

THE CORPORATION OF THE CITY OF NORTH BAYBY-LAW NO. 118-71

BEING A BY-LAW TO REGULATE THE DISCHARGE OF SEWAGE AND LAND DRAINAGE INTO THE SEWER SYSTEMS AND WATERCOURSES IN THE CORPORATION OF THE CITY OF NORTH BAY, INCLUDING THE CONTROL OF INDUSTRIAL WASTE DISCHARGES.

WHEREAS the Ontario Water Resources Commission has recommended that municipalities enact by-laws for the control of pollution and industrial waste discharges into municipal sewer systems and drainage facilities;

AND WHEREAS paragraphs 69, 70, and 125 of Subsection (1) of Section 379, of The Municipal Act of Ontario, R.S.O. 1960, c. 249, as amended, empower municipalities to enact by-laws regulating the discharge of sewage into the sewage systems of municipalities;

AND WHEREAS the Council of The Corporation of the City of North Bay deems it advisable to enact the within by-law.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. This By-law shall apply to the whole of The Corporation of the City of North Bay as it is presently constituted. By-law No. 2239 of the City of North Bay is hereby repealed.
2. For the purposes of this By-law:
  - (a) "Biochemical Oxygen Demand (BOD)" means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20) degrees centigrade expressed in parts per million by weight.
  - (b) "City" shall mean The Corporation of the City of North Bay
  - (c) "Coliform Count" means the number of all coliform bacteria enumerated by standard laboratory procedure and expressed in number of coliform bacteria per 100 millilitres.
  - (d) "Colour of a Liquid" means the appearance of a liquid, from which the suspended solids have been removed, that results from the kind of light reflected from the liquid.
  - (e) "Council" shall mean the Council of The Corporation of the City of North Bay.
  - (f) "Enforcement Officer" means the City Engineer, the Assistant City Engineer, the Plumbing Inspector, the Medical Officer of Health of the North Bay Area Health Unit, the City Sanitary Inspector, or the Pollution Control Officer, as may be appointed from time to time.
  - (g) "Parts Per Billion (ppb)" means parts per billion by weight.
  - (h) "Parts Per Million (ppm)" means parts per million by weight.

- (i) "Person" shall include a firm, partnership, company or corporation.
- (j) "Phenol Equivalents" means those hydroxy derivatives of benzene, or its condensed nuclei, which can be determined by the Aminoantipyrine or Gibbs Method.
- (k) "pH" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per litre of solution.
- (l) "Matter" includes any gaseous, liquid or solid substance, or any combination thereof.
- (m) "Sanitary Sewer Connection" means any drainage works, pipe, or other device that connects directly or indirectly to a sanitary sewer.
- (n) "Sanitary Sewer" means a municipal sewer for the collection and transmission of domestic, commercial, and industrial wastes, but excluding land drainage or storm water run-off.
- (o) "Sewage" includes drainage, storm water, commercial wastes, industrial wastes and wastewater.
- (p) "Sewage Works" means all sewers, sewer systems, sewage pumping stations, sewage treatment plants and other works for the collection, acceptance, transmission, treatment and disposal of sewage or for any one or more of them.
- (q) "Standard Methods" means, unless the context otherwise requires, the methods and procedures set out in the edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association and current at the time of any examination of any sewage.
- (r) "Storm Sewer Connection" means any land drainage works, pipe or other device that connects directly or indirectly to a storm sewer.
- (s) "Storm Sewer" means a municipal sewer for the collection and transmission of land drainage or storm water.
- (t) "Suspended Solids" means solid matter in or on a liquid, which matter is removable by filtering with a glass fibre filter paper equivalent to a Reeve Angel Glass Fibre Filter Paper, No. 934 AH.
- (u) "Watercourse" means an open channel or ditch constructed as or resulting from the construction of municipal work in which a flow of storm water occurs either continuously or intermittently, including road ditches and including other natural depressions or watercourses draining into any such open channel or ditch whether connected to a storm sewer or not.

### 3. SANITARY SEWER USE

No person shall discharge, into land drainage works, private branch drains or connections to any sewer, sewer system or sewage works for the carrying away of domestic sewage or industrial wastes or both, which are connected directly or indirectly to the sewage system, any matter or quantity of matter which may be or become harmful to any sewage works, or which may interfere with their proper operation, or which may impair or interfere with any sewage treatment process, or which may or may tend to obstruct any sewer, or which may be or may become a hazard to persons, property or animals, and, without limiting the generality of the foregoing, any of the following:

- (a) Matter having a temperature more than 150°F.
- (b) Matter which may contain any volatile oils of more than one hundred (100) parts per million by weight, of fat, oil, or grease of animal or vegetable origin or fifteen (15) parts per million of oil or grease of mineral origin.

