

**OFFICE CONSOLIDATION**

**BYLAW NUMBER 14M2012  
BEING A BYLAW OF THE CITY OF CALGARY  
TO REGULATE WASTEWATER**

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(Amended By Bylaw Number 38M2013, *Effective 2013 October 31*)

**WHEREAS** the *Municipal Government Act*, R.S.A. 2000, c. M-26 provides that Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people, services provided by or on behalf of the municipality, public utilities and the enforcement of bylaws;

**AND WHEREAS** Council has approved and adopted the recommendations in Report UCS2012-04 and deems it desirable to manage wastewater within The City of Calgary in compliance with environmental and regulatory guidelines;

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

**PART I:  
DEFINITIONS AND INTERPRETATION**

**Short Title**

1. This *Bylaw* may be referred to as the "*Wastewater Bylaw*".

**Purpose**

2. The purposes of this *Bylaw* include the following:
  - (a) to protect the *wastewater system* and its processes from damage, obstruction, toxic upset, or loss of efficiency;
  - (b) to protect *The City's* employees and the public from exposure to hazardous conditions;
  - (c) to control the flow and composition of *releases of wastewater and substances* to the *wastewater system*;
  - (d) to provide for a system of rates, fees and charges for various types of use of the *wastewater system*;
  - (e) to provide for a system of *permits* or other permissions that facilitate the imposing of conditions on *releases* to the *wastewater system*.

## Definitions

3. The following definitions apply in this *Bylaw*:

*“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;

*“adverse effect”* means impairment of, or damage to, any one or more of the following:

- (i) human health or safety;
- (ii) property;
- (iii) the environment;
- (iv) the *wastewater system*.

*“biological substance”* means a *substance* from hospitals, medical clinics, medical laboratories, dental laboratories, dental clinics, health care facilities, necropsy facilities, research laboratories, biological research facilities, or from other similar facilities, which cannot be treated to acceptable levels by the *wastewater* treatment process, and which may contain either a pathogenic *substance* or an experimental biological substance;

*“biosolid”* means a solid or semi-solid *substance* produced from *wastewater* treatment processes that may be beneficially recycled;

*“BOD”* or *“biochemical oxygen demand”* means the quantity of oxygen utilized in the oxidation of matter under standard laboratory conditions for 5 days at 20 degrees Celsius as set out in the *Standard Methods*;

*“BTEX”* means the total of benzene, toluene, ethyl benzene, and xylenes;

*“Bylaw”* means the *Wastewater Bylaw*, described in section 1, as amended from time to time;

*“Bylaw Enforcement Officer”* means a *person* appointed pursuant to Bylaw 60M86 to enforce the provisions of this *Bylaw* and other bylaws of *The City*;

*“CAN/CSA B481”* refers to the 2007 edition of the Canadian Standards Association publication titled ‘Grease Interceptors’;

*“City Manager”* means the *person* appointed by the *Council* of *The City* as its chief administrative officer, or that *person’s* designate;

*“clear water waste”* means water originating from sources other than *wastewater* streams and includes the following:

- (i) roof and *foundation drainage*;
- (ii) remediated *groundwater*;
- (iii) impounded *storm drainage* or impounded *groundwater*;
- (iv) *non-contact cooling water*;
- (v) a *release* as directed by Alberta Environment;

"COD" or "*chemical oxygen demand*" means the quantity of oxygen utilized in the chemical oxidation of matter as set out in ~~the~~ *Standard Methods*;

"*common wastewater service*" means a *wastewater* service provided to 2 or more *premises* by means of a single *connection*;

"*connection*" means a pipe or conduit installed between a *premises* and the *wastewater system* for the purpose of draining *wastewater* from the *premises*;

"*Council*" means the municipal council of *The City*;

"*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;

"*Director*" refers to the *Director, Water Resources* or the *Director, Water Services*, whichever term is used immediately before it within the same section;

"*Director, Water Resources*" means the *City Manager* or the *City Manager's* designate;

"*Director, Water Services*" means the *City Manager* or the *City Manager's* designate;

"*domestic wastewater*" means *wastewater* generated from *premises* as a result of human living processes, including cooking, cleaning, washing, drinking or other domestic activities;

~~"*drainage service charge*" means the flat monthly (30 day) charge for the operation and maintenance of the *storm drainage system*;~~

"*effluent meter*" means a device that measures the volume of *wastewater released* into *The City's wastewater system*;

"*emergency*" includes a situation in which there is imminent danger to public safety or of serious harm to property;

*“Environmental Protection and Enhancement Act”* means the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c. E-12 and all regulations adopted under the *Environmental Protection and Enhancement Act*;

~~“extra strength surcharge agreement” means an agreement between the Director, Water Resources and a person releasing wastewater into the wastewater system that allows the person to release extra strength wastewater into the wastewater system;~~

*“extra strength wastewater”* means *wastewater* that contains one or more of the *surcharge substances* described in Column 1 in Schedule “C” in excess of the concentration limits set for those *surcharge substances* in Column 3 2 of Schedule “C”;

*“flammable liquid”* means a *substance* that is a liquid, or a mixture of liquids, or a liquid containing solids that has a flash point of not more than 61 degrees Celsius as determined by the American Society for Testing Materials method D93-08 for flash point by the Pensky-Martens closed cup tester;

*“FOG” or “Fats, Oils, and Grease”* means organic matter extracted by n-hexane using the partition gravimetric procedure set out in *Standard Methods*;

*“foundation drainage”* means water collected beneath the surface of the ground by a foundation drain or weeping tile;

*“grab sample”* means a single sample of *wastewater, clear water waste* or *groundwater* collected at a specific time and at a specific location;

*“groundwater”* means all water under the surface of the ground;

*“hailed wastewater”* means *wastewater, septage, FOG* or *waste residue* that is transported by a vehicle to a designated site for disposal to the *wastewater system* ;

*“hazardous substance”* means a *substance* that is either a hazardous substance or a hazardous waste, or has the properties of hazardous waste as described in the *Environmental Protection and Enhancement Act*;

*“hydrocarbons”* means non-polar organic matter extracted by n-hexane using the partition gravimetric procedure set out in *Standard Methods*;

*“ICI premises”* means industrial, commercial or institutional *premises*;

*“interceptor”* means a type of *pre-treatment system*;

*“ISO 11143”* means the standard ISO/FDIS 11143: (2008) for “Dental equipment-Amalgam *separators*” established by the International Organization for Standardization, as amended;

*“manifest”* means the documentation accompanying *hailed wastewater*;

“*monitoring access point*” means an access point in or on a *premises* that allows for the observation, sampling and flow measurement of *wastewater* entering the *wastewater system*, and includes a *test manhole*;

“*multi-family residential*” means residential *premises* consisting of more than 2 physically contiguous dwelling units or a group of more than 2 dwelling units collected on a site;

“*Municipal Government Act*” means the *Municipal Government Act*, R.S.A. 2000, C. M-26;

“*National Plumbing Code of Canada*” means the current edition of the *National Plumbing Code of Canada* published by the Canadian Commission on Building and Fire Codes;

“*non-contact cooling water*” means water used in a process for the purpose of removing heat and that has not, by design, come into contact with any additional *substance*;

“*Nuclear Safety and Control Act*” means the *Nuclear Safety and Control Act*, S.C. 1997, c.9; and all regulations adopted under the *Nuclear Safety and Control Act*;

“*Officer*” includes a *Peace Officer*, a *Bylaw Enforcement Officer* or a member of the Calgary Police Service;

“*owner*” means a *person* who is one or more of the following:

- (i) the registered owner of the land;
- (ii) a purchaser of the land whose interest as a purchaser is shown on the certificate of title to that land;
- (iii) a tenant or other *person* who is in lawful possession or occupation of any buildings situated on the land;

“*PCB*” or “*polychlorinated biphenyl*” means any of the following:

- (i) monochlorinated biphenyl;
- (ii) polychlorinated biphenyl;
- (iii) any mixture that contains either (i) or (ii),
- (iv) any mixture that contains both (i) and (ii);

“*Peace Officer*” means a *person* appointed pursuant to the *Peace Officer Act*, S.A. 2006, c. P-3.5;

“*permit*” means a form of approval, in writing, issued by either the *Director, Water Resources* or the *Director, Water Services*, as applicable;

“*person*” means any of the following:

- (i) an individual;
- (ii) a legal entity or business entity, including a firm, association, partnership, society or corporation;
- (iii) a trustee, executor, administrator, agent or employee of either (i) or (ii);

“*pesticide*” means a pesticide as defined and regulated in the *Environmental Protection and Enhancement Act*;

“*pharmaceutical*” means prescription and non-prescription drugs;

“*premises*” means any one or more of the following:

- (i) land;
- (ii) a building or a structure;
- (iii) both (i) and (ii);
- (iv) part of (i) or (ii);
- (v) *ICI premises*;

“*pre-treatment system*” means a treatment system or device that is designed to remove *substances* or contaminants from *wastewater* produced on site before that *wastewater* passes into the *wastewater system*, and includes *interceptors, separators and sumps*;

“*private wastewater system*” means a privately owned system for the collection, treatment and disposal of *wastewater*, and may include a septic tank with an absorption field or other approved means of disposal;

“*prohibited substance*” means any of the *substances* described in Schedule “A” of this *Bylaw*;

“*Provincial Offences Procedure Act*” means the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34;

“*qualified person*” means a *person* who is qualified to determine the truthfulness, accuracy and completeness of information relating to a specific subject matter because the *person* possesses either one, or both, of the following:

- (i) a recognized degree, certificate, or professional standing in respect of the subject matter;
- (ii) extensive knowledge, training, and experience in respect of the subject matter;

“*radioactive material*” means a nuclear *substance* as defined in the *Nuclear Safety and Control Act*;

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

**"release"** means:

- (i) to directly or indirectly conduct a *substance* to the *wastewater system* or a watercourse by spilling, discharging, disposing of, abandoning, depositing, leaking, seeping, pouring, draining, emptying, or by any other means; or
- (ii) a spill, discharge, disposal, abandonment, deposit, leak, seep, pour, drain or emptying of a *substance* into the *wastewater system* or a watercourse;

**"Remedial Order"** means a remedial order written pursuant to section 545 of the *Municipal Government Act*;

**"restricted substance"** means a *substance* described in Column 1 of Schedule "B" of this *Bylaw*;

**"return factor"** means the adjustment factor applied to convert a volume of water, as measured by a *water meter*, into a volume of *wastewater* by subtracting the volume of water not returned to the *wastewater system*;

**"separator"** means a type of *pre-treatment system*;

**"Safety Codes Act"** means the *Alberta Safety Codes Act*, c. S-1 R.S.A. 2000 and all regulations adopted under the *Alberta Safety Codes Act*;

**"septage"** means *wastewater* removed from a cesspool, septic tank system, privy vault or privy pit, chemical toilet, portable toilet, or other *wastewater* holding structure;

**"single family residential"** means a single detached residential building where no commercial activity or business is carried on;

~~**"Standard Methods"** means the analytical and examination procedures~~

- ~~(i) 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; and~~
- ~~(ii) includes the procedures approved by the *Director, Water Resources*;~~

**"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;

“*storm drainage*” means runoff that is the result of rainfall or other natural precipitation or runoff that results from the melting of snow or ice;

“*storm drainage system*” means the system for collecting, storing, treating, transporting or disposing of *storm drainage*, but does not include plumbing or service *connections* in *premises*;

“*substance*” means any one or more of the following:

- (i) any solid matter;
- (ii) any liquid matter;
- (iii) any gaseous matter;
- (iv) any sound, vibration, heat, radiation or other form of energy;
- (v) any combination of (i), (ii), (iii) or (iv);

“*sump*” means a device that traps large, heavy solids from the *wastewater* before the *wastewater* is released into the *wastewater system* or *storm drainage system*;

~~“*surcharge substance*” means a *substance* described in Column 1 of Schedule “C” of this *Bylaw*;~~

“*test manhole*” means a type of *monitoring access point*;

“*The City*” means the municipal corporation of The City of Calgary;

~~“*TKN*” or “*Total Kjeldahl Nitrogen*” means organically bound nitrogen plus ammonia nitrogen, as determined by *Standard Methods* procedures approved by the *Director, Water Resources*;~~

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

~~“*TP*” or “*total phosphorus*” measures both soluble reactive phosphorous and soluble unreactive phosphorous, as determined by *Standard Methods*;~~

“*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*;

“*TSS*” or “*total suspended solids*” means an insoluble *substance* or *substances* in liquid that is removable by filtration, as determined by the appropriate procedure described in *Standard Methods*;

“*two family residential*” means a single detached residential building containing 2 separate and distinct dwelling units, either one above the other or one immediately

adjacent to the other, with each dwelling unit having a separate entrance, but does not include a building in which a commercial activity or business is carried on;

*“waste residue”* means all substances removed from *wastewater* by a *pre-treatment system*;

*“wastewater”* means the composite of water and water-carried *substances released* from *premises* or from any other source;

*“wastewater agreement”* means an agreement governing any of the following:

- (i) conditions related to the *release* of *wastewater* from a *premises* to the *wastewater system*; or
- (ii) conditions related to *connection* of a *premises* to the *wastewater system*;

*“wastewater charge”* means a charge levied pursuant to the provisions of this *Bylaw* that:

- (i) is based on a 30 day period where the amount billed is determined by dividing the applicable charge by 30 to derive the daily rate and multiplying the daily rate by the actual number of days in the billing period; and
- (ii) does not include a *wastewater surcharge*;

*“wastewater information report”* means a report containing information for the purpose of evaluating *wastewater released* from *ICI premises*;

*“wastewater treatment facility”* means a facility that stores, treats and disposes of *wastewater*, but which is not part of the *wastewater system*;

*“wastewater surcharge”* means an additional charge levied pursuant to the provisions of this *Bylaw*;

*“wastewater system”* means the system for the collection, transmission, treatment and disposal of *wastewater* owned and operated by *The City*.

*“water meter”* means a device owned and installed by *The City* that measures the volume of water used in a *premises*.

## **Interpretation**

- 4. (1) Wherever a word used in this *Bylaw* is italicized, the term is being used as it is defined in section 3, and where any word appears in regular font, its common meaning in the English language is intended.
- (2) A word or expression and grammatical forms of the same word or expression have corresponding meanings.

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- (3) Headings or sub-headings are inserted for ease of reference and guidance purposes only and do not form part of this *Bylaw*.
- (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.
- (5) Each provision of this *Bylaw* is independent of all other provisions and if any provision is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this *Bylaw* remain valid and enforceable.
- (6) All schedules attached to this *Bylaw* form a part of this *Bylaw*.

**Compliance With Other Laws**

- 5. Nothing in this *Bylaw* relieves a *person* from complying with any provision of any federal or provincial law or regulation, other bylaw or any requirement of any lawful permit, order or licence.

**PART II:  
GENERAL****Provision of Wastewater System  
Wastewater Treatment Facilities**

- 6. (1) A *person* must not install or operate a *wastewater treatment facility* that treats *wastewater* from a source external to that *wastewater treatment facility* unless:
  - (a) the *person* obtains written approval from either the *Director, Water Resources* or the *Director, Water Services*, and
  - (b) the *person* complies with all conditions or requirements as required by the *Director* for the installation and operation of the *wastewater treatment facility*.
- (2) If all conditions or requirements as required by the *Director* pursuant to subsection (1) are not complied with, the *Director* may, considering the severity of the breach or breaches of compliance with the conditions or requirements, do any of the following:
  - (a) issue a *Remedial Order*;
  - (b) suspend the written approval for a period of time to be determined by the *Director* in the *Director's* discretion;
  - (c) revoke the written approval.

- (3) If a written approval to install or operate a *wastewater treatment facility* is suspended or revoked by the *Director* pursuant to subsection (2), the *Director* will notify the *person* of the suspension or revocation and the reasons for it by:
- (a) delivering a notice to the *person*, or that *person's* representative, personally; or
  - (b) mailing a registered letter to the *person's* place of business as shown on the *person's* application for a written approval to install or operate a *waste treatment facility*.
- (4) A suspension or revocation issued by the *Director* pursuant to subsection (2) may be appealed to the Licence and Community Standards Appeal Board in accordance with the Licence and Community Standards Appeal Board Bylaw 48M2007 by filing a notice of appeal with the City Clerk not later than 14 days after the day on which the suspension or revocation was issued.

#### **Obligations of Owner**

7. (1) If a *wastewater service connection* is made or continued pursuant to this *Bylaw*, an *owner* of a *premises* must do all of the following:
- (a) provide the *wastewater connection* from the property line, or from the boundary of an easement granted by *The City* for the *wastewater system*, to the *owner's* plumbing system;
  - (b) ensure that the *connection* referred to in subsection (a) complies with the provisions of this *Bylaw*;
  - (c) ensure that the *connection* referred to in subsection (a) and the remainder of the *owner's* plumbing system complies with the *Safety Codes Act*;
  - (d) ensure that any permits, inspections or approvals required pursuant to the *Safety Codes Act*, the *Environmental Protection and Enhancement Act*, or any bylaw or any other applicable legislation, have been conducted or obtained and are valid and subsisting prior to *connection* to the *wastewater system*;
- (2) An *owner* of a *premises* that is serviced by a *wastewater connection* must notify the *Director, Water Services* in writing when the *wastewater connection* is being discontinued and requires disconnection.
- (3) An *owner* is responsible for all costs associated with any of the following:
- (a) the implementation of any measures taken, or required to be taken, by either the *owner* or *The City* to meet the requirements of this *Bylaw*;
  - (b) damage or harm to the *wastewater system* resulting from the *owner's* contravention of the requirements of this *Bylaw*.

### Obligation to Report

8. A *person* is required to report to *The City* any connections or equipment located on a *premises* that do not comply with the requirements of the *Safety Codes Act* or this *Bylaw*.

### Limitation on Liability

- 9 *The City* is not liable for damages or loss suffered by any *person* due to the operation of the *wastewater system*, unless such damages or loss are shown to be directly due to the negligence of *The City* or its employees, and without limiting the generality of the foregoing, *The City* will not be liable for damages or loss resulting from any of the following:
- (a) the settlement of an excavation or trench made for the purpose of installing, maintaining or repairing any part of the *wastewater system*, or any damage or loss resulting from that settlement;
  - (b) a break of a *wastewater* main or *connection*;
  - (c) the disruption of the *wastewater system* when the disruption is necessary for the repair or maintenance of the *wastewater system*;
  - (d) the disruption of the *wastewater system* in the event of an *emergency*.

### Requirements of Written Approvals or Agreements

10. (1) A written approval or *permit* given by the *Director, Water Resources* or the *Director, Water Services* pursuant to this *Bylaw*, or an agreement entered into by the *Director, Water Resources* or the *Director, Water Services* pursuant to this *Bylaw*, must be available for inspection on the request of either of the *Directors* or on the request of an *Officer*.
- (2) A *person* is guilty of an offence pursuant to this *Bylaw* if the *person* does any one or more of the following:
- (a) contravenes a requirement of the *Director*,
  - (b) contravenes a requirement or condition of a written approval or *permit* given by the *Director*,
  - (c) contravenes a requirement or condition of an agreement entered into by the *Director* with the *person*.
- (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*.

**PART III:  
AUTHORITY OF DIRECTORS**

**Powers of Delegation**

11. (1) The *Director, Water Resources* may delegate any or all of the powers granted to the *Director, Water Resources* under this *Bylaw*.
- (2) The *Director, Water Services* may delegate any or all of the powers granted to the *Director, Water Services* under this *Bylaw*.

