

**BYLAW NUMBER 9M2015****BEING A BYLAW OF THE CITY OF CALGARY  
TO AMEND BYLAW 14M2012,  
THE WASTEWATER BYLAW**

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**WHEREAS** Council has approved UCS2015-0078 and considers it necessary to amend Bylaw 14M2012, the Wastewater Bylaw;

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS  
FOLLOWS:**

1. Bylaw 14M2012, the Wastewater Bylaw, as amended, is hereby further amended.
2. In section 3:
  - (1) before the definition of "*adverse effect*", the following is added:
 

““*accredited laboratory*” means a laboratory accredited by the Canadian Association for Laboratory Accreditation Inc., the Standards Council of Canada, or an accrediting body that is a signatory to the International Laboratory Accreditation Cooperation Mutual Recognition Agreement, using the criteria and procedures outlined in “ISO/IEC/EN 17025: General Requirements for Competence of Calibration and Testing Laboratories” established by the International Organization for Standardization;”;
  - (2) in the definition of “*BOD*”, the words “the *Standard Methods*” are deleted and replaced with “*Standard Methods*”;
  - (3) in the definition of “*COD*”, the words “the *Standard Methods*” are deleted and replaced with “*Standard Methods*”;
  - (4) after the definition of “*Council*”, the following is added:
 

““*Customer*” means any person, any other municipal corporation, the Government of Alberta, or the Government of Canada, whose property is connected to the *wastewater system* or any lessee or occupant of such property, or any person who requests *wastewater services* or has applied for an account or is otherwise responsible for paying such account for *wastewater services*;”
  - (5) the definition of “*drainage service charge*” is deleted;
  - (6) the definition of “*extra strength surcharge agreement*” is deleted;
  - (7) the definition of “*extra strength wastewater*” is deleted and replaced with the following:
 

““*extra strength wastewater*” means *wastewater* that contains one or more of the *substances* described in Column 1 in Schedule “C” in excess of the

concentration limits set for those *substances* in Column 2 of Schedule “C”;

(8) in the definition of “*ISO 11143*”, the words “, as amended” are deleted;

(9) after the definition of “*radioactive material*”, the following is added:

““*reclaimed water*” means *wastewater* that has been treated at a *City* facility to a specific standard and distributed for a specific use;”

(10) the definition of “*Standard Methods*” is deleted and replaced with the following:

““*Standard Methods*” means the analytical and examination procedures set out in the current edition of “Standard Methods for the Examination of Water and Wastewater” published jointly by the American Public Health Association, the American Water Works Association and the Water Environment Federation;”

(11) the definition of “*surcharge substance*” is deleted;

(12) in the definition of “*TKN*”, the words “*Standard Methods*” are deleted and replaced with “procedures approved by the *Director, Water Resources*;”;

(13) after the definition of “*TKN*”, the following is added:

““*TN*” or “*total nitrogen*” means *TKN* plus nitrates and nitrites, as determined by procedures approved by the *Director, Water Resources*;”;

and

(14) the definition of “*TP*” is deleted and replaced with the following:

““*TP*” or “*total phosphorus*” measures all forms of phosphorus, including orthophosphate, condensed phosphate, and organic phosphate, as determined by procedures approved by the *Director, Water Resources*;”.

3. Subsection 4(4) is deleted and replaced with the following:

“(4) Where this *Bylaw* cites or refers to any other Act, bylaw, agency, organization, regulation or publication, the citation or reference is to the Act, bylaw, agency, organization, regulation or publication as amended, whether amended before or after the commencement of this *Bylaw*, and includes reference to any Act, bylaw, agency, organization, regulation or publication that may be substituted in its place.”.

4. The title of section 6 is changed from “**Provision of Wastewater System**” to “**Wastewater Treatment Facilities**”.

5. The following is added after subsection 10(2) as subsection 10(3):

“(3) Every *person* who relies on a written approval or *permit* issued pursuant to this *Bylaw* has the onus of proving that they were the holder of a valid and subsisting approval or *permit*.”.

6. In subsection 11(1), the words "*under this*" are deleted and replaced with "under this".
7. In section 13:
  - (1) the words "*Director of Water Services*" are deleted and replaced with "*Director, Water Services*"; and
  - (2) in subsection 13(c), the words "*, extra strength surcharge agreement*" are deleted.
8. In subsection 14(c), the word "*services*" is deleted and replaced with "services".
9. In subsection 17(1), the word "*connection*" is deleted and replaced with "connection".
10. The following is added after section 21 as section 21.1:

**"Reclaimed Water"**

- 21.1 (1) *The City* may enter into agreements for the supply and use of *reclaimed water*.
- (2) The charge for the supply and use of *reclaimed water* is set out in Schedule "K".
11. In section 22:
  - (1) subsection 22(1)(b) is deleted and replaced with:
 

"(b) contains a *substance* that is above the approved concentration limit as described in Column 2 of "Schedule "B" or Column 2 of Schedule "C"; or";

and
  - (2) subsection 22(2) is deleted and replaced with the following:
 

"(2) Despite subsection (1), the *Director, Water Resources* may grant written approval to allow *wastewater* that does not meet the requirements of subsection (1) to enter the *wastewater system* provided that the *wastewater* does not have an *adverse effect*.

