



By-Law 89-167

This By-law is printed under and by authority of the Council of the City of Barrie, Ontario, Canada

To prohibit, regulate and inspect the discharge of sewage

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BY-LAW NUMBER 89-167

A By-law of the Corporation of the City of Barrie to prohibit, regulate and inspect the discharge of sewage and land drainage into the sewage works of the municipality of Barrie pursuant to Paragraphs 77, 134 and 147 of Section 210 and Sections 321 and 326 of the Municipal Act, R.S.O., 1980 and to repeal By-laws 70-10 and 70-18.

NOW THEREFORE, the Council of the Corporation of the City of Barrie enacts as follows:

SECTION 1

DEFINITIONS

1. In this By-law:

- (a) "acute hazardous waste chemical" means a material which is an acute hazardous waste chemical within the meaning of Ontario Regulation 309 made under the Environmental Protection Act (Ontario);
- (b) "authorized representative of the owner or operator" means
 - (i) A principal executive officer of at least the level of vice president, if the owner or operator is a corporation; or
 - (ii) A general partner or proprietor if the owner or operator is a partnership or proprietorship, respectively; or
 - (iii) A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the sewage discharge originates;
- (c) "biochemical oxygen demand" means carbonaceous oxygen demand (biochemical) as determined by Method 507 in Standards Methods when an inhibiting chemical has been added to prevent ammonia oxidation;
- (d) "blowdown" means the discharge of recirculating non-contact cooling water for the purpose of discharging materials contained in the water, the further buildup of which would cause concentrations in amounts exceeding limits established by best engineering practices;
- (e) "commercial waste chemical" means a material which is a commercial waste chemical within the meaning of Ontario Regulation 309 made under the Environmental Protection Act (Ontario);
- (f) "composite sample" means a sample which is composed of a series of grab samples taken at intervals during the sampling period;
- (g) "cyanide (total)" means cyanide as determined by Methods 412B plus one of method 412C or 412D in Standard Methods;
- (h) "de minimis dose" means a dose of radiation to an individual of .05 millisieverts per year;
- (i) "de minimis waste" means any waste radioactive material that will not result in a dose of radiation exceeding the de minimis dose regardless of the quantity of material or how it is used or managed;
- (j) "explosive products or substances" means explosive products or substances as defined in the Transportation of Dangerous Goods Regulations;

- (k) "fuels" includes (i) any ignitable liquid intended for use as a fuel with a flash point less than 61^o Celsius as determined by one of the methods in Ontario Regulation 309 made under the Environmental Protection Act (Ontario) and (ii) gasoline; naphtha, diesel fuel or fuel oil;
- (l) "grab sample" is an aliquot of the flow being sampled taken at one particular time and place;
- (m) "hauled sewage" means waste removed from a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet, a sewage holding tank or any other sewage system of a type regulated under Part VII of the Environmental Protection Act (Ontario);
- (n) "hazardous industrial waste" means a material which is a hazardous industrial waste within the meaning of Ontario Regulation 309 made under the Environmental Protection Act (Ontario);
- (o) "hazardous waste chemical" means a material which is a hazardous waste chemical within the meaning of Ontario Regulation 309 made under the Environmental Protection Act (Ontario);
- (p) "herbicide" means any pesticide used for the destruction or control of any vegetation;
- (q) "ignitable waste" means a material which is an ignitable waste within the meaning of Ontario Regulation 309 made under the Environmental Protection Act (Ontario);
- (r) "industrial" shall mean of or pertaining to industry, manufacturing, commerce, trade, business, or institutions as distinguished from domestic or residential;
- (s) "industrial process area" means any industrial building, property or land area which during manufacturing, processing or storage comes into direct contact with any raw material, intermediate product, finished product, byproduct, or waste product;
- (t) "kjeldahl nitrogen" means total organic nitrogen and ammonia as determined by one of Method 420A or 420B in Standard Methods;
- (u) "matter" includes any solid, liquid or gas;
- (v) "municipality" means the Corporation of the City of Barrie or its designated representative;
- (w) "non-contact cooling water" means water which is used to reduce temperature for the purpose of cooling and which does not come into direct contact with any raw material, intