

Note: The last consolidation of this document was by By-Law 2002-125

CITY OF KINGSTON

Ontario

BY-LAW NO. 2000-263

BY-LAW TO CONTROL WASTE DISCHARGES TO MUNICIPAL SEWERS

PASSED: October 10, 2000

As Amended By By-Law No:

By-Law No. 2002-125 – 2002

Passed

June 4, 2002

(Office Consolidation)

By-law No. 2000-263

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**CITY OF KINGSTON
BY-LAW NO. 2000-263**

BY-LAW TO CONTROL WASTE DISCHARGES TO MUNICIPAL SEWERS

PASSED: October 10, 2000

NOW THEREFORE the Council of The Corporation of the City of Kingston hereby enacts as follows:

Section 1 – DEFINITONS

1. In this by-law:

a) **“acute hazardous waste chemical”** 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);

(By-law No. 2000-263 – 2000)

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);

(By-law No. 2000-263 – 2000)

c) **“biosolids”** means organic solid material recovered from the wastewater treatment process;

(By-law No. 2000-263 – 2000)

d) **“blowdown”** means 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 impair the operation of the system;

(By-law No. 2000-263 – 2000)

Section 1 – Definitions cont’d:

e) **“chemical oxygen demand (COD)”** means the oxygen equivalent of the organic matter content of a sample that is susceptible to oxidation by a strong chemical oxidant;

(By-law No. 2000-263 – 2000)

f) **“City”** means The Corporation of the City of Kingston or its authorized representative;

(By-law No. 2000-263 – 2000)

g) **“combined sewer”** means a municipal sewer intended to function simultaneously as a storm sewer and as a sanitary sewer;

(By-law No. 2000-263 – 2000)

h) **“combustible liquid”** means a liquid that has a flash point not less than 37.8 degrees Celsius and not greater than 93.3 degrees Celsius;

(By-law No. 2000-263 – 2000)

i) **“composite sample”** means a volume of sewage, storm water, uncontaminated water or effluent made up of 3 or more grab samples that have been combined automatically or manually at approximately equal time or volume intervals over a sampling period;

(By-law No. 2000-263 – 2000)

j) **“connection” or “drain”** means that part or those parts of any pipe or system of pipes leading directly to a sewage works;

(By-law No. 2000-263 – 2000)

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 process materials and that has been circulated through the cooling device, but does not include blowdown water;

(By-law No. 2000-263 – 2000)

Section 1 – Definitions cont’d:

l) “**Extra Strength Surcharge Agreement**” means an agreement between the City and a person entered into in accordance with the provisions of Section 6 of this By-law;

(By-law No. 2000-263 – 2000)

m) “**fuel**” means alcohol, gasoline, naphtha, diesel fuel, fuel oil or any ignitable substance intended for use as a fuel;

(By-law No. 2000-263 – 2000)

n) “**grab sample**” means a volume of the flow being sampled taken at one particular time and place;

(By-law No. 2000-263 – 2000)

o) “**groundwater**” means water beneath the earth’s surface accumulating as a result of seepage;

(By-law No. 2000-263 – 2000)

p) “**hauled sewage**” means waste, other than industrial waste, removed from a sewage works or 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;

(By-law No. 2000-263 – 2000)

q) “**hauled waste**” means any industrial waste, other than hauled sewage, which is transported to and deposited into any location in the sewage works excluding hauled sewage;

(By-law No. 2000-263 – 2000)

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);

(By-law No. 2000-263 – 2000)

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);

(By-law No. 2000-263 – 2000)

Section 1 – Definitions cont’d:

t) **“ignitable waste”** means:

- i) a liquid, other than an aqueous solution containing less than 24 per cent alcohol by volume and has a flash point less than 61 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,

(By-law No. 2000-263 – 2000)

- ii) a solid and that 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,

(By-law No. 2000-263 – 2000)

- iii) 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

(By-law No. 2000-263 – 2000)

- iv) 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;

(By-law No. 2000-263 – 2000)

u) **“industrial”** means of or pertaining to manufacturing, commerce, trade, business, or institutions as distinguished from domestic or residential;

(By-law No. 2000-263 – 2000)

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;

(By-law No. 2000-263 – 2000)

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;

(By-law No. 2000-263 – 2000)

Section 1 – Definitions cont’d:

x) “**Manager**” means the President and CEO of Utilities Kingston and his or her successors or his or her duly authorized representative.”

(By-law No. 2000-263 – 2000;)

y) “**matter**” includes any solid, liquid or gas

(By-law No. 2000-263 – 2000)

z) “**municipal sewer connection**” means that part of any drain leading from the private sewer connection 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;

(By-law No. 2000-263 – 2000)

aa) “**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);

(By-law No. 2000-263 – 2000)

bb) “**PCBs**” means any mono-chlorinated or poly-chlorinated biphenyl or any mixture of these or mixture that contains one or more of them;

(By-law No. 2000-263 – 2000)

cc) “**person**” means an individual, association, partnership, corporation, municipality, provincial or federal agency, or an agent or employee thereof;

(By-law No. 2000-263 – 2000)

dd) “**pesticide**” means a pesticide as defined and regulated under the Pesticides Act , R.S.O. 1990, c.P. (PA);

(By-law No. 2000-263 – 2000)

ee) “**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;

(By-law No. 2000-263 – 2000)

Section 1 – Definitions cont'd:

ff) “**reactive waste**” means a substance that:

i) is normally unstable and readily undergoes violent changes without detonating,

(By-law No. 2000-263 – 2000)

ii) reacts violently with water,

(By-law No. 2000-263 – 2000)

iii) forms potentially explosive mixtures with water,

(By-law No. 2000-263 – 2000)

iv) when mixed with water, generates toxic gases, vapours or fumes in a quantity sufficient to present danger to human health or the environment,

(By-law No. 2000-263 – 2000)

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,

(By-law No. 2000-263 – 2000)

vi) is capable of detonation or explosive reaction if it is subjected to a strong initiating source or if heated under confinement,

(By-law No. 2000-263 – 2000)

vii) is readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure, or

(By-law No. 2000-263 – 2000)

viii) is an explosive (Class 1) as defined in the regulations under the Transportation of Dangerous Goods Act, 1992, S.C. 1992, as amended;

(By-law No. 2000-263 – 2000)

Section 1 – Definitions cont’d:

gg) “**sanitary sewer**” means a municipal sewer for the collection and transmission of domestic, commercial, institutional and industrial sewage or any combination thereof;

(By-law No. 2000-263 – 2000)

hh) “**severely toxic waste**” means 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);

(By-law No. 2000-263 – 2000)

ii) “**sewage**” means any liquid, solid or gas containing organic, inorganic, animal, vegetable or mineral matter in solution or in suspension and includes things that float but does not include uncontaminated water;

(By-law No. 2000-263 – 2000)

jj) “**sewage works**” means any works for the collection, transmission, treatment or 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 as amended applies;

(By-law No. 2000-263 – 2000)

kk) “**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;

(By-law No. 2000-263 – 2000)

ll) “**spill**” means a direct or indirect discharge or deposit to 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 or deposit;

(By-law No. 2000-263 – 2000)

Section 1 – Definitions cont’d:

mm) “**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;

(By-law No. 2000-263 – 2000)

nn) “**storm sewer**” means a municipal sewer for the collection and transmission of uncontaminated water, storm water, drainage from land or from a watercourse or any combination thereof;

(By-law No. 2000-263 – 2000)

oo) “**storm water**” means water from rainfall or other natural precipitation or from the melting of snow or ice;

(By-law No. 2000-263 – 2000)

pp) “**subsequent conviction**” means a conviction for an offence which offence occurs after the date of conviction for an earlier offence under this By-law;

(By-law No. 2000-263 – 2000)

qq) “**total PAHs**” means the total of all the polycyclic aromatic hydrocarbons listed under Canada Ontario Agreement Tier I and Tier 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,l)perylene, chrysene, dibenzo(a,h)anthracene, dibenzo(a,i)pyrene, dibenzo(a,j)acridine, 7H-dibenzo(c,g)carazole, dinitropyrene, fluoranthene, indeno(1,2,3-c,d)pyrene, perylene, phenanthrene, and pyrene;

(By-law No. 2000-263 – 2000)

rr) “**uncontaminated water**” means potable water as supplied by the City that has not had any matter added to it after it has been supplied and any water having quality which meets or exceeds the requirements of Table 2 - Limits for Storm Sewer Discharge from section 3 of this by-law;

(By-law No. 2000-263 – 2000)

Section 1 – Definitions cont’d:

ss) **“waste disposal site leachate”** means the liquid containing dissolved or suspended contaminants which emanates from waste and is produced by water percolating through the waste or by liquid in the waste;

(By-law No. 2000-263 – 2000)

tt) **“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 designate as being capable of releasing atomic energy or as being requisite for the production, use or application of atomic energy; and

(By-law No. 2000-263 – 2000)

uu) **“watercourse”** means an open channel, ditch or depression either natural or artificial, in which flow of water occurs either continuously or intermittently.

(By-law No. 2000-263 – 2000)

vv) **“Total Kjeldahl Nitrogen (TKN)”** means the measure of both ammonia and organic forms of nitrogen. Both of these forms of nitrogen are present in nitrogenous organic detritus from natural biological activities. Organic nitrogen is present in proteins, amines, urea, etc. TKN is used as an indicator of sanitary water quality. Ammonia and organic nitrogen are important for assessing available nitrogen for biological activities.

(By-Law No. 2002-125 – 2002)

Section 2 – DISCHARGES TO SANITARY & COMBINED SEWERS

2. (1) No person shall cause or permit the deposit or discharge of sewage into a sanitary sewer or combined sewer, land drainage works, municipal sewer connection or private sewer connection to any sanitary sewer or combined sewer in circumstances where,

(By-law No. 2000-263 – 2000)

1. to do so may cause or result in,

a) a health or safety hazard to a person authorized to inspect, operate, maintain, repair or otherwise work on a sewage works;

(By-law No. 2000-263 – 2000)

b) 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;

(By-law No. 2000-263 – 2000)

c) biosolids from the sewage works to which either sewage discharges, directly or indirectly, to fail to meet the objectives and criteria set out 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;

(By-law No. 2000-263 – 2000)

d) interference with the proper operation or maintenance of a sewage works, or which may impair or interfere with any treatment process;

(By-law No. 2000-263 – 2000)

e) a hazard to any person, animal, property or vegetation;

(By-law No. 2000-263 – 2000)

f) an offensive odour to emanate from the 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;

(By-law No. 2000-263 – 2000)

Section 2 (cont'd)

- g) damage to the sewage works; or
(By-law No. 2000-263 – 2000)
 - h) an obstruction or restriction to the flow in the sewage works.
(By-law No. 2000-263 – 2000)
2. the sewage has one or more of the following characteristics:
- a) a pH less than 6.0 or greater than 10.5;
(By-law No. 2000-263 – 2000)
 - b) two or more separate liquid layers; or
(By-law No. 2000-263 – 2000)
 - c) a temperature greater than 60 degrees Celsius.
(By-law No. 2000-263 – 2000)
3. the sewage contains:
- a) acute hazardous waste chemicals;
(By-law No. 2000-263 – 2000)
 - b) combustible liquid;
(By-law No. 2000-263 – 2000)
 - c) dyes or colouring materials enter through a sewage works and discolour the sewage works effluent;
(By-law No. 2000-263 – 2000; 2002-125 - 2002)
 - d) fuel;
(By-law No. 2000-263 – 2000)
 - e) hauled sewage, except where:
(By-law No. 2000-263 – 2000)
 - i) the carrier of the hauled sewage is a waste management system operating under 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;
(By-law No. 2000-263 – 2000)

Section 2 (cont'd.)

- ii) a copy of the most recent certificate or provisional certificate and any amendment is provided to the City; and

(By-law No. 2000-263 – 2000)

- iii) the carrier meets all the conditions for discharge that are or may be required from time to time with respect to the haulage of sewage by the City;

(By-law No. 2000-263 – 2000)

- f) hauled waste, except where:

(By-law No. 2000-263 – 2000)

- i) the carrier of the hauled waste is a waste management system operating under 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;

(By-law No. 2000-263 – 2000)

- ii) a copy of the most recent certificate or provisional certificate and any amendment is provided to the City; and

(By-law No. 2000-263 – 2000)

- iii) 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

(By-law No. 2000-263 – 2000)

- iv) the carrier meets all conditions for discharge that are or may be required by the City from time to time with respect to the haulage of waste.

(By-law No. 2000-263 – 2000)

- g) hazardous industrial waste;

(By-law No. 2000-263 – 2000)

- h) hazardous waste chemicals;

(By-law No. 2000-263 – 2000)

- i) ignitable waste;

(By-law No. 2000-263 – 2000)

Section 2 (con'td.)

