

The Corporation of the Township of Adjala-Tosorontio

By-law 18-49

A By-law to impose wastewater rates and to prescribe the amount of such rates and to control discharges to Municipal Wastewaters (Municipal Wastewater Rates & Control of Discharges By-law)

Whereas section 391 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, allows municipalities to pass By-laws imposing fees or charges for services, activities, costs and uses of property of the municipality; and

Whereas section 398 (1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, prescribe that fees and charges imposed by a municipality on a person constitute a debt of the person to the municipality, and

Whereas section 398 (2) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, allows the Treasurer of the municipality to add fees and charges imposed by the municipality to the tax roll and collect them in the same manner as municipal taxes in certain cases; and

Whereas the Corporation of the Township of Adjala-Tosorontio deems it necessary and desirable to establish wastewater rates for the purpose of maintaining and servicing the Municipal Wastewater Works System and to establish procedures for the collection of wastewater accounts;

Whereas the said Township deems it necessary and desirable to control discharge to municipal wastewaters;

Now therefore the Council of the Corporation of the Township of Adjala-Tosorontio enacts as follows:

1. Billing

- 1.1 **That** the wastewater rates shall be billed in on four (4) billings per year for the Wastewater Works System in the Municipality;
- 1.2 **That** the wastewater rates shall be billed in conjunction with the water rates;
- 1.3 **That** should a wastewater payment not be received by the due date; the Township shall charge a penalty of five per cent (5%) on accounts not paid by the due date;
- 1.4 **That** the assessed owner be billed for the Wastewater Works System and the assessed owner is responsible for payment of the bill;

- 1.5 **That** the wastewater rates be billed upon issuance of the Occupancy Permit;
2. **Rates**

- 2.1 **That** the yearly wastewater rate for a single residential dwelling unit shall be in accordance with the following table:

Yearly Wastewater Rates

Effective Dates	Rate
January 1, 2019 – December 31, 2023	\$1,313

- 2.2 **That** buildings with multiple unit dwellings shall be charged the rate charged for a single residential dwelling unit multiplied by the number of dwelling units in the building;

3. **Outstanding Accounts**

- 3.1 **That** the Treasurer of the Township of Adjala-Tosorontio may direct that the residential water service be disconnected that has a sewage billing account in arrears for ninety (90) days or more;
- 3.2 **That** the Treasurer of the Township of Adjala-Tosorontio may direct that any penalties incurred due to an administrative error be written off;
- 3.3 **That** prior to disconnecting the water service, due to the account being in sewage account being in arrears, the Township of Adjala-Tosorontio shall make every reasonable attempt to provide the assessed owner with notice of the Township's intention to disconnect the water service;
- 3.4 **That** prior to the water service being reconnected, the assessed owner shall pay to the Township, the total amount of the sewage billing account in arrears plus a reconnection charge of \$50.00 plus any additional costs which may be incurred by the Township;
- 3.5 **That** the Treasurer of the Township of Adjala-Tosorontio may, and upon the request of its upper-tier municipality or local boards whose area of jurisdiction includes any part of the municipality shall, add fees and charges imposed by the municipality, upper-tier or local board, respectively, to the tax roll for the property in the local municipality and collect them in the same manner as municipal taxes.

4. **Discharges to Municipal Sanitary Wastewaters**

- 4.1 **That** no person shall discharge or deposit or cause or permit the discharge or deposit of matter of a kind listed below into or in the Municipality's Sanitary Sewage Works and Systems, including into or in any land drainage works, private branch drains or connections to any sanitary wastewater:

4.1.1 matter of any type or at any temperature or in any quantity which may be or may become a health or safety hazard to a sewage works employee, or which may be or may become harmful to a sewage works, or which may cause the sewage works effluent to contravene any requirement by or under the Ontario Water Resources Act or the Environmental Protection Act (Ontario), or which may cause the sludge from sewage works to fail to meet the criteria relating to contaminants for spreading the sludge on agricultural lands under Ontario's Guidelines for Sewage Sludge Utilization on Agricultural Lands (as revised) unless the person has been advised in writing by the operator of the sewage treatment works that the sludge from the sewage treatment works will never be used on agricultural lands, or which may interfere with the proper operation of a sewage works, or which may impair or interfere with any sewage treatment process, or which is or may result in a hazard to any person, animal, property or vegetation and;

4.1.2 Without limiting the generality of the foregoing, any of the following:

- a) Solid or viscous substances in quantities or of such size as to be capable of causing obstruction to the flow in a wastewater, including but not limited to ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, animal guts or tissues, paunch manure and whole blood,
- b) Storm water, water from drainage of roofs or land, water from a watercourse or uncontaminated water,
- c) Water other than storm water that has originated from a source separate from the water distribution system of the Municipality,
- d) Sewage containing more than 15 milligrams per litre of solvent extractable matter of mineral and synthetic origin or containing more than 150 milligrams per litre of animal and vegetable origin,
- e) Sewage in which the composite biochemical oxygen demand concentration exceeds 300 milligrams per litre,
- f) The following materials or sewage containing any of the following in any amount:
 - Fuels,
 - PCBs,
 - Pesticides,
 - Severely Toxic Waste,
 - Waste Radioactive Prescribed Substances,

- g) The following materials or sewage containing any of the following in any amount:

Hauled Sewage,
Waste Disposal Site Leachate,

- h) The following hazardous wastes in any amount:

Acute Hazardous Waste Chemicals,
Hazardous Industrial wastes,
Hazardous Waste Chemicals,
Ignitable Wastes,
Pathological Wastes,
PCB Wastes,
Reactive Wastes;

5. Agreements

- 5.1 The discharge or deposit of sewage that would otherwise be prohibited by this By-law may be permitted into or in any connection to any sanitary wastewater or combined wastewater to an extent fixed by Agreement with the Municipality under such conditions with respect to payment of additional sewage service rates or otherwise as may be necessary to compensate for any additional costs or operation, repair and maintenance of the sewage works;

6. Penalties

- 6.1 **That** any person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine of not more than \$10,000 for a first offence and \$25,000 for any subsequent conviction;

7. **That** this By-law shall come into force and take effect January 1, 2019;

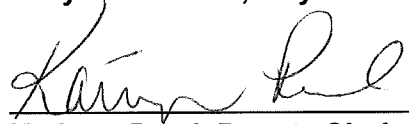
9. Severability

- (a) **That** should any section of this By-law be declared by a Court of competent jurisdiction as ultra vires or illegal for any reason, the remaining parts shall nevertheless remain valid and binding and shall be read as if the offending section or part had been struck out;
- (b) **That** should the provisions of this By-law be found to conflict with the provisions of any other By-law of the Township the provisions of this By-law shall prevail;
10. **That** By-laws 05-37 and 09-28 are hereby repealed on the date that this by-law comes into force and effect.

11. **That** this By-law shall come into force and take effect on January 1, 2019.
12. **That**, notwithstanding anything contrary to the rules of procedure, this By-law be introduced and read a first and second time and be considered read a third time and finally passed this 9th day of July 2018.



Mary Small Brett, Mayor



Kathryn Pearl, Deputy Clerk