

Authority: Works Committee and Economic Development and Parks Committee Joint Report No. 2, Clause No. 1, adopted as amended, by City of Toronto Council on June 7, 8 and 9, 2000

Enacted by Council: July 6, 2000

## CITY OF TORONTO

### BY-LAW No. 457-2000

#### To regulate the discharge of sewage and land drainage.

The Council of the City of Toronto HEREBY ENACTS as follows:

#### **Definitions**

1. In this By-law:

- (a) “acute hazardous waste chemicals” means acute hazardous waste chemicals within the meaning of O.Reg. 347, as amended from time to time, made under the *Environmental Protection Act*, R.S.O. 1990 c. E. 19 (EPA);
- (b) “biochemical oxygen demand (BOD)” means the 5-day BOD which is the determination of the molecular oxygen utilized during a 5-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);
- (c) “biosolids” means organic solid material recovered from the wastewater treatment process;
- (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) “City” means the City of Toronto;
- (f) “combined sewer” means a sewer intended to function simultaneously as a storm sewer and a sanitary sewer;
- (g) “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;

- (h) “Commissioner” means the Commissioner of Works and Emergency Services of the City of Toronto and his/her successors or his/her duly authorized representative;
- (i) “composite sample” means a volume of sewage, storm water, 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 periods;
- (j) “connection” or “drain” means that part or those parts of any pipe or system of pipes leading directly to a sewage works;
- (k) “cooling water” means water that is used in a process for the purpose of removing heat and that has not, by design, come into contact with any raw material, intermediate product, waste product, or finished product, but does not include blowdown water;
- (l) “double municipal sewer connection” means a municipal sewer connection providing service to two or more premises;
- (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, storm water, uncontaminated water, or effluent of at least 100 millilitres which is collected over a period not exceeding fifteen minutes;
- (o) “groundwater” means water beneath the earth’s surface accumulating as a result of seepage;
- (p) “hailed sewage” means waste removed from a sewage system, including a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet, or a sewage holding tank;
- (q) “hailed waste” means any industrial waste, which is transported to and deposited into any location in the sewage works excluding, hailed sewage;
- (r) “hazardous industrial waste” means hazardous industrial waste within the meaning of O.Reg. 347, as amended from time to time, made under the *Environmental Protection Act*, R.S.O. 1990 c. E. 19 (EPA);
- (s) “hazardous waste chemicals” means hazardous waste chemicals within the meaning of O.Reg. 347, as amended from time to time, made under the *Environmental Protection Act*, R.S.O. 1990 c. E. 19 (EPA);

- (t) “ignitable waste” means a substance that,
- (i) is a liquid, other than an aqueous solution containing less than 24 per cent 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,
  - (ii) 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;
  - (iii) is an ignitable compressed gas (Class 2, Division D) as defined in the regulations under the *Transportation of Dangerous Goods Act, 1992*, S.C. 1992, as amended, or,
  - (iv) is an oxidizing substance (Class 5, Divisions 1 and 2) as defined in the regulations under the *Transportation of Dangerous Goods Act, 1992*, S.C. 1992, as amended;
- (u) “industrial” means of or pertaining to manufacturing, commerce, trade, business, or institutions as distinguished from domestic or residential;
- (v) “industry” means any owner or operator of industrial or commercial premises from which there is a discharge of any matter directly or indirectly into a City sanitary sewer, combined sewer or storm sewer;
- (w) “maintenance access hole” 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) “matter” includes any solid, liquid or gas;
- (y) “municipal sewer connection” means that part of any drain leading from the private sewer connection and connected to the municipal sewer and located within the limits of the public road allowance, or other public lands or public land interests held for sewerage purposes;
- (z) “pathological waste” means pathological waste within the meaning of O.Reg. 347. as amended from time to time, made under the *Environmental Protection Act*, R.S.O. 1990 c.E.19 (EPA);

- (aa) “PCBs” means any monochlorinated or polychlorinated biphenyl or any mixture of them or mixture that contains one or more of them;
- (bb) “person” means an individual, association, partnership, corporation, municipality or an agent or employee of such a person;
- (cc) “pesticides” means a pesticide regulated under the *Pesticides Act*, R.S.O. 1990, c.P. (PA);
- (dd) “pollution prevention” means the use of processes practices, materials, products or energy that avoid or minimize the creation of pollutants and wastes, at the source;
- (ee) “pollution prevention plan” or “plan” means a detailed six year plan that identifies operations or activities of an owner or operator of commercial, institutional or industrial premises identifying specific pollution prevention methods, as described in Section 5 of this By-law;
- (ff) “pollution prevention plan summary” or “plan summary” means a summary of the pollution prevention plan and a brief summary of an owner or operator’s progress towards its three and six year pollution prevention goals, as described in Section 5 of this By-law;
- (gg) “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 to a municipal sewer connection;
- (hh) “reactive waste” means a substance that,
  - (i) is normally unstable and readily undergoes violent changes without detonating;
  - (ii) reacts violently with water;
  - (iii) forms potentially explosive mixtures with water;
  - (iv) when mixed with water, generates toxic gases, vapours or fumes in a quantity sufficient to present danger to human health or the environment;
  - (v) 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;

- (vi) is capable of detonation or explosive reaction if it is subjected to a strong initiating source or if heated under confinement;
- (vii) is readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure; or
- (viii) is an explosive (Class 1) as defined in the regulations under the *Transportation of Dangerous Goods Act, 1992*, S.C. 1992, as amended;
- (ii) “sanitary sewer” means a sewer for the collection and transmission of domestic or industrial sewage or any combination thereof;
- (jj) “severely toxic waste” means waste containing any contaminant listed in Schedule 3 of O.Reg. 347, as amended from time to time, made under the *Environmental Protection Act*, R.S.O. 1990 c.E. 19 (EPA);
- (kk) “sewage” means any liquid waste containing animal, vegetable, mineral or chemical matter in solution or in suspension but does not include storm water or uncontaminated water;
- (ll) “sewage works” means any works for the collection, transmission, treatment and disposal of sewage, storm water or uncontaminated water, including a combined sewer, sanitary sewer or storm sewer, or any part of such works, but does not include plumbing or other works to which the *Building Code Act, 1992* applies;
- (mm) “sewer” means a pipe, conduit, drain, open channel, or ditch for the collection and transmission of sewage, storm water and/or uncontaminated water, or any combination thereof;
- (nn) “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;
- (oo) “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, latest edition;
- (pp) “storm sewer” means a sewer for the collection and transmission of uncontaminated water, storm water, drainage from land or from a watercourse or any combination thereof;