**Disconnections**

12. (1) The *Director, Water Services* may do either, or both, of the following:
- (a) take any action required to prevent a *release* from entering the *wastewater system*, including shutting off, disconnecting or sealing off the *wastewater* line at the *premises* from which the *release* is made;
- (b) continue any action taken under subsection (a) until the *owner* of the *premises* produces sufficient evidence, as may be required by the *Director*, that a *release* having an *adverse effect* will not be made to the *wastewater system* from the *premises*.
- (2) An *owner* of *premises* from which a *release* having an *adverse effect* enters the *wastewater system* is responsible for all costs associated with the *Director's* actions taken pursuant to subsection (1).
13. The *Director, of Water Services* may shut off, disconnect or seal off the *wastewater* line at the property line of a *premises* and continue to refuse to provide *wastewater* services to the *premises* if any one or more of the following occurs:
- (a) the *owner* of the *premises* provides false information in an application for a *connection*;
- (b) the *owner* of a *premises* refuses to allow the installation of an *effluent meter*, or other equipment that the *Director* requires to be installed;
- (c) the *owner* of a *premises* fails to comply with a term or condition of a *wastewater agreement*, ~~*extra strength surcharge agreement*~~ or other written approval issued pursuant to this *Bylaw*;
- (d) an unsafe condition exists.

**Recovery of Overdue Accounts**

14. If a *person* defaults on payment of an account that is due and payable based on the rates as described in this *Bylaw* and set out in Schedules "D", "E", "F", "G", "H" or "I" of this *Bylaw*, or on payment of an account due and payable for anything done by *The City*

pursuant to this *Bylaw*, the *Director, Water Resources* may enforce the collection of an account that is overdue by 75 days or more by doing one or more of the following:

- (a) shutting off, disconnecting or sealing off the *wastewater* line to the *premises* to which *wastewater* services are provided;
- (b) bringing an action against the *person* in a court of competent jurisdiction;
- (c) entering the unpaid account on the assessment and tax roll of the *premises* if the *person* is the *owner* of the *premises* receiving *wastewater* services.

#### **PART IV: RATES AND FEES**

##### **Authority of Council**

- 15. *Council* must set the rates and fees set out in Schedules “D”, “E”, “F”, “G”, “H” and “I” of this *Bylaw* for the following:
  - (a) *wastewater charges* and usage rates;
  - (b) monthly flat rates.

##### **Authority of Directors**

- 16. Subject to section 15, the *Director, Water Services* may establish rates, charges or fees for all the products and services provided pursuant to this *Bylaw*, including any or all of the following:
  - (a) fees for inspections, service *connections*, reconnections and disconnections;
  - (b) fees for equipment rentals, or replacement or relocation of equipment;
  - (c) service fees for site visits, maintenance, testing and repairs;
  - (d) fees for collection.
- 17. (1) The *Director, Water Resources* may establish a system for the billing and collection of any rates, charges and fees in *connection* with the *wastewater system*.
  - (2) The *Director, Water Resources* may establish rates, charges or fees for any work done or service or material supplied for the construction, installation, *connection*, disconnection or replacement of any of the following:
    - (a) any part of the *wastewater system*;
    - (b) any part of a *person’s* plumbing system located on private property.

**PART V:  
DISPOSAL**

**Wastewater**

18. (1) The *owner* of a *premises* must dispose of *wastewater* from the plumbing system in the *premises* into one of the following:
- (a) the *wastewater system*;
  - (b) a *private wastewater system*.
- (2) A *person* must not dispose of any *substance* into the plumbing system of a *premises* prior to *connection* of the plumbing system to either the *wastewater system* or a *private wastewater system*.

**Clear Water Waste**

19. A *person* must not *release*, or allow to be *released*, any *clear water waste* into the *wastewater system* unless:
- (a) the person obtains a *permit* from the *Director, Water Services* or the *Director, Water Resources* to *release clear water waste* into the *wastewater system*; or
  - (b) the *clear water waste* is *foundation drainage* that was connected to the *wastewater system* before 1973.

**PART VI:  
GENERAL PROHIBITIONS**

**Access to Wastewater System**

20. (1) A *person* must not, without prior approval from either the *Director, Water Resources* or the *Director, Water Services*, uncover, open into, break, alter, remove, damage, destroy, or tamper with, or allow the uncovering, opening into, breaking, altering, removing, damaging, destroying or tampering with any of the following:
- (a) any part of the *wastewater system*;
  - (b) a *monitoring access point*;
  - (c) any permanent or temporary device installed in or on the *wastewater system* for the purposes of flow measuring, sampling, testing, or contamination prevention.

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- (2) A *person* must not obstruct or prevent access to a *monitoring access point*, or act in a manner that obstructs or prevents access to a *monitoring access point*, including doing any of the following actions:
- (a) parking a vehicle of any kind over a *monitoring access point*;
  - (b) planting shrubbery, trees or other plants that obstruct or prevent access to a *monitoring access point*;
  - (c) constructing a fence or any other structure that obstructs or prevents access to a *monitoring access point*;
  - (d) piling snow, wood, or any other material on top of a *monitoring access point*;
  - (e) enclosing a *monitoring access point*.
- (3) A *person* must not enter into any chamber, structure, or *premises* associated with the *wastewater system* without prior approval from one of the *Directors*.
- (4) A *person* who contravenes the requirements of this *Bylaw*, and such contravention results in damage or harm to the *wastewater system*, must compensate *The City* for the cost of repair or replacement of any part, or parts, of the *wastewater system* that the *person* damaged or harmed.

**Wastewater Re-use**

21. (1) *Wastewater* must not be re-used for any purpose without written approval from both:
- (a) the *Director, Water Resources* or the *Director, Water Services*; and
  - (b) the Chief Plumbing and Gas Inspector, Building Regulations, of *The City*.
- (2) The *Directors* or the Chief Plumbing and Gas Inspector, Building Regulations, may impose conditions on an approval granted for *wastewater* re-use, including any of the following:
- (a) limits on the types of applications for which *wastewater* may be re-used;
  - (b) requirements for reporting on applications, risks, volumes, and any other information the *Directors* may require.
- (3) A *person* who fails to comply with a condition imposed by either the *Directors* or the Chief Plumbing and Gas Inspector, Building Regulations, pursuant to subsection (2), is guilty of an offence under this *Bylaw*.

**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”.

### Release of Substances

22. (1) A person must not *release* or allow the *release* of any *wastewater* into the *wastewater system* that:
- (a) contains a *substance* described in “Schedule ‘A’: Prohibited Substances”;
  - (b) contains a *substance* that is above the approved concentration limit as described in Column 2 of “Schedule ‘B’: Restricted Substances” or Column 2 of Schedule “C”; or
  - (c) does not comply with the requirements of this *Bylaw*.

~~(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* if all the following conditions are complied with:~~

- ~~(a) the *wastewater* does not have an *adverse effect*;~~
- ~~(b) all terms and conditions as the *Director* may specify are complied with, including the following conditions:~~
  - ~~(i) the *wastewater* is tested at regular intervals in accordance with the *Director’s* instructions; and~~
  - ~~(ii) a *wastewater surcharge* is paid in compliance with the requirements of this *Bylaw*.~~

(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*.
- (3) A *person* must not directly or indirectly dilute *wastewater* for the purpose of complying with the requirements of this *Bylaw* as set out in Schedules “A”, “B” and “C”.

## PART VII: WASTEWATER SYSTEM REQUIREMENTS

### Connections

23. (1) A *person* making, altering, disconnecting or removing, or allowing the making, alteration, disconnection or removal of a *connection* to the *wastewater system* must:
- (a) obtain written approval from the *Director, Water Services*, on any terms and conditions the *Director* considers necessary, including compliance with all requirements of The City of Calgary Utility Site Servicing Bylaw 33M2005, before making, altering, disconnecting or removing the *connection*;
  - (b) not re-use a *connection* without obtaining prior written approval from the *Director, Water Services*.
- (2) The *owner* must pay to *The City* all costs of the installation, alteration, disconnection or removal of the *connection* as described in subsection (1) before proceeding with the work.

### Release Quality

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*.

24. (1) 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) Despite subsection (1), the *Director* may, by written approval, allow a *person* to release *wastewater* into the *wastewater system* from *ICI premises* without receiving a *wastewater information report* if the *Director* is satisfied that the proposed carrying on, *alteration or expansion* of the activity on the *ICI premises* will not have an *adverse effect* on the *wastewater system*.~~

## Wastewater Agreement

25. A person required by the *Director, Water Resources* to submit a *wastewater information report* may be required to enter into a *wastewater agreement* with the *Director* prior to releasing any *wastewater* from the *premises* into the *wastewater system*.

## Pre-Treatment

### General requirements

26. (1) The *Director, Water Resources* may require an *owner* to do any one or more of the following:
- (a) install, operate, monitor and properly maintain at all times a *wastewater pre-treatment system* that is located at a directly accessible location on the upstream side of a *monitoring access point* at the *owner's premises*;
  - (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* ~~if the volume or quality of the wastewater being released has an adverse effect~~;
  - (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*;
  - (c) enter into a *wastewater agreement*.
- (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*.

### Waste residue disposal

- (3) A *person* must not deposit, or allow to be deposited, any *waste residue* from a *pre-treatment system* into the *wastewater system* unless the *person* has obtained prior approval from the *Director*.

### Records maintenance

- (4) An *owner* of *premises* with a *pre-treatment system* installed in or on a *premises* must do all of the following:
- (a) obtain and retain at the *premises* any manuals, instructions and specifications related to the installation, operation, maintenance and cleaning of the *pre-treatment system* installed at the *premises*;

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- (b) maintain a maintenance schedule and record of each maintenance for every *pre-treatment system* installed at the *premises* for a period of two years, including records for disposal of *waste residue*;
- (c) submit to the *Director, Water Resources*, any records requested by the *Director* described in (a) and (b) of this subsection.