- j) pathological waste;
(By-law No. 2000-263 – 2000)
- k) PCBs, except where:
(By-law No. 2000-263 – 2000)
 - i) the person has a certificate of approval for a mobile site or PCB mobile waste disposal system issued under the Environmental Protection Act or where the person is claiming an exemption under a regulation, the person has demonstrated to the City that the conditions of the exemption are met;
(By-law No. 2000-263 – 2000)
 - ii) a copy of the most recent certificate or provisional certificate and any amendment is provided to the City; and
(By-law No. 2000-263 – 2000)
 - iii) the person has written approval from the Manager that the person has met a condition for an exemption under the regulations in relation to their discharge of PCBs to the sewage works:
(By-law No. 2000-263 – 2000)
- l) pesticides;
(By-law No. 2000-263 – 2000)
- m) reactive waste;
(By-law No. 2000-263 – 2000)
- n) severely toxic waste;
(By-law No. 2000-263 – 2000)
- o) waste radioactive prescribed substances, except where:
(By-law No. 2000-263 – 2000)
 - i) 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
(By-law No. 2000-263 – 2000)

Section 2 (cont'd)

ii) a copy of the licence has been provided to the City;

(By-law No. 2000-263 – 2000)

p) waste disposal site leachate, except where:

(By-law No. 2000-263 – 2000)

i) the person has written approval from the Manager authorizing 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

(By-law No. 2000-263 – 2000)

ii) a certificate of approval, provisional certificate of approval or order has been issued which includes a provision for the disposal of waste disposal site leachate to a sewage works, a copy of the certificate of approval, provisional certificate of approval or order is provided to the City, or where the person is claiming an exemption pursuant to a regulation, the person has received written notice from the Manager that the conditions of the exemption are being met;

(By-law No. 2000-263 – 2000)

4. the sewage contains a concentration, expressed in milligrams per litre, which exceeds any one or more of the limits in Table 1 of this By-law entitled "Limits for Sanitary & Combined Sewers";

(By-law No. 2000-263 – 2000)

2. (2) 1. The Manager may terminate privileges granted under Sections 2(1)3.(e), (f), (k), (o), and (p) at any time under circumstances deemed reasonable and the termination will be effective within 30 days of a written notice of termination.

(By-law No. 2000-263 – 2000)

2. The Manager may terminate privileges granted under Sections 2(1)3.(e), (f), (k), (o), and (p) by written notice at any time where there is an emergency situation of immediate threat or danger to any person, property, plant

Section 2 (cont'd)

or animal life, waters or the sewage works and the termination will be effective immediately.

(By-law No. 2000-263 – 2000)

- (3) The discharge of storm water, groundwater, non-contact cooling water or uncontaminated water to a sanitary sewer or combined sewer is prohibited unless expressly authorized in writing by the Manager in accordance with guidelines adopted by the City from time to time.

(By-law No. 2000-263 – 2000)

- (4) No person shall discharge or deposit water to a sanitary sewer or combined sewer where the water is purposely collected for use from a source separate from the potable water supplied by the City except where:

(By-law No. 2000-263 – 2000)

1. the person provides, prior to the discharge, written notice to the Manager setting out the amount of water, location of the water source, and address of the person where the water is being used and from which it is being discharged and enters into an agreement with the City to pay a sewage service rate and shall provide metering acceptable to the Manager which is capable of recording the volume of well or private water discharged to the sanitary sewer, and, upon request shall provide the City with an annual certificate of calibration by a qualified professional; and

(By-law No. 2000-263 – 2000)

2. the person provides the City with a copy of a valid Permit to Take Water in respect of the taking of the water that is being discharged or deposited, where such a Permit to Take Water is required by the Ontario Water Resources Act, R.S.O. 1990, c.O.14, as amended.

(By-law No. 2000-263 – 2000)

- (5) The provisions of subsection 2(1)4. do not apply to those parameters allowed by an Extra Strength Surcharge Agreement where the discharge is in accordance with an Extra Strength Surcharge Agreement or expressly authorized in writing by the Manager in accordance with this by-law prior to the discharge.

(By-law No. 2000-263 – 2000)

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 (TKN)	100	1,4-Dichlorobenzene	0.08
Oil and Grease (Animal & Vegetable)	150	Cis-1,2-dichloroethylene	4
Oil and Grease (Mineral & Synthetic)	15	Trans-1,3-dechloropropylene	0.14
Phenolics (4AAP)	1.0	Ethylbenzene	0.16
Phosphorus (total)	10	Methylene chloride	0.21
Suspended Solids (total)	350	1,1,2,2-Tetrachloroethane	0.04
Aluminum (total)	50	Tetrachloroethylene	0.05
Antimony (total)	5	Toluene	0.016
Arsenic (total)	1	Trichloroethylene	0.07
Cadmium (total)	0.7	Xylenes (total)	0.94
Chromium (total)	4	Di-n-butyl phthalate	0.08
Chromium (hexavalent)	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
Vinyl Chloride	0.04	Total PAHs	0.005

(By-law No. 2000-263 – 2000; 2002-125 - 2002)

Section 3 - DISCHARGES TO STORM SEWERS

3. (1) No person shall, whether directly or indirectly, discharge or deposit or cause or permit the discharge or deposit into or in any storm sewer, land drainage works, municipal sewer connection or private sewer connection to any storm sewer matter of any type which may:

(By-law No. 2000-263 – 2000)

1. interfere with the proper operation of a storm sewer;

(By-law No. 2000-263 – 2000)

2. obstruct or restrict a storm sewer or the flow therein;

(By-law No. 2000-263 – 2000)

3. damage the storm sewer;

(By-law No. 2000-263 – 2000)

4. result in any hazard or other adverse impact, to any person, animal, property, or vegetation;

(By-law No. 2000-263 – 2000)

5. impair or is likely to impair the quality of the water in any well, lake, river, pond, spring, stream, reservoir or other water or watercourse;

(By-law No. 2000-263 – 2000)

6. contravene or result in the contravention of a certificate or provisional certificate of approval or order issued under the Ontario Water Resources Act or the Environmental Protection Act with respect to the storm sewer and or its discharge;

(By-law No. 2000-263 – 2000)

7. have one or more of the following characteristics:

- a) two or more separate layers;

(By-law No. 2000-263 – 2000)

- b) a pH less than 6.0 or greater than 9.5;

(By-law No. 2000-263 – 2000)

- c) a visible film, sheen or discolouration; or

(By-law No. 2000-263 – 2000)

- d) a temperature greater than 40 degrees Celsius.

