eating or food preparation facilities, or (ii) Contains or is required by any other by-law, regulation or statute to contain, any washing or toilet or cleaning facilities; or (iii) Is connected, or is required by any other by-law, regulation or statute, to be connected to a water supply, or water works.

**CLEAR-WATER WASTE** – Includes non-contact cooling water and other water that has not come into contact with wastewater contaminant sources.

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

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

**COMPLIANCE PROGRAM** – The necessary steps undertaken by a discharger to bring wastewater discharged into the municipal sewer into compliance with the terms and conditions of this Bylaw or related permit. Compliance programs are applicable to existing dischargers only; new discharges must fully comply with the requirements of this bylaw.

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

**FLOW MONITORING POINT** – An access place to the sewer service for the purpose of:

- (a) Measuring the rate or volume of wastewater, storm water, clear water waste or subsurface water released from the premises; and
- (b) Collecting representative samples of the wastewater, storm water, clear water waste or subsurface water released from the premises.

**FOUNDATION DRAIN** – Includes a pipe around a foundation for the collection of groundwater.



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

**GRAB SAMPLE** – A volume of wastewater, storm water, uncontaminated water or effluent which is collected over a period not exceeding 15 minutes.

**GROUNDWATER** – Water beneath the earth’s surface accumulating as a result of seepage.

**HAZARDOUS SUBSTANCES** (a) Any substance or mixture of substances, other than a pesticide, that exhibits characteristics of flammability, corrosivity, reactivity or toxic; and (b) Any substance that is designated as a hazardous substance within the meaning of R.R.O. 1990, Regulation 347, as amended, made under the Environmental Protection Act.

**IGNITABLE WASTE** – A substance that:

(a) Is a liquid, other than an aqueous solution containing less than 24 percent alcohol by volume and has a flash point less than 93 degrees Celsius, as determined by the Tag Closed Cup Tester (ASTM D-56- 97a), the Setaflash Closed Cup Tester (ASTM D-3828-97 or ASTM D-3278-96e1), the Pensky- Martens Closed Cup Tester (ASTM D-93-97), or as determined by an equivalent test method;

(b) Is a solid and is capable, under standard temperature and pressure, of causing fire through friction, absorption of moisture or spontaneous chemical changes and, when ignited, burns so vigorously and persistently that it creates a danger;

(c) Is an ignitable compressed gas as defined in the regulations under the Transportation of Dangerous Goods Act, 1992, S.C. 1992, as amended; or as amended; or (d) Is an oxidizing substance as defined in the regulations under the Transportation of Dangerous Goods Act, 1992, S.C. 1992, as amended.

**INDUSTRIAL** – Of or pertaining to manufacturing, commerce, trade, business or institutions as distinguished from domestic or residential.

**INDUSTRIAL PROCESS AREA** – Any industrial building, property or land area which during manufacturing, processing or storage comes into direct contact with any raw material, intermediate product, finished product, byproduct, or waste product.

**INDUSTRY** – Any owner or operator of industrial, commercial or institutional premises from which there is a discharge of any matter directly or indirectly into a storm sewer of the Township.

**INSTITUTION** – A facility, usually owned by a government, operated for public purposes, such as schools, universities, medical facilities (hospitals, nursing stations, nursing homes), museums, prisons, government offices, military bases. Some of these facilities produce non-residential discharges to sewers from, for example, laboratories, chemical use, and industrial processes.

**KJELDAHL NITROGEN** – Organic nitrogen as determined by one of Method 420A or 420B in Standard Methods.

**MONITORING ACCESS POINT** – An access point, such as a chamber, sampling and flow measurement of the wastewater, uncontaminated water or storm water therein.

**MUNICIPALITY** – means the Township of Ashfield-Colborne-Wawanosh and includes its employees, servants and agents;

**MUNICIPAL SEWER CONNECTION** – That part of any drain leading from the private sewer connection and connected to the municipal sewer and generally located within



the limits of the public road allowance, or other public lands or public land interests (e.g. utility easements) held for sewerage purposes.

**NON-CONTACT COOLING WATER** – Water which is used to reduce temperature for the purpose of cooling and which does not come into direct contact with any raw material, intermediate product other than heat or finished product. **NOTICE** – A notice given by registered mail from the Township to the last known address of the Owner.

**OIL AND GREASE** – n-Hexane extractable matter as described in Standard Methods.

**PATHOLOGICAL WASTE** – Pathological waste within the meaning of R.R.O. 1990, Regulation 347, as amended, made under the Environmental Protection Act. **PCB** – Any monochlorinated or polychlorinated biphenyl or any mixture of them or mixture that contains one or more of them.

**PERSON** – An individual, association, partnership, corporation, municipality or an agent or employee of such a person.

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

**pH** – means the logarithm to the base 10 of the reciprocal of the concentration of hydrogen ions in grams per litre of solution.

**PHOSPHOROUS** – Total phosphorous as determined by both Method 424C plus one of Method 424D, 424E, 424F, or 424G in Standard Methods.

**PRIVATE SEWER CONNECTION** – That part of any drain or system of drains, including drains or subsurface drainage pipe for surface or subsurface drainage of the land in or adjacent to a building, generally lying within the limits of the private lands, and leading to a municipal sewer connection and whose responsibility for maintenance is the property owner's.

**PROHIBITED WASTE** – means prohibited waste as defined in Schedule "A" to this bylaw.

**RADIOACTIVE WASTE SUBSTANCES** – Substances defined in the federal Nuclear Safety and Control Act and the regulations passed there under, as amended from time to time.

**REACTIVE WASTE** – A substance that:

- (a) Is normally unstable and readily undergoes violent changes without detonating;
- (b) Reacts violently with water;
- (c) Forms potentially explosive mixtures with water;
- (d) When mixed with water, generates toxic gases, vapours or fumes in a quantity sufficient to present danger to human health or the environment;
- (e) Is a cyanide or sulphide bearing waste which, when exposed to pH conditions between 2 and 12.5, can generate toxic gases, vapours or fumes in a quantity sufficient to present danger to human health or the environment;
- (f) Is capable of detonation or explosive reaction if it is subjected to a strong initiating source or if heated under confinement;
- (g) Is readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure; or
- (h) Is an explosive (Class 1) as defined in the regulations under the Transportation of Dangerous Goods Act, 1992, S.C. 1992, as amended.



**SAMPLING PORT** – A valve, tap, or similar device on equipment, a drain pipe or at another suitable location, to allow for sampling, consistent with technical guidelines that the Township may establish from time to time.

**SEWER** – A pipe, conduit, drain, open channel or ditch for the collection and transmission of wastewater, storm water or uncontaminated water, or any combination thereof.

**SPILL** – A direct or indirect discharge into the wastewater works, storm sewer or the natural environment which is abnormal in quantity or quality in light of all the circumstances of the discharge.

**STANDARD METHODS** – A procedure or method set out in Standard Methods for the Examination of Water and Wastewater published jointly by the American Public Health Association, American Water Works Association and the Water Environment Federation, recent or latest edition or approved in writing by the Township.

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

**STORM WATER** – means water from rainfall or other natural precipitation or from the melting of snow or ice.

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

**SUBSURFACE WATER** – Groundwater including foundation drain water.

**TOTAL SUSPENDED SOLIDS (TSS)** – Insoluble matter in liquid that is removable by filtration, as determined by the appropriate procedure described in Standard Methods.

**TOTAL PAHs** – The total of all of the following polycyclic aromatic hydrocarbons: Acenaphthene, acenaphthylene, anthracene, benzo(a)anthracene, enzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i,)perylene, benzo(k)fluoranthene, chrysenes, dibenzo(a,h)anthracene, fluoranthene, fluorene, indeno(1,2,3-cd)pyrene, methylnaphthalene, naphthalene, phenanthrene, pyrene.

**TOXIC SUBSTANCE** – Any substance defined as toxic within the meaning of R.R.O. 1990, Regulation 347, as amended, made under the Environmental Protection Act.

**UNCONTAMINATED WATER** – Water with a level of quality which is typical of potable water normally supplied by the Township.

**WASTE DISPOSAL SITE LEACHATE** – The liquid containing dissolved or suspended contaminants which emanates from waste (solid waste or garbage) and is produced by water percolating through waste or by liquid in waste.

**WASTEWATER TREATMENT FACILITY** – means any structure or thing used for the physical, chemical, biological or radiological treatment of wastewater, and includes sludge treatment, wastewater sludge storage and disposal facilities.