**Sector Specific Pre-Treatment**

## Food service establishments

27. (1) An *owner* of a restaurant or other *premises* that is connected directly or indirectly to the *wastewater system*, and where food is cooked, processed or prepared or where *FOG* is *released*, must do all of the following:
- (a) install a *FOG interceptor* at a directly accessible location on the upstream side of a *monitoring access point* in or on the *premises* that is designed and sized in accordance with *CAN/CSA B481*, and meets the requirements of the *National Plumbing Code of Canada* to prevent *FOG* from passing into the *wastewater system*;
  - (b) monitor, operate, properly maintain at all times, and clean each *FOG interceptor* installed in or on the *premises* in accordance with the requirements set by *CAN/CSA B481* and in compliance with the manufacturer's instructions and specifications;
  - (c) ensure that all *wastewater* does not exceed the ~~maximum allowable~~ concentration limits for *FOG*, as set out in Schedule "C" of this *Bylaw*.

## Vehicle and equipment washing, repair and maintenance

- (2) An *owner* of a vehicle or equipment service station, repair shop or garage, or of a *premises* where motor vehicles are repaired, lubricated, maintained or washed, must do all of the following:
- (a) install an *interceptor* at a directly accessible location on the upstream side of a *monitoring access point* in or on the *premises* that is designed and sized in accordance with the requirements of the *National Plumbing Code of Canada* to prevent *hydrocarbons, flammable liquids* and *TSS* from passing into the *wastewater system*;
  - (b) monitor, operate, properly maintain at all times, and clean each *interceptor* installed in or on the *premises* as required by the manufacturer's instructions and specifications;
  - (c) ensure that all *wastewater* does not exceed the ~~maximum allowable~~ concentration limits for *hydrocarbons, flammable liquids* and *TSS*, as set out in Schedules "B" and "C" of this *Bylaw*.

Dental facilities

- (3) An *owner* of *premises* from which dental amalgam may be *released* into the *wastewater system* must install a dental amalgam *separator* on all fixtures that may *release* dental amalgam waste containing mercury to the *wastewater system*, and the *separator* must be:
- (a) *ISO 11143* certified, or meet the *ISO 11143* efficiency standard;
  - (b) located at a directly accessible location on the upstream side of a *monitoring access point* in or on the *premises*; and
  - (c) monitored, operated, properly maintained and cleaned as required by *ISO 11143* and as required by the manufacturer's instructions and specifications.

Prohibition on bypassing interceptors

- (4) A *person* must not use emulsifiers, enzymes, bacteria, solvents, hot water or any other agent to facilitate the passage of *FOG* or *hydrocarbons* through an *interceptor*.

**PART VIII:  
TESTING AND MONITORING**

**Monitoring Access Points**

28. An *owner* of *ICI premises*, or *owner* of an individual business operation within *ICI premises* must:
- (a) provide one or more *monitoring access points* for the monitoring of *wastewater*, designed and located in a manner satisfactory to the *Director, Water Resources*; and
  - (b) provide direct access to any *monitoring access point* located on the *premises*.

**Monitoring**

29. (1) The *Director, Water Resources* may order the monitoring of *wastewater released* from *premises* connected to the *wastewater system*.
- (2) If the *Director* determines that the characteristics and qualities of the *wastewater* released from a *premises* do not comply with the requirements of this *Bylaw*, the *Director* may require the *owner* of the *premises* from which the *wastewater* is produced to do all of the following:

- (a) monitor *wastewater* in compliance with any conditions specified by the *Director*;
- (b) install and utilize any monitoring equipment that the *Director* decides is necessary
- (c) provide the results of the monitoring to the *Director*.

### Testing and Surcharges

30. (1) The *Director, Water Resources* may, for the purpose of determining compliance with this *Bylaw*, or for determining a *wastewater surcharge*, do one or more of the following:
- (a) enter upon *premises* from which *wastewater* is produced and conduct testing of *wastewater*;
  - (b) conduct testing of *wastewater* at any *monitoring access point* located in or on the *premises*;
  - (c) test discrete *wastewater* streams within a *premises*.
- (2) For the purpose of subsection (1), the *Director* may use an automated sampling device or follow a manual sampling protocol and do either, or both, of the following:
- (a) take samples of the effluent produced at a *premises* each day for a minimum of two days;
  - (b) take a minimum of four *grab samples* of equal volume at a *premises* at least one hour apart on each day.
- (3) The *Director* will conduct an analysis of the *wastewater* on a composite of the *grab samples* from each day, and the results will be averaged to determine the characteristics and concentration of the effluent being *released* into the *wastewater system* from the *premises*.
- (4) Despite subsections (2) and (3), the *Director* may rely on a single *grab sample* taken in or on a *premises* to determine if the *wastewater* produced at the *premises* meets the requirements of this *Bylaw*.
- (5) If there is more than one *monitoring access point* servicing a site, the *Director* may estimate proportions of samples collected from each *monitoring access point* for the purpose of determining the *wastewater surcharge*.
- (6) The *Director* may use the results of testing performed on samples collected from a single *monitoring access point* to determine the *wastewater surcharge* applied to all *premises* connected to a *common wastewater service* if:

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- (a) a *common wastewater service* pipe connects multiple *premises*, each served by a separate *water meter*, to the *wastewater* system; and
- (b) a single *monitoring access point* is maintained for all the *premises*.

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.

### PART IX: EXTRA STRENGTH WASTEWATER

#### Conditions of Acceptance

31. ~~(1) Despite any other provisions of this *Bylaw*, the *Director, Water Resources* may allow an *owner* of a *premises* to *release extra strength wastewater* into the *wastewater system* if all the following requirements are complied with:~~
- ~~(a) the *extra strength wastewater* does not have an *adverse effect*;~~
  - ~~(b) the *owner* enters into an *extra strength surcharge agreement* with the *Director* subject to any conditions required by the *Director*;~~
  - ~~(c) the *owner* compensates *The City* for any and all costs arising from any additional treatment to the *wastewater system* as a result of the *release* of the *extra strength wastewater* into the *wastewater system*.~~
- ~~(2) The *Director* may terminate an *extra strength surcharge agreement* at any time.~~

### PART X: HAULED WASTEWATER

#### Requirement for Permit

32. ~~A *person releasing* or allowing the *release* of *hauled wastewater* must:~~
- ~~(a) obtain a *hauled wastewater permit* from the *Director, Water Resources*;~~
  - ~~(b) pay any fees and charges related to the *permit* as specified in Schedule "G"; and~~
  - ~~(c) *release* or allow the *release* of the *hauled wastewater* at a location approved by the *Director*.~~

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”; and
- 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*.

### Director’s Authority

33. (1) The *Director, Water Resources* may do any of the following:
- (a) place any condition on a *hauled wastewater permit* that the *Director* decides is necessary;
  - (b) suspend a *hauled wastewater permit* for a maximum of 5 days, or revoke a *hauled wastewater permit*, or refuse to allow the release of the *hauled wastewater* if the *permit* holder does not comply with any one or more of the following:
    - (i) a condition of the *permit*;
    - (ii) any verbal, posted or written instructions for the release of *hauled wastewater* at a *hauled wastewater* facility;
    - (iii) the provisions of this *Bylaw*.
- (2) A revocation of a *hauled wastewater permit* may be appealed to the Licence and Community Standards Appeal Board in accordance with the Licence and Community Standards Appeal Board Bylaw 50M2011 by filing a notice of appeal with the City Clerk not later than 14 days after the day on which the *hauled wastewater permit* was revoked.

### Permit Holder’s Obligations

34. (1) A person in possession of a *hauled wastewater permit* must:
- (a) comply with all conditions set out in the *permit*;
  - (b) maintain the *permit* in the vehicle for which the *permit* was issued and surrender the *permit* to an employee of *The City* on demand;
  - (c) accompany every load of *hauled wastewater* with a *manifest* that:
    - (i) is in a form approved by the *Director*;
    - (ii) is accurately completed;

- (iii) is signed by the *permit* holder or the *permit* holder's representative;
  - (iv) is deposited in an approved location at the time of the *release*; and
  - (v) contains the following information:
    - (A) the *permit* holder's name;
    - (B) the *permit* number;
    - (C) the source of the load;
    - (D) the type of *substance* from each source;
    - (E) the volume or quantity of the *substance* from each source;
    - (F) the *persons* consigning, hauling and *releasing* the load to the *wastewater system*.
- (2) A *person* who fails to use a *hauled wastewater* facility for *hauled wastewater* in accordance with all verbal, posted or written instructions, and such failure results in soiling, damage or harm to any part of the facility, must compensate *The City* for the costs of clean-up, repair or replacement of that part, or parts, of the facility that the *person* soiled, damaged or harmed.