(By-law No. 2000-263 – 2000)

Section 3 cont'd:

8. contain one or more of the following:
 - a) acute hazardous waste chemicals;
(By-law No. 2000-263 – 2000)
 - b) blowdown;
By-law No. 2000-263 – 2000)
 - c) combustible liquids;
(By-law No. 2000-263 – 2000)
 - d) floating debris;
(By-law No. 2000-263 – 2000)
 - e) fuel;
(By-law No. 2000-263 – 2000)
 - f) hauled sewage;
(By-law No. 2000-263 – 2000)
 - g) hauled waste;
(By-law No. 2000-263 – 2000)
 - h) hazardous industrial waste;
(By-law No. 2000-263 – 2000)
 - i) hazardous waste chemicals;
(By-law No. 2000-263 – 2000)
 - j) ignitable waste;
(By-law No. 2000-263 – 2000)
 - k) pathological waste;
(By-law No. 2000-263 – 2000)
 - l) PCBs;
(By-law No. 2000-263 – 2000)
 - m) pesticides;
(By-law No. 2000-263 – 2000)
 - n) reactive waste;
(By-law No. 2000-263 – 2000)

Section 3 cont'd:

- o) severely toxic waste;

(By-law No. 2000-263 – 2000)
 - p) sewage;

(By-law No. 2000-263 – 2000)
 - q) waste radioactive prescribed substances;

(By-law No. 2000-263 – 2000)
 - r) waste disposal site leachate;

(By-law No. 2000-263 – 2000)
 - s) a substance from raw materials, intermediate or final materials, used or produced in, through or from an industrial process; or

(By-law No. 2000-263 – 2000)
 - t) a substance used in the operation or maintenance of an industrial site.

(By-law No. 2000-263 – 2000)
9. contain E. coli colonies in excess of 200 per 100mL;

(By-law No. 2000-263 – 2000)
10. contain a concentration, expressed in mg/L, in excess of any one or more of the limits in Table 2 of this By-law entitled "Limits for Storm Sewer Discharge".

(By-law No. 2000-263 – 2000)

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
Copper (total)	0.04	Di-n-butyl phthalate	0.015
Lead (total)	0.12	Bis (2-ethylhexyl) phthalate	0.0088
Manganese (total)	0.05	Nonylphenols	0.001
Mercury (total)	0.0004	Nonylphenol ethoxylates	0.01
Nickel (total)	0.08	Aldrin / Dieldrin	0.00008
Selenium (total)	0.02	Chlordane	0.04
Silver (total)	0.12	DDT	0.00004
Zinc (total)	0.04	Hexachlorobenzene	0.00004
		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
Vinyl Chloride	0.04	Total PAHs	0.002

(By-law No. 2000-263 – 2000; 2002-125 - 2002)

Section 4 – PROHIBITION OF DILUTION

4. (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, storm sewer, municipal sewer connection 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 Section 2 or Section 3 of this by-law.

(By-law No. 2000-263 – 2000)

Section 5 - REPORTS

5. (1) Prior to any discharge of sewage, storm water, cooling water or uncontaminated water to a sewage works, every owner or operator of an industrial, commercial or institutional premises is required by the City to complete and submit to the Manager a "Short Version of the Discharger Information Report" in the form set out in this By-law as Schedule "A".

(By-law No. 2000-263 – 2000)

- (2) The Manager may provide to an owner or operator of an industrial, commercial or institutional premises written notice requiring such owner or operator to complete and submit a "Complete Discharger Information Report" in the form set out in this By-law as Schedule "B", where, in the opinion of the Manager, discharge from the premises may have a significant impact on the sewage works.

(By-law No. 2000-263 – 2000)

- (3) An owner or operator of an industrial, commercial or institutional premises who is discharging or depositing sewage, storm water, cooling water or uncontaminated water to a sewage works shall provide written notice of any change in the information in the reports required under subsections 5(1) or 5(2) and such notice shall include details of the nature of the change of the discharge and its potential effect on the municipal sewage works into which it is being discharged or deposited.

(By-law No. 2000-263 – 2000)

Section 6 – EXTRA-STRENGTH SURCHARGE AGREEMENTS

6. (1) Subject to subsections (2) through (10), the discharge or deposit of sewage that would otherwise be prohibited by this By-law may be permitted into or in any connection to any sanitary sewer or combined sewer in accordance with an Extra Strength Surcharge Agreement under such conditions with respect to payment of additional sewage service rates or otherwise as may be deemed necessary by the City to compensate for any additional costs of operation, repair, and maintenance of the sewage works.

(By-law No. 2000-263 – 2000)

- (2) An Extra Strength Surcharge Agreement may only be made for discharge of the following treatable parameters in sewage: suspended solids, biochemical oxygen demand and total phosphorus, and total kjeldahl nitrogen.

(By-law No. 2000-263 – 2000; 2002-125 - 2002)

- (3) Biochemical oxygen demand, total suspended solids and total phosphorus and total kjeldahl nitrogen concentrations shall be determined as follows:

(By-law No. 2000-263 – 2000; 2002-125 - 2002)

- (a) No less than two composite samples shall be collected in accordance with section 8(6) of this By-law by City staff or, upon written approval from the Manager, by an alternate person.

(By-law No. 2000-263 – 2000)

- (b) Laboratory analysis of the collected samples shall be done in accordance with section 8(6) of this By-law.

(By-law No. 2000-263 – 2000)

- (c) The average concentration of all composite samples taken over the specified two (2) month period will be used in calculating the surcharge; or, by the following upon written approval from the Manager:

(By-law No. 2000-263 – 2000)

- (d) Data supplied by the owner or operator of the industrial, commercial or institutional premises named in the Extra Strength Surcharge Agreement, where the sampling and analytical methods meet the protocol stated or referenced in Section 8 of this By-law.

(By-law No. 2000-263 – 2000)

Section 6 (cont'd)

(4) Surcharge rates and associated fees as determined from time to time by the City are appended to this By-law as Schedule C.

(By-law No. 2000-263 – 2000)

(5) Surcharge rates will be reviewed and adjusted accordingly from time to time as determined by the City based on projected operating and maintenance costs and may include some capital costs.

(By-law No. 2000-263 – 2000)

(6) An Extra Strength Surcharge Agreement shall be generally in the form designated by the City from time to time and the Manager is hereby authorised to execute such agreement on behalf of the City under authority of this By-law.

(By-law No. 2000-263 – 2000)

(7) The Manager may terminate an Extra Strength Surcharge Agreement at any time in the event that the industry fails or neglects to carry out the conditions of the approved Agreement and the termination will be effective within 30 days of a written notice of termination.

(By-law No. 2000-263 – 2000)

(8) An Extra Strength Surcharge Agreement may be terminated by the Manager 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, waters or the sewage works and the termination will be effective immediately.

(By-law No. 2000-263 – 2000)

(9) A person who has entered into an Extra Strength Surcharge Agreement shall be deemed not to have contravened the provisions of Section 2 of this By-law with respect to those parameters specified in the agreement provided that all of the terms and conditions of the Extra Strength Surcharge Agreement are complied with, but in all other respects, this By-law shall continue to apply to the person's waste.

