

# THE CORPORATION OF THE TOWNSHIP OF BROCK

## BY-LAW NUMBER 3388-2025

### Being A By-Law to Regulate the Discharge of Water and Waste into and the connection to the Municipal Storm Sewer Works and Other Drainage From Land

---

**Whereas** the Municipal Act, 2001, S.O. 2001, c. 25, as amended, permits municipalities to regulate with respect to the collection of storm water and other drainage from land;

**And Whereas** the Ontario Water Resources Act, R.S.O. 1990, c. O.40 provides that every Person that discharges or causes or permits the discharge of any material of any kind into or in any waters or on any shore or bank thereof or into or in any place that may impair the quality of the water of any well, lake, river, pond, spring, stream, reservoir, artificial watercourse, intermittent watercourse, groundwater or other watercourse, is guilty of an offence;

**And Whereas** the Council of The Corporation of the Township of Brock deems it necessary to regulate the discharge of matter into municipal and private storm sewer systems to protect the storm sewer works from undue deterioration, damage and obstruction, to protect water quality by preventing the discharge of harmful substances to municipal and private storm sewer systems, and to protect human health and the environment from adverse effects.

**Now Therefore**, the Council of The Corporation of the Township of Brock enacts as follows:

#### PART 1 – SHORT TITLE

1. This by-law may be cited as the “Storm Sewer Use By-law” (By-law).

#### PART 2 – DEFINITIONS

2. In this By-law;
  - a. “accredited laboratory” means 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*, as may be amended from time to time, established by the Standards Council of Canada, or *ISO/IEC/EN 17025: General Requirements for Competence of Calibration and Testing Laboratories*, as may be amended from time to time, established by the International Organization for Standardization;
  - b. “acute hazardous waste chemical” has the same meaning as in Ontario Regulation (O. Reg.) 347: *General – Waste Management*, R.R.O. 1990, under the *Environmental Protection Act*, R.S.O. 1990, c. E.19;
  - c. “biomedical waste” means biomedical waste as defined in the Ontario Ministry of the Environment, Conservation and Parks Guideline C-4 entitled *The Management of Biomedical Waste in Ontario*, as amended from time to time;
  - d. “blowdown water” means 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;
  - e. “BOD” means the five-day biochemical oxygen demand (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);
  - f. “catch basin” is part of a storm drain or storm sewer works that is designed to trap debris so that it cannot enter the drainage pipes;
  - g. “Certificate of Approval”, see Environmental Compliance Approval;
  - h. “combustible liquid” means a liquid that has a flash point at or above 37.8 degrees Celsius and below 93.3 degrees Celsius;

- i. “composite sample” means a sample made up of a series of grab samples that have been combined automatically or manually and taken at intervals during the sampling period;
- j. “contact cooling water” means water that is used in a process of removing heat and that has direct contact with any raw material, intermediate product, waste product, or finished product, but does not include blowdown water;
- k. “Council” means the elected Council of the Township of Brock;
- l. “Director” means the Director of Public Works and Operations of the Township of Brock;
- m. “discharge”, when used as a noun, includes addition, deposit, emission, leak or seepage. Discharge, when used as a verb, includes add, deposit, emit, leak or seep (e.g., water or groundwater infiltrating into a private storm sewer system and/or municipal storm sewer works) and includes direct discharge (e.g., by a private sewer connection) and indirect discharge (e.g., as runoff that may be intercepted by land drainage works or storm sewer works);
- n. “drain” means any drainage or piping, inside or outside a building, that conveys stormwater, and includes downspouts, rain-leaders and catch basins;
- o. “Environmental Compliance Approval” or Certificate of Approval has the same meaning as in O.Reg. 255/11: *Applications for Environmental Compliance Approvals* under the *Environmental Protection Act*, R.S.O. 1990, c. E.19;
- p. “EPA” means the *Environmental Protection Act*, R.S.O. 1990, c. E.19;
- q. “foundation” means the supporting portion of a structure below grade, including footings;
- r. “foundation drain” or weeping tile means any arrangement or type of pipe placed along the perimeter of a building foundation for the collection of groundwater;
- s. “fuel” includes alcohol, gasoline, naphtha, diesel fuel, fuel oil or any other ignitable substance intended for use as a fuel, and has the same meaning as in O.Reg. 347: *General – Waste Management*, R.R.O. 1990, under the *Environmental Protection Act*, R.S.O. 1990, c. E.19;
- t. “grab sample” is a portion of the discharge from or to the storm sewer works taken at a maintenance access hole or another location established pursuant to Part 8 Section 31;
- u. “groundwater” means water in a saturated zone or stratum beneath the surface of the land or below the surface water body;
- v. “hailed sewage” has the same meaning as in O. Reg. 347: *General – Waste Management*, R.R.O. 1990, under the *Environmental Protection Act*, R.S.O. 1990, c. E.19;
- w. “hailed waste” means any industrial waste, other than hauled sewage, that is transported to and deposited into the storm sewers works or into a location where it could enter the storm sewer works;
- x. “hazardous industrial waste” has the same meaning as in O. Reg. 347: *General – Waste Management*, R.R.O. 1990, under the *Environmental Protection Act*, R.S.O. 1990, c. E.19;
- y. “hazardous waste chemicals” has the same meaning as in O. Reg. 347: *General – Waste Management*, R.R.O. 1990, under the *Environmental Protection Act*, R.S.O. 1990, c. E.19;
- z. “ignitable waste” has the same meaning as in O. Reg. 347: *General – Waste Management*, R.R.O. 1990, under the *Environmental Protection Act*, R.S.O. 1990, c. E.19;
- aa. “industrial” means of or pertaining to manufacturing, commerce, trade, business, or institutions as distinguished from domestic or residential;
- bb. “industrial user” means the Owner of industrial premises from which there is a discharge of any matter directly or indirectly into a storm sewer;

- cc. “land drainage works” means works of any sort for the drainage of land in the Township of Brock including drainage channels for receiving water in its natural flow on or from any hills or other lands, and works diverting or damming the same to prevent its overflow on to any other lands at a lower level, as well as drainage channels for carrying off water from any land;
- dd. “maintenance access hole” means an access point in a private storm sewer connection to allow for observation, sampling and flow measurement of discharge of uncontaminated water and/or stormwater contained therein;
- ee. “matter” includes solid, liquid or gas;
- ff. “Order” means an order made pursuant to Part 12 Section 54 of this By-law;
- gg. “O. Reg. 347” means Ontario Regulation 347: *General – Waste Management* R.R.O. 1990, made under the *Environmental Protection Act*, R.S.O. 1990, c. E.19;
- hh. “owner” (or “Owner”) includes the lessee, occupier and/or operator of any premises, and includes an individual, association, firm, partnership, corporation, trustee, or agent, and their heirs, executors, or legal representatives;
- ii. “pathological waste” has the same meaning as in O. Reg. 347: *General – Waste Management*, R.R.O. 1990, under the *Environmental Protection Act*, R.S.O. 1990, c. E.19;
- jj. “PCB” means any monochlorinated or polychlorinated biphenyl or any mixture of them or mixture that contains one or more of them;
- kk. “person” (or “Person”) includes an individual, association, partnership, corporation, company, municipality, or an heir, executor, administrator, agent, employee or other legal representative of such person;
- ll. “pesticide” means one or more pesticides regulated under the *Pesticides Act*, R.S.O. 1990, c. P.11;
- mm. “pollution prevention” means the use of processes, practices, materials, products or energy that avoids or minimizes the creation of pollutants and wastes, at the source;
- nn. “pollution prevention plan” means a five-year plan that identifies operations or activities of an industrial user and specific pollution prevention methods within time constraints, to be implemented within the five-year period;
- oo. “private drain” means any drainage or piping, inside or outside a building, that conveys stormwater, and includes downspouts, rain-leaders and catch basins, and swimming pools;
- pp. “private swimming pool” means a swimming pool, salt water swimming pool, wadding pool, or hot tub/spa serving a single family residence;
- qq. “private sewer connection” means 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, lying within the limits of the private lands and leading directly or indirectly to a Township storm sewer works;
- rr. “Qualified Person (QP)” means a licensed professional Engineer or Geoscientist as defined in Section 5 or 6 of Ontario Regulation 153/04: *Records of Site Condition*, under Part XV.1 of the *Environmental Protection Act*, R.S.O. 1990, c. E.19;
- ss. “reactive waste” has the same meaning as in O. Reg. 347: *General – Waste Management*, R.R.O. 1990, under the *Environmental Protection Act*, R.S.O. 1990, c. E.19;
- tt. “sanitary drain” means any drainage or piping connecting to a sanitary sewer;
- uu. “sanitary sewer” means a sewer of the Township or Regional Municipality of Durham used for the collection and transmission of domestic or industrial sewage or any combination thereof;
- vv. “severely toxic waste” has the same meaning as in O. Reg. 347: *General – Waste Management*, R.R.O. 1990, under the *Environmental Protection Act*, R.S.O. 1990, c. E.19;