- (qq) “storm water” means water from rainfall, other natural precipitation, drainage or from the melting of snow or ice;
- (rr) “subject pollutant” means the element, material or compound listed in Appendix 2 to this By-law, or designated by the City in accordance with subsection 5(15) of this By-law;
- (ss) “subject sector” means any class of business or activity designated in Appendix 1 to this By-law or designated by the City in accordance with subsection 5(14) of this By-law;
- (tt) “subject sector industry” means any industry which carries out an activity listed in Appendix 1 to this By-law at its premises or at any of its premises, even if the activity is not a primary activity of the industry at any premises;
- (uu) “subsurface drainage pipe” means a pipe that is installed underground to intercept and convey subsurface water, and includes foundation drain pipes;
- (vv) “total PAHs” means the total of all the polycyclic aromatic hydrocarbons listed under Canada Ontario Agreement Tier I and II Substances Lists, i.e. anthracene, benzo(a)pyrene, benzo(a)anthracene, benzo(e)pyrene, benzo(b)fluoranthene, benzo(j)fluoranthene, benzo(k)fluoranthene, benzo(g,h,i)perylene, chrysene, dibenzo(a,h)anthracene, dibenzo(a,i)pyrene, dibenzo(a,j)acridine, 7H-dibenzo(c,g)carbazole, dinitropyrene, fluoranthene, indeno(1,2,3-c,d)pyrene, perylene, phenanthrene, and pyrene;
- (ww) “uncontaminated water” means water with a level of quality which is typical of potable water normally supplied by the City or whose quality meets or exceeds the values in Table 2 – Limits for Storm Sewer Discharge of this By-law;
- (xx) “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;
- (yy) “waste radioactive prescribed substances” 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; and
- (zz) “watercourse” means an open channel, ditch or depression either natural or artificial, in which flow of water occurs either continuously or intermittently.

**Sanitary and Combined Sewer Requirements**

2. (1) No person shall discharge directly or indirectly or deposit or cause or permit the discharge or deposit of sewage into a sanitary sewer, combined sewer, municipal or private sewer connection to any sanitary sewer or combined sewer in circumstances where,
- (a) to do so may cause or result in,
    - (i) a health or safety hazard to a person authorized by the Commissioner to inspect, operate, maintain, repair or otherwise work on a sewage works;
    - (ii) an offence under the Ontario Water Resources Act or the Environmental Protection Act, as amended from time to time, or any regulation made thereunder from time to time;
    - (iii) biosolids from the sewage works to which either sewage discharges, directly or indirectly, to fail to meet the objectives and criteria as listed in the Ministry of the Environment publication entitled "Guidelines for the Utilization of Biosolids and Other Wastes on Agricultural Land" dated March 1996, as amended from time to time;
    - (iv) interference with the operation or maintenance of a sewage works, or which may impair or interfere with any sewage treatment process;
    - (v) a hazard to any person, animal, property or vegetation;
    - (vi) an offensive odour to emanate from sewage works, and without limiting the generality of the foregoing, sewage containing hydrogen sulphide, carbon disulphide, other reduced sulphur compounds, amines or ammonia in such quantity as may cause an offensive odour;
    - (vii) damage to sewage works;
    - (viii) an obstruction or restriction to the flow in sewage works.
  - (b) the sewage has one or more of the following characteristics:
    - (i) a pH less than 6.0 or greater than 11.5;

- (ii) two or more separate liquid layers; or
- (iii) a temperature greater than 60 degrees Celsius;
- (c) the sewage contains:
  - (i) acute hazardous waste chemicals;
  - (ii) combustible liquid;
  - (iii) dyes or colouring materials which may or could pass through a sewage works and discolour the sewage works effluent;
  - (iv) fuel;
  - (v) hauled sewage, except where:
    - (a) the carrier of the hauled sewage operating as a waste management system has a certificate of approval or provisional certificate of approval issued under the *Environmental Protection Act* or is exempt from the requirement to have a certificate or provisional certificate of approval;
    - (b) a copy of the most recent certificate of approval or provisional certificate and any amendment is provided to the Commissioner; and
    - (c) the carrier meets all conditions for discharge that are or may be set from time to time with respect to the haulage of sewage by the City;
  - (vi) hauled waste, except where:
    - (a) the carrier of the hauled waste operating as a waste management system has a certificate of approval or provisional certificate of approval issued under the *Environmental Protection Act* or is exempt from the requirement to have a certificate or provisional certificate of approval;
    - (b) a copy of the most recent certificate or provisional certificate and any amendment of approval is provided to the Commissioner;

- (c) hauled waste meets the conditions set out in Clauses 23(3)(c) and 25(5)(b) of O.Reg. 347, R.R.O. 1990, as amended from time to time; and
- (d) the carrier meets all conditions for discharge that are or may be set from time to time with respect to the haulage of waste by the City;
- (vii) ignitable waste;
- (viii) hazardous industrial waste;
- (ix) hazardous waste chemicals;
- (x) pathological waste;
- (xi) PCBs, except where:
  - (a) the person has a certificate of approval for a mobile site or PCB mobile waste disposal system issued under the Environmental Protection Act (EPA) or where the person is claiming exemption under a regulation, the person has demonstrated to the Commissioner that the conditions of the exemption are met;
  - (b) a copy of the most recent certificate or provisional certificate and any amendment is provided to the Commissioner; and
  - (c) the person has written approval from the Commissioner that the person has met a condition for an exemption under the regulations in relation to their discharge of PCBs to the sewage works;
- (xii) pesticides;
- (xiii) reactive waste;
- (xiv) severely toxic waste;
- (xv) waste radioactive prescribed substances, except where:

- (a) the waste radioactive prescribed substances are being discharged under a valid and current licence issued by the Atomic Energy Control Board or its successor; and
  - (b) a copy of the licence has been provided to the Commissioner;
- (xvi) waste disposal site leachate, except where:
- (a) the person has prior written approval from the Commissioner which permits the discharge or deposit of the waste disposal site leachate to the sewage works, in accordance with guidelines adopted by the City from time to time; and
  - (b) in the case where a certificate of approval or order has been issued which includes a provision for the disposal of waste disposal site leachate to sewage works, a copy of the certificate of approval or order is provided to the Commissioner or where the person is claiming an exemption, the person has received written notice from the Commissioner that the conditions of the exemption are being met;
- (xvii) solid or viscous substances in quantities or of such size to be capable of causing obstruction to the flow in a sewer, including but not limited to ashes, bones, cinders, sand, mud, soil, straw, shaving, metal, glass, rags, feathers, tar plastics, wood, unground garbage, animal parts or tissues, and paunch manure;
- (d) the sewage contains a concentration, expressed in milligrams per litre, in excess of any one or more of the limits in Table 1 of this By-law entitled "Limits for Sanitary and Combined Sewers Discharge".
- (2) The discharge of storm water, groundwater, non-contact cooling water or uncontaminated water to a sanitary or combined sewer is prohibited unless expressly authorized in writing by the Commissioner in accordance with guidelines adopted by the City from time to time.
- (3) The discharge of water originating from a source other than the City water supply directly or indirectly to a sanitary sewer or combined sewer is prohibited, unless:

- (a) the discharge is expressly authorized in writing by the Commissioner in accordance with guidelines adopted by the City from time to time, prior to the discharge; and/or
- (b) the discharge is in accordance with a Sanitary Discharge Agreement; and
- (c) any fees required to be paid to the City pursuant to an Industrial Waste Surcharge Agreement are paid within 30 days of the date of the invoice from the City.

The provisions of subsection 2(1)(d) do not apply where:

- (a) the discharge is in accordance with an Industrial Waste Surcharge Agreement or expressly authorized in writing by the Commissioner in accordance with this By-law prior to the discharge; and
- (b) any fee set by the City has been paid within 30 days of invoicing.