(By-law No. 2000-263 – 2000)

(10) In accordance with subsection 221(27) of the Municipal Act, the sewage service rate and the extra strength sewage surcharge rate imposed under this Section is a lien and charge upon the land against which it is assessed and if any owner and/or occupant of the land fails to pay the said rate on or before the due date, the amount unpaid may be collected by distress upon the goods and chattels of such owner and/or occupant, or by action in any competent court and shall be charged against the property and collectable in the same way, as nearly as may be, as municipal taxes are collectable.

(By-law No. 2000-263 – 2000)

Section 7 - COMPLIANCE PROGRAM

7. (1) A person may submit to the Manager a proposed Compliance Program as set out in Section 7(2) through 7(11) for the discharge of a non-complying effluent during the period of investigation, planning, design, construction or installation of facilities to eliminate the non-compliance, only if, in the opinion of the Manager, there are no other options to eliminate the non-complying discharge.

(By-law No. 2000-263 – 2000)

- (2) A person may submit to the Manager a proposed Compliance Program to prevent or to reduce and control the discharge or deposit of sewage, storm water or uncontaminated water into or in land drainage works, municipal sewer connection or private sewer connection to any sanitary sewer, combined sewer or storm sewer from the premises.

(By-law No. 2000-263 – 2000)

- (3) Upon receipt of a proposed Compliance Program the Manager may issue written approval for such Compliance Program in accordance with guidelines therefore adopted by the City from time to time.

(By-law No. 2000-263 – 2000)

- (4) Every approved Compliance Program shall be for a specified length of time during which the facilities are to be installed and shall be specific as to the remedial actions to be implemented, the dates of commencement and completion, and the materials or other characteristics of the sewage, uncontaminated water or storm water to which it relates.

(By-law No. 2000-263 – 2000)

- (5) A person to whom an approved Compliance Program has been issued shall submit to the Manager a Compliance Program progress report within 14 days after the scheduled completion date for each activity listed in the approved Compliance Program.

(By-law No. 2000-263 – 2000)

- (6) A person to whom an approved Compliance Program has been issued shall be deemed not to have contravened the provisions of Sections 2 or 3 of this By-law for the discharge or deposit of any matter specified in the approved Compliance Program during the period within which the approved Compliance Program is in effect and provided the approved Compliance Program is being fully complied with.

(By-law No. 2000-263 – 2000)

- (7) The City may levy an extra strength sewage service rate as described in Section 6 for non-complying wastes specified in the approved Compliance Program during the period within which the approved Compliance Program is applicable.

(By-law No. 2000-263 – 2000)

Section 2 (cont'd)

(8) The Manager may require the person to self-monitor for such parameters as specified in the approved Compliance Program for the duration in which the approved Compliance Program is applicable.

(By-law No. 2000-263 – 2000)

(9) All costs associated with self-monitoring shall be the responsibility of the person to whom the approved Compliance Program is issued

(By-law No. 2000-263 – 2000)

(10) The Manager may terminate a Compliance Program at any time in the event that the person issued approval for the Compliance Program fails or neglects to carry out or diligently pursue the activities required of it under its approved Compliance Program, and the termination will be effective within 30 days of a written notice of termination.

(By-law No. 2000-263 – 2000)

(11) An approved Compliance Program may be terminated by the Manager 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, waters or the sewage works, and the termination will be effective immediately.

(By-law No. 2000-263 – 2000)

Section 8 - SAMPLING AND ANALYSIS

8. (1) The owner or operator of industrial, commercial or institutional premises 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 measurement of the flow of 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 written approval of the Manager.

(By-law No. 2000-263 – 2000)

- (2) The maintenance access hole or alternative device shall be located on the property of the premises, as close to the property line as possible, unless the Manager has issued written approval for an alternate location.

(By-law No. 2000-263 – 2000)

- (3) Each maintenance access hole, device or facility installed as required by subsection 8.(1)1. 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.

(By-law No. 2000-263 – 2000)

- (4) The owner or operator of the commercial, institutional or industrial premises shall at all times ensure that every maintenance access hole, alternative device or facility installed as required by subsection 8.(1)1. is accessible to the City for purposes of maintaining, observing, sampling and flow measurement of the sewage, uncontaminated water or storm water therein.

(By-law No. 2000-263 – 2000)

- (5) 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”, or the current United States Environmental Protection Agency methods.

(By-law No. 2000-263 – 2000)

- (6) 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(6), may contain additives for its preservation and may be collected manually or by using an automatic sampling device.

(By-law No. 2000-263 – 2000)

Section 9 - 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 City and provide the following information:

(By-law No. 2000-263 – 2000)

1. Company name and address and location of the spill;

(By-law No. 2000-263 – 2000)

2. Date, time and duration of the spill event;

(By-law No. 2000-263 – 2000)

3. Complete description of the spill, including type and volume of material discharged and any associated hazards as would be outlined on a material safety data sheet;

(By-law No. 2000-263 – 2000)

4. A copy of the MSDS for the spilled material if available;

(By-law No. 2000-263 – 2000)

5. Details of clean up actions that have been initiated including actions taken to prevent the material from leaving the property, and the name(s) of any contractors that may be on site assisting with clean up.

(By-law No. 2000-263 – 2000)

6. If spilled material is being vacuumed or captured by another method, the destination of the captured material

(By-law No. 2000-263 – 2000)

7. Agencies notified of the spill and corresponding notification times;

(By-law No. 2000-263 – 2000)

8. Name and phone number of the person reporting the spill and location where that person can be reached;

(By-law No. 2000-263 – 2000)

9. Name and phone number of the person in charge of cleaning up the spill and location where that person can be reached.

(By-law No. 2000-263 – 2000)

- (2) The person reporting the spill shall provide a written report containing the above information with respect to the spill to be received by the Manager within 5 days after the spill. The written report shall also include the following:

(By-law No. 2000-263 – 2000)

Section 9 (cont'd)

1. Detailed description of clean-up procedures on or off the property including dates, times and a list of the names of any contracted assistance utilised during the clean up;
(By-law No. 2000-263 – 2000)
 2. Weather conditions at the time of the spill and clean-up;
(By-law No. 2000-263 – 2000)
 3. Corrective actions to prevent a similar occurrence in the future.
(By-law No. 2000-263 – 2000)
- (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.
(By-law No. 2000-263 – 2000)
- (4) All costs incurred by the City as a result of such discharge shall be borne by the person responsible for the spill.
(By-law No. 2000-263 – 2000)

Section 10 – GARBAGE GRINDERS

10. (1) No person shall install any garbage-grinding device for industrial, commercial or residential purposes, the effluent from which will discharge directly or indirectly into the sewage works.