### **Full Service Food Vehicles**

- 34.1 (1) In this section, "*full service food vehicle*" means a business licensed pursuant to section 36.1 of the Business Licence Bylaw 32M98.
- (2) A *full service food vehicle* must dispose of *wastewater* at a location approved by the *Director, Water Resources*.
- (3) A *full service food vehicle* is not required to obtain a *hauled wastewater permit* pursuant to section 32.
- (4) The operator of a *full service food vehicle* must maintain a logbook that:
- (a) is in a form approved by the *Director, Water Resources*;
  - (b) is accurately completed;
  - (c) is signed by the operator of the *full service food vehicle*;
  - (d) contains the following information:
    - (i) the name of the *full service food vehicle* owner;

- (ii) the name under which the *full service food vehicle* operates;
  - (iii) for each disposal of *wastewater*, the date, time, location, approximate volume and the name of the individual conducting the disposal.
- (5) The logbook referred to in subsection (4) must be produced to the *Director, Water Resources* or to a ~~bylaw enforcement officer~~ *an Officer* upon request.”  
(B/L 38M2013, 2013 September 16, *Effective 2013 October 31*)

**PART XI:  
UNLAWFUL, UNAUTHORIZED AND ACCIDENTAL RELEASES**

**Release Reporting**

35. (1) Any *person* who *releases* or allows a *release* of a *substance* into the *wastewater system* in contravention of this *Bylaw* must take all reasonable measures to immediately notify:
- (a) the 9-1-1 emergency telephone number if there is any damage or immediate danger to any one or more of the following:
    - (i) human health or safety;
    - (ii) property;
    - (iii) the environment;
    - (iv) the *wastewater system*;
  - (b) *The City*, by calling the 24-hour 3-1-1 telephone number;
  - (c) the *owner* of the *premises* where the *release* occurred; and
  - (d) any other *person* that may be affected by the *release*.
- (2) A *person* reporting the *release* described in subsection (1) must supply the following information:
- (a) the name and contact information of the *person* reporting the *release*;
  - (b) the time of the *release*;
  - (c) the location of the *release*;
  - (d) the type of material *released* and any known associated hazards;
  - (e) the volume of material *released*; and

- (f) any corrective action being taken, or proposed to be taken, to control the *release*.
- (3) The *Director, Water Resources* or the *Director, Water Services* may require the *owner*, or the *person* responsible for the *release* described in subsection (1), to do either, or both, of the following:
  - (a) compensate *The City* for all costs incurred by *The City* with respect to the *release*, including containment, sampling, testing, removal, cleanup, disposal and any other activity related to the *release*;
  - (b) submit to the *Director* a written report describing the cause of the *release* and the steps or procedures to be taken to prevent or eliminate similar future *releases*.
- (4) An *owner* or *person* who fails to submit a written report required by either the *Director, Water Resources* or the *Director, Water Services* pursuant to subsection (3)(b) is guilty of an offence under this *Bylaw*.
- (5) A *person* who *releases* or allows a *release* of a *substance* into the *wastewater system* in contravention of this *Bylaw* must immediately take all reasonable measures to mitigate the *release*.

**PART XII:  
WASTEWATER CHARGES AND SURCHARGES**

**Wastewater Charge**

36. (1) The *owner* of *premises* connected to *The City's wastewater system* must pay to *The City* a *wastewater charge*.
- (2) The *wastewater charge* for a *premises* that obtains its water solely from *The City's* water supply is set out in sections 1 through 4 of Schedule "D".
- ~~(3) In addition to any other charges set out in this *Bylaw*, the *owner* of *premises* located within the boundaries of *The City of Calgary* and connected to the *wastewater system* must pay a 30 day flat rate *drainage service charge* to *The City* in accordance with Schedule "I".~~
- (4) *Premises* served in part with water from a source other than *The City's* water supply :
- (a) must pay to *The City*, in addition to the *wastewater charge* due under subsection (1), the charge set out in section 5 of Schedule "D";
  - (b) 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 allow for determination of the *wastewater charge* for the *premises*;

- (c) may have the volume of *released wastewater* estimated by the *Director, Water Resources* to determine the *wastewater charge* for the *premises* if the *premises* is not equipped with either an *effluent meter* or a *water meter*, or with both an *effluent meter* and *water meter*, as may be required by the *Director* under subsection (b).
- (5) If the *wastewater charge* for a *premises* is determined by measuring the volume of water with a *water meter*, the *wastewater charge* for the *premises*, as described in Schedule "D", reflects the *return factor* adjustment set out in Schedule "H" for water that is not returned to the *wastewater system*.
- (6) If the *wastewater charge* for a *premises* is determined by measuring the volume of water with an *effluent meter*, the *wastewater charge* for the *premises* is set out in section 6 of Schedule "D".
- (7) ~~The owner of a premises connected to the wastewater system but~~ A Customer located outside the boundaries of *The City* must pay to *The City* a charge determined as follows:
  - (a) If the ~~premises~~ Customer obtains water solely from *The City's* water supply, a *wastewater charge* in accordance with Schedule "E";
  - (b) If the ~~premises~~ 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".
- (8) In the event that information upon which a *wastewater charge* is based proves to be in error, the *Director, Water Resources* may estimate the *wastewater charge* for the period during which the error occurred.
- (9) A reduction in the monthly *wastewater charge* will not be made as a result of an interruption or failure of the *wastewater system*, however caused.

### **Wastewater Surcharge**

- ~~37. (1) The owner of an ICI premises connected to the wastewater system must pay to The City, in addition to the charges set out in section 36, a monthly surcharge if tests demonstrate that the wastewater released from the premises contains any of the following:~~
  - ~~(a) a BOD greater than 300 milligrams per litre;~~
  - ~~(b) a COD greater than 600 milligrams per litre;~~

- (c) — ~~TSS greater than 300 milligrams per litre;~~
  - (d) — ~~FOG greater than 100 milligrams per litre;~~
  - (e) — ~~TP greater than 10 milligrams per litre;~~
  - (f) — ~~TKN greater than 50 milligrams per litre.~~
- (2) — ~~The total monthly wastewater surcharge is determined pursuant to the formula set out in Schedule “F” multiplied by the number of cubic metres of water consumed per month.~~

### Billing of Wastewater Surcharges

38. (1) A surcharge rate established pursuant to section ~~37 22~~ must remain in effect for a minimum period of 3 months.
- (2) Where the concentration of contaminants in the *extra strength wastewater* described in subsection ~~37(1)~~ is determined from *wastewater* sampled from a *monitoring access point* that serves more than one *premises*, and each of the *premises* is individually metered, the surcharge rate will be applied to the utility bill of each of the *premises*.
- (3) Where a *wastewater surcharge* is applied, the *wastewater surcharge* is shown as a separate item on the utility bill, forms part of the utility bill, and is due and payable to *The City* at the same time as the utility bill.
- (4) Despite subsection (1), the *Director, Water Resources* may do either, or both, of the following:
- (a) adjust the *wastewater surcharge* if an abnormally high surcharge rate, relative to the statistical average surcharge rate, has been applied to a *person's* utility bill and if the *person* corrects the cause of the abnormally high surcharge rate to the satisfaction of the *Director*;
  - (b) prior to the expiration of the minimum 3 month period required under subsection (1), order the establishment of a new surcharge rate if the *Director* has been provided with information, satisfactory to the *Director*, that a permanent change in *wastewater* strength has occurred that justifies a new surcharge rate.

### Exemptions

#### Irrigation

39. A water line used exclusively for irrigation purposes and metered in a manner satisfactory to the *Director, Water Resources* is exempted from all *wastewater charges* and *wastewater surcharges*.

Effluent meters

40. (1) The *Director, Water Resources* may exempt from *wastewater charges* and *wastewater surcharges* the amount of water not *released* to the *wastewater system* from a *premises* if:
- (i) metered water is supplied to the *premises* and all of that water is not *released* to the *wastewater system*; and
  - (ii) the amount of water not *released* to the *wastewater system* can be measured to the satisfaction of the *Director*.
- (2) An exemption granted pursuant to this section by the *Director* will be determined using only metering equipment and methods of calculation approved by the *Director*.

**PART XIII:  
ENFORCEMENT**

**Inspections**

41. (1) The *Director, Water Resources* or the *Director, Water Services* may enter into, or on a *premises* with the consent of the *owner* at a reasonable time for any one or more of the following purposes:
- (a) to carry out an inspection, enforcement or action authorized by this *Bylaw*, including:
    - (i) to inspect or repair any equipment connected to, or part of, the *wastewater system*;
    - (ii) to make observations, or to take tests, samples or photographs of equipment or *wastewater*;
    - (iii) to disconnect or to shut off the supply of water to the *premises*;
  - (b) to require the production, for inspection purposes, of any document or any thing relevant to the inspection;
  - (c) to remove any document or any thing relevant to the inspection for the purpose of making copies;
  - (d) to determine whether this *Bylaw* is being complied with.
- (2) Before entering in or on *premises* pursuant to subsection (1), the *Director* or the *Director's* designate must provide both reasonable notice and identification to the *owner* of the *premises*.

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- (3) Despite subsections (1) and (2), the *Director* may enter into, or on a *premises* if the *Director* has obtained an order pursuant to the *Municipal Government Act*.
- (4) Despite subsections (1) and (2), in an *emergency*, or in extraordinary circumstances, the *Director* need not enter at a reasonable hour or give reasonable notice before entering a *premises*, and may carry out any of the purposes described in subsection (1) without obtaining the consent of the *owner*.

**Obstructing an Inspection**

- 42. (1) A *person* must not obstruct, or attempt to obstruct, in any manner, an *Officer*, or the *Director, Water Resources or the Director, Water Services*, or their designates, contractors, servants or agents, in the exercise of their powers or duties as authorized or required by this *Bylaw*.
- (2) For the purposes of subsection (1), “obstruct” means to hinder, delay, interfere with, or prevent, or attempt to prevent the execution of a power or duty, and includes any of the following:
  - (a) providing false or misleading information or making a false claim or statement to a *Director* or an *Officer*,
  - (b) preventing, barring or delaying, or attempting to prevent, bar or delay entry or inspection by a *Director* or an *Officer* in accordance with this *Bylaw*,
  - (c) failing to provide, on the request of a *Director* or an *Officer*, any information, documents or things relevant to an inspection, including any documents specifically required to be kept or provided under this *Bylaw*.