**Table 1 - Limits for Sanitary and Combined Sewers Discharge**

Parameter	Limit (mg/L)	Parameter	Limit (mg/L)
Biochemical Oxygen Demand	300	Benzene	0.01
Cyanide (total)	2	Chloroform	0.04
Fluoride	10	1,2-dichlorobenzene	0.05
Total Kjeldahl Nitrogen	100	1,4-dichlorobenzene	0.08
Oil & Grease – Animal & vegetable	150	Cis-1,2-dichloroethylene	4
Oil & Grease – Mineral & Synthetic	15	Trans-1,3-dichloropropylene	0.14
Phenolics (4AAP)	1.0	Ethyl benzene	0.16
Phosphorus (total)	10	Methylene chloride	2
Suspended Solids (total)	350	1,1,2,2-tetrachloroethane	1.4
Aluminum (total)	50	Tetrachloroethylene	1
Antimony (total)	5	Toluene	0.016
Arsenic (total)	1	Trichloroethylene	0.4
Cadmium (total)	0.7	Xylenes (total)	1.4
Chromium (hexavalent)	2	Di-n-butyl phthalate	0.08
Chromium (total)	2	Bis (2-ethylhexyl) phthalate	0.012
Cobalt (total)	5	Nonylphenols	0.001
Copper (total)	2	Nonylphenol ethoxylates	0.01
Lead (total)	1	Aldrin/dieldrin	0.0002
Manganese (total)	5	Chlordane	0.1

Mercury (total)	0.01	DDT	0.0001
Molybdenum (total)	5	Hexachlorobenzene	0.0001
Nickel (total)	2	Mirex	0.1
Selenium (total)	1	PCBs	0.001
Silver (total)	5	3,3'-dichlorobenzidine	0.002
Tin (total)	5	Hexachlorocyclohexane	0.1
Titanium (total)	5	Pentachlorophenol	0.005
Zinc (total)	2	Total PAHs	0.005

### **Prohibition of Dilution**

3. No person shall discharge directly or indirectly or deposit or cause or permit the discharge or deposit of sewage into a sanitary sewer, combined sewer, storm sewer, municipal or private sewer connection to any sanitary sewer, combined sewer or storm sewer in circumstances where water has been added to the discharge for the purposes of dilution to achieve compliance with Sections 2 or 4 of the By-law.

### **Storm Sewer Requirements**

4. 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) contravene or result in the contravention of a certificate of approval or provisional certificate of approval issued under the Ontario Water Resources Act or the Environmental Protection Act (Ontario) with respect to the storm sewer and/or its discharge;
- (f) have one or more of the following characteristics:
  - (i) visible film, sheen or discolouration;
  - (ii) two or more separate layers;
  - (iii) a pH less than 6.0 or greater than 9.5;

- (iv) a temperature greater than 40 degrees Celsius;
- (g) contain one or more of the following:
  - (i) acute hazardous waste chemicals;
  - (ii) blowdown water;
  - (iii) combustible liquids;
  - (iv) floating debris;
  - (v) fuel;
  - (vi) hauled sewage;
  - (vii) hauled waste;
  - (viii) hazardous industrial waste;
  - (ix) hazardous waste chemicals;
  - (x) ignitable waste;
  - (xi) pathological waste;
  - (xii) PCBs;
  - (xiii) pesticides;
  - (xiv) reactive waste;
  - (xv) severely toxic waste;
  - (xvi) sewage;
  - (xvii) waste radioactive prescribed substances;
  - (xviii) waste disposal site leachate
  - (xix) a substance from raw materials, intermediate or final product, used or produced in , through or from an industrial process; or
  - (xx) a substance used in the operation or maintenance of an industrial site;

- (h) contain E. coli colonies in excess of 200 per 100 mL;
- (i) contain contaminants from raw materials, intermediate or final products or wastewater from an industrial operation; or
- (j) contain a concentration, expressed in milligrams per litre, in excess of any one or more of the limits in Table 2 of this By-law entitled “Limits for Storm Sewer Discharge”.

**Table 2 - Limits for Storm Sewer Discharge**

Parameter	Limit (mg/L)	Parameter	Limit (mg/L)
Biochemical Oxygen Demand	15	Trans-1,3-dichloropropylene	0.0056
Cyanide (total)	0.02	Ethyl benzene	0.002
Phenolics (4AAP)	0.008	Methylene chloride	0.0052
Phosphorus (total)	0.4	1,1,2,2-tetrachloroethane	0.017
Suspended Solids (total)	15	Tetrachloroethylene	0.0044
Arsenic (total)	0.02	Toluene	0.002
Cadmium (total)	0.008	Trichloroethylene	0.0076
Chromium (total)	0.08	Xylenes (total)	0.0044
Chromium (hexavalent)	0.04	Di-n-butyl phthalate	0.015
Copper (total)	0.04	Bis (2-ethylhexyl) phthalate	0.0088
Lead (total)	0.12	Nonylphenols	0.001
Manganese (total)	0.05	Nonylphenol ethoxylates	0.01
Mercury (total)	0.0004	Aldrin/dieldrin	0.00008
Nickel (total)	0.08	Chlordane	0.04
Selenium (total)	0.02	DDT	0.00004
Silver (total)	0.12	Hexachlorobenzene	0.00004
Zinc (total)	0.04	Mirex	0.04
Benzene	0.002	PCBs	0.0004
Chloroform	0.002	3,3'-dichlorobenzidine	0.0008
1,2-dichlorobenzene	0.0056	Hexachlorocyclohexane	0.04
1,4-dichlorobenzene	0.0068	Pentachlorophenol	0.002
Cis-1,2-dichloroethylene	0.0056	Total PAHs	0.002

**Pollution Prevention Planning**

5. (1) Every subject sector industry and every industry which discharges any amount of a subject pollutant shall prepare a plan and submit to the Commissioner a plan summary with respect to the premises from which the discharge occurs by no later than the date set out in Column 3 of Appendix 1 to this By-law that corresponds to the Industrial Category for that industry as set out in Column 2 of the said Appendix 1.
- (2) Plan summaries submitted to the Commissioner shall be approved by the Commissioner unless the Commissioner determines that the plan summary does not comply with the requirements of this By-law.
- (3) (a) The plan shall be in the form designated by the City for that purpose from time to time.

- (b) In addition to any other matter or requirement designated by the City, and notwithstanding subsection 5(3)(c), each plan shall include the following:
- (i) a description of the processes at the premises which use or produce subject pollutants;
  - (ii) a description of those processes at the premises which are to be the subject of pollution prevention planning;
  - (iii) a list of the subject pollutants present at the premises at any stage of the operations of the premises;
  - (iv) a description setting out the types, quantities and concentrations of all subject pollutants discharged, directly or indirectly, to a sewer;
  - (v) a description of current waste reduction, recycling, waste treatment and pollution prevention activities with respect to sewer discharges at the premises;
  - (vi) a description of pollution prevention options for subject pollutants and sewer discharge and an evaluation of those options;
  - (vii) a list of possible three and six year targets to reduce or eliminate the discharge of subject pollutants to the City's sewers;
  - (viii) 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.
- (c) The City may designate a different form for the plan with respect to any class of industrial, commercial or institutional premises, or with respect to any class of industry.
- (4) (a) The plan summary shall be in the form designated by the City for that purpose from time to time.
- (b) In addition to any other matter or requirement designated by the City, and notwithstanding subsection 5(4)(c), each plan summary shall include the following:

- (i) a description of the processes at the premises which use or produce subject pollutants;
  - (ii) a description of those processes at the premises which are to be the subject of pollution prevention planning;
  - (iii) a list of the subject pollutants present at the premises at any stage of the operations of the premises;
  - (iv) a summary of the plan;
  - (v) 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.
- (c) The City may designate a different form for the plan summary with respect to any class of industrial, commercial or institutional premises, or with respect to any class of industry.
- (5) In the event that the activity or business of an industry which discharges any amount of a subject pollutant is not listed in Column 2 of Appendix 1 to this By-law, then that industry shall prepare a plan and submit a plan summary by no later than June 1, 2001.
- (6) Any subject sector industry and any industry discharging any amount of a subject pollutant which commences business operations after June 30, 2000, shall have one year from the date of the commencement of its business operations to prepare a plan and prepare and submit a plan summary to the Commissioner.
- (7) At all times after the dates specified in subsections 5(1), 5(5), and 5(6) every subject sector industry and every industry discharging a subject pollutant shall have a plan summary that has been approved by the Commissioner.
- (8) In the event that an industry submitting a plan summary is not sent written notice from the Commissioner that its plan summary is not approved by the Commissioner within 90 days of the industry delivering the plan summary to the Commissioner, the plan summary shall be deemed to have been approved by the Commissioner
- (9) Where an industry receives notice from the Commissioner that its plan summary has not been approved, the industry shall have 90 days to amend and resubmit its plan summary to the Commissioner for approval in accordance with this By-law.

- (10) In the event that a plan summary resubmitted to the Commissioner in accordance with subsection 5(9) of this By-law continues to fail to comply with the requirements of this By-law, the Commissioner shall so notify the industry and the industry shall be in contravention of subsection 5(1) of this By-law and shall continue to be in contravention of this By-law until such time as the Commissioner approves of an amended plan summary resubmitted by the industry, in accordance with this By-law.
- (11) Every subject sector industry and every industry discharging a subject pollutant shall submit a revised and updated plan summary for the approval of the Commissioner at least once every two years from the date which the original plan summary was required to be submitted. Such revised and updated plan summary shall, in addition to the requirements otherwise set out in this By-law, detail and evaluate the progress of the industry to accomplish the objectives set out in its plan and the industry's ability to accomplish those pollution prevention objectives.
- (12) Every subject sector industry and every industry discharging a subject pollutant shall prepare a revised and updated plan no less frequently than once every six years from the date which the original plan was required to be prepared, and shall prepare and submit for the Commissioner's approval a plan summary with respect thereto no later than the date by which any revised and updated plan must be prepared.
- (13) The provisions of subsections 5(9), 5(10) and 5(11) of this By-law apply with respect to plans and plan summaries required to be prepared pursuant to subsection 5(12).
- (14) The City may designate any class of business or activity not included in Appendix 1 to this By-law as a subject sector industry and may designate a date with respect to which any such subject sector shall be required to submit to the Commissioner a plan and a plan summary.
- (15) The City may designate any matter as a subject pollutant and may designate a date with respect to which any industry discharging such subject pollutant shall be required to submit to the Commissioner a plan and a plan summary.
- (16) A copy of the 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 Commissioner at any time.

### **Agreements**

6. (1) Subject to subsections 6(2), the discharge or deposit of sewage by a person 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 an Industrial Waste Surcharge Agreement or a Sanitary Discharge Agreement entered into between the person and City on such terms and conditions as set out in this By-law including conditions with respect to the payment of additional sewage service rates to compensate the City for its additional costs of operation, repair, and maintenance of the sewage works, and on other terms and conditions as may be deemed appropriate by the City.
- (2) (a) An Industrial Waste Surcharge Agreement may only be entered into with respect to the discharge of the following treatable parameters in sewage: biochemical oxygen demand, phenolics (4AAP), total phosphorus and total suspended solids.
- (b) A Sanitary Discharge Agreement may be entered with respect to the discharge of sewage, which contains water that has originated from a source other than the City water supply system.
- (3) Industrial Waste Surcharge Agreements and Sanitary Surcharge Agreements shall be generally in the form designated by the City from time to time. The Commissioner shall be authorized to execute Industrial Waste Surcharge Agreements and Sanitary Discharge Agreements on behalf of the City in the form designated by the City.
- (4) The agreements contemplated by subsections 6(2)(a) and 6(2)(b) may be terminated by the Commissioner 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, water or sewage works.

### **Compliance Program**

7. (1) An industry may submit to the Commissioner a proposed compliance program setting out activities to be undertaken by the industry that would result in the prevention or reduction and control of the discharge or deposit of matter from the industry's premises into municipal or private sewer connections to any sanitary sewer or combined sewer.
- (2) An industry may submit to the Commissioner a proposed compliance program setting out activities to be undertaken by the industry that would result in the prevention or reduction and control of the discharge or deposit of uncontaminated water, groundwater or storm water from the industry's premises to eliminate the discharge of matter into municipal or private sewer connections to any storm sewer.

- (3) Upon receipt of an application pursuant to subsections (1) or (2) above, the Commissioner may issue an approval for a compliance program for an industry to discharge an effluent that does not comply with Table 1 and Table 2 of this By-law such approval to be in accordance with guidelines therefore adopted by the City from time to time. The industry shall be entitled to make non-complying discharges in the amount and only to the extent set out in the Commissioner's approval during the planning, design, and construction or installation of facilities or works needed to implement the approved compliance program.
- (4) Every proposed compliance program shall be for a specified length of time during which treatment facilities are to be installed, and shall be specific as to the remedial actions to be implemented by the industry, the dates of commencement and completion of the activity, and the materials or other characteristics of the matter to which it relates. The final activity completion date shall not be later than the final compliance date in the compliance program.
- (5) The industry to which a compliance program has been issued shall submit a compliance program progress report to the Commissioner within 14 days after the scheduled completion date of each activity listed in the compliance program.
- (6) The Commissioner may terminate any proposed compliance program by written notice at any time to the industry in the event that the industry fails or neglects to carry out or diligently pursue the activities required of it under its approved compliance program.
- (7) The Commissioner is authorized to execute agreements with industries with respect to approved compliance programs which agreements may, in accordance with guidelines adopted by the City from time to time, include a provision for a reduction in the payment otherwise required from the industry to the City pursuant to an Industrial Waste Surcharge Agreement. The reduction in payment to the City may be in such an amount and for such duration as the agreement may specify.
- (8) The Commissioner may terminate any approved compliance program agreement entered into pursuant to subsection 7(7) by written notice at any time to the industry in the event that the industry fails or neglects to carry out or diligently pursue the activities required of it under its approved compliance program, and in the event of an such termination, the industry shall pay to the City the full difference in amount between what it was required to pay to the City pursuant to the Industrial Waste Surcharge Agreement, and the amount actually paid to the City as a result of having entered into an agreement with respect to the approved compliance program.