(By-law No. 2000-263 – 2000)

- (2) No person shall replace any existing garbage grinding devices for industrial, commercial or residential purposes installed prior to the passage of this by-law.

(By-law No. 2000-263 – 2000)

- (3) Garbage grinding devices installed prior to the passing of this by-law for industrial, commercial or residential purposes, the effluent from which will discharge directly or indirectly into the sewage works can remain in operation under the following conditions:

(By-law No. 2000-263 – 2000)

1. The owner or operator of the garbage grinding device has a permit issued by the Plumbing Inspector of the City of Kingston at the time the garbage grinding device was originally installed, if a permit was required at the time of original installation;

(By-law No. 2000-263 – 2000)

2. The quantity of waste to be processed does not have an adverse effect on the City of Kingston sewage works;

(By-law No. 2000-263 – 2000)

3. In the event that accumulations of solid wastes are detected in a sewer and such accumulations are being caused by the operation of a garbage grinding device:

(By-law No. 2000-263 – 2000)

- a) The sewer shall be cleaned at the expense of the owner of the establishment or residence operating the garbage grinder; and

(By-law No. 2000-263 – 2000)

- b) The owner of the garbage grinder shall be required to make such improvements to the operation or maintenance of the garbage grinder as the City deems necessary in order to prevent further accumulations;

(By-law No. 2000-263 – 2000)

- c) The owner of the garbage grinder may be required by the City to discontinue the use of the garbage grinder.

(By-law No. 2000-263 – 2000)

Section 11 - GREASE / SEDIMENT INTERCEPTORS

11. (1) 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 and, without limiting its generality, shall install, operate and properly maintain a grease interceptor in any piping system at its premises that connects directly or indirectly to a sewer.

(By-law No. 2000-263 – 2000)

- (2) 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.

(By-law No. 2000-263 – 2000)

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

(By-law No. 2000-263 – 2000)

- (4) Every grease interceptor and sediment interceptor shall be installed, operated and maintained in accordance with the manufacturer's instructions, and shall be inspected and cleaned frequently to ensure that it is operating effectively.

(By-law No. 2000-263 – 2000)

- (5) Owners or operators of premises having grease or sediment interceptors shall keep a record of interceptor maintenance including the date(s) on which cleaning / maintenance occurred, the person or contractor responsible, and the method and destination of waste disposal, and upon request these records shall be made available to the City.

(By-law No. 2000-263 – 2000)

Section 12 - GENERAL PROVISIONS

12. (1) For the purpose of the administration of this By-law, a person appointed by Council may, upon production of his or her identification, enter any industrial premises to observe and/or, measure the flow of sewage to any sewer, and to collect any samples required.

(By-law No. 2000-263 – 2000)

- (2) No person shall break, damage, destroy, deface or tamper or cause or permit the breaking, damaging, destroying, defacing or tampering with:

(By-law No. 2000-263 – 2000)

1. any part of a sewage works; or

(By-law No. 2000-263 – 2000)

2. any permanent or temporary device installed in a sewage works for the purpose of measuring, sampling and testing of sewage.

(By-law No. 2000-263 – 2000)

- (3) An owner or operator of an industrial, commercial or institutional premises may be required, by written notice from the Manager, to complete or perform one or more of the following activities addressing the discharge of storm water or sewage from the discharger's site:

(By-law No. 2000-263 – 2000)

1. to complete a study on storm water or sewage quality and / or quantity;

(By-law No. 2000-263 – 2000)

2. to develop and implement a best management practice plan;

(By-law No. 2000-263 – 2000)

3. in respect of the owner or operator of industrial premises discharging or proposing to discharge into the municipal sewage works effluent exceeding the strength, nature, quantity or quality provided for in this By-law, to install and maintain a pre-treatment facility or holding tank on the premises so that the effluent will be reduced accordingly.

(By-law No. 2000-263 – 2000)

4. to design, construct and maintain at his or her expense the pre-treatment facility or holding tank in accordance with good engineering practice and the requirements of the City, and shall be constructed and maintained by the owner or operator of the premises at his or her expense.

(By-law No. 2000-263 – 2000)

Section 12 cont'd:

5. his or her own expense, to install and maintain devices to monitor sewage, uncontaminated water or storm water discharges and to submit to the Manager regular reports regarding the quantity and quality of discharges to the sewage works.

(By-law No. 2000-263 – 2000

Section 13 – OFFENCES

13. (1) Every person, other than a corporation, who contravenes any provision of Section 2, Section 3, or Section 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 \$10,000.00 for the first offence and \$20,000.00 for any subsequent conviction.

(By-law No. 2000-263 – 2000)

- (2) Every corporation that contravenes any provision of Section 2, Section 3, or Section 4 of this By-law and every officer or director of a corporation that concurs in such contravention 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 \$50,000.00 for the first offence and \$100,000.00 for any subsequent conviction.

(By-law No. 2000-263 – 2000)

- (3) The appointed sewer-use by-law officers have authority to issue tickets and fines for offences listed in Schedule “D”.

(By-Law No. 2002-125 – 2002)

Section 14 – EFFECTIVE DATE

14. This by-law shall come into force on the day it is finally passed.

(By-law No. 2000-263 – 2000)

Schedule A – Discharger Information Report – Short Version

The completion of this form is required by all dischargers to the sewage works under Bylaw # 2000-263 addressing waste discharges to sewers in the City of Kingston.

** If you have any questions on the form, please call 546-4777

The completed form is to be forwarded to: Utilities Kingston
211 Counter St.
P.O. Box 790
Kingston, Ont.
K7L 4X7
Attn: Wastewater Assurance Office
(By-law No. 2000-263 – 2000; 2002-125 - 2002)

Please print clearly.

1.	Name of Company:
2.	Address of Company: Phone: Fax:
3.	Owner's Name & Address (if different from above): Phone: Fax:
4.	Brief Description of Product or Service:

(By-law No. 2000-263 – 2000)

City of Kingston By-Law No. 2000-263

Schedule A Cont'd:	
5.	Brief Description of Process(es) used in Manufacturing or Servicing:
6.	<p>'Are there' or 'Will there be' any of the following wastewater discharges from the description as provided in #5?</p> <p>Process wastewater.....Yes / No</p> <p>Cooling water.....Yes / No</p> <p>Other sources of wastewater (other than sanitary).....Yes / No</p> <p>(if yes, brief description):</p>
7.	<p>Does the site have any existing connections to the following sewers?</p> <p>Sanitary.....Yes / No</p> <p>Combined.....Yes / No</p> <p>Storm.....Yes / No</p>
8.	<p>Location of process Units?.....Inside / Outside / Outside but covered</p> <p>Storage of raw materials?.....Inside / Outside / Outside but covered</p> <p>Storage of intermediate products?.....Inside / Outside / Outside but covered</p> <p>Storage of final products?.....Inside / Outside / Outside but covered</p>
9.	<p>Does the site have any of the following programs in place to address discharges to the sewer system?</p> <p>Pollution Prevention.....Yes / No</p> <p>Best Management Plan.....Yes / No</p> <p>Environmental Management System.....Yes / No</p> <p>Other program / practices.....Yes / No</p>
10.	<p>Date form completed:</p> <p>Name and Title of Company Representative:</p> <p>Signature of Company Representative:</p>

Note: the City may require completion of the "Complete Discharger Information Report" based on this report and/or subsequent verification of the site.