- (c) Gasoline, benzene, naphtha, fuel oil, acetone, solvents, or other inflammable or explosive matter.
- (d) Ashes, cinders, garbage, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, cellulose, paunch manure or other solids of a type or quantity capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage treatment plant(s).
- (e) Matter having a pH lower than 5.5 or higher than 9.5 or where the pH becomes lower than 5.5 or higher than 9.5 if the matter is diluted by any liquid.
- (f) Any liquid matter containing suspended solids exceeding three hundred and fifty (350) parts per million by weight.
- (g) Matter that may cause the death or injury to any person or capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
- (h) Hydrogen sulphide, carbon bisulphide, ammonia, trichloreo-ethylene, sulphur dioxide, formaldehyde, chlorine, bromine, pyridine or any other matter that has or may cause an offensive odour or is capable of creating a public nuisance.
- (i) Any matter in which the BOD exceeds three hundred (300) parts per million.
- (j) Animal wastes such as hair, wool, or fur, feathers, intestines, or stomach casings, paunch manure, or intestinal contents, hides or parts thereof, hooves, toenails, horns, bones and flashings.
- (k) Matter containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process or constitutes a hazard to humans or animals. Without limiting the generality of the foregoing, sewage containing any of the following matter in excess of the indicated concentrations:

Phenolic Compounds	0.1 ppm
Total Cyanides, expressed as HCN	2 ppm
Total Sulfides, expressed as H <sub>2</sub> S	2 ppm
Total Copper, expressed as Cu	3 ppm
Total Chromium expressed as Cr	3 ppm
Total Nickel, expressed as Ni	3 ppm
Total Lead, expressed as Pb	3 ppm
Total Zinc, expressed as Zn	3 ppm
Total Cadmium expressed as Cd	3 ppm
Chlorides, as Cl	1500 ppm
Sulphates, as SO <sub>4</sub>	1500 ppm

- (l) Radioactive materials except as may be permitted under The Atomic Energy Control Act, R.S.C. 1952, Chapter 11, and amendments thereto, and Regulations thereunder.
- (m) Storm run-off, sewage derived from the drainage of lands or roofs or water used for cooling purposes.

#### 4. STORM SEWER USE

In the City of North Bay no person shall discharge or cause or permit to be discharged, directly or indirectly, into any private branch drain, or land drainage works that is capable of discharging any matter into any well, lake, river, pond,

spring, stream, reservoir, or other water or watercourse, or on any shore or bank thereof, or into any place from which the matter may be discharged into or deposited in any well, lake, river, pond, spring, stream, reservoir, or other water or watercourse or any storm sewer or any connection to a storm sewer, any of the following:

- (a) Any matter having a temperature more than 150°F.
- (b) Any matter which may contain more than fifteen (15) parts per million of fat, oil, grease, or other matter that is soluble in ether.
- (c) Subject to subparagraph (b) hereof, flammable or explosive matter, and without limiting the generality of the foregoing, gasoline, benzene, naphtha, fuel oil, acetone or other solvents.
- (d) Ashes, cinders, garbage, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, cellulose, paunch manure or any other solid, viscous or colloidal matter that is not dissolved in a liquid, or a type or quantity capable of causing obstruction to the flow in sewers.
- (e) Any matter having a pH lower than 5.5 or higher than 9.5 or where the pH becomes lower than 5.5 or higher than 9.5 if the matter is diluted by any liquid.
- (f) Any matter that in any concentration or quantity that will cause the death of or injury to any person, fish, animal, bird or fowl, or damage to any property.
- (g) Sewage in which suspended solids content exceed Fifteen (15) parts per million or sewage containing any suspended solids which are incapable of passing through a screen having openings not larger than one quarter ( $\frac{1}{4}$ ) of an inch square.
- (h) Carbon bisulphide, hydrogen sulphide, ammonia, trichloroethylene, sulphur dioxide, formaldehyde, chlorine, bromine, pyridine, or any other matter that has or may cause an offensive odour.
- (i) Sewage of which the BOD exceeds fifteen (15) parts per million.
- (j) Any coloured matter which requires a dilution in excess of four (4) parts of water without colour to one (1) part of the coloured matter to dissipate the colour till it is not determinable by the colour test.
- (k) Sewage containing toxic or poisonous matter in sufficient quantity to constitute a hazard to persons, property or animals, and, without limiting the generality of the foregoing, sewage containing any of the following matter in excess of the indicated concentrations:
 

Phenolic compounds	0.020 ppm
Total cyanides, expressed as HCN	0.1 ppm
Total Cadmium, expressed as Cd	1.0 ppm
Total Chromium, expressed as Cr	1.0 ppm
Total Copper, expressed as Cu	1.0 ppm
Total Nickel, expressed as Ni	1.0 ppm

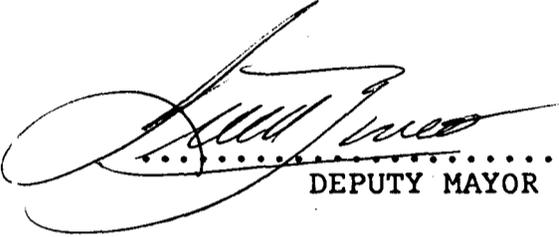
Total Zinc, expressed as Zn	1.0	ppm
Total Iron, expressed as Fe	17.0	ppm
Chlorides, as Cl	1500	ppm
Sulphates, as SO <sub>4</sub>	1500	ppm