**Sampling and Analytical Requirements**

8. (1) The sampling and analysis required by this By-law shall be carried out in accordance with the procedures, modified or unmodified, as described in Standard Methods or the “Guidance Document for the Sampling and Analysis of Wastewater for the 1999 Model Sewer Use By-law”, the United States Environmental Protection Agency methods or analytical methods adopted by the City.
- (2) Compliance or non-compliance with this By-law may be determined by the analysis of a grab sample or a composite sample done in accordance with subsection 8(1), may contain additives for its preservation and may be collected manually or by using automatic sampling device.
- (3) Where there is no maintenance access hole meeting the requirements of Section 10 of the By-law, the Commissioner may by written notice to an industry, make use of an alternate device or facility for the purpose of sampling a discharge to the sewage works.

**Spills**

9. (1) In the event of a spill to a sewage works, the person responsible and/or the person having the charge, management and control of the spill shall immediately notify the Commissioner and provide any information with regard to the spill that is requested.
- (2) The person shall provide a detailed report on the spill to the Commissioner, within five days after the spill, containing the following information to the best of his knowledge:
- (a) location where spill occurred;
  - (b) name and telephone number of 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 of material spilled;
  - (f) volume of material spilled;

- (g) duration of spill event;
  - (h) work completed and/or still in progress in the mitigation of the spill; and
  - (i) preventive actions being taken to ensure a similar spill does not occur again.
- (3) The person responsible for the spill and/or 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.
- (4) Industries at whose premises a spill has occurred which are required to have a plan pursuant to Section 5 of this By-law, shall prepare an updated plan and plan summary incorporating the information set out in subsection 9(2) and shall submit the plan summary so updated to the Commissioner within 30 days of the spill.

### **General**

- 10.** (1) Maintenance Access Hole
- (a) The owner or operator of commercial, institutional or industrial premises, or multi-storey residential buildings with one or more connections to a sewage works shall install and maintain in good repair in each connection a suitable maintenance access hole to allow observation, sampling and flow measurement of the sewage, uncontaminated water or storm water therein, provided that where installation of a maintenance access hole is not possible, an alternative device or facility may be substituted with the prior written approval of the Commissioner.
  - (b) The maintenance access hole or alternative device shall be located on the property of the owner or operator of the premises, as close to the property line as possible, unless the Commissioner has given prior written approval for a different location.
  - (c) Each maintenance access hole, device or facility installed as required by subsection 10(1)b shall be designed and constructed in accordance with good engineering practice and the requirements of the municipal standard, as established by the City from time to time, and shall be constructed and maintained by the owner or operator of the premises at his expense.

(d) The owner or operator of the commercial, institutional or industrial premises, or multi-storey residential buildings shall at all times ensure that every maintenance access hole, alternative device or facility installed as required by subsection 10(1)2 is accessible to the Commissioner for purposes of maintaining, observing, sampling and flow measurement of the sewage, uncontaminated water or storm water therein.

(2) Food Related Grease Interceptors

Every owner or operator of a restaurant or other industrial, commercial or institutional premises where food is cooked, processed or prepared which premises is connected directly or indirectly to a sewer, shall take all necessary measures to ensure that oil and grease are prevented from entering the sewer. In particular, the owner or operator shall install, operate and properly maintain a grease interceptor in any piping system at its premises that connects directly or indirectly to a sewer.

(3) Interceptors for Motor Oil and Lubricating Grease

Every owner or operator of a commercial, industrial or institutional premises at which floor drains of a service garage are connected directly or indirectly to a sewer shall install and maintain an oil interceptor designed to prevent motor oil and lubricating grease from passing into drainage piping which is connected directly or indirectly to a sewer.

(4) Sediment Interceptors

Every owner or operator of a premises from which sediment may directly or indirectly enter a sewer, including, but not limited to premises using a ramp drains or area drain, car and vehicle wash establishments, shall take all necessary measures to ensure that such sediment is prevented from entering the drain or sewer.

(5) Garbage Grinders

(a) No person shall install or operate within the City any garbage grinding devices for industrial or commercial purposes, the effluent from which will discharge directly or indirectly into the sewage works.

(b) No person shall install or operate within the City any garbage grinding devices for domestic purposes, the effluent from which will discharge directly or indirectly into a storm or combined sewer.

- (c) No person shall install or operate a garbage grinding device for domestic purposes, the effluent from which will discharge into a sanitary sewer system, unless such garbage grinding device is of a type which will permit forty percent of all grindings to pass a 2.36 mm sieve (3/32"), sixty percent to pass a 6.35 mm sieve (1/4"), and all grindings to pass a 12.7 mm sieve (1/2").

(6) Right of Entry

No person shall prevent, hinder, obstruct or interfere in any way with the Commissioner or an inspector and persons deemed, by the Commissioner, to be essential to an inspection and sampling, bearing proper credentials and identification from,

- (a) entering in or upon, at any reasonable time without a warrant, any land or premises, except land or premises being used as a dwelling house;
- (b) making such tests or taking such samples as the Commissioner or an inspector deems necessary;
- (c) inspecting or observing any plant, machinery, equipment, work, activity or documents;

for the purposes of administering or enforcing this By-law.

(7) Protection from Damage

No person shall uncover, make any connection with, or opening into, 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 purposes of flow measuring, sampling and testing of sewage, uncontaminated water or storm water.

(8) Damage to the Sewage Works

Any person discharging sewage, uncontaminated water, or storm water to the municipal sewage works shall be responsible for ensuring that such sewage, uncontaminated water, or storm water conforms at all times to the provisions of this By-law, and shall be liable for any damage or expense arising out of his/her failure to properly check and control such discharge, including the cost of

investigation, repairing or replacing any part of any municipal sewage works damaged thereby.

(9) Unauthorized Entry to Sewage Works

Unless specifically authorized by the Commissioner, no person shall enter any sewage works.

(10) Dental Waste Amalgam Separator

- (a) 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 any piping system at its premises that connects directly or indirectly to a sewer by no later than January 1, 2002.
- (b) Notwithstanding subsection 10(10)a, any person operating a business from which dental waste amalgam is or will be discharged directly or indirectly to a sewer, at premises which are constructed or substantially renovated on or after the date that this By-law comes into force, shall install, operate and properly maintain dental waste amalgam separator(s) in any piping system which is connected directly or indirectly to a sewer.
- (c) Notwithstanding compliance with Section 10(10), all persons operating or carrying on the business of a dental practice shall comply with Section 2(1)(d) of this By-law.

**Sewer Connections**

**11.** (1) No person shall:

- (a) erect or cause or permit to be erected any new building on lands that are serviced by a sanitary sewer unless the new building is connected to the sanitary sewer; and
- (b) construct, install, maintain, or cause or permit to be constructed, installed, or maintained, whether installed prior to the date of the passing of this By-law 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.