- ww. “sewage” means any liquid waste containing animal, vegetable, mineral or chemical matter in solution or in suspension but does not include stormwater or uncontaminated water;
- xx. “sewer” means a pipe, conduit, drain, open channel, or ditch for the collection and transmission of stormwater and/or uncontaminated water, or any combination thereof;
- yy. “spill” means a direct or indirect discharge or deposit of: firstly, any substance which is described in Part 3 of this By-law as being prohibited from being discharged; or, secondly, of either stormwater or uncontaminated water into storm sewer works or the natural environment which is abnormal in quantity or quality in light of all the circumstances of the discharge;
- zz. “Standard Methods” means 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, the United States Environmental Protection Agency methods, or the Ontario Ministry of the Environment, Conservation and Parks *Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater*, current at the date of testing, or the equivalent of a standard method;
- aaa. "storm sewer" means a sewer, pipe, conduit, drain, open channel or ditch for the collection and transmission of uncontaminated water, stormwater, drainage from land or from a watercourse or any combination thereof;
- bbb. "storm sewer works" means any works belonging to or operated by the Township for the collection, transmission, treatment or disposal of stormwater or uncontaminated water, including a storm sewer, land drainage works or any part of such works, but does not include plumbing or other works to which the *Building Code Act*, 1992, S.O. 1992, c. 23 applies;
- ccc. “stormwater” means water from rainfall, other natural precipitation, drainage or from the melting of snow or ice;
- ddd. “suspended solids” means insoluble matter in liquid that is removable by filtration, as determined by the appropriate procedure described in Standard Methods;
- eee. “Township” means the Township of Brock acting as a body corporate unless the context requires otherwise;
- fff. “uncontaminated water” means municipally treated drinking water or any water to which no matter has been added as a consequence of its use, or to modify its use, by any Person;
- ggg. “waste disposal site leachate” means the liquid containing dissolved or suspended contaminants which emanates from waste and is produced by water percolating through waste or by liquid in waste;
- hhh. “waste radioactive prescribed substances” means uranium, thorium, plutonium, neptunium, deuterium, their respective derivatives and compounds and such other substances as the Canadian Nuclear Safety Commission may by regulation designate as being capable of releasing atomic energy or as being requisite for the production, use or application of atomic energy; and
- iii. “watercourse” means an open channel, ditch or depression either natural or artificial, in which flow of water occurs either continuously or intermittently.

### **PART 3 – STORM SEWER REQUIREMENTS**

3. No Person shall discharge or deposit or cause or permit the discharge into a storm sewer, watercourse, land drainage works, foundation drain, municipal or private sewer connection or municipal or private drain connection to any storm sewer works any matter that,
  - a. interferes with proper operation of a storm sewer;
  - b. obstructs or restricts a storm sewer or the flow therein;
  - c. damages a storm sewer;
  - d. results in any hazard or other adverse impact, to any person, animal, property, or vegetation;

- e. impairs the quality of the water in any well, lake, river, pond, spring, stream, reservoir, artificial watercourse, intermittent watercourse, or any other watercourse;
  - f. contravenes or results in a contravention under the *Ontario Water Resources Act*, R.S.O. 1990, c. O. 40 as amended, the *Environmental Protection Act*, R.S.O., 1990 c. E.19 as amended, or the *Fisheries Act*, R.S.C., 1985, c. F-14 as amended.
4. No Person shall discharge or deposit or cause or permit the discharge into a storm sewer, watercourse, land drainage works, foundation drain, municipal or private sewer connection or municipal or private drain connection to any storm sewer works any matter that has one or more of the following characteristics:
- a. visible film, sheen or discolouration;
  - b. two or more separate layers, including, upon allowing a sample of turbulent flow to settle, two or more immiscible liquid layers;
  - c. a pH less than 6.0 or greater than 9.0;
  - d. a temperature greater than 40 degrees Celsius; or
  - e. having or causing an offensive or nuisance odour.
5. No Person shall discharge or deposit or cause or permit the discharge into a storm sewer, watercourse, land drainage works, foundation drain, municipal or private sewer connection or municipal or private drain connection to any storm sewer works any matter that contains,
- a. acute hazardous waste chemicals;
  - b. ashes;
  - c. blowdown water;
  - d. biomedical waste;
  - e. contact cooling water;
  - f. combustible liquids;
  - g. *Escherichia (E.) coli* colonies in excess of 200 Colony Forming Units per 100 mL;
  - h. floating debris;
  - i. fuel;
  - j. hauled sewage;
  - k. hauled waste;
  - l. hazardous industrial waste;
  - m. hazardous waste chemicals;
  - n. ignitable waste;
  - o. nuclear substances;
  - p. oil and grease;
  - q. organic solvents;
  - r. paint;
  - s. pathological waste;
  - t. PCB;
  - u. PCB waste;
  - v. pesticides, fungicides, herbicides;
  - w. pet waste;
  - x. reactive waste;
  - y. severely toxic material or waste;
  - z. sewage;