- (1) Any matter in which the median coliform count exceeds 2,400 per 100 millilitres.
- (m) Radioactive materials except as may be permitted under the Atomic Energy Control Act, R.S.C. 1952, chapter 11, and amendments thereto and Regulations thereunder.
5. Where a waste water is not amenable to treatment in the City treatment works, the Council may direct that the waste in question be treated prior to discharge to a storm sewer, in order that the provisions of this by-law shall be complied with.
6. Where, in order to prevent the discharge of an effluent to the City sewer system exceeding the strength, nature quantity or quality permitted by this by-law, it is necessary to install a treatment plant, it shall be constructed according to design and working methods in keeping with good engineering practice and shall be installed at a location suitable to Council and shall be kept in operation for so long as may be necessary to prevent the discharge of such effluent contrary to the provisions of this by-law.
7. Where grease, oil and grit interceptors are provided at the cost of the owner to prevent the discharge of waste waters containing amounts of these substances in excess of the amounts permitted by this by-law, they shall be properly maintained and placed in locations readily accessible for cleaning and inspection and shall be of a design in keeping with good engineering practice.
8. The Council may permit the discharge of an industrial waste that would otherwise be prohibited by this by-law in the sanitary or combined storm and sanitary sewer system to an extent fixed by agreement with the City under such terms and conditions with respect to payment or otherwise as may be necessary to compensate for any additional costs of treatment.
9. Any person discharging waste water to the sewer system shall ensure that such waste water conforms at all times to the provisions of this by-law.
10. (a) The owner of any property served by a sewer, connecting any industrial building, apartment building of more than 30 suites, or shopping centre, with any sewer in the City area shall install one or more suitable manholes in the said sewer to facilitate observations, sampling and measurement of the waste water therefrom.
- (b) Such manholes shall be of designs in accordance with good engineering practice and shall be constructed and maintained at the cost of the owner on the lands of such owner abutting the property line adjacent to the municipal sewer so that all wastes from the property pass through such manholes.
11. All equipment designed for the treatment or interception of waste water or matter including inspection manholes shall be subject to inspection at all reasonable times by an Enforcement Officer and he shall be permitted to inspect, observe, measure, sample and test all effluent and drainage. No person shall obstruct, hinder or delay any Enforcement Officer carrying out an inspection under this by-law.

- 12. All measurements, tests and analyses of the characteristics of the waste waters to which reference is made in this by-law, shall be determined in accordance with Standard Methods.
- 13. It shall be the duty of the Enforcement Officer to enforce the provisions of this By-law and he is hereby authorized and empowered to sign any written notice which may be required to be served upon any person or owner under the provisions of this By-law and he is further authorized and empowered to make all necessary observations, inspections, measurements, tests and analyses which he may deem requisite and necessary under the terms and provisions of this By-law and he is further authorized and empowered to take all necessary steps and institute all necessary proceedings to ensure due compliance with the terms and provisions of this By-law.
- 14. (a) Every person who discharges or deposits, or causes or permits a discharge of any material contrary to Sections 3 and 4 of this By-law shall forthwith notify both in writing and by telephone the Pollution Control Officer, the City Engineer, or the Deputy City Engineer, of the discharge or deposit.
  - (b) Every person;
    - (i) who discharges or deposits material of any kind;
    - (ii) causes or permits a discharge or deposit of any material;
    - (iii) from whose control material of any land escapes;
 

into any well, lake, river, pond, spring, stream, reservoir or other water or watercourse or on any shore or bank thereof or into or in any place that may impair the quality of the water of any well, lake, river, pond, stream, reservoir or other water or watercourse shall forthwith notify both in writing and by telephone the Pollution Control Officer, the City Engineer, or the Deputy City Engineer, of the discharge, deposit or escape as the case may be.
- 15. (a) Every person who contravenes any provision of this By-law shall, upon conviction thereof, forfeit and pay at the discretion of the convicting Judge, a penalty (exclusive of costs) not exceeding the sum of three hundred (\$300.00) dollars for each offence. Each day in which any such contravention occurs shall be deemed to be a separate offence. Such penalties shall be recoverable under the provisions of The Summary Convictions Act.
  - (b) At any stage in the proceedings to enforce the provisions of this By-law, any Judge or Court may by way of Order require the accused person or any person acting under his authority, whether express or implied, or any person carrying on construction on the owner's land, to cease the discharge of any matter into any City sanitary sewer, storm sewer, watercourse, or any well, lake, river, pond, spring, stream, reservoir, or other water. Similarly, any Judge or Court may by Order direct such person or persons to comply with any provision contained in this By-law. Any Order or Direction by such Judge or Court may include within it a time limit within which the requirements of such Order or Direction are to be complied with. Any such Order or Direction may be in addition to any fine or other penalty imposed pursuant to this By-law.

READ A FIRST TIME IN OPEN COUNCIL THIS 4TH DAY OF OCTOBER, 1971  
READ A SECOND TIME IN OPEN COUNCIL THIS 18TH DAY OF OCTOBER, 1971  
READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED  
THIS 18TH DAY OF OCTOBER, 1971.

  
.....  
DEPUTY MAYOR

  
.....  
CITY CLERK