- (2) No sewer connection shall be constructed on any road allowance, easement or other public land, except by the City or under a contract or agreement with the City.
- (3) In those cases where the existing municipal sewer connection does not meet the standard therefor as adopted by the City from time to time as a result of a re-subdivision of lots or change in location of a building on a lot, the owner or agent shall apply and pay to the City for a new installation or installations and for the disconnection of the existing sewer connections where necessary on an actual cost basis with a minimum charge equal to the applicable flat rate, as determined by the City from time to time.
- (4) **Reconstructed Buildings**
  - (a) Whenever an existing building is substantially demolished, the existing municipal sewer connections shall be disconnected by the City at the municipal sewers at the expense of the owner of the building. The owner applying for the permit to construct the replacement building shall be required to apply and pay the City for the installation of new municipal sewer connections.
  - (b) For the purposes of this section, an existing building is substantially demolished when more than fifty percent of the exterior walls of the first storey above grade are removed whether or not they are subsequently replaced.
  - (c) An owner who is applying for a permit to construct a replacement building or to disconnect a dwelling from a septic tank to connect to a sanitary sewer connection shall be entitled to use an existing municipal sewer connection which, upon inspection by the Commissioner, is found to be in satisfactory condition. The applicant shall pay for the cost of the above inspection, the amount of which shall be determined from time to time by the City.
- (5) In the event that a sewer connection is installed or operated in contravention of any provision of this By-law, the Commissioner 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.
- (6) The Commissioner shall not order such temporary disconnection unless the Commissioner has first mailed to the property owner and occupant, if any, a registered letter specifying the nature of the violation or violations of this By-law and indicating the intention of the Commissioner to order temporary

disconnection of the sewer thirty days after the date of mailing, unless the Commissioner 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.

- (7) Any person desiring a sewer connection shall make application to the City on forms supplied by the City and accompanied by such plans as may be required and pay a fee for the application. The owner of the property to be served, or the owner's agent shall sign the application, and the owner shall be responsible for the completeness and accuracy of the information furnished on such application and plans.
- (8) A sewer connection on public property between the sewer main and private property shall be installed by the City at the expense of the owner on conditions and at rates and to specifications determined from time to time by the City. Sewer connections on private property shall be installed by the owner pursuant to a building permit having been previously issued for such purpose by the City and at the expense of the owner.
- (9) Methods and materials used in the construction of sewer connections shall resist entry of roots and acid or alkali damage, and otherwise in accordance with requirements determined by the City from time to time.
- (10) No person shall install double municipal sewer connections servicing two or more properties. A single set of service connections will be allowed for a property with multiple units, subject to the approval of the City.
- (11) A private sanitary sewer connection shall not be installed until:
  - (a) the municipal sewer to which the municipal sewer connection is made is fully completed and accepted for operation;
  - (b) the municipal sewer connection is satisfactorily installed;
  - (c) the backfilling is properly completed around the building and the lot has been sufficiently graded to eliminate the possibility of any ponding on the property and the subflooring has been installed over foundation to prevent the entry of storm water which could run off through the private sewer connection; and
  - (d) all existing surface water in the excavation or basement has been pumped out.

- (12) In the event that any person constructs a municipal sewer connection in a manner other than provided for herein, the Commissioner may order the re-excavation of the connection for the purpose of inspection and testing, and if necessary, reconstruction of the work, and the Commissioner may have these works performed at the expense of the owner or disconnect the said sewer connection, in which case it shall not be reconstructed except with the approval of the City.
- (13) The owner of any building erected upon lands that abut on a street which is not serviced by a storm sewer shall construct a down-pipe from the eavestrough that shall discharge the water at grade with provisions to prevent soil erosion and shall conduct the storm water 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.
- (14) In case of storm sewers, subsection 11(4)(a) shall not apply,
- (a) where a building or structure located upon a lot on which any portion of the roof elevation is lower than the street elevation at the front or side thereof;
  - (b) where a storm sewer has been constructed at such an elevation that the connection from a roof drain or from the weeping drain cannot be connected with an adequate fall for proper drainage;
  - (c) where a building or structure is constructed adjacent to a watercourse, provided the roof drains from such building or structure are directed to the watercourse subject to the approval of the City and the Toronto and Region Conservation Authority; or
  - (d) where the building or structure has adequate potential to manage storm water on site, except where connections are necessary to provide an overflow route.
- (15) Where a catch basin has been installed on private property to drain storm water from any driveway which slopes towards any structure located on said property, the installation shall include:
- (a) a flap gate backwater valve installed directly downstream of the private catchbasin, so that no storm water may back-up from the storm sewer into the private catchbasin;

- (b) a sump pump, located in the overflow sump, to discharge any storm water which has collected in the catch basin while the above flap gate backwater valve has closed to prevent a back-up of storm water; and
  - (c) a flap gate backwater valve installed on the subsurface drainage pipe lead adjacent to the sump pit, so that no storm water may flow from the sump pit into the subsurface drainage pipe system.
- (16) Flap gate backwater valve and sump pumps required pursuant to subsection 11(15) shall be installed and maintained by the owner or operator of the premises at his/her expense.
- (17) (a) The owner of any building which has a roof water leader discharging storm water, 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 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.
- (b) For the purposes of this section,
- (i) “directly” shall mean by any physical connection or series of connections between the roof water leader and the sanitary sewer system;
  - (ii) “indirectly” shall mean in any manner whatsoever whereby storm water enters the sanitary sewer system, and for the greater certainty includes any situation where open joints in underground sewer connections on private property permit storm water to infiltrate the sanitary sewer system;
- (c) An owner may request an inspection by means of an excavation or closed circuit television inspection of any existing municipal sewer connection by the City. The owner shall deposit a sum of money with the City, the amount of which shall from time to time be determined by the City with respect to the inspection. If upon inspection a structural problem is found in the City portion of the connection, the deposit will be refunded.
- (d) If, as a result of the inspection pursuant to subsection 11(17)(c), the Commissioner determines that the infiltration of storm water into the sanitary or combined sewer system occurs solely as a result of a structural problem in the City’s portion of the connection, the provisions

of subsection 11(17)(a) will not apply to the owner with respect to the premises in relation to which the inspection was performed;

- (e) If, as a result of the inspection pursuant to subsection 11(17)(c), the Commissioner determines that the infiltration of storm water into the sanitary or combined sewer system occurs as a result of structural problems in both the City's portion of the connection and the owner portion of the connection, the provisions of subsection 11(17)(a) 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.
- (18)
- (a) No owner of industrial, commercial or institutional premises shall do anything, which may increase peak flow rates of storm water, or impair the quality of storm water discharged to a sewer.
  - (b) The direct connection of any new private drainage works to the municipal storm sewer system is prohibited without the prior approval of the City which approval may be given by the Commissioner where, in the opinion of the Commissioner, there is no practical alternate means of drainage available.
  - (c) Before considering a request for an approval, pursuant to subsection 11(18)(b), the owner or operator of commercial, institutional, or industrial premises may be required to submit to the Commissioner, a storm water management report identifying the storm water quantity and quality control measures being proposed for the site.
  - (d) Where a new connection is approved by the City, for the purposes of providing groundwater drainage, the discharge must be regulated by:
    - (i) means of a sump pump, which must elevate the water, via a loop system, to an elevation above that of the center line elevation of the road before being discharged to the private storm drainage system. A flap gate check valve shall be installed on the sump pump discharge pipe so that no storm water may flow from the storm sewer into the subsurface drainage pipe system;
    - (ii) a backwater valve in circumstances where a storm sewer connection is at such an elevation so as to provide gravity flow.