**Remedial Orders**

- 43. (1) A *Remedial Order* issued with respect to subsections 45(1)(a) or 45(1.1) of this *Bylaw* must:
  - (a) indicate the *person* to whom it is directed;
  - (b) identify the *premises* to which the *Remedial Order* relates either by municipal address or legal description;
  - (c) identify the date on which it is issued;
  - (d) identify the specific provisions of this *Bylaw* that have been contravened;
  - (e) identify the nature of the remedial action required to be taken to remedy the contravention of this *Bylaw*;
  - (f) identify the time period within which the remedial action must be completed;

- (g) indicate that if the required remedial action is not completed within the time specified in the *Remedial Order*, *The City* may take whatever action or measures are necessary to remedy the contravention;
  - (h) indicate that the expenses and costs of any action or measures taken by *The City* under this section are an amount owing to *The City* by the *person* to whom the *Remedial Order* is directed;
  - (i) indicate that the expenses and costs referred to in this section may be attached to the tax roll of the property if such costs are not paid by a specific time;
  - (j) indicate that an appeal lies from the *Remedial Order* to the Licence and Community Standards Appeal Board, if a notice of appeal is filed in writing with the City Clerk not later than 14 days after the day the *Remedial Order* was issued.
- (2) A *Remedial Order* issued pursuant to this *Bylaw* may be served:
- (a) in the case of an individual, by any of the following methods:
    - (i) by delivering it personally to the individual;
    - (ii) by leaving it for the individual at their apparent place of residence with someone who appears to be at least 18 years of age;
    - (iii) by delivering it by registered mail to the individual at their apparent place of residence;
    - (iv) by delivering it by registered mail to the last address of the individual who is to be served as shown on the records of the Registrar of Motor Vehicle Services in Alberta;
  - or;
  - (b) in the case of a corporation, by any of the following methods:
    - (i) by delivering it personally to a director or officer of the corporation;
    - (ii) by delivering it personally to any *person* apparently in charge of an office of the corporation at the address held out by the corporation to be its address;
    - (iii) by registered mail addressed to the registered office of the corporation.
- (3) A *Remedial Order* issued pursuant to this *Bylaw* may be appealed to the Licence and Community Standards Appeal Board in accordance with the Licence and Community Standards Appeal Board Bylaw 50M2011 by filing a notice of appeal

with the City Clerk not later than 14 days after the day on which the *Remedial Order* was issued.

- (4) The *Director, Water Resources* may shut off wastewater services to a *premises* if a *Remedial Order* has been issued to the *owner* of that *premises* pursuant to this *Bylaw* and either of the following applies:
- (a) the *owner* of the *premises* fails to comply with the requirements of the *Remedial Order*; or
  - (b) the *owner* of the *premises* fails to comply with the requirements of the *Remedial Order* within the time period set out in the *Remedial Order*.
- (5) The *Director, Water Resources* may do any thing, or carry out any work required by a *Remedial Order* issued pursuant to subsection 45(1)(a), and the costs associated with doing that thing, or carrying out the work, are an amount owing to *The City* and may be added to the tax roll of the *premises* if a *Remedial Order* has been issued to the *owner* of that *premises* pursuant to this *Bylaw* and:
- (a) the *owner* of the *premises* fails to comply with the requirements of the *Remedial Order*; or
  - (b) the *owner* of the *premises* fails to comply with the requirements of the *Remedial Order* within the time period set out in the *Remedial Order*.
- (6) A *person* who fails to comply with the requirements of a *Remedial Order* issued pursuant to this *Bylaw* within the time period set out in the *Remedial Order* commits an offence.

### Offences

44. Any *person* who contravenes any provision of this *Bylaw* by doing any act or thing which the *person* is prohibited from doing, or by failing to do any act or thing the *person* is required to do, is guilty of an offence pursuant to this *Bylaw*.

### Penalties

45. (1) Where an *Officer* believes a *person* has contravened any provision of this *Bylaw*, the *Officer* may do one of the following:
- (a) issue to the *person* a *Remedial Order* pursuant to section 545 of the *Municipal Government Act* to remedy the infraction;
  - (b) issue to the *person* a violation ticket in accordance with the *Provincial Offences Procedure Act*
  - (c) both (a) and (b).

(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.*

- (2) Every *person* who is convicted of an offence pursuant to this *Bylaw* is subject to one of the following penalties:
- (a) a fine amount of not more than \$10,000.00;
  - (b) imprisonment for not more than 1 year;
  - (c) both (a) and (b).
- (3) The specified penalty on conviction of an offence pursuant to this *Bylaw* is the fine amount set out in Schedule “J” in respect of the offence.
- (4) The minimum penalty on conviction of an offence pursuant to this *Bylaw* is the fine amount set out in Schedule “J” in respect of the offence.
- (5) Despite subsection (3) and subsection (4), a *person* who is convicted for a second offence of the same provision within a 12 month period is liable on conviction:
- (a) for twice the fine amount of the specified penalty set out in Schedule “J”;  
or
  - (b) for twice the fine amount of the minimum penalty set out in Schedule “J”.
- (6) Despite subsection (3) and subsection (4), a *person* who is convicted for a third offence of the same provision within a 12 month period is liable on conviction:
- (a) for three times the fine amount of the specified penalty set out in Schedule “J”; or
  - (b) for three times the fine amount of the minimum penalty set out in Schedule “J”.
- (7) On conviction of an offence that is of a continuing nature, the penalty is the fine amount set out in Schedule “J” of this *Bylaw* in respect of the offence for each day, or part of a day, that the offence continues.

### **Mandatory Court or Information**

46. This section shall not prevent any *Officer* from issuing a violation ticket requiring a court appearance of the defendant, pursuant to the provisions of the *Provincial Offences Procedure Act* or from laying an information instead of issuing a violation ticket.

### **Owner of Motor Vehicle Liable**

For the purposes of this section, “*owner*”, “*driving*” and “*motor vehicle*” have the same meaning as set out in the *Traffic Safety Act*, R.S.A. 2000, c. T-6:

47. (1) If a *motor vehicle* is involved in an offence described in this *Bylaw*, the *owner* of the *motor vehicle* is guilty of the offence.
- (2) Subsection (1) does not apply if the *owner* of the *motor vehicle* satisfies the Court that:
  - (a) the *owner* was not *driving* the *motor vehicle* at the time of the offence; and
  - (b) the *person driving* the *motor vehicle* at the time of the offence did not have the *owner's* express or implied consent to be *driving* the *motor vehicle*.
- (3) Despite subsection (1), if the *owner* was not *driving* the *motor vehicle* at the time of the offence, the *owner* is not liable to imprisonment.

#### **Liability for Fees**

48. The levying and payment of any fine or the imprisonment for any period provided in this *Bylaw* shall not relieve a *person* from the necessity of paying any fees, charges or costs for which that *person* is liable under the provisions of this *Bylaw* or any other bylaw.

#### **PART XIV: CONSEQUENTIAL AMENDMENTS**

49. In the second Preamble of Bylaw 41M2006, delete the words “Sewer Service Bylaw” and substitute the following:  
“Wastewater Bylaw”
50. In subsection 9(1)(b) of Bylaw 41M2006, delete the number “24M96” and substitute the following:  
“14M2012”
51. In section 10(1) of Bylaw 41M2006, delete the number “24M96” and substitute the following:  
“14M2012”
52. In Bylaw 33M2005, repeal subsection 7(3).
53. In Bylaw 37M2005, repeal subsection 21(2).
54. In Bylaw 37M2005, repeal subsection 21(3).

**PART XV:  
REPEAL AND COMING INTO FORCE**

**Repeal**

55. Bylaw 24M96, the Sewer Service Bylaw, is hereby repealed.

**Coming Into Force**

56. This *Bylaw* comes into force on the day it is passed.

READ A FIRST TIME THIS 12<sup>TH</sup> DAY OF MARCH, 2012.

READ A SECOND TIME THIS 12<sup>TH</sup> DAY OF MARCH, 2012.

READ A THIRD TIME THIS 12<sup>TH</sup> DAY OF MARCH, 2012.

(Sgd) N. Nenshi  
MAYOR

(Sgd) S. Gray  
CITY CLERK

TEXT FOR DISCUSSION ONLY

**SCHEDULE "A"**  
**PROHIBITED SUBSTANCES**

The following must not be *released* into the *wastewater system*:

- (a) a *substance* that causes or will cause an *adverse effect*;
- (b) a *substance* that will interfere, or does interfere, with the operation of the *wastewater system*;
- (c) a *substance* that will cause a violation or non-compliance event with respect to *The City's wastewater operating approval*;
- (d) a *substance* that will interfere with the disposal of *biosolids* resulting from municipal *wastewater treatment*;
- (e) an explosive *substance*, including solvents or petroleum derivatives such as gasoline, diesel fuel, naphtha or fuel oil, of a quantity such that:
  - (i) *wastewater* from the *premises* will exhibit the characteristics of a *flammable liquid*, or
  - (ii) the explosive *substance* could cause or contribute to an explosion or support combustion in the *wastewater system*, by itself or in combination with other *wastewater*;
- (f) a *substance*, including hydrogen sulphide, carbon disulphide or other reduced sulphur compounds, but not including *domestic wastewater*, which by itself or in combination with other *substances* is capable of creating odours;
- (g) a solid or viscous *substance* in a quantity, or of such size, as to be capable of causing obstruction to the flow in a *wastewater system*, including ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, animals or animal parts, animal feces and blood;
- (h) *wastewater* containing a *substance* that on its own, or in combination with another *substance*, creates a taste or an odour in the drinking water supply and makes drinking water unpalatable after conventional water purification treatment;
- (i) *wastewater* containing a *substance* that on its own, or in combination with another *substance*, becomes highly coloured and passes through the *wastewater system*, discoloring the effluent;
- (j) *wastewater* that is *released* in layers or forms layers upon interaction with other *wastewater*;
- (k) *wastewater* having a pH of less than 5.5 or greater than 10;
- (l) *wastewater* having a temperature in excess of 75 degree Celsius;

- (m) *radioactive materials*;
- (n) corrosive or toxic *wastewater* that causes or will cause an *adverse effect*;
- (o) *biological substances*;
- (p) unused or waste *pharmaceuticals*;
- (q) unused or waste chemical *substances*;
- (r) *hazardous substances*;
- (s) *pesticides*;
- (t) grit removed from *ICI premises*, including grit removed from car wash establishments, automobile garages and restaurant *sumps* or from *interceptors*;

