

**The Corporation of the Township of Oro-Medonte**

**By-law No. 2024-091**

**A By-law to regulate and control discharges into the municipal sanitary sewage works in the Township of Oro-Medonte**

**Whereas** Section 11 (2) 5 of the Municipal Act, 2001, S.O. 2001 c.25, as amended (the "Municipal Act, 2001"), allows municipalities to pass by-laws respecting the economic, social and environmental well-being of the municipality;

**Whereas** Section 11 (2) 6 of the Municipal Act, 2001, S.O. 2001 c.25, as amended (the "Municipal Act, 2001"), allows municipalities to pass by-laws respecting the health, safety and well-being of persons;

**Whereas** Section 87 of the Municipal Act, 2001, S.O. 2001, c.25, as amended (the "Municipal Act, 2001") allow municipalities to enter on land, at reasonable times, to inspect the discharge of any matter into the sewage system of the municipality or into any other sewage system the contents of which ultimately empty into the municipal sewage system and may conduct tests and take samples for this purpose;

**Whereas** Sections 78 to 93 of the Municipal Act, 2001 as amended, S.O. 2001, c.25, as amended (the "Municipal Act, 2001") provides municipalities with specific powers with respect to the provision of public utility services to the municipality;

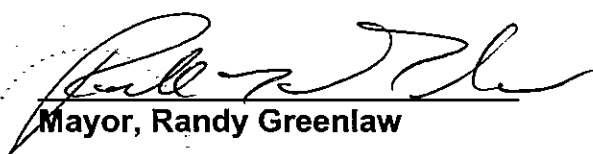
**And Whereas** Council deems it necessary to enact a By-law for regulating and controlling municipal sanitary sewage works in the Township of Oro-Medonte.

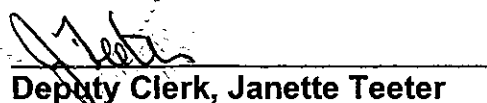
**Now Therefore** the Council of the Township of Oro-Medonte hereby enacts as follows:

1. That Appendix "A" attached hereto, form part of this By-law.
2. That this By-law may be cited as the "Sewer Use By-law"
3. And that this By-law shall come into force and effect on the date of its final passing.

**By-law read a First, Second and Third time, and Passed this 11<sup>th</sup> day of September, 2024.**

**The Corporation of the Township of Oro-Medonte**

  
Mayor, Randy Greenlaw

  
Deputy Clerk, Janette Teeter

**Schedule "A"- Sewer Use By-law**  
**to By-law No. 2024-091 for**  
**The Corporation of the Township of Oro-Medonte**

**1.0 Definitions**

For the purpose of this By-law, the following definitions shall apply:

**"accredited laboratory"** means any laboratory accredited by an authorized accreditation body in accordance with a standard based on "ISO/IEC/EN 17025: General Requirements for Competence of Calibration and Testing Laboratories" established by the International Organization for Standardization, as amended.

**"acute hazardous waste chemical"** means a material which is an acute hazardous waste chemical within the meaning of Ontario Regulation 347.

**"adverse effect"** shall have the same meaning as in the Environmental Protection Act, R.S.O. 1990, c. E.19.

**"appurtenance"** means an accessory item that may or may not be essential to be added to a piece of equipment to ensure its proper function.

**"authorized representative of the Township"** means any Township employee or representative designated by the Township to act on behalf of the Township for the purposes of this By-law.

**"Biochemical Oxygen Demand (BOD)"** means the quantity of oxygen utilized in the biochemical oxidation of matter as determined in accordance with Standard Methods.

**"biomedical waste"** means biomedical waste as defined in the Ontario Ministry of Energy and the Environment Guideline C-4 entitled "The Management of Biomedical Waste in Ontario" dated April 1994, as amended.

**"biosolids"** means stabilized organic solid material generated from the treatment of municipal wastewater.

**"blowdown water"** means recirculating water that is discharged from a cooling or heating water system for the purpose of controlling the level of water in the system or for the purpose of discharging from the system materials contained in the system, the further build-up of which would or might impair the operation of the system.

**"combustible liquid"** means a liquid that has a flash point not less than 37.8 degrees Celsius and not greater than 93.3 degrees Celsius.

**"composite sample"** means a sample made up of three or more grab samples that have been combined automatically or manually and taken at intervals during a specific sampling period.