- (e) No direct or indirect interconnection between the private storm drain system and the sanitary drainage system is permitted;
  - (f) The groundwater drainage system set out in subsection 11(18) shall be installed and maintained by the owner or operator of the premises, at his sole expense.
- (19) (a) No person shall construct, install, maintain, or cause or permit to be constructed, installed, or maintained, drainage from any roof water leader or downspout that conveys storm water from a new free standing building having a frontage equal to or greater than 15.24 metres (50 feet) directly or indirectly to a sanitary, combined or storm sewer connection for the purpose of storm water drainage. Storm water shall be discharged at grade away from building in such a manner that the storm water will not accumulate at or near the building and will not adversely affect adjacent properties;
- (b) An application may be made to the City for an exemption from the provisions set out in subsection 11(19)(a).
- (20) The waste water from a swimming pool or wading pool shall not be discharged:
- (a) into a storm drainage system;
  - (b) such that it flows onto an adjoining property;
  - (c) over a valley/ravine wall; and
  - (d) such that it may cause erosion or instability of the valley or ravine slope
- and shall either be transported away by an appropriately licensed waste hauler or be discharged either by way of a temporary connection to the sanitary sewer or by way of controlled discharged to the owner's property such that the discharge is at all times contained within the property until it evaporates or infiltrates into the ground.
- (21) Notwithstanding subsection 11(20), the rain water resting on a tarp which covers a swimming pool may be discharged to a storm sewer, subject to Section 4 of this By-law.

### **Confidential Information**

12. (1) All information submitted to and collected by the City 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).

- (2) In the event that any person in submitting information to the City or to the Commissioner in any form, as required under this By-law, 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 City or the Commissioner and shall provide sufficient details as to the reason for its purported exemption from disclosure.

### **Offences**

13. (1) Every person other than a corporation who contravenes any provision of Section 2, 3 or 4 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 \$20,000 for any subsequent conviction.
- (2) Every corporation which contravenes any provision Section 2, 3 or 4 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.
- (3) Notwithstanding subsections 13(1) and (2), every person who contravenes any provision of any other section of this By-law, is guilty of an offence and on conviction is liable for every day or part thereof upon which such offence occurs or continues to a fine of not more than \$5,000.
- (4) In this By-law subsequent conviction means a conviction for an offence which offence occurs after the date of conviction for an earlier offence under this By-law or the former Municipality of Metropolitan Toronto By-law No. 153-89, as amended.

### **Repeal**

14. (1) Former City of Toronto By-law No. 78-91 “A By-law Respecting Sewers and the Discharge and Deposit of Sewage and Land Drainage”; former City of North York By-law No. 31442, as amended “A By-law regulating the discharge of sewage and land drainage to the municipal sanitary and storm sewer system”; former City of Scarborough By-law No. 17777 “ A By-law to regulate the discharge into public sewers of sewage and storm water, including industrial wastes”; former City of Etobicoke By-law No. 1994-23 “Sewer Use By-law”; former City of York By-law No. 2880-94 “To Regulate the discharge of sewage and land drainage in the City of York”; and former

Borough of East York By-law No. 100-90 "To regulate the discharge and deposit of sewage and land drainage in the Borough of East York" are hereby repealed.

- (2) Notwithstanding subsection 13(1), Industrial Waste Surcharge Agreements and Sanitary Discharge Agreements entered into by the former Municipality of Metropolitan Toronto, or a Compliance Program issued by the Commissioner or a Compliance Program Agreement entered into by the City pursuant to the provisions of the former Metro Toronto By-law No. 153-89, as amended, and in effect immediately prior to the passage of this By-law, remain in force in accordance with their terms and conditions.
- (3) This By-law, with the exception of Section 2 and Section 4, shall come into force on the 6th day of July, A.D. 2000. Sections 2 and 4 of this By-law shall come into force on June 30, 2002.
- (4) By-law No. 153-89 of the former Municipality of Metropolitan Toronto, a By-law "To regulate the discharge of sewage and land drainage in the Metropolitan Area", with the exception of Sections 2 and Section 3, is hereby repealed. Sections 2 and 3 of the former Municipality of Metropolitan Toronto By-law No. 153-89 are repealed as of June 30, 2002.

ENACTED AND PASSED this 6th day of July, A.D. 2000.

CASE OOTES,  
Deputy Mayor

NOVINA WONG,  
City Clerk

(Corporate Seal)

## Appendix 1

### Subject Sectors

Column 1	Column 2	Column 3
NAICS	INDUSTRIAL CATEGORY	P2 PLAN DUE DATE
212299	All Other Metal Ore Mining	June 30, 2001
213114	Support Activities for Metal Mining	June 30, 2001
213115	Support Activities for Nonmetallic Minerals (except Fuels)	June 30, 2001
212399	All Other Nonmetallic Mineral Mining	June 30, 2001
23561	Roofing, Siding, and Sheet Metal Contractors	June 30, 2001
337124	Metal Household Furniture Manufacturing	June 30, 2001
337125	Household Furniture (except Wood and Metal) Manufacturing	June 30, 2001
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing (pt)	June 30, 2001
212399	All Other Nonmetallic Mineral Mining	June 30, 2001
327999	All Other Miscellaneous Nonmetallic Mineral Product Manufacturing (pt)	June 30, 2001
331112	Electrometallurgical Ferroalloy Product Manufacturing	June 30, 2001
331419	Primary Smelting and Refining of Nonferrous Metal	June 30, 2001
331492	Secondary Smelting, Refining, and Alloying of Nonferrous Metal (except Copper and Aluminum)	June 30, 2001
331491	Nonferrous Metal (except Copper and Aluminum) Rolling, Drawing, and Extruding (pt)	June 30, 2001
332811	Metal Heat Treating	June 30, 2001
332431	Metal Can Manufacturing	June 30, 2001
332439	Other Metal Container Manufacturing	June 30, 2001
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing (pt)	June 30, 2001
332439	Other Metal Container Manufacturing	June 30, 2001
332919	Other Metal Valve and Pipe Fitting Manufacturing	June 30, 2001
332998	Enameled Iron and Metal Sanitary Ware Manufacturing	June 30, 2001
332919	Other Metal Valve and Pipe Fitting Manufacturing	June 30, 2001
332312	Fabricated Structural Metal Manufacturing	June 30, 2001
332321	Metal Window and Door Manufacturing	June 30, 2001
33242	Metal Tank (Heavy Gauge) Manufacturing	June 30, 2001
332322	Sheet Metal Work Manufacturing	June 30, 2001
332439	Other Metal Container Manufacturing	June 30, 2001
332323	Ornamental and Architectural Metal Work Manufacturing	June 30, 2001
332311	Prefabricated Metal Building and Component Manufacturing	June 30, 2001
332312	Fabricated Structural Metal Manufacturing	June 30, 2001
332321	Metal Window and Door Manufacturing	June 30, 2001
332323	Ornamental and Architectural Metal Work Manufacturing	June 30, 2001
33637	Motor Vehicle Metal Stamping	June 30, 2001
332116	Metal Stamping	June 30, 2001
332812	Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers	June 30, 2001
332919	Other Metal Valve and Pipe Fitting Manufacturing	June 30, 2001
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing	June 30, 2001
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing	June 30, 2001
332117	Powder Metallurgy Part Manufacturing	June 30, 2001
332439	Other Metal Container Manufacturing	June 30, 2001
332919	Other Metal Valve and Pipe Fitting Manufacturing	June 30, 2001
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing	June 30, 2001
332323	Ornamental and Architectural Metal Work Manufacturing	June 30, 2001
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing	June 30, 2001
332439	Other Metal Container Manufacturing	June 30, 2001
333512	Machine Tool (Metal Cutting Types) Manufacturing	June 30, 2001
333513	Machine Tool (Metal Forming Types) Manufacturing	June 30, 2001
333518	Other Metalworking Machinery Manufacturing	June 30, 2001