(2.1) In granting written approval pursuant to subsection (2), the *Director* may impose any conditions that the *Director* deems necessary, including any one or more of the following:

    - (a) that the *wastewater* is tested at regular intervals in accordance with the *Director's* instructions;
    - (b) that in respect of *extra strength wastewater*, a *wastewater surcharge* calculated in accordance with Schedule "F" is paid;

- (c) that the *person* compensates *The City* for all costs arising as a result of the *wastewater* entering the *wastewater system*;
- (d) that the *person* enters into a *wastewater agreement* with *The City* subject to any conditions required by the *Director*.”.

12. (1) Section 24 is deleted and replaced with the following:

**“Release Quality**

- 24. (1) For the purpose of this section, “*alter or expand*” means the modification of an existing activity in or on *ICI premises* that may result in an increased *wastewater volume* or an increased amount of a *prohibited substance, restricted substance or extra strength wastewater substance* in the *wastewater*.
- (2) The *Director, Water Resources* may require a *wastewater information report* completed by a *qualified person* from any *person* that carries on, *alters or expands*, or proposes to carry on or *alter or expand* an activity on an *ICI premises* that is connected or proposing to be connected to the *wastewater system*.”.

(2) For clarity, the following sentence that appears immediately before section 24 is deleted:

“For the purpose of this section, “*alter or expand*” means the modification of an existing activity in or on *ICI premises* that may result in an increased amount of a *restricted substance* in the *wastewater*.”

13. In section 26:

(1) subsection 26(1)(b) is deleted and replaced with the following:

“(b) take steps to equalize either the composition or the flow rate of a *release*, or both the composition and flow rate of a *release*, from the *premises* into the *pre-treatment system* or the *wastewater system*;

(2) the following is added after subsection 26(1)(b) as subsection 26(1)(b.1):

“(b.1) provide access to the *wastewater pre-treatment system* for inspection on the request of the *Director* or on the request of an *Officer*;;

and

(3) subsection 26(2) is deleted and replaced with:

“(2) An *owner* who fails to install, operate, monitor, provide access to and properly maintain at all times a *wastewater pre-treatment system* as required by the *Director* pursuant to subsection (1)(a), (b) or (b.1) is guilty of an offence under this *Bylaw*.”.

14. In section 27:
  - (1) in subsection 27(1), the words “cooked, processed or prepared,” are deleted and replaced with “cooked, processed, prepared, or where *FOG* is *released*,”; and
  - (2) in subsections 27(1)(c) and 27(2)(c), the words “maximum allowable” are deleted.
15. The following is added after section 30 as section 30.1:

“30.1 All tests, measurements, analyses and examinations of *wastewater*, its characteristics or contents pursuant to this *Bylaw* shall be carried out in accordance with *Standard Methods* or a procedure approved by the *Director, Water Resources* and be performed by an *accredited laboratory* that is accredited for analysis of the particular *substance* using a method that is within the laboratory’s scope of accreditation.”.
16. Section 31 is deleted.
17. Section 32 is deleted and replaced with the following:

“32. A *person releasing* or allowing the *release* of *hauled wastewater* at a facility operated by *The City* must:

  - (a) obtain a *hauled wastewater permit* from the *Director, Water Resources*; and
  - (b) pay any fees and charges related to the *permit* as specified in Schedule “G”.

32.1 A *person* must not *release* or allow the *release* of *hauled wastewater* at a location that has not been approved by the *Director, Water Resources*.”
18. In subsection 34.1(5), the words “a *bylaw enforcement officer*” are deleted and replaced with “an *Officer*”.
19. In section 36,
  - (1) subsection 36(3) is deleted; and
  - (2) subsection 36(7) is deleted and replaced with the following:

“(7) A Customer located outside the boundaries of *The City* must pay to *The City* a charge determined as follows:

    - (a) If the Customer obtains water solely from *The City’s* water supply, a *wastewater charge* in accordance with Schedule “E”;
    - (b) If the Customer obtains water, in whole or in part, from a source other than *The City’s* water supply, the *owner* must install either an *effluent meter* or a *water meter*, or both an *effluent meter* and

*water meter*, as may be required by the *Director, Water Services*, to measure the volume of *wastewater* being *released*, and must pay a *wastewater charge* in accordance with Schedule “E”.