- aa. waste disposal site leachate;
  - bb. waste radioactive prescribed substances;
  - cc. a substance, from raw materials, intermediate or final products, used or produced in, through or from an industrial process; or
  - dd. a concentration, expressed in milligrams per litre, in excess of any one or more of the limits in “Table 1 – Limits for Storm Sewer Discharge” of this By-law.
6. The Owner of the premises shall ensure that appropriate and necessary practices are undertaken to prevent the discharge of suspended solids (total) in excess of 15 mg/L as a result of activities on their property; including:
- a. construction activities that may result in erosion or sediment runoff from the property; and,
  - b. outside storage activities that may result in the mobilization of stored materials as a result of rain or runoff from the property, including sand and granular material storage.
7. Notwithstanding Subsections 4 and 5, discharges are permitted where:
- a. the material is being discharged pursuant to an Environmental Compliance Approval (Certificate of Approval) or Order relating to the premises, which expressly allows the discharge, under the *Environmental Protection Act* or the *Ontario Water Resources Act*; and
  - b. a copy of the Environmental Compliance Approval (Certificate or Approval) or Order referred to in Subsection 7 (a) has been provided to the Township; and
  - c. the Owner of the premises has written approval from the Director, which expressly authorizes the discharge from the premises.
8. An Owner may be required, upon receipt of a notice from the Township, to complete one or more of the following activities as stated in the notice addressing stormwater from the Owner’s site:
- a. a study on stormwater quality and/or quantity justifying the status quo and in so doing conclusively demonstrating that the stormwater runoff from the site in question will not result in the discharge of matter from the site that is in sufficient quantity and concentration so as to cause adverse effect to the storm sewer works, human health or the environment;
  - b. modification and/or construction of stormwater facilities so as to ensure the avoidance of an adverse effect to the storm sewer works, human health or the environment as a consequence of the functioning of the stormwater facilities;
  - c. adoption and implementation of pollution prevention techniques and measures to ensure the avoidance of an adverse effect to the storm sewer works, human health or the environment as a consequence of the stormwater facilities;
  - d. any other requirement specified by the Township.

#### **PART 4 – PROHIBITION OF DILUTION**

9. No Person shall discharge directly or indirectly or cause or permit the discharge of any matter to a watercourse, private sewer connection or to storm sewer works in circumstances where water has been added to the discharge for the purposes of dilution to achieve compliance with this By-law.

#### **PART 5 – PRIVATE SWIMMING POOL WATER**

10. A Person is permitted to discharge wastewater from a private swimming pool or hot tub/spa or wading pool to the storm sewer works provided that all of the following conditions are met:
- a. discharge in a manner that does not cause the wastewater to flow onto an adjoining property; and
  - b. the discharge does not travel over a valley, ravine wall or slope in a manner that may cause or causes the erosion or instability of the valley or ravine wall or slope; and

- c. there are no algaecides in the private swimming pool or hot tub/spa or wading pool water; and
  - d. the private 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 discharge is at or below 0.01 mg/L; and
  - e. the private swimming pool or hot tub/spa or wading pool is treated with sodium sulfite to achieve the 0.01 mg/L total chlorine limit; and
  - f. the copper concentration of the private swimming pool or hot tub/spa or wading pool is at or below 0.05 mg/L; and
  - g. the Owner of the private swimming pool or hot tub/spa or wading pool directly, or through a tenant, operator or service contractor, complies with Part 3 – Storm Sewer Requirements.
11. Unless otherwise permitted, a Person is permitted to discharge wastewater from a private swimming pool or hot tub/spa or wading pool by way of a controlled discharge to the Owner's property until it evaporates or infiltrates into the ground.
12. Saltwater private swimming pools may not be discharged to storm water works. A Person may discharge wastewater from a private saltwater swimming pool by,
- a. a permanent connection to the sanitary drain on the Owner's property;
  - b. by way of a temporary connection to the sanitary drain on the Owner's property; or
  - c. 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.
13. 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 Part 3 of this By-law;
14. Any water or wastewater, including rainwater resting on a tarp which covers swimming pool, shall not be discharged to or near a ravine slope or valley as stated in Part 5 Section 10 (c), in a manner that may cause or causes the erosion or instability of the ravine wall or slope or causes injury or destruction of trees and vegetation.
15. The backwash water from the swimming pool filter shall be discharged to the sanitary sewer or Owner's property in a manner that does not flow on to the street or a neighbouring property.

## **PART 6 – INTERCEPTORS FOR OIL, GREASE AND SEDIMENT**

16. Every Owner of a premises from which oils, greases or sediment may directly or indirectly enter a storm sewer, including but not limited to a premises using ramp or area drains, and car and vehicle washing establishments, shall take all necessary measures to ensure that such oils, greases or sediment are prevented from entering the drain or storm sewer at a concentration that may result in an adverse effect to human health or the environment.
17. The Owner of the premises as set out in this Subsection shall install, operate, and properly maintain an oil, grease, or sediment interceptor in any piping system at its premises that connects directly or indirectly to a storm sewer. The oil, grease and sediment interceptors shall be installed in compliance with the most current requirements of the applicable Building Code.
18. All oil, grease and sediment interceptors, and any other type of storm water quality control device, shall be maintained according to the manufacturer's recommendations. The Owner shall record all maintenance activities related to the oil, grease and sediment interceptors and shall produce maintenance records for the preceding 18-month period upon the request of The By-law Enforcement Officer. The By-law Enforcement Officer shall have the right to enter upon the premises at any time to inspect the operation and maintenance of an interceptor or any other type of storm water quality control device.