TEXT FOR DISCUSSION ONLY

**SCHEDULE "B"  
 RESTRICTED SUBSTANCES**

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

<b>Inorganic Contaminants</b>	
<b><u>Column 1</u> Substance</b>	<b><u>Column 2</u> Concentration Limit (mg/L)</b>
Aluminium, total	50
Antimony, total	5
Arsenic, total	4
Beryllium, total	4
Bismuth, total	5
Boron, total	5
Cadmium, total	0.7
Chloride	1500
Chromium, total	3
Cobalt, total	5
Copper, total	2
Cyanide	1.2
Fluoride	10
Iron, total	50
Lead, total	0.7
Manganese, total	5
Mercury, total	0.01
Molybdenum, total	5
Nickel, total	2
Selenium, total	4
Silver, total	0.5
Sulphate	1500
Sulphides	4
Thallium, total	0.5
Tin, total	5
Titanium, total	5
Vanadium, total	5
Zinc, total	2

<b>Organic Contaminants</b>	
<b>Column 1 Substance</b>	<b>Column 2 Concentration Limit (mg/L)</b>
Benzene	0.5
<i>BTEX</i>	4
Chloroform	0.05
Dichlorobenzene (1,2-)	4
Dichlorobenzene (1,4)	4
Ethylbenzene	0.5
Hexachlorobenzene	0.06
<i>Hydrocarbons</i>	50
Methylene chloride (dichloromethane)	0.09
<i>PCBs</i> (chlorobiphenyls)	0.004
Phenolic Compounds	4
Tetrachloroethane (1,1,2,2-)	0.06
Tetrachloroethylene	0.06
Toluene	0.5
Total Nitrogen	50
Trichloroethylene	0.054
Xylenes, total	0.5

<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

<b>Column 1 Substance</b>	<b>Column 2 Concentration Limit (mg/L)</b>
<i>Hydrocarbons</i>	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
<i>PCBs</i> (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
<b>Total Nitrogen</b>	<b>50</b>
Trichloroethylene	0.054
Vanadium, total	5
Xylenes, total	0.5
Zinc, total	2

TEXT FOR L

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

<b>Column 1</b> <b>Substance</b>	<b>Column 2</b> <b>Surcharge applies above the concentration limit set out below (mg/L)</b>  <b>Concentration Limit (mg/L)</b>	<b>Column 3</b> <b>Extra strength surcharge agreement is required above the concentration limit set out below (mg/L)</b>
<i>BOD</i>	300	1200
<i>COD</i>	600	2400
<i>TSS</i>	300	1200
<i>FOG</i>	100	450
<i>TP</i>	10	-
<i>TKN</i>	50	-

TEXT FOR DISCUSSION

**SCHEDULE "D"  
 MONTHLY WASTEWATER CHARGE**

The rates or charges described in this Schedule are shown for the years 2015, 2016, 2017, and 2018, and must apply in the calendar year indicated (from January 1 to December 31, inclusive).

Monthly rates or charges described in this Schedule are based on a thirty (30) day period. The amount billed must be established by dividing the applicable monthly rate or charge by thirty (30) to derive a daily rate and multiplying the daily rate by the actual number of days in the billing period.

- For residential flat rate customers served with water from *The City's* water supply, the *wastewater* charge is calculated as a percentage of the water charge according to the following:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Percentage of water charge (%)	82.53	103.31	129.33	162.04

- For *single family residential* or *two family residential* metered rate customers served with water from *The City's* water supply, a charge equal to the service charge and the usage rate according to the following:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Service charge (\$ per 30 days))	\$20.60	\$23.66	\$27.04	\$30.57
Usage rate (\$ per cubic metre of water used)	\$1.1028	\$1.3051	\$1.5262	\$1.7675

- For *multi-family residential* customers served with water from *The City's* water supply, a charge equal to the service charge and the usage rate according to the following:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Service charge (\$ per 30 days)	\$20.60	\$23.66	\$27.04	\$30.57
Usage rate (\$ per cubic metre of water used)	\$1.2969	\$1.4926	\$1.7185	\$1.9799

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4. For non-residential customers served with water from *The City's* water supply, a charge equal to the service charge and the usage rate according to the following:

	<b><u>2015</u></b>	<b><u>2016</u></b>	<b><u>2017</u></b>	<b><u>2018</u></b>
Service charge (\$ per 30 days)	\$20.60	\$23.66	\$27.04	\$30.57
Usage rate (\$ per cubic metre of water used)	\$1.2283	\$1.4116	\$1.6159	\$1.8509

5. For non-residential customers served in part with water from any other source than *The City*, in addition to any charge under paragraph 4, a charge equal to the service charge and the usage rate according to the following table for the equivalent amount of water with which the property is served from other sources.

	<b><u>2015</u></b>	<b><u>2016</u></b>	<b><u>2017</u></b>	<b><u>2018</u></b>
Service charge (\$ per 30 days)	\$20.60	\$23.66	\$27.04	\$30.57
Usage rate (\$ per cubic metre of water used)	\$1.2283	\$1.4116	\$1.6159	\$1.8509

6. For customers served with an *effluent meter*, a charge equal to the service charge and the usage rate according to the following:

	<b><u>2015</u></b>	<b><u>2016</u></b>	<b><u>2017</u></b>	<b><u>2018</u></b>
Service charge (\$ per 30 days)	\$20.60	\$23.66	\$27.04	\$30.57
Usage rate (\$ per cubic metre of measured <i>wastewater released</i> )	\$1.3648	\$1.5685	\$1.7954	\$2.0566

**SCHEDULE "E"**

**MONTHLY WASTEWATER CHARGE FOR  
 CUSTOMERS OUTSIDE THE CITY LIMITS**

The rates or charges described in this Schedule are shown for the years 2015, 2016, 2017, and 2018, and must apply in the calendar year indicated (from January 1 to December 31, inclusive).

- For customers located outside City limits that are municipalities (including the Tsuu T'ina Nation), a charge equal to the Fixed Component plus the Volume Component as follows:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Fixed Component (\$ per contracted average day cubic metre)	\$0.4473	\$0.4391	\$0.4311	\$0.4232
Volume Component (\$ per cubic metre measured wastewater)	\$0.4106	\$0.4480	\$0.4889	\$0.5336

- For all other customers located outside City limits, a charge equal to the Service charge plus the Usage rate as follows:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Service charge (\$ per 30 days)	\$20.60	\$23.66	\$27.04	\$30.57
Usage rate (\$ per cubic metre of water used)	\$1.3648	\$1.5685	\$1.7954	\$2.0566

**SCHEDULE "F"**

**MONTHLY WASTEWATER SURCHARGE**

The rates or charges described in this Schedule are shown for the years 2015, 2016, 2017, and 2018, and must apply in the calendar year indicated (from January 1 to December 31, inclusive).

Monthly rates or charges described in this Schedule are based on a thirty (30) day period. The amount billed must be established by dividing the applicable monthly rate or charge by thirty (30) to derive a daily rate and multiplying the daily rate by the actual number of days in the billing period.

The formula for determining the surcharge to be levied for **2015** is:

$$R = 0.1707 B + 0.1357 S + 0.2304 G$$

The formula for determining the surcharge to be levied for **2016** is:

$$R = 0.1710 B + 0.1360 S + 0.2308 G$$

The formula for determining the surcharge to be levied for **2017** is:

$$R = 0.1713 B + 0.1362 S + 0.2313 G$$

The formula for determining the surcharge to be levied for **2018** is:

$$R = 0.1717 B + 0.1365 S + 0.2317 G$$

where "R" means rate in cents per cubic metre; and,

"B" means the amount in milligrams per litre by which the *BOD* of the *wastewater* tested exceeds three hundred milligrams per litre;

"S" means the amount in milligrams per litre by which the *TSS* of the *wastewater* exceeds three hundred milligrams per litre;

"G" means the amount expressed in milligrams per litre by which the *FOG* content of the *wastewater* tested exceeds one hundred milligrams per litre.

**SCHEDULE "G"**  
**CHARGES FOR ACCEPTANCE OF**  
**HAULED WASTEWATER IN THE CITY**

The rates or charges described in this Schedule are shown for the years 2015, 2016, 2017, and 2018, and must apply in the calendar year indicated (from January 1 to December 31, inclusive).

- Customers that have a *permit* to dispose of *hauled wastewater* into a *hauled wastewater* facility ~~designated~~ operated by *The City* must apply for an account allowing for disposal of *hauled wastewater* to the facility. The customer must pay a fee of \$25.00 for each access card (fee refundable on return of card), in addition to payment of a service charge and volume charge, as described below.

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Service charge (\$ per 30 days)	\$20.60	\$23.66	\$27.04	\$30.57
Volume charge (\$ per cubic metre)	\$17.5818	\$20.3597	\$23.3933	\$26.7151

- A *hauled wastewater manifest* shall be completed for each delivery or *release* to a *hauled wastewater* facility of *The City*. The *manifest* must include the information set out in section 34(1) (v) of this *Bylaw*.

**SCHEDULE "H"**

**RETURN FACTORS**

<b>Customer Class</b>	<b><i>Return Factor</i></b>
<i>single family residential or two family residential metered</i>	0.90
<i>multi-family residential metered</i>	0.97
general service metered	0.90

TEXT FOR DISCUSSION ONLY

**SCHEDULE "I"**

**DRAINAGE SERVICE CHARGE**

The rates or charges described in this Schedule are shown for the years 2015, 2016, 2017, and 2018, and must apply in the calendar year indicated (from January 1 to December 31, inclusive).

Monthly rates or charges described in this Schedule are based on a thirty (30) day period. The amount billed must be established by dividing the applicable monthly rate or charge by thirty (30) to derive a daily rate and multiplying the daily rate by the actual number of days in the billing period.

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
-				
Drainage service charge (\$ per 30 days)	\$10.96	\$13.05	\$15.54	\$18.51"

TEXT FOR DISCUSSION

**SCHEDULE "J"  
 OFFENCES AND PENALTIES**

For the purposes of this Schedule "J":

"SCA" means the *Safety Codes Act*

"EPEA" means the *Environmental Protection and Enhancement Act*

<b>Section</b>	<b>Description of Offence</b>	<b>Minimum Penalty</b>	<b>Specified Penalty</b>
6(1)(a)	Installing or operating a <i>wastewater treatment facility</i> without written approval	\$2500	\$5000
6(1)(b)	Failing to comply with all conditions or requirements for the installation or operation of a <i>wastewater treatment facility</i>	\$ 500	\$1500
7(1)(c)	Failing to ensure that the <i>connection</i> and <i>owner's</i> plumbing system comply with <i>SCA</i>	\$ 500	\$1000
7(1)(d)	Failing to ensure that any required permits, inspections or other approvals required by the <i>SCA</i> or <i>EPEA</i> or by other bylaws or legislation are valid and subsisting prior to <i>connection</i> to the <i>wastewater system</i>	\$ 500	\$1000
10(1)	Failing to have a written approval, <i>permit</i> or agreement available for inspection on request	\$ 100	\$ 200
10(2)(a)	Failing to comply with a requirement of the <i>Director</i>	\$ 500	\$ 1500
10(2)(b)	Failing to comply with a requirement or condition of a written approval or <i>permit</i>	\$ 500	\$ 1500
10(2)(c)	Failing to comply with a requirement or condition of an agreement	\$ 500	\$ 1500
18(1)	Failing to dispose of <i>wastewater</i> from a <i>premises</i> into either the <i>wastewater system</i> or a <i>private wastewater system</i>	\$ 500	\$1000
18(2)	Disposing of a <i>substance</i> into the <i>wastewater system</i> prior to <i>connection</i> of the plumbing system to the <i>wastewater system</i>	\$ 500	\$1000
19	Directing, or allowing <i>clear water waste</i> to be directed, into the <i>wastewater system</i>	\$ 500	\$1500
20(1)(a)	Uncovering, opening, breaking, altering, removing, damaging, destroying or tampering with any part of the <i>wastewater system</i> , or allowing same	\$ 500	\$1500
20(1)(b)	Uncovering, opening, breaking, altering, removing, damaging, destroying or tampering with a <i>monitoring access point</i> , or allowing same	\$ 500	\$1500
20(1)(c)	Uncovering, opening, breaking, altering, removing, damaging, destroying or tampering with any device installed in or on the <i>wastewater system</i> for flow measuring, sampling testing or contamination prevention, or allowing same	\$ 500	\$1500
20(2)	Obstructing or preventing access to a <i>monitoring access</i>	\$ 250	\$ 500

	<i>point</i> or acting in a manner that obstructs or prevents access to a <i>monitoring access point</i>		
20(3)	Entering into a chamber, structure or <i>premises</i> associated with the <i>wastewater system</i> without approval	\$ 500	\$1500
21(1)	Re-using <i>wastewater</i> without written approval from both the <i>Director</i> and the Chief Plumbing and Gas Inspector	\$ 500	\$1500
21(3)	Failing to comply with a condition in an approval for <i>wastewater</i> re-use	\$ 500	\$1500
22(1)(a)	<i>Releasing</i> , or allowing the <i>release</i> of <i>wastewater</i> that contains a <i>prohibited substance</i> into the <i>wastewater system</i>	\$1000	\$3000
22(1)(b)	<i>Releasing</i> , or allowing the <i>release</i> of <i>wastewater</i> into the <i>wastewater system</i> that contains a <i>substance</i> that is over the <del>approved</del> concentration limit as described in Column 2 of Schedule "B" or Column 2 of Schedule "C"	\$1000	\$3000
22(1)(c)	<i>Releasing</i> , or allowing the <i>release</i> , of <i>wastewater</i> that does not comply with all other requirements of the <i>Bylaw</i> into the <i>wastewater system</i>	\$1000	\$3000
22(2)	Failing to comply with a condition in a written approval for allowing <i>wastewater</i> to enter the <i>wastewater system</i>	\$ 500	\$1500
22(3)	Diluting <i>wastewater</i> for the purpose of complying with the requirements of the <i>Bylaw</i>	\$ 500	\$1000
23(1)(a)	Failing to obtain approval before making, altering, disconnecting or removing a <i>connection</i> to the <i>wastewater system</i>	\$ 500	\$1500
23(1)(b)	Failing to obtain written approval before re-using a <i>connection</i>	\$ 500	\$1500
26(2)	Failing to install, operate, monitor, <del>provide access to and properly maintain</del> a <i>wastewater pre-treatment system</i>	\$ 500	\$2000
26(3)	Depositing, or allowing to be deposited, <i>waste residue</i> from a <i>pre-treatment system</i> into the <i>wastewater system</i> without approval	\$ 500	\$1500
26(4)(a)	Failing to obtain and retain manuals, instructions and specifications related to the installation, operation, maintenance and cleaning of the <i>pre-treatment system</i> installed at a <i>premises</i>	\$ 100	\$ 200
26(4)(b)	Failing to maintain a maintenance schedule and record of each maintenance for the <i>pre-treatment system</i> installed at a <i>premises</i> for a period of two years, including records for disposal of <i>waste residue</i>	\$ 100	\$ 500
26(4)(c)	Failing to submit records requested by the <i>Director</i>	\$ 100	\$ 500
27(1)(a)	Failing to install an <i>FOG interceptor</i> as required by subsection 27(1)(a)	\$ 500	\$2000
27(1)(b)	Failing to monitor, operate, properly maintain and clean each <i>FOG interceptor</i> as required by subsection 27(1)(b)	\$ 500	\$1500
27(1)(c)	Failing to ensure that <i>wastewater</i> does not exceed the maximum allowable concentration limits for <i>FOG</i> set out in Schedule C of the <i>Bylaw</i>	\$1000	\$3000
27(2)(a)	Failing to install an <i>interceptor</i> as required by subsection	\$ 500	\$2000

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	27(2)(a)		
27(2)(b)	Failing to monitor, operate, properly maintain and clean each <i>interceptor</i> as required by subsection 27(2)(b)	\$ 500	\$1500
27(2)(c)	Failing to ensure that all <i>wastewater</i> does not exceed the maximum allowable concentration limits for <i>hydrocarbons</i> , <i>flammable liquids</i> and <i>TSS</i> as set out in Schedule B and C of the <i>Bylaw</i>	\$1000	\$3000
27(3)(a)	Failing to install a dental amalgam <i>separator</i> on a fixture that may <i>release</i> dental amalgam waste containing mercury into the <i>wastewater system</i> as required by subsection 27(3)(a)	\$ 500	\$2000
27(3)(b)	Failing to install a dental amalgam <i>separator</i> on a fixture that may <i>release</i> dental amalgam waste containing mercury into the <i>wastewater system</i> that is directly accessible as required by subsection 27(3)(b)	\$ 500	\$2000
27(3)(c)	Failing to monitor, operate, maintain and clean a dental amalgam <i>separator</i> as required by subsection 27(3)(c)	\$ 500	\$1500
27(4)	Using emulsifiers, enzymes, bacteria, solvents, hot water or other agent to facilitate the passage of <i>FOG</i> or <i>hydrocarbons</i> through an <i>interceptor</i>	\$ 500	\$1000
28(a)	Failing to provide one or more <i>monitoring access points</i> for the monitoring of <i>wastewater</i> in compliance with subsection 26(1)(a)	\$ 500	\$2000
28(b)	Failing to provide direct access to any <i>monitoring access point</i> located on the <i>premises</i>	\$ 500	\$1000
32(a)	Failing to obtain a <i>hauled wastewater permit</i> for the release of <i>hauled wastewater</i>	\$ 500	\$1500
32(b)	Failing to pay any fees and charges related to a <i>hauled wastewater permit</i> as set out in Schedule "G"	\$ 100	\$ 200
32(c)	Failing to <del>release <i>hauled wastewater</i> at an approved location</del>	<del>\$1000</del>	<del>\$3000</del>
32.1	Releasing <i>hauled wastewater</i> at an unapproved location	\$1000	\$3000
34(1)(a)	Failing to comply with the conditions of a <i>hauled wastewater permit</i>	\$ 500	\$1500
34(1)(b)	Failing to maintain a <i>hauled wastewater permit</i> in the vehicle for which the <i>permit</i> was issued and surrender it to an employee of <i>The City</i> as required	\$ 100	\$ 200
34(1)(c)	Failing to accompany a load of <i>hauled wastewater</i> with a <i>manifest</i> that meets the requirements of subsection 34(1)(c)	\$ 100	\$ 500
34.1(2)	<del><i>Full service food vehicle</i> failing to dispose of <i>wastewater</i> at a designated location</del>	<del>\$1000</del>	<del>\$3000</del>
34.1(4)	Failing to maintain logbook	\$100	\$500
34.1(5)	Failing to provide logbook upon request	\$100	\$200
35(1)	Failing to immediately notify the proper authorities in accordance with subsection 35(1) where a <i>substance</i> is <i>released</i> into the <i>wastewater system</i> in contravention of the <i>Bylaw</i>	\$ 500	\$1000
35(4)	Failing to submit a written report about a <i>release</i> pursuant	\$500	\$1500

	to subsection 35(3)(b)		
35(5)	Failing to take all reasonable measures to mitigate the <i>release</i> of a <i>substance</i> in contravention of the <i>Bylaw</i>	\$1000	\$3000
42(1)	<i>Obstructing an Officer</i> or the <i>Directors</i> or their designates in the exercise of their powers or duties	\$ 500	\$1000
43(6)	Failing to comply with a <i>Remedial Order</i>	N/A	\$1000

TEXT FOR DISCUSSION ONLY

**SCHEDULE "K"  
RECLAIMED WATER RATE**

<i>Reclaimed Water rate</i>	\$0.6217 per cubic meter delivered
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TEXT FOR DISCUSSION ONLY