20. Section 37 is deleted.
21. In section 38,
  - (1) in subsection 38(1), the words “section 37” are deleted and replaced with “section 22”; and
  - (2) in subsection 38(2), the words “*wastewater* described in subsection 37(1)” are deleted and replaced with “*extra strength wastewater*”.
22. In subsection 43(1), the words “subsection 45(1)(a)” are deleted and replaced with “subsections 45(1)(a) or 45(1.1)”.
23. The following is added after section 45(1) as section 45(1.1):

“(1.1) Where the *Director, Water Resources* or the *Director, Water Services* believes a *person* has contravened any provision of this *Bylaw*, the *Director, Water Resources* or the *Director, Water Services* may issue to the *person* a *Remedial Order* pursuant to section 545 of the *Municipal Government Act* to remedy the infraction.”
24. Schedule “B” is deleted and replaced with the following:

**“SCHEDULE “B”  
RESTRICTED SUBSTANCES**

*Wastewater* containing the following materials in excess of the following concentrations is restricted:

<b>Column 1 Substance</b>	<b>Column 2 Concentration Limit (mg/L)</b>
Aluminum, total	50
Antimony, total	5
Arsenic, total	1
Benzene	0.5
Beryllium, total	1
Bismuth, total	5
Boron, total	5
<i>BTEX</i>	1
Cadmium, total	0.7
Chloride	1500
Chloroform	0.05
Chromium, total	3
Cobalt, total	5
Copper, total	2
Cyanide	1.2

Dichlorobenzene (1,2-)	1
Dichlorobenzene (1,4)	1
Ethylbenzene	0.5
Fluoride	10
Hexachlorobenzene	0.06
Hydrocarbons	50
Iron, total	50
Lead, total	0.7
Manganese, total	5
Mercury, total	0.01
Methylene chloride (dichloromethane)	0.09
Molybdenum, total	5
Nickel, total	2
PCBs (chlorobiphenyls)	0.004
Phenolic Compounds	1
Selenium, total	1
Silver, total	0.5
Sulphate	1500
Sulphides	1
Tetrachloroethane (1,1,2,2-)	0.06
Tetrachloroethylene	0.06
Thallium, total	0.5
Tin, total	5
Titanium, total	5
Toluene	0.5
Total Nitrogen	50
Trichloroethylene	0.054
Vanadium, total	5
Xylenes, total	0.5
Zinc, total	2"

25. Schedule "C" is deleted and replaced with the following:

**"SCHEDULE "C"  
EXTRA STRENGTH WASTEWATER SUBSTANCES**

<u>Column 1</u> <b>Substance</b>	<u>Column 2</u> <b>Concentration Limit (mg/L)</b>
<i>BOD</i>	300
<i>COD</i>	600
<i>TSS</i>	300
<i>FOG</i>	100
<i>TP</i>	10
<i>TKN</i>	50"

26. In Schedule "G" – Charges for Acceptance of Hauled Wastewater in the City, in section 1:

- (1) the words "facility designated by *The City*" are deleted and replaced with "facility operated by *The City*"; and
- (2) the words "a fee of \$25.00 for each access card (fee refundable on return of card), in addition to payment of" are deleted.

27. Schedule "I" is deleted.

28. In Schedule "J" – Offences and Penalties:

- (1) the following is deleted:

"22(1)(b)	<i>Releasing, or allowing the release of wastewater into the wastewater system that contains a substance that is over the approved concentration limit as described in Column 2 of Schedule "B"</i>	\$1000	\$3000"
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and replaced with the following:

"22(1)(b)	<i>Releasing, or allowing the release of wastewater into the wastewater system that contains a substance that is over the concentration limit as described in Column 2 of Schedule "B" or Column 2 of Schedule "C"</i>	\$1000	\$3000"
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- (2) the following is deleted:

"26(2)	<i>Failing to install, operate, monitor and properly maintain a wastewater pre-treatment system</i>	\$ 500	\$2000"
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and replaced with the following:

"26(2)	<i>Failing to install, operate, monitor, provide access to and properly maintain a wastewater pre-treatment system</i>	\$ 500	\$2000"
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and

- (3) the following is deleted:

"32(c)	<i>Failing to release hauled wastewater at an approved location</i>	\$1000	\$3000"
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and replaced with the following:

"32.1	<i>Releasing hauled wastewater at an unapproved location</i>	\$1000	\$3000"
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29. The following is added after Schedule "J" – Offences and Penalties as Schedule "K" – Reclaimed Water Rate:

**"SCHEDULE "K"  
RECLAIMED WATER RATE**

<i>Reclaimed Water rate</i>	\$0.6217 per cubic meter delivered"
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30. This Bylaw comes into force on the day it is passed.

READ A FIRST TIME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

READ A SECOND TIME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

READ A THIRD TIME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
MAYOR  
SIGNED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
CITY CLERK  
SIGNED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.