## PART 7 – CONTROL OF WATER FROM CONSTRUCTION DEWATERING ACTIVITY

20. All construction sites within the Township must comply with the Construction Specifications for Control of Water from Dewatering Operations, Ontario Provincial Standard Specification (OPSS) 518 November 2016 as amended from time to time.
21. The Township, in its sole discretion, may provide a written approval for a discharge of water from a dewatering activity to a storm sewer works or land drainage works on such terms and conditions as it may deem appropriate, including but not limited to terms and conditions in respect of protecting the sewage works, other infrastructure and the natural environment, standards for parameters in the discharge, volume of the discharge and facilitating administration of the approval.
22. The Township, in its sole discretion, may provide a written approval for a discharge of water from a dewatering activity otherwise prohibited by Part 3 Section 5 (dd) to a storm sewer works or land drainage works on such terms and conditions as it may deem appropriate, including but not limited to terms and conditions in respect of protecting the sewage works, other infrastructure and the natural environment, standards for parameters in the discharge, volume of the discharge and facilitating administration of the approval where:
  - a. the discharge is proceeding in accordance with a valid approval or equivalent legal instrument, permission or Order which has been issued to the Person by a federal authority and/or Ontario ministry or regulatory body expressly authorizing the discharge; and
  - b. the Person has provided the Township with any information required under Part 7 Sections 23 and 24 of this By-law and copy of the instrument in Part 7 Section 22 (a).
23. Without limiting Part 7 Section 24, to assess a proposed discharge under Part 7 Sections 21 and 22, the Township must be provided with:
  - a. written request to the Township for the proposed discharge which includes:
    1. the volume and quality of water to be discharged;
    2. the location of the water source;
    3. the address of the property from which it is being discharged; and
    4. the details of the proposed discharge in a plan of discharge that is satisfactory to the Township;
  - b. a copy of a valid Permit to Take Water under the *Ontario Water Resources Act* or equivalent instrument, approval or Order issued or regulation filed under the *Environmental Protection Act* and any amendment thereto is provided to the Township in respect of the taking of the water that would be discharged, where such Permit to Take Water or equivalent is required; and
  - c. payment for any application fees for reviewing a request for a discharge under this section that may be imposed by the Township from time to time.
24. Where the Township has given prior written approval for a discharge in accordance with:
  - a. Part 7 Section 21, a Person may discharge water from a dewatering activity; or
  - b. Part 7 Section 22, a Person may discharge water from a dewatering activity to a storm sewer or land drainage works, only to the extent permitted by and where the Person is complying with all terms and conditions of the prior written approval.
25. For the purposes of this Part, the Township may require the Person to provide the Township with plans, drawings, specifications, reports, studies, data, analytical results, documentation or other information to the satisfaction of the Township that would enable the Township to assess whether or not the actual or potential discharge could contravene Part 7 of this By-law.



## PART 8 – SAMPLING AND ANALYTICAL REQUIREMENTS

26. Where samples may be required, in any number and at any time as determined in the Township's sole discretion, for the purpose of determining the characteristics or contents of any water, uncontaminated water or stormwater to which reference is made in this By-law, this Section applies.
27. The Township may by written notice,
- require an Owner, at the Owner's expense, to monitor, sample and/or analyze, one or more discharges from the Owner's property;
  - require that Owner to monitor, sample and/or analyze those discharges through an accredited laboratory in accordance with the procedures and methods set out in *Standard Methods*; and
  - to submit the results and/or samples to the Township by the date set out in the notice.
28. The sampling, tests, measurements, examinations and analysis required by this By-law shall be in accordance with the procedures as described in *Standard Methods*, or any accredited procedure followed by the Township. Laboratory analyses shall be performed by an accredited laboratory.
29. Compliance or non-compliance with this by-law may be determined by the analysis of a grab sample or a composite sample.
30. Wherever possible, samples shall be obtained at the point of control closest to the property boundary.
31. Whenever possible, samples shall be taken from a maintenance access hole. Where there is no maintenance access hole, the Township may provide, by written notice, the use of an alternate device or facility for the purpose of obtaining a representative sample of the discharge into the storm sewer works.
32. The samples may be grab samples or composite samples, may contain additives for the purpose of preservation and may be collected manually or by using an automatic sampling device. When sampling, consideration should be given to plant operations, the contaminants of concern, the sampling method (i.e., grab, composite and type of composite) and sampling location.
33. For each of the metals whose concentration is limited in Table 1 of the By-law, the analysis shall be for the quantity of total metal, which includes all metal both dissolved and particulate.
34. The Township may grant an exception for the discharge of a higher concentration of manganese than specified in Table 1 where a Qualified Person demonstrates to the satisfaction of the Township that the concentration is the result of the ambient or naturally occurring manganese concentration in uncontaminated groundwater.