**"connection" or "drain"** means that part or those parts of any pipe or system of pipes leading directly to the sanitary sewer collection system.

**"Consolidated Linear Infrastructure Environmental Compliance Approval" or "CLI-ECA"** means an approval granted by the MECP for a system-wide sewage works discharge.

**"Council"** shall mean the Council of The Corporation of the Township of Oro-Medonte.

**"corporation"** includes a company, corporation, cooperative, partnership, firm, sole proprietorship, association, society, organization or any other legal entity that is not an individual.

**"dewatering activity"** means the taking of water from a well or otherwise extracting groundwater; draining water from a permanent or temporary pond or other surface water body, whether natural or man-made; releasing water previously stored in a tank,

vessel, or other means of water storage; or any combination of the above noted activities, where the water from such activities would be discharged into the municipal sewage works and such activities would be related to a construction, land development, renovation, repair, maintenance or demolition activity at a property.

**“Director”** includes the Director of Environmental Services for the Township of Oro-Medonte and shall include any successor positions thereto as well as any person authorized by said Director to carry out any of their powers or duties pursuant to this by-law.

**“discharge”** when used alone as a verb, includes add, deposit, release or emit and, when used alone as a noun, includes an addition, deposit, release or emission.

**“Environmental Compliance Approval”** means an approval granted by the MECP for individual sewage works discharge.

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

**“garbage”** means solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

**“grab sample”** means portion of wastewater, stormwater, or water collected over a period not exceeding 15 minutes which will represent the composition of the wastewater, stormwater or water at that time and place.

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

**“hailed sewage”** means waste removed from a sewage system, including a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet, or a sewage holding tank but does not include sludge removed from wastewater treatment plants, within the meaning of Ontario Regulation 347, as amended.

**“hailed liquid waste”** means sewage that is suitable for treatment in a sewage works and is transported to a sewage works for disposal and includes hailed sewage within the meaning of Ontario Regulation 347, as amended.

**“hazardous industrial waste”** means a material which is a hazardous industrial waste within the meaning of Ontario Regulation 347, as amended.

**“hazardous waste chemical”** means a material which is a hazardous waste chemical within the meaning of Ontario Regulation 347, as amended.

**“herbicide”** any pesticide, as regulated under the Pesticides Act, R.S.O. 1990, as amended) used for the destruction or control of any vegetation.

**“ignitable waste”** means a material which is an ignitable waste within the meaning of Ontario Regulation 347, as amended.

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

**“institutional”** means a facility operated for public purposes, such as schools, universities, medical facilities (hospitals, nursing stations, and nursing homes), museums, prisons, government offices and military bases. Some of these facilities produce non-residential discharges to sewers from, for example, laboratories, chemical use, and industrial processes.

**“interceptor”** means a device, mechanical or otherwise, that is designed and installed to prevent oil, grease, sediment, sand, or other materials from passing into the municipal sewage works.

**“inspector”** means a person authorized by the Township to carry out observations and inspections as prescribed by this By-law.

**“inspection”** shall mean an audit; physical, visual or other examination; survey; test; or inquiry.

**“matter”** includes any solid, liquid or gas, or any combination thereof.

**“MECP”** means the Ministry of the Environment, Conservation and Parks.

**“non-domestic wastes”** means any liquid, solid or gaseous substance or combination thereof, other than sanitary sewage, resulting from any industrial, commercial or institutional process.

**“occupant”** shall mean a lessee, tenant, owner, the agent of a lessee, tenant or owner, or any person in possession of a premise.

**“officer”** shall mean a Municipal Law Enforcement Officer, Provincial Offences Officer, Police Officer, Engineering Inspector, Building Official, or any other duly appointed person.

**“Operating Authority”** shall mean the Township.

**“order”** means work order, stop work order or any command, direction or instruction from an authorized representative of the Township and/or the MECP.

**“owner”** shall mean any person, including a corporation, who is the registered or beneficial owner of the property under consideration including a trustee in whom land is vested, a committee of the estate of a mentally incompetent person, an executor, and administrator or a guardian.

**“pathological waste”** means a material which is a pathological waste within the meaning of Regulation 347 under the EPA (as amended) or any material which may be designated in writing by the Chief Medical Officer of Health.

**“PCBs”** means any monochlorinated or poly-chlorinated biphenyl or any mixture of these or mixture that contains one or more of them.

**“person”** includes an individual, natural person and a company, corporation, cooperative, partnership, firm, sole proprietorship, trust, association, society, organization or other legal entity.

**“pesticides”** means a pesticide regulated under the Pesticides Act, R.S.O. 1990, as amended, or any successor legislation thereto.

**“pH”** means the logarithm to the base 10 of the reciprocal of the concentration of hydrogen ions in moles per litre of solution.

**“pretreatment”** means the reduction, elimination, or alteration of pollutants in wastewater prior to discharge into the municipal sewage works. This reduction or elimination can be obtained by physical, chemical or biological processes, through pollution prevention, or by other means, except by diluting the concentration of pollutants.

**“prohibited discharge”** means any discharge prohibited under section 3.1 of this by-law.

**“radioactive materials”** means uranium, thorium, plutonium, neptunium, deuterium, their respective derivatives and compounds and such other substances as the Canadian Nuclear Safety Commission, or its successor, may designate as being capable of releasing atomic energy or as being requisite for the production, use or application of atomic energy.

**“sewage”** means any liquid waste and/or wastewater containing animal, vegetable, chemical or mineral matter in solution or in suspension, but does not include stormwater or uncontaminated water.

**"sewage hauler"** means a company with a valid Certificate of Approval (C of A) for a Waste Management System issued under Part V of the Environmental Protection Act, (as amended), issued by the MECP.

**"sewer lateral"** means the underground sewer piping that connects to the municipal sewage works.

**"sewage works"** means any municipal infrastructure for the collection, transmission, treatment and disposal of wastewater, stormwater, or uncontaminated water, including the municipal sanitary sewer, pumping station, wastewater treatment facility, or any part of such works, but does not include private plumbing or other works to which the applicable Building Code applies.

**"sludge"** means wastewater containing more than 0.5% total solids but does not include material which has been pumped out of a septic tank.

**"spill"** means a direct or indirect discharge or deposit to the sanitary collection system or the natural environment which is abnormal in quantity or quality considering all circumstances of the discharge.

**"Standard Methods"** means a procedure or method set out in the edition current at the date of testing, 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 Control Federation.

**"stormwater"** means water from rainfall, other natural precipitation, drainage or from the melting of snow or ice, surface drainage from land or a watercourse or any combination thereof.

**"total suspended solids (TSS)"** means insoluble matter in liquid that is removable by filtration, as determined by the appropriate procedure described by Standard Methods.

**"Township"** means The Corporation of the Township of Oro-Medonte.

**"toxic waste"** means waste containing any contaminant listed in Schedule 3 of Regulation 347, as amended.

**"uncontaminated water"** means water with a level of quality which is typical of potable water normally supplied by the Township.

**"User Fee By-Law"** means the Township by-law or by-laws setting out fees for use of Township services and other matters, as amended.

**"Wastewater Treatment Plant or WWTP"** means any arrangement of devices and structures used for treating sewage; including but not limited to communal tile beds.

**"waste disposal site leachate"** means leachate, namely liquid containing dissolved or suspended contaminants which emanates from waste and is produced by water percolating through waste or by liquid in waste, from any waste disposal site.

**"watercourse"** means an open channel or ditch constructed as or resulting from the construction of a 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.

## **2.0 Interpretation**

2.1 Nothing in this by-law shall be interpreted so as to permit the discharge of anything, which by the provision of any applicable Act, regulation or by-law is otherwise prohibited.