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

## **1.0 STORM SEWER REQUIREMENTS**

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

- (a) Interfere with proper operation of a storm sewer;
- (b) Obstruct or restrict a storm sewer or the flow therein;
- (c) Damage a storm sewer;
- (d) Result in any hazard or other adverse impact to any person, animal, property or vegetation;
- (e) Impair the quality of the water in any well, lake, river, pond, spring, stream, reservoir or other water or watercourse;
- (f) Contravene or result in the contravention of an approval, requirement, direction or other order issued under the Ontario Water Resources Act or the Environmental Protection Act (EPA) with respect to the storm sewer, its discharge, or both the sewer and its discharge;
- (g) Have one or more of the following characteristics:
  - (i) visible film, sheen or discoloration;
  - (ii) Two (2) or more separate layers;
  - (iii) A pH less than 6.5 or greater than 9.0;
  - (iv) A temperature greater than 40 degrees Celsius.
- (h) Contain one or more of the following:
  - (i) Acute hazardous waste chemicals; (ii) Automotive or machine oils and greases;
  - (iii) Combustible liquids;
  - (iv) Floating debris;
  - (v) Fuel;
  - (vi) Hauled sewage;
  - (vii) Hauled waste;
  - (viii) Hazardous waste;
  - (ix) Hazardous waste chemicals;
  - (x) Ignitable waste;
  - (xi) Non-contact cooling water or blowdown, except when:
    - [1] The non-contact cooling water or blowdown is being discharged pursuant to an approval or order relating to the premises under the Environmental Protection Act or the Ontario Water Resources Act which expressly allows the discharge;
    - [2] The owner or operator of the premises has written approval from the Township which expressly authorizes the discharge from the premises; and
    - [3] A copy of the approval or order referred to in clause [1] has been provided to the Township.
- (xii) Paints or organic solvents;
- (xiii) Pathological waste;
- (xiv) PCBs;
- (xv) Pesticides;
- (xvi) Reactive waste;



- (xvii) Severely toxic waste;
- (xviii) Sewage;
- (xix) Radioactive waste prescribed substances;
- (xx) Waste disposal site leachate;
- (xxi) A substance from raw materials, intermediate or final product, used or produced in, through or from an industrial process;
- (xxii) A substance used in the operation or maintenance of an industrial site;
- (xxiii) Dyes or colouring material which could discolour the water;
- (xxiv) Oil and grease of animal or vegetable origin or of mineral or synthetic origin which causes a visible film, sheen or discolouration on the water surface;
- (i) Contain E. coli colonies in excess of 200 per 100 mL; (j) Contain contaminants from raw materials, intermediate or final products or wastewater from an industrial operation;
- (k) Contain a concentration, expressed in milligrams per litre, in excess of any one or more of the limits shown in Schedule "A" attached hereto;
- (l) Contain a contaminant that may cause an offensive odour to emanate from the sewage works, and without limiting the generality of the foregoing, contain hydrogen sulfide, carbon disulfide, other reduced sulfur compounds, amines or ammonia;

1.2 Storm water runoff from commercial, industrial and institutional properties shall be limited to a maximum of 70 litres/second/hectare.

## **2.0 ADDITIONAL REQUIREMENTS**

### **2.1 Sediments Interceptors**

- (a) Every owner or operator of the premises from which sediment may directly or indirectly enter a sewer, including but not limited to premises using a ramp drain or area drain and vehicle wash establishments, shall install a sediment interceptor no later than six months from the effective date the Township becomes aware of such contraventions to ensure that such sediment is prevented from entering the drain or sewer in excess of the limits in this bylaw.
- (b) All sediment interceptors shall be maintained, at the owner's expense, in good working order and according to manufacturer's recommendations and shall be inspected regularly to ensure performance is maintained to the manufacturer's specifications for performance.
- (c) The owner or operator of a premises as set out in Clause 4.3(a), shall, for 2 years, keep documentation of interceptor clean-out and sediment disposal.
- (d) A maintenance schedule and record of maintenance shall be submitted to the Township annually for each sediment interceptor installed.
- (e) The Maintenance of catch basins installed on private property for the purposes of collecting storm water and carrying it into the municipal storm sewers shall be the sole responsibility of the owners.

### **3.0 PROHIBITION OF DILUTION**

3.1 No person shall discharge directly or indirectly, or permit the discharge or deposit of matter into a storm sewer where water has been added to the discharge for the purposes of dilution to achieve compliance with Section 3.0 of this bylaw.

### **4.0 SAMPLING**

4.1 Where sampling is required for the purposes of determining the concentration of constituents in the storm water or uncontaminated water, the sample may:

- (a) Be collected manually or by using an automatic sampling device; and
- (b) Contain additives for its preservation.

4.2 For the purpose of determining compliance with Schedule "A", discrete storm water streams within premises may be sampled, at the discretion of the Township.