## PART 9 – SPILLS

35. In the event of a spill to the storm sewer works, the Owner or Person causing or permitting the spill or the Person having charge, management or control of the spill shall,
- abide by the Ministry of Environment, Conservation and Parks, *Environmental Protection Act* R.S.O. 1990 Chapter E.19 Part X, *Spills*;
  - do everything reasonably possible to contain the spill, protect the health and safety of citizens, minimize damage to property, and protect the environment;
  - immediately notify the Township's Fire and Emergency Services Department and provide any information with regard to the spill that is requested and complete any work the Township may require to mitigate the spill;
  - clean up the spill and any associated residue and restore the affected area to its condition prior to the spill;
  - at the request of the Township, the Owner shall provide a report, within five days of the spill, containing the following information:
    - location where spill occurred;

2. name and phone number of Person who reported the spill and where they can be contacted;
  3. date and time of the spill;
  4. materials spilled;
  5. characteristics of materials spilled;
  6. volume of materials spilled;
  7. duration of spill event;
  8. work completed and/or still in progress in the mitigation of the spill;
  9. copies of applicable spill prevention and spill response plans; and
  10. preventive actions being taken to ensure the spill does not occur again.
36. Nothing in this By-law relieves any Person from complying with any notification or reporting provisions required by other government agencies, including federal, provincial and regional agencies, as required and appropriate for the material and circumstances of the spill, or any other by-law of the Township.
37. The Owner and any Person responsible for the spill shall be liable for all costs associated with the response to the clean up and restoration of the spill affected area to its condition prior to the spill, including any damage to the municipal storm sewer system as a result of the discharge or spill.
38. Where any Person fails or neglects to carry out or pursue the activities required by this By-law, the Township may take such measures as it deems appropriate to contain the spill, protect the health and safety of residents, minimize damage to property, protect the environment, clean up the spill and any associated residue, and restore the affected area to its condition prior to the spill.
39. The Township has the right to compensation from the Owner, any Person responsible for the spill or the Person having charge, management or control of the spill for all reasonable costs and expenses incurred.
40. The reasonable costs and expenses incurred by the Township with respect to response to the clean up and restoration of a spill affected area may be recovered from the Owner of the land in the same manner as municipal taxes.
41. The Township has the right to request all industrial, commercial and institutional establishments to prepare, implement and maintain a spill prevention and spill response plan for all possible contaminants on site that may gain access into the land drainage works or storm sewer works.

## **PART 10 – POLLUTION PREVENTION PLANS**

42. The Township may require, in its sole discretion, a Person to develop a pollution prevention plan at the Person's sole expense for the discharge of any parameter designated by the Township where the Person has:
- a. failed to comply with the By-law;
  - b. been responsible for one or more spills to the land drainage works or storm sewer works.
43. Pollution prevention plans shall comply with any guidelines established by the Township.
44. The pollution prevention plan shall be completed and available for review by the Township at the site of the discharge within 18 months of notification by the Township.
45. The Township may require the pollution prevention plan to be prepared by a qualified Person, who has, in the opinion of the Township, in-depth knowledge about the use and operation of the site in question and is considered to be qualified by the industry in general for preparing such a pollution prevention plan. The Township may require the pollution prevention plan be approved and sealed by a Professional Engineer, when there is any physical/structural works required to be done on the site.
46. The Township may exempt a Person from developing a pollution prevention plan where the Person has in place an ISO 14001 Program which is currently registered by a third-party auditor accredited by the Standard Council of Canada or the Registrar

Accreditation Board and agrees to make available records for inspection by the Township.

## **PART 11 – MAINTENANCE ACCESS HOLES**

47. Any Owner of a commercial, institutional, or industrial premises, or Owner of a multi-residential complex with one or more connections to a storm sewer works shall be required to install and maintain in good repair in each connection a suitable maintenance access hole to allow observation, sampling and flow measurement of storm water therein. Where the installation of a maintenance access hole is not possible, an alternative device or facility may be substituted with the written approval of the Director.
48. Any maintenance access hole or alternate device shall be located on the property of the Owner, as close to the property line as possible, in an area easily accessed by the Township at all times, not in conflict with other utilities or vegetation, and, without limiting the foregoing, to the satisfaction of the Township unless the Township has given written approval for a different location.
49. Each maintenance access hole, alternative device or facility shall be designed, constructed and maintained by the Owner, at the Owner's expense, in accordance with good engineering practice and the requirements of the Township.
50. No Person shall structurally modify any monitoring manhole or alternate device or install devices that interfere with the Township's access or the installation and observation of the Township's devices used for the purpose of observation, sampling and flow measurement of the storm water without the Director's prior consent.

## **PART 12 – ENFORCEMENT**

51. The Township shall, from time to time, appoint By-law Enforcement Officers for the purpose of administering and enforcing this By-law.
52. A By-law Enforcement Officer may enter any property or premises, except land or premises being used as a dwelling house, at any reasonable time without a warrant,
  - a. to inspect the discharge of any matter into a land drainage system and may conduct tests and remove samples for this purpose; and
  - b. to inspect, observe, measure, test, and sample the discharge into a storm sewer works, a private sewer connection or any other sewage system the contents of which ultimately empty into the storm sewer works and may conduct tests and take samples for this purpose.
53. For the purposes of inspection under Part 12 Section 52, a By-law Enforcement Officer may,
  - a. require information from any Person concerning a matter related to the discharge;
  - b. require the production of any documents pertaining to a spill or discharge including but not limited to: Environmental Compliance Approvals (ECA), Certificates of Approval (COA), Compliance Programs, Hazardous Materials Manifests, Maintenance and Inspection Logs, Material Safety Data Sheets (MSDS), Provincial Officer's Orders, Spill Reports, and past Action Requests and Notices of Contravention issued by the Township. The same may be removed for the purpose of making copies or extracts.
  - c. be accompanied by a person who has special or expert knowledge in relation to the discharge;
  - d. alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of inspection; and
  - e. order the Owner of the property to take and supply at the Owner's expense such tests and samples as are specified in the Order.
54. Without limiting any other section of the By-law, where a By-law Enforcement Officer is satisfied that any Person has failed to comply with the provisions of this By-law, the By-law Enforcement Officer may make an Order directing compliance with this By-law on such terms and conditions as he or she deems advisable under the circumstances, including without limitation,