## **3.0 General Provisions**

- 3.1 No person shall directly or indirectly discharge or cause or permit the discharge or deposit of any matter or quantity of matter into the municipal sewage works where any of the following apply:
- (1) to do so may cause or result in:
- (a) damage any part of the sewage works;
  - (b) interfere with the operation of any part of the sewage works;
  - (c) obstruct, partially obstruct, restrict or partially restrict any part of the sewage works or the flow therein;
  - (d) a health or safety hazard or other adverse effect to any person, animal, property, vegetation or the natural environment;
  - (e) impair the quality of the water in any well, lake, river, pond, spring, stream, aquifer, wetland, reservoir or other watercourse;
  - (f) contravene any approval requirement, direction, environmental compliance approval or other order under the Ontario Water Resources Act, R.S.O. 1990, c. 0.40, or the Environmental Protection Act (Ontario), R.S.O. 1990, c. E.19, as amended;
  - (g) erosion that negatively impacts any part of a municipal sewage works;
  - (h) solid or viscous substances in quantities or of such size to be capable of causing obstruction to the flow in any part of a municipal sewage works, including but not limited to ashes, bones, cinders, sand, mud, soil, straw, shaving, metal, glass, rags, feathers, tar plastics, wood, unground garbage, animal parts or tissues and paunch manure; or;
  - (i) an offensive odour to emanate from the municipal sanitary sewage works, and without limiting the generality of the foregoing, wastewater containing hydrogen sulphide, carbon disulphide, other reduced sulphur compounds, amines or ammonia in such quantity as may cause an offensive odour.
- (2) the substance has one or more of the following characteristics:
- (a) two or more separate liquid layers;
  - (b) visible film, sheen, foam or discolouration
  - (c) a temperature greater than 40 degrees Celsius; or
  - (e) a pH less than 6.0 or greater than 9.0;
- (3) the substance contains any of the following into a municipal sanitary sewage works:
- (a) biomedical waste;
  - (b) combustible liquid;
  - (c) dyes or colouring materials which may or could pass through a municipal sanitary sewage works and discolour the municipal sewage works final effluent;
  - (d) explosive products or substances;
  - (e) fertilizers;
  - (f) fuel;
  - (g) hazardous waste;
  - (h) herbicides;
  - (i) ignitable waste;
  - (j) pathological waste;
  - (k) PCBs;
  - (l) pesticides;
  - (m) radioactive materials;
  - (n) solid or viscous substances in quantities of such size to be capable of causing obstruction to the flow in a sewer. waste radioactive prescribed substances.
- 3.2 No person shall discharge, or permit the discharge, of sewage directly or indirectly into a municipal sanitary sewage works unless authorized to do so by the Township.

- 3.3 No person shall discharge stormwater or uncontaminated water from drainage of roofs or building foundations, including but not limited to sump pumps; or from land or watercourse or dewatering activity into the municipal sewage works unless authorized to do so by the Township.
- 3.4 No part of municipal sanitary sewage works shall be constructed and/or no connection shall be made to the sewer works:
- (1) until all applicable approvals by the Township and any other approving bodies required (including but not limited to County of Simcoe, applicable Conservation Authority, MECP) have been issued; and
  - (2) except in accordance with the plans and conditions of approval of the Township and other approving bodies.
- 3.5 No unauthorized person shall break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, equipment or thing which is part of the sewage works.
- 3.6 All connections to the municipal sanitary sewage works must be installed in accordance with the Ontario Building Code, as amended.
- 3.7 No person shall discharge directly or indirectly or permit the discharge directly or indirectly of sewage into municipal sanitary sewage works where water or any chemical, agent or additive has been added to the discharge for the purposes of dilution to achieve compliance with this by-law.
- 3.8 No person shall provide false or misleading information to the Township or any employee or agent of the Township in respect of any matter subject to this by-law.

#### **4.0 Additional Requirements**

- 4.1 Every owner or operator of a restaurant or other industrial, commercial or institutional premises where food is cooked, processed or prepared, shall take all necessary measures to ensure that oil, grease and sediment are prevented from entering the sewage system, including without limitation installing an approved interceptor, designed to prevent oil, grease, sediment or any other substance directly or indirectly entering sewage works.
- 4.2 Every owner or operator of a motor vehicle service station, repair shop, car wash or garage or of an industrial, commercial or institutional premises where motor vehicles are repaired, lubricated, maintained or cleaned shall take all necessary measures to ensure that oil, grease, soap, sediment or any other substances are prevented from entering the sewage works, including without limitation installing an approved interceptor designed to prevent motor oil, lubricating grease, soap, sediment or any other substance from directly or indirectly entering sewage works.
- 4.3 Every owner or operator of a premises from which sediment may directly or indirectly enter a sewer, including but not limited to premises using ramp or area drains and car and vehicle wash establishments, shall take all necessary measures to ensure that such sediment is prevented from entering the drain or sewage works including without limitation an approved interceptor designed to prevent sediment from directly or indirectly entering the sewage works.
- 4.4 Every owner or operator required to install an approved interceptor shall ensure:
- (1) every interceptor is installed in compliance with the requirements of the Ontario Building Code, 1992, S.O. 1992, c. 23 as amended;
  - (2) every interceptor is operated and properly maintained in good working according to the manufacturer's recommendations;
  - (3) establish a regular maintenance schedule for each interceptor;
  - (4) keep a record of all maintenance for the lifetime of the interceptor including proof of clean-out; and
  - (5) provide all required documentation to the Township for review upon request.

- 4.5 Any tests, measurements, analyses and examinations of sewage, its characteristics or contents pursuant to this By-law shall be carried out in accordance with Standard Methods, MECP "Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater" (as amended), and/or be performed by a laboratory accredited for analysis of the particular substance(s) using a method which is within the laboratory's scope of accreditation.
- 4.6 At its sole discretion, the Township may establish a Compliance Program for the municipal sanitary sewage works. This may include a compliance program for private pretreatment maintenance and/or any conditions in an applicable ECA or CLI-ECA.

## **5.0 Spill Notification and Prevention**

- 5.1 In the event of a spill that has entered or has the potential to enter any part of the sewage works the person responsible and the person having charge, management and control of the spill shall immediately notify the Director and provide any information regarding the spill that is requested.
- (1) if there is any threat or danger to human health and/or safety, call 9-1-1 emergency;
  - (2) in all cases, immediately notify:
    - (a) the Spills Action Centre;
    - (b) the Township (Director);
    - (c) the owner or occupier of the premises where the spill occurred.
- 5.2 The person responsible for the spill into the municipal sanitary sewage works and the person having charge, management and control of the spill shall do everything reasonably possible to contain the spill, minimize damage to property, protect the environment, clean up the spill and contaminated residue and restore the affected areas to its condition prior to the spill.
- 5.3 For any spill for which the person is required to forthwith notify the Director, the notification shall include the following information:
- (1) Date and time of spill;
  - (2) Location of spill;
  - (3) Direction spill is moving;
  - (4) Name and phone number of a contact person close to the location of the spill;
  - (5) Type of contaminant spilled and quantity;
  - (6) Source and cause of spill;
  - (7) Whether the spill is continuing or has stopped;
  - (8) Description of existing contaminant;
  - (9) Action taken to contain, recover, clean up, and dispose of spilled contaminant;
  - (10) Name, address, and phone number of person reporting the spill; and
  - (11) Name of owner or person in charge, management, or control of contaminants at the time of the spill.
- 5.4 The person shall provide a further report on the spill to the Director within five (5) days after the spill, containing the following information to the best of the person's knowledge:
- (1) location where spill occurred;
  - (2) name and telephone number of person who reported the spill;
  - (3) date and time of spill;
  - (4) material spilled;
  - (5) characteristics of material spilled;
  - (6) volume of material spilled;
  - (7) duration of spill event;
  - (8) work completed and/or still in progress in the mitigation of the spill; and
  - (9) preventative actions being taken to ensure the situation does not occur again.



5.5 Upon receipt of the detailed report specified in section 5.4, the Director may further require a more detailed submission by the owner or occupant outlining preventative actions being undertaken which, at the sole discretion of the Director, may require the development of a spills response plan which must be updated on an as needed basis and copies submitted to the Director within thirty (30) days of the spill.

5.6 Spills procedures shall be carried out in accordance with the Environmental Protection Act, R.S.O. 1990, c. E.19, MECP spills response protocols and guidelines (as amended) and CLI-ECA (#126-W601) if applicable.

## **6.0 Approvals**

6.1 No person may alter, modify, add to, optimize or expand any part of the Township's municipal sanitary sewage works that is subject to a CLI-ECA except in accordance with approval issued by the Director.

6.2 Any person applying for approval to alter, modify, add to, optimize or expand any part of the Township's municipal sanitary sewage works that is subject to a CLI-ECA shall:

- (1) complete an application in a form prescribed by the Director,
- (2) provide all information, drawings, designs, reports, calculations or other documents as required by the Director in order to comply with the requirements of the Township's CLI-ECA as well as the Ontario Water Resources Act, R.S.O. 1990, c. O.40, Environmental Assessment Act, R.S.O. 1990, and their respective regulations, and any applicable approvals/permits from local Conservation Authority;
- (3) shall pay such fees as are prescribed by the User Fee By-law;
- (4) if the Director deems it necessary to retain a third-party consultant to review the application, shall pay in advance the estimated costs of the consultant.

6.3 Upon review of a complete application in accordance with section 6.2 of this by-law, the Director may, after considering whether the application complies with the Township's CLI-ECA as well as any applicable requirements of the Ontario Water Resources Act, R.S.O. 1990, c. O.40 and the Environmental Assessment Act, R.S.O. 1990, c. E.18 - Ontario.ca and their respective regulations, and any applicable approvals/permits from local conservation Authority:

- (1) approve the proposed works;
- (2) deny the proposed works; or
- (3) approve the proposed works subject to conditions

6.4 Where a permit has been issued under this by-law authorizing site alteration on lands, no person shall undertake the site alteration except in accordance with:

- (1) the plans, documents and any other information required for the issuing of the permit;
- (2) the terms and conditions of the permit; and
- (3) all other provisions of this by-law.

6.5 The Director may revoke or amend the permit for any of the following reasons:

- (1) it was obtained from mistaken, false or incorrect information
- (2) it was issued in error, or the Director otherwise learns of new information that if known prior to issuance would have impacted the issuance of the permit;
- (3) the terms of a permit under this by-law have not been complied with;
- (4) work authorized under the permit has not been commenced prior to its expiry date; or
- (5) the owner has failed to comply with the provisions of this by-law.

## **7.0 Inspection and Access to Property**

- 7.1 For the purpose of ensuring compliance with this by-law, the Director, Township Municipal Law Enforcement Officer, or authorized representative may, at all reasonable times, enter upon and inspect any land, including without limitation private property, to determine whether or not the following are being complied with:
- (1) this by-law;
  - (2) an order made under this by-law;
  - (3) a permit issued under this by-law, or
  - (4) a prohibition order made under the Municipal Act, S.O. 2001, c.25, as amended.
- 7.2 The Director, Municipal Law Enforcement Officer, or authorized representative may, for the purposes of the inspection under section 7.1:
- (1) require the production of documents for inspection or things relevant to the inspection;
  - (2) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
  - (3) require information in writing or otherwise concerning a matter related to the inspection; or
  - (4) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
- 7.3 Any cost incurred by the Township in exercising its authority to inspect, including but not limited to the cost of any examination, test, sample or photograph necessary for the purposes of the inspection, shall be paid by the owner of the property where the inspection takes place and may be added to the tax roll in accordance with section 8.11(2).
- 7.4 The Director, Township Municipal Law Enforcement Officer, or authorized representative may undertake an inspection pursuant to an order issued by a provincial judge or justice of the peace under the Municipal Act, S.O. 2001, c.25, as amended where he or she has been prevented or is likely to be prevented from carrying out an inspection under section 7.1 of this by-law.
- 7.5 No person shall hinder or obstruct, or attempt to hinder or obstruct, the Director, Township Municipal Law Enforcement Officer, or authorized representative, from carrying out inspections of property to ensure compliance with this By-law.
- 8.0 Orders and Notices**
- 8.1 If after inspection, a Township Municipal Law Enforcement Officer or authorized representative is satisfied that a contravention of this By-law has occurred, the Officer shall notify the registered owner of the land of the particulars with a "Notice of Contravention" and/or an "Order to Comply" pursuant the *Municipal Act, 2001*, as amended, at the same time and provide all occupants with a copy of the notice and such order shall contain:
- (1) the municipal address and legal description of the land;
  - (2) reasonable particulars of the contravention;
  - (3) the period of time within there must be compliance.
- 8.2 Where, the Township has reason to believe that a discharge is occurring that is prohibited under this by-law, the Township may without notice and without limitation to any other Township power under this by-law:
- (1) disconnect or block any connection to the Township municipal sanitary sewage works carrying the prohibited discharge until such time as measures satisfactory to the Township are undertaken to eliminate the prohibited discharge; or
  - (2) undertake any remedial or corrective action it deems necessary within the confines of the municipal sanitary sewage works or any Township road allowance, easement or property.