4.3 Any single grab sample may be used in determining compliance with Schedule "A" this bylaw.

4.4 The obligations set out in or arising out of Subsection 8.1 and 8.2 shall be completed at the expense of the discharger.

4.5 All tests, measurements, analyses and examinations of wastewater, its characteristics or contents pursuant to this Bylaw shall be carried out in accordance with "Standard Methods" and be performed by a laboratory accredited for analysis of the particular substance(s) using a method which is within the laboratory's scope of accreditation or to the satisfaction of the Township as agreed in writing prior to sample analysis.

### **5.0 SPILLS**

5.1 In the event of a spill to a wastewater works and/or storm sewer works, the person responsible or the person having the charge, management and control of the spill shall immediately notify and provide any requested information with regard to the spill to:

- (a) If there is any immediate danger to human health and/or safety (i) 9-1-1 emergency; or
- (b) If there is no immediate danger: (i) The Township, by contacting the municipal offices; and (ii) The owner of the premises where the release occurred; and (iii) Any other person whom the person reporting knows or ought to know may be directly affected by the release.

5.2 The person responsible for the spill and the person having the charge, management and control of the spill shall do everything reasonably possible to contain the spill, protect the health and safety of citizens, minimize damage to property, protect the environment, clean up the spill and contaminated residue and restore the affected area to its condition prior to the spill.

5.3 The person responsible for the spill or the person having the charge, management and control of the spill shall provide a detailed report on the spill to the Township, within five working days after the spill, containing the following information to the best of his or her knowledge:

- (a) Location where spill occurred;



- (b) Name and telephone number of the person who reported the spill and the location and time where they can be contacted;
- (c) Date and time of spill;
- (d) Material spilled;
- (e) Characteristics and composition of material spilled;
- (f) Volume of material spilled;
- (g) Duration of spill event;
- (h) Work completed and any work still in progress in the mitigation of the spill;
- (i) Preventive actions being taken to ensure a similar spill does not occur again; and
- (j) Copies of applicable spill prevention and spill response plans.

5.4 Nothing in this Bylaw relieves any persons from complying with any notification or reporting provisions of:

- (a) Other government agencies, including federal and provincial agencies, as required and appropriate for the material and circumstances of the spill; or,
- (b) Any other Bylaw of the Township.

5.5 The Township may invoice the person responsible for the spill to recover costs of time, materials and services arising as a result of the spill. The person responsible for the spill shall pay the costs invoiced.

5.6 The Township may require the person responsible for the spill to prepare and submit a spill contingency plan to the Township to indicate how risk of future incidents will be reduced and how future incidents will be addressed.

## **6.0 AUTHORITY OF TOWNSHIP'S DESIGNATED REPRESENTATIVE**

6.1 The designated representative of the Township has the authority to carry out any inspection reasonably required to ensure compliance with this bylaw, including but not limited to:

Inspecting, observing, sampling, testing, and measuring the flow in any private:

- (i) Drainage system;
  - (ii) Wastewater disposal system;
  - (iii) Pretreatment facilities;
  - (iv) Storm water;
  - (v) Clear-water waste;
  - (vi) Subsurface water;
  - (vii) Storm water management facility; and
  - (viii) Flow monitoring point(s).
- (ii) Determine water consumption;
  - (iii) Test flow measuring devices;
  - (iv) Collect and analyze samples of hauled wastewater coming to a discharge location;

- (v) Make inspections of the types and quantities of chemicals being handled or used on the premises in relation to possible release to a drainage system or watercourse;
- (vi) Inspect and copy documents or remove documents from premises to make copies;
- (vii) Inspect chemical storage areas and spill containment facilities and request Material Safety Data Sheets (MSDS) for materials stored or used on site;
- (viii) Inspect the premises where a release of prohibited or restricted wastes or of water containing prohibited or restricted wastes has been made or is suspected of having been made, and to sample any or all matter that in his/her opinion could have been part of the release.

6.2 No person shall hinder or prevent the Township's Designated Representative from carrying out any of his/her powers or duties.

6.3 The Township may designate a representative that would have the same authority and responsibilities as the Township as laid out in this by-law.

## **7.0 PRIVATE SWIMMING POOL WATER**

7.1 Conventional non-salt water swimming pools or hot tub/spa or wading pools.

(a) No person shall discharge wastewater from a swimming pool or hot tub/spa or wading pool:

- (i) Into a storm drainage system, unless otherwise permitted under Clause 7.1.(c); or
- (ii) In a manner that may cause or causes the wastewater to flow onto an adjoining property; or
- (iii) Over a valley or ravine wall or slope in a manner that may cause or causes the erosion or instability of the valley or ravine wall or slope; or
- (iv) In a manner other than is permitted under Clauses 7.1.(b) or 7.1.(c).