- a. to conduct a monitoring study of the stormwater quality and/or quantity the nature of which may be specified by the Township;
- b. to carry out modifications and/or constructions of stormwater management facilities;
- c. to adopt and implement pollution prevention techniques and measures;
- d. to provide a satisfactory Pollution Prevention Plan; and
- e. to do any other requirement to prevent contravention to the By-law.

55. An Order shall set out:

- a. the municipal address or the legal description of the property;
- b. reasonable particulars of the contravention adequate to identify the contravention, including the work to be done and the date by which the work must be done;
- c. the time for complying with the terms and conditions of the Order and giving notice that, if the work is not carried out within that time, the Township may carry out the work at the Person's expense; and
- d. the final date for giving notice of appeal from the Order.

56. Notwithstanding Part 12 Section 55 (c), if upon inspection of a property the By-law Enforcement Officer is satisfied that there is non-compliance with this By-law to such extent as to pose an immediate danger to the health or safety of any person, the By-law Enforcement Officer may make an Order containing particulars of the non-compliance and requiring remedial repairs or other work to be carried out immediately to terminate the danger.

57. The Order shall be served on such Persons affected by it as the By-law Enforcement Officer determines by,

- a. personal service of a copy of the Order;
- b. sending a copy of the Order by regular letter mail or registered mail addressed to the Person at the Person's municipal address in which case service shall be deemed to have been effected on the third day after the copy is sent; or
- c. posting a copy of the Order on the door of any building or structure on the lands where the contravention occurred or, where no building or structure exists, on a stake erected by the officer on those lands in which case service shall be deemed to have been effected at the moment of posting on the door or stake.

58. a. A Person who has been served with an Order made under Part 12 Section 54 and who is not satisfied with the terms or conditions of the Order may appeal to the Municipal By-law Officer by sending a notice of appeal by registered mail to Municipal Law Enforcement within 14 days after being served with the Order.

- b. An Order that is not appealed within the time referred to in Part 12 Section 58 (a) shall be deemed to be confirmed.

59. a. The By-law Enforcement Officer and/or any experts may provide evidence for the Township at any appeal.

- b. A Person who has been served with an Order and/or any witness expert or otherwise may provide evidence on behalf of the Person who has been served with the Order at the appeal provided the Person who has been served with the Order has submitted all evidence in support of his or her appeal to the Municipal By-law Officer at least seven days prior to the appeal.

60. On an appeal, the Municipal By-law Officer has all the powers and functions of the By-law Enforcement Officer who made the Order may do any of the following things if, in the Municipal By-law Officer opinion, doing so would maintain the general intent and purpose of the By-law:

- a. confirm, modify or rescind the Order;
- b. extend the time for complying with the Order.

61. Where written notification, including an Order, has been issued by the Director to any Person discharging to a municipal storm sewer works, the Person shall carry out all

activities as required by the Director, and provide the results to the Township in accordance with written notification from the Director.

62. Any Person who obstructs A By-law Enforcement Officer or who otherwise obstructs the provisions of this By-law is guilty of an offence under this By-law.

63. Any Person who knowingly provides false information in any report or return required under this By-law or who withholds information required under this By-law, is guilty of an Offence under this By-law.

#### **PART 14 – PROTECTION FROM DAMAGE**

64. No Person shall uncover, make connection with, break, alter, destroy, damage, deface or tamper or cause or permit the breaking, damaging, destroying, defacing or tampering with,

- a. any part of a storm sewer works; or
- b. any permanent or temporary device installed in the storm sewer works for the purposes of flow measuring, sampling and testing of uncontaminated water or Township storm water.

#### **PART 15 – DAMAGE TO THE STORM SEWER WORKS**

65. Any Person discharging to storm sewer works shall be responsible for ensuring that such discharge conforms at all times with the provisions of this By-law and shall be liable for any damage or expense arising out of the failure to properly check and control such discharge, including the cost of investigation, repair and replacement of any part of the storm sewer works damaged thereby.

#### **PART 16 – UNAUTHORIZED ENTRY TO STORM SEWER WORKS**

66. Unless specifically authorized by the Director, no Person shall enter any storm sewer works.

#### **PART 17 – OFFENCES**

67. Every Person, other than a corporation, who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable for every day or part thereof upon which such offence occurs or continues to occur, to a fine of not less than \$1,000.00 and not more than \$10,000.00 for the first offence, and not less than \$5,000.00 and not more than \$25,000.00 for any subsequent offence.

68. Every corporation that contravenes any provision of this By-law is guilty of an offence and upon conviction is liable for every day or part thereof upon which such offence occurs or continues to occur, to a fine of not more than \$50,000.00 for the first offence and not more than \$100,000.00 for any subsequent offence.

69. In this By-law, subsequent offence means a conviction for an offence, which occurs after the date of conviction for an earlier offence under this By-law.

70. Prosecution under under this By-law shall not preclude any other legal actions required to recover damages required to repair, replace or restore damaged real or personal property, as the case may be.

71. A Township or a person acting on its behalf is not liable to compensate any Person by reason of anything done by or on behalf of the Township in the reasonable exercise of its powers under this By-law.

72. Any connections to a storm sewer in contravention of this By-law shall be disconnected by the Owner of the property immediately.

73. In addition to any other remedy or penalty imposed by this By-law where matter is being discharged into a municipal storm sewer works in violation of this By-law the Director may:

- a. at the cost of the Owner of the said property and premises, sever the connection of the property and premises from which the matter is being discharged, on 30 days notice; and
- b. refuse the reconnection of the said property and premises to the municipal storm sewer works by the Owner until authorized by the Director and the Township has been paid the cost of disconnecting the sewer, and other outstanding costs.

74. Where in this By-law any Person is required to do any matter or thing, in default of it being done by a Person so directed or required to do it, the matter or thing may be done by the Township, at the cost and expense of the Owner of the property, and such costs and expenses may be added to the tax roll for the property, and such cost shall represent a lien against the land.

#### **PART 18 – CONFLICT**

75. This By-law shall not be construed to reduce or mitigate any restrictions or regulations lawfully imposed by the Township.
76. If there is a conflict between a provision of this By-law and a provision of any other Township by-law, the provision that establishes the higher standard to protect the health and safety of the public and to maintain clean and tidy condition on land shall apply.

#### **PART 19 – SEVERABILITY**

77. If any provision or part of a provision of this By-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in certain circumstances, the balance of the By-law, or its application in other circumstances, shall not be affected and shall continue to be in full force and effect.

#### **PART 20 – CONFIDENTIAL INFORMATION**

78. All information submitted to and collected by the Township under this By-law will, except as where 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*, 2001, S.O. 2001, c. 25 (“MFIPPA”).
79. In the event that any Person is submitting information, in any form, to the Township or to the Director as required under this By-law, where such information is confidential or proprietary or otherwise may be exempt from disclosure under the 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.

#### **PART 22 – EFFECTIVE DATE**

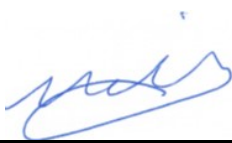
80. All of the provisions of this By-law shall come into effect on the date that it is passed by Council.

Table 1 – Limits for Storm Sewer Discharge

Parameter	Limit (mg/L)*	Parameter	Limit (mg/L)
BOD	15	Tetrachloroethylene	0.0044
Cyanide (total)	0.02	Toluene	0.002
Total Kjeldahl Nitrogen	1	Trichloroethylene	0.008
Phenolics	0.008	Xylenes (total)	0.0044
Phosphorus (total)	0.4	Di-n-butyl phthalate	0.015
Suspended Solids (total)	15	Bis (2-ethylhexyl) phthalate	0.0088
Arsenic (total)	0.02	PCBs	0.0004
Cadmium (total)	0.008	Nonylphenols	0.001
Chromium (total)	0.08	Nonyphenol ethoxylates	0.010
Copper (total)	0.05	Aldrin/dieldrin	0.00008
Lead (total)	0.12	Chlordane	0.00006
Manganese (total)	0.15	DDT	0.00004
Mercury (total)	0.0004	Hexachlorobenzene	0.00004
Nickel (total)	0.08	Mirex	0.040
Selenium (total)	0.02	3,3'-Dichlorobenzidine	0.0008
Silver (total)	0.12	Hexachlorocyclohexane	0.040
Zinc (total)	0.04	Pentachlorophenol	0.002
Escherichia coli (E. coli)	200 CFU/100 mL	Polycyclic Aromatic Hydrocarbons (total)	0.002
Benzene	0.002		
Chloroform	0.002		
1,2-Dichlorobenzene	0.0056		
1,4-Dichlorobenzene	0.0068		
cis-1,2-Dichloroethylene	0.0056		
trans-1,3-Dichloropropylene	0.0056		
Ethylbenzene	0.002		
Methylene chloride	0.0052		
1,1,2,2-Tetrachloroethane	0.017		


**Notes:** \* = unless otherwise noted. CFU = colony forming units

Passed This 8 Day of December, A.D., 2025.



---

Mayor  
Michael Jubb



---

Clerk/Deputy CAO  
Fernando Lamanna

By signing this by-law on December 8, 2025, Mayor Michael Jubb will not exercise the power to veto this by-law.