- 8.3 Where the Township proceeds to disconnect or block a connection under section 8.3 of this by-law without notice, the Township shall provide notice to the owner of the land subject to the disconnection as soon as reasonably practicable.
- 8.4 Where the Township has reason to believe that any person is or will be in contravention of this by-law, or any term or condition of an approval, the Township may issue a stop work order directing the activities cease immediately upon service of the order on the person or persons listed in the order. Without limiting the generality of the foregoing, a stop order may require that:
- (1) an activity cease;
  - (2) direct person(s) to leave an area; or
  - (3) require person(s) to remove equipment or any other thing relating to a prohibited activity.
- 8.5 Where the Township has reason to believe that any person is in contravention of this by-law, or any term or condition of an approval, the Township, may issue an order directing the person or persons to take such actions as are deemed necessary to comply with this by-law within such time as is set out in the order, including without limitation:
- (1) study of sewage quantity and/or quality;
  - (2) modification and/or construction of municipal sanitary sewage works;
  - (3) adoption and implementation of pollution prevention techniques and measures;
  - (4) removal and/or disposition of anything that has been deposited, thrown, stored, placed or allowed to accumulate leading to discharges contrary to any provision of this by-law, including without restricting the generality of the foregoing, any fill, waste or litter; or,
  - (5) any other action or work required to correct the contravention.
- 8.6 Where the Township has reason to believe that a contravention of this by-law that may result in the issuing of an order, poses an imminent risk to public health or safety, the order may provide that the actions set out therein be taken immediately.
- 8.7 Any person to whom an order is issued pursuant to this by-law shall comply with the terms of such order.
- 8.8 No person who has notice or is aware of an order issued pursuant to this by-law shall assist in any way in the violation of the terms of an order regardless of whether said person is named in the order.
- 8.9 Where the person or persons to whom an order is issued fails to perform the work required by the order within the time stipulated in the order, the Township, in addition to all other remedies it may have, may without further notice perform such work as it deems appropriate.
- 8.10 Where the Township undertakes any removal, repair, disconnection, remedial work, alteration, corrective action or other work pursuant to section 8.0:
- (1) anything removed may be destroyed or disposed of without notice or compensation to any person; and
  - (2) the owner(s) of the land subject to the order or Township action under section 8.0 shall be responsible for all costs of the Township incurred in the exercise of the powers thereunder, including administrative costs and interest. Such costs, as determined by the Director, shall constitute a charge under the Municipal Act, 2001, S.O. 2001, c. 25 as amended, and may be added to the tax roll of property held by the owner in the manner provided for therein.
- 8.11 An order, or any notice or document under this by-law may be served by the Township by any of the following means:
- (1) delivered personally;
  - (2) posted on the subject lands;

- (3) emailed to the last known email address of the person to whom the order is directed;
- (4) deposited in the mailbox or mail slot of the person to whom the order is directed;
- (5) sent by prepaid regular mail to the last known address of the person to whom the order is directed or
- (6) sent by registered mail to the last known address of the person to whom the order is directed.

**8.12 Where service is effected by:**

- (1) regular mail, it shall be deemed to be made on the fifth (5th) day after the date of mailing;
- (2) registered mail, it shall be deemed to be made on the second (2nd) day after the date of mailing;
- (3) any other means, it shall be deemed effective on the day the document served was delivered, posted, emailed or deposited; or
- (4) service by multiple means, it shall be deemed effective on earliest applicable date set out in this section.

**8.13 Where an order is posted on the subject lands, no person may remove the order without the written authorization of the Director.**

**8.14 Where anything has been deposited, thrown, stored, placed or allowed to accumulate on or within Municipal sanitary sewage works contrary to any provision of this By-law and without previous consent of the Township, the item or items may be removed without notice to any person.**

**9.0 Offences**

**9.1 Every person who hinders or obstructs, or attempts to hinder or obstruct, any Officer or Inspector exercising a power or performing a duty pursuant to this By-law is guilty of an offence as per the Municipal Act, 2001, as amended.**

**9.2 Every person who contravenes the provisions of the By-law is guilty of an offence and liable upon conviction to a penalty as set out in the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended.**

**9.3 The conviction of an offender upon the breach of any provisions of this By-law shall not operate as a bar to a prosecution against the same offender upon any continued or subsequent breach of any provision. The Municipal Act, 2001, S.O. 2001, c.25, (as amended), shall further apply to any continued or repeated breach of this By-law.**

**10.0 Severability**

**10.1 If any court of competent jurisdiction finds that any of the provisions of this By-law are ultra vires the jurisdiction of Council, or are invalid for any reason, such provision shall be deemed to be severable and shall not invalidate any of the other provisions of the By-law, which shall remain in full force and effect.**