## City of Toronto By-law No. 457-2000

42151	Metals Service Centers and Offices	June 30, 2001
42194	Jewelry, Watch, Precious Stone, and Precious Metal Wholesalers	June 30, 2001
332813	Electroplating, Plating, Polishing, Anodizing, and Coloring	June 30, 2001
334412	Bare Printed Circuit Board Manufacturing	June 30, 2001
334416	Electronic Coil, Transformer, and Other Inductor Manufacturing	June 30, 2001
44711	Gasoline Stations with Convenience Store	December 31, 2001
44719	Other Gasoline Stations	December 31, 2001
811121	Automotive Body, Paint, and Interior Repair and Maintenance	December 31, 2001
811112	Automotive Exhaust System Repair	December 31, 2001
811198	All Other Automotive Repair and Maintenance	December 31, 2001
811113	Automotive Transmission Repair	December 31, 2001
811111	General Automotive Repair	December 31, 2001
811118	Other Automotive Mechanical and Electrical Repair and Maintenance	December 31, 2001
811191	Automotive Oil Change and Lubrication Shops	December 31, 2001
812921	Photofinishing Laboratories (except One-Hour)	December 31, 2001
812922	One-Hour Photofinishing	December 31, 2001
62121	Offices of Dentists	December 31, 2001
62211	General Medical and Surgical Hospitals	December 31, 2001
62221	Psychiatric and Substance Abuse Hospitals	December 31, 2001
62231	Specialty (except Psychiatric and Substance Abuse) Hospitals	December 31, 2001
621511	Medical Laboratories	December 31, 2001
339116	Dental Laboratories	December 31, 2001
54138	Testing Laboratories	December 31, 2001
81232	Dry cleaning and Laundry Services (except Coin-Operated)	December 31, 2001
48821	Support Activities for Rail Transportation	December 31, 2001
485999	All Other Transit and Ground Passenger Transportation	December 31, 2001
48541	School and Employee Bus Transportation	December 31, 2001
48711	Scenic and Sightseeing Transportation, Land	December 31, 2001
485991	Special Needs Transportation	December 31, 2001
485999	All Other Transit and Ground Passenger Transportation	December 31, 2001
48521	Interurban and Rural Bus Transportation	December 31, 2001
48541	School and Employee Bus Transportation	December 31, 2001
48849	Other Support Activities for Road Transportation	December 31, 2001
481111	Scheduled Passenger Air Transportation	December 31, 2001
481112	Scheduled Freight Air Transportation	December 31, 2001
481212	Nonscheduled Chartered Freight Air Transportation	December 31, 2001
481211	Nonscheduled Chartered Passenger Air Transportation	December 31, 2001
48799	Scenic and Sightseeing Transportation, Other	December 31, 2001
323117	Books Printing	December 31, 2001
323114	Quick Printing	December 31, 2001
323119	Other Commercial Printing	December 31, 2001
323110	Commercial Lithographic Printing	December 31, 2001
323111	Commercial Gravure Printing	December 31, 2001
323112	Commercial Flexographic Printing	December 31, 2001
323113	Commercial Screen Printing	December 31, 2001
323119	Other Commercial Printing	December 31, 2001
323116	Manifold Business Forms Printing	December 31, 2001
32591	Printing Ink Manufacturing	December 31, 2001
325188	All Other Basic Inorganic Chemical Manufacturing	June 30, 2002
325191	Gum and Wood Chemical Manufacturing	June 30, 2002
32511	Petrochemical Manufacturing	June 30, 2002
325199	All Other Basic Organic Chemical Manufacturing	June 30, 2002
32532	Pesticide and Other Agricultural Chemical Manufacturing	June 30, 2002
325998	All Other Miscellaneous Chemical Product and Preparation Manufacturing	June 30, 2002
325992	Photographic Film, Paper, Plate, and Chemical Manufacturing	June 30, 2002

42269	Other Chemical and Allied Products Wholesalers	June 30, 2002
325211	Plastics Material and Resin Manufacturing	June 30, 2002
325611	Soap and Other Detergent Manufacturing	June 30, 2002
325412	Pharmaceutical Preparation Manufacturing	June 30, 2002
32551	Paint and Coating Manufacturing	June 30, 2002
32411	Petroleum Refineries	June 30, 2002
324191	Petroleum Lubricating Oil and Grease Manufacturing	June 30, 2002
324199	All Other Petroleum and Coal Products Manufacturing	June 30, 2002
324121	Asphalt Paving Mixture and Block Manufacturing	June 30, 2002
324122	Asphalt Shingle and Coating Materials Manufacturing	June 30, 2002
32616	Plastics Bottle Manufacturing	June 30, 2002
326191	Plastics Plumbing Fixture Manufacturing	June 30, 2002
326199	All Other Plastics Product Manufacturing	June 30, 2002
31611	Leather and Hide Tanning and Finishing	June 30, 2002
316999	All Other Leather Good Manufacturing	June 30, 2002
316993	Personal Leather Good (except Women's Handbag and Purse) Manufacturing	June 30, 2002

NAICS = North American Industrial Classification System

**Appendix 2****Subject Pollutants**

Arsenic	Benzene
Cadmium	Chloroform
Cobalt	1,2-dichlorobenzene
Chromium	1,4-dichlorobenzene
Copper	Cis-1,2-dichloroethylene
Mercury	Trans-1,3-dichloropropylene
Molybdenum	Ethyl benzene
Nickel	Methylene chloride
Lead	1,1,2,2-tetrachloroethane
Selenium	Tetrachloroethylene
Zinc	Toluene
	Trichloroethylene
	Total xylene
	Di-n-butyl phthalate
	Bis (2-ethylhexyl) phthalate
	Alkylphenols
	Alkylphenol ethoxylates
	Aldrin/dieldrin
	Chlordane
	DDT
	Hexachlorobenzene
	Mirex
	PCBs
	3,3'-dichlorobenzidine
	Hexachlorocyclohexane
	Pentachlorophenol
	Total PAHs