(b) Unless otherwise permitted under Clause 7.1.(c), a person is permitted to discharge wastewater from a swimming pool or hot tub/spa or wading pool by way of a controlled discharge to the owner's property such that the discharge is at all times contained within the owner's property until it evaporates or infiltrates into the ground.

(c) A person is permitted to discharge wastewater from a swimming pool or hot tub/spa or wading pool to a storm sewer provided that all of the following conditions are met:

- (i) There are no algaecides in the swimming pool or hot tub/spa or wading pool water; and
- (ii) The swimming pool or hot tub/spa or wading pool water is held in the pool for one week after the last dosage of chlorine and the chlorine concentration in the wastewater is at or below 0.01 mg/L; and
- (iii) The swimming pool or hot tub/spa or wading pool water is treated with sodium sulphite to achieve the 0.01 total chlorine limit; and
- (iv) The copper concentration of the swimming pool or hot tub/spa or wading pool water is at or below 0.04 mg/L.

7.2 Salt water swimming pools or hot tub/spa or wading pools.

(i) No person shall discharge wastewater from a salt water swimming pool or hot tub/spa except: To the sanitary sewer, either by: [1] A permanent connection to the



sanitary drain on the owner's property; or [2] By way of a temporary connection to the sanitary drain on the owner's property; or

(ii) By way of a controlled discharge to the owner's property such that the discharge is at all times contained within the owner's property until it evaporates or infiltrates into the ground provided that it does not migrate onto adjacent lands.

7.3 Rainwater resting on a tarp which covers a swimming pool or hot tub/spa or wading pool may be discharged to a storm sewer, subject to Section 3.0 of this bylaw.

7.4 The backwash water from the swimming pool filter shall be discharged to the owner's property in a manner that does not flow on to the street or a neighbouring property.

## **8.0 STORM WATER DRAINAGE**

8.1 No owner of industrial, commercial or institutional premises shall do anything which may increase design peak flow rates of storm water or impair the quality of storm water discharged to a storm sewer.

8.2 Unless approved otherwise, the direct connection of any new private sewer connection to the municipal storm sewer is prohibited for any new or reconstructed residential, industrial, commercial or institutional buildings.

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

8.4 Unless approved otherwise by the Township, no person shall construct, install or maintain, or cause or permit to be constructed, installed or maintained, drainage from any roof water leader or downspout that conveys storm water from any residential, industrial, commercial or institutional buildings directly or indirectly to a sanitary or storm sewer connection for the purpose of storm water drainage. Storm water shall be discharged at grade away from the building in such a manner that the storm water will not accumulate at or near the building and will not adversely affect adjacent properties, will not discharge directly onto the street, lane or sidewalk and will not create hazardous conditions.

8.5 Unless authorized otherwise by the Township, the owner of any building which has a roof water leader or sump pump discharging storm water or clear water from foundations, either directly or indirectly, into the sanitary sewer connection shall disconnect the down-pipe from the underground portions at grade and shall conduct the storm water or clear water from foundations away from the building in such a manner that the water will not accumulate at or near the building, will not adversely affect adjacent properties, will not discharge directly onto the street, lane, or sidewalk. Under no circumstances will the discharge be allowed to create hazardous conditions.

8.6 Where compliance with Subsection 15.4 or 15.5 compromises or creates a hazardous situation, an application may be made to the Township for an exemption from the provisions of Subsections 15.4 and 15.5.

8.7 Sump pumps are to be installed for the purpose of discharging clear water from foundation drains and ground infiltration and shall discharge onto the surface of the ground and flow overland away from the building in such a manner that the storm water will not accumulate at or near the building, will not adversely affect adjacent properties, will not discharge directly onto the street, lane or sidewalk and will not create hazardous conditions.



8.8 Where available, the municipal storm sewer may be used as an outlet for a sump pump.

8.9 Sump pump discharge in any manner other than as specified by this ordinance shall constitute a violation thereof and shall subject the offender to penalties as set forth in this By-law.

8.10 A violation of this ordinance shall occur where the discharge from rain water leaders, downspout, or sump pump discharge creates icing problems on Township roads and walkways, or creates a situation causing damages to Township roads or to Township's property, or creates ponds of standing water, or flows over adjoining properties. If such condition exists or is created, the Township shall require the owner of the property discharging the water in such a manner to make corrections such that water will not accumulate at or near the building, will not adversely affect adjacent properties, will not discharge directly onto the street, lane or sidewalk and will not create hazardous conditions.

## **9.0 ACCESS TO INFORMATION / CONFIDENTIAL INFORMATION**

9.1 All information submitted to and collected by the Township that is contained in plan summaries, reports, surveys, monitoring and inspection and sampling activities will, except as otherwise provided in this section, be available for disclosure to the public in accordance with the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)

9.2 In the event that any person in submitting information to the Township in any form, as required under this bylaw, where such information is confidential or proprietary or otherwise, may be exempt from disclosure under MFIPPA, the person submitting the information shall so identify that information upon its submission to the Township and shall provide sufficient details as to the reason for its purported exemption from disclosure.

## **10.0 OFFENCES**

10.1 Every person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine of not more than \$5,000 for the first offence every day or part thereof upon which such offence occurs or continues and to a fine of not more than \$10,000 for any subsequent conviction as provided for in the Provincial Offences Act, R.S.O. 1990, Chap. P.33, as amended.

10.2 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 \$25,000 for a first offence and to a fine of not more than \$100,000 for any subsequent conviction. 17.3 In this By-law, subsequent conviction means a conviction for an offence that occurs after the date of conviction for an earlier offence under this By-law.

## **11.0 CONFLICT WITH ANOTHER MUNICIPAL BY-LAW**

11.1 In the event of a conflict between the provisions of this By-law and any other bylaw of the Township, the provision that establishes the higher Standard to protect the health, safety and welfare of the general public shall prevail.



**12.0 VALIDITY**

12.1 If a court of competent jurisdiction declares any subsection, section or part of this By-law invalid, it is the intention of Council that the remainder of the By-law shall continue to be in force.

**13.0 SEVERANCE**

13.1 The clauses, schedules and parts of schedules of this By-law shall all be severable and any part of any of the schedules hereto annexed may be by Bylaw altered by adding thereto or deleting therefrom.

**Read a first and second time this 2<sup>nd</sup> day of April 2024.**

**Read a third time and finally passed this 2<sup>nd</sup> day of April 2024.**



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Mayor, Gen McNeil



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Clerk, Florence Witherspoon

**SCHEDULE A — LIMITS FOR STORM SEWER DISCHARGE**

1,1,2,2-tetrachloroethane	0.0117
1,2-dichlorobenzene	0.0056
1,4-dichlorobenzene	0.0068
3,3'-dichlorobenzidine	0.0008
Aldrin/dieldrin	0.00008
Aluminum - Ammonia (as N) - Arsenic, total	0.02
Barium, total	-
Benzene	0.002
Biochemical oxygen demand	15
Bis (2-ethylhexyl) phthalate	0.0088
Cadmium, total	0.008
Carbon Tetrachloride	0.0
Chlordane	0.04
Chlorine (as Cl <sub>2</sub> )	-
Chloroform	0.002
Chromium (hexavalent)	0.04
Chromium, total	0.08
Cis-1,2-dichloroethylene	0.0056
Copper, total	0.04
Cyanide, total	0.02
DDT	0.00004
Di-n-butyl phthalate	0.015
Dioxane (1,4)	0.0
Ethyl benzene	0.002
Fecal Coliform	200 per 100ml
Fluoride (as F)	-
Hexachlorobenzene	0.00004
Hexachlorocyclohexane	0.04
Iron, total	-
Lead, total	0.12
Manganese, total	0.05
Mercury, total	0.0004
Methylene chloride (Dichloromethane)	0.0
Mirex	0.04
Nickel, total	0.08
Nonylphenol ethoxylates	0.01
Nonylphenols	0.001
PCBs	0.0004
Pentachlorophenol	0.002
pH	6.5 - 9.0 (unitless)
Phenolic Compounds - Phenolics (4AAP)	0.008
Phosphorus, total	0.4
Polycyclic Aromatic Hydrocarbons (PAH's)	0.0
Selenium, total	0.02
Silver, total	0.12
Solvent Extractable Matter (Oil and grease)	-
Temperature	40 Degrees Celsius
Tetrachloroethylene	0.0044
Tin	-
Toluene	0.002
Total Suspended Solids (TSS)	15
Trans-1,3-dichloropropylene	0.0056
Trichloroethylene	0.0076
Vinyl Chloride	0.0
Xylenes, total	0.0044
Zinc, total	0.04