(By-law No. 2000-263 – 2000)

Schedule B – Discharger Information Report

The completion of this form by dischargers is required under certain circumstances by By-law #2000-263 addressing waste discharges to sewers in the City of Kingston.

** If you have any questions on the form, please call (613) 546-4777

The completed form is to be forwarded to: Utilities Kingston
211 Counter St.
P.O. Box 790
Kingston, Ont.
K7L 4X7
Attn: Wastewater Assurance office
(By-Law No. 2002-125 – 2002)

- Please print clearly.
- Additional information and attachments are required.
- Indicate what material has been attached to ensure that the City is aware of all the information provided.

(By-law No. 2000-263 – 2000)

1.	Name of Company:
2.	Address of Company: Phone: Fax:
3.	Owner's Name & Address (if different from above): Phone: Fax:

(By-law No. 2000-263 – 2000)

Schedule B Cont'd:	
4.	<p>General Site Operation Information:</p> <p>Number of Employees involved in:</p> <p>Plant:_____ Office:_____ Other:_____ Total:_____</p> <p>Number of Shifts per Day:_____ Number of Operating Days per Week_____</p>
5.	<p>Description of Product(s) or Service</p> <p>Include Standard Industrial Code (SIC) – state if SIC is Canadian or American</p>
6.	<p>Description of the Process(es) used in the Manufacturing or Servicing</p> <p>Characteristics such as Batch (how many per time period), Continuous, or Both (explanation to be provided), Seasonal Production Cycles, Specific Clean-up Periods and Clean_up Activities</p>

(By-law No. 2000-263 – 2000)

Schedule B Cont'd:			
7.	Average Daily Water Use and Sources		
	Municipal Supply.....	Yes / No	_____m ³ /d
	Surface Water **.....	Yes / No	_____m ³ /d
	Ground Water *.....	Yes / No	_____m ³ /d
	Other Sources **.....	Yes / No	_____m ³ /d
			Estimated or Measured
			Estimated or Measured
			Estimated or Measured
			Estimated or Measured
	<p>If flow rate varies significantly provide peak flow rates per day and month and explanation.</p> <p>* Provide copy of the Permit to Take Water (as required by the OWRA) according to By-law requirements</p> <p>** If 'Yes' – provide explanation as an attachment</p>		
8.	Discharge Points from Site		
	<p>List all discharge points and average daily flow in cubic metres per day of sanitary, noncontact cooling water, process wastewater, contact cooling water and other discharge water to the sanitary sewer, combined sewer, storm sewer, groundwater, surface water, evaporation losses (if applicable), and percent of water in final product (if significant and applicable to the site)</p> <p>ie. Process wastewater from manufacturing line to sanitary sewer at an average daily flow of 200m³/d (measured)</p>		
9.	Known Characteristics of Discharges		
	<p>Provide existing data on quality of the discharges listed above in #8 (Complete Parameter Information Form for each discharge point as provided with this form)</p>		

(By-law No. 2000-263 – 2000)

Schedule B Cont'd:	
10.	<p>Physical Layout</p> <ul style="list-style-type: none"> • Provide sketch of property (to scale or approximate) showing buildings, pretreatment works, property boundaries, effluent lines, and connections to sanitary, combined and storm sewers. • Please identify sewers as listed on the Parameter Information Form as completed above. • Layout may be attached as separate document – leave note to indicate submission with this form. • A flow diagram of the site flows/processes is also required.
11.	<p>Regulation 347 Information</p> <p>Provide any Generator Registration Numbers at the site under the requirements of Ontario Regulation 347 under the EPA</p>
12.	<p>Extra Strength Surcharge Agreements (ESSA)</p> <p>Does the site have an existing ESSA with the City?.....Yes / No</p> <p>Did the site previously have an ESSA with the City?.....Yes / No</p> <p>If 'Yes' to either question – Attach a copy of each agreement to this form</p>

(By-law No. 2000-263 – 2000)

Schedule B Cont'd:	
13.	<p>Pretreatment of Discharges Prior to Discharge</p> <p>Does the site have any pretreatment systems for process effluents prior to discharge to the sewer system?</p> <p>Yes / No</p> <p>If 'Yes', provide a description of the pretreatment devices, contaminants removed, operational procedures for the device and description of process utilized in the device.</p>
14.	<p>Does the site have any of the following programs addressing discharges to the sewer system in place?</p> <p>Pollution Prevention.....Yes / No Best Management Plan.....Yes / No Environmental Management System.....Yes / No Other program / practices.....Yes / No</p> <p>If 'Yes', attach copy of each to the form and explanation for implementation.</p>
15.	<p>Date Form Completed:</p> <p>Name and Title of Company Representative:</p> <hr/> <p>Signature of Company Representative:</p> <hr/>

Schedule B Cont'd:				
Parameter Information Form – for discharges to sanitary and combined sewers				
Company Name and Location:				
Date:				
Discharge Connection Identification:				
<u>Parameter or Condition*</u>	By-law Limit (mg/L)	Average Concentration or Range (mg/L)	Significant Variation (Yes or No) and Reason for Variations	Additional Information Attached?
pH*	6-10.5			
temperature	60 C			
BOD	300			
COD	---			
Cyanide (total)	2			
Fluoride	10			
Total Kjeldahl Nitrogen (TKN)	100			
Oil & Grease (Animal / Veg.)	150			
Oil & Grease (Mineral / Synth.)	15			
Phenolics (4AAP)	1.0			
Phosphorus (total)	10			
Suspended Solids (total)	350			
Aluminum (total)	50			
Antimony (total)	5			
Arsenic (total)	1			
Cadmium (total)	0.7			
Chromium (total)	4			
Chromium (hexavalent)	2			
Cobalt (total)	5			
Copper (total)	2			
Lead (total)	1			
Manganese (total)	5			
Mercury (total)	0.01			
Molybdenum (total)	5			
Nickel (total)	2			
Selenium (total)	1			
Silver (total)	5			
Tin (total)	5			
Titanium (total)	5			
Zinc (total)	2			

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Schedule B Cont'd:				
Parameter Information Form – for discharges to sanitary and combined sewers				
Company Name and Location:				
Date:				
Discharge Connection Identification:				
<u>Parameter or Condition*</u>	By-law Limit (mg/L)	Average Concentration or Range (mg/L)	Significant Variation (Yes or No) and Reason for Variations	Additional Information Attached?
Benzene	0.01			
Chloroform	0.04			
1,2-Dichlorobenzene	0.05			
1,4-Dichlorobenzene	0.08			
Cis-1,2-dichloroethylene	4			
Trans-1,3-dechloropropylene	0.14			
Ethylbenzene	0.16			
Methylene chloride	0.21			
1,1,2,2-Tetrachloroethane	0.04			
Tetrachloroethylene	0.05			
Toluene	0.016			
Trichloroethylene	0.07			
Xylenes (total)	0.94			
Di-n-butyl phthalate	0.08			
Bis (2-ethylhexyl) phthalate	0.012			
Nonylphenols	0.001			
Nonylphenol ethoxylates	0.01			
Aldrin / Dieldrin	0.0002			
Chlordane	0.1			
DDT	0.0001			
Hexachlorobenzene	0.0001			
Mirex	0.1			
PCBs	0.001			
3,3'-dichlorobenzidine	0.002			
Hexachlorocyclohexane	0.1			
Pentachlorophenol	0.005			
Total PAHs	0.005			
Vinyl Chloride	0.04			

(By-law No. 2000-263 – 2000; 2002-125 - 2002)

Schedule C – Extra Strength Surcharge Fee Structure:

The following fees are applicable to Extra Strength Surcharge Agreements as permitted under Section 6 of the Sewer Use By-law. The rates are derived from operating and maintenance costs at the water pollution control facilities and pollutant removal efficiencies.

(By-law No. 2000-263 – 2000)

Surcharge Parameter	Surcharge (\$/kg exceeding by-law limit)
Biochemical Oxygen Demand (BOD)	\$0.28
Total Suspended Solids (TSS)	\$0.22
Total Phosphorus (TP)	\$5.60
Total Kjeldahl Nitrogen (TKN)	\$2.54

(By-law No. 2000-263 – 2000; 2002-125 - 2002)

Sampling and Analytical Fee..... \$50.00 / sample

Schedule D - Offences and Fines:

Offences	Section(s) in By-law	Fines
1. Discharging water from drainage of roofs to the sanitary or combined sewer.	Sec.2.(3)	\$500.00
2. Discharging water from drainage of lands to the sanitary or combined sewer.	Sec.2.(3)	\$500.00
3. Discharging uncontaminated water to the sanitary or combined sewer.	Sec.2.(3)	\$500.00
4. Discharging sewage containing fuels to the sanitary or combined sewer.	Sec.2.3.(d)	\$500.00
5. Discharging dyes or coloring material to the sanitary sewer, combined sewer, private branch drain, land drainage works or storm sewer.	Sec.2.3.(c)	\$500.00
6. Discharging sewage that has two or more separate layers to the sanitary sewer, combined sewer, private branch drains, land drainage works or storm sewer.	Sec.2.2.(b) and Sec.3.7.(a)	\$500.00
7. Discharging sewage that is corrosive to the sewage works to the sanitary sewer, combined sewer, private branch drains, land drainage works or storm sewer.	Sec.2.2.(a) and Sec.3.7.(b)	\$500.00
8. Discharging fuels to the sanitary sewer, combined sewer, private branch drain, land drainage works or storm sewer.	Sec.2.3.(d) and Sec.3.8.(e)	\$500.00
9. Discharging pesticides to the sanitary sewer, combined sewer, private branch drain, land drainage works or storm sewer.	Sec.2.3.(d) and Sec.3.8.(m)	\$500.00
10. Discharging waste disposal site leachate to the sanitary sewer, combined sewer, private branch drain, land drainage works or storm sewer.	Sec.2.3.(p) and Sec.3.8.(r)	\$500.00
11. Discharging automotive or machine oils and grease to the sanitary sewer, combined sewer, private branch drain, land drainage works or storm sewer.	Sec.2.3.(h),(i) and Sec.3.8.(i),(j)	\$500.00
12. Failure to submit a waste survey report as prescribed.	Sec.5.(1),(2)	\$300.00
13. Failure to notify forthwith after discharging or depositing or causing or permitting the discharge of hazardous or acute hazardous waste chemicals into or in sanitary sewers, combined sewers, private branch drains or land drainage works.	Sec.2.3.(a)	\$300.00

City of Kingston By-Law No. 2000-263

Offences	Section(s) in By-law	Fines
14. Failure to notify forthwith after discharging or depositing or causing or permitting the discharge of combustible wastes into or in connections to any sanitary sewer, combined sewer, private branch drains or land drainage works.	Sec.2.3.(b)	\$300.00
15. Failure to notify forthwith after discharging or depositing or causing or permitting the discharge of pathological wastes into or in connections to any sanitary sewer, combined sewer, private branch drains or land drainage works.	Sec.2.3.(j)	\$300.00
16. Failure to notify forthwith after discharging or depositing or causing or permitting the discharge of PCB wastes into or in connection to any sanitary sewer, combined sewer, private branch drains or land drainage works.	Sec.2.3.(k)	\$300.00
17. Failure to notify forthwith after discharging or depositing or causing or permitting the discharge of automotive or machine oils and greases into or in connections to any sanitary sewer, combined sewer, private branch drains or land drainage works.	Sec. 2.3.(h),(i)	\$300.00
18. Failure to notify forthwith after discharging or depositing or causing or permitting the discharge of fuels into or in connections to any sanitary sewer, combined sewer, private branch drains or land drainage works.	Sec.2.3.(d)	\$300.00
19. Failure to notify forthwith after discharging or depositing or causing or permitting the discharge of pesticides into or in connections to any sanitary sewer, combined sewer, private branch drains or land drainage works.	Sec. 2.3.(l)	\$300.00
20. Owner or operator of industrial premises with one or more connections to a sewage works failing to maintain in good repair in each connection a suitable manhole to allow for measurements, observation and sampling.	Sec.8.(3)	\$300.00
21. Failure to provide upon request by the Wastewater Assurance Officer the names of all raw materials, products, by-products, waste and any other substance or material that is used, produced, discharged or emitted from such premises.	Sec.12.(3).1	\$200.00
22. Damage or tamper with sewage works	Sec.12(2)1	\$500.00
23. Damage or tamper with devices installed for measuring sewage.	Sec.12(2)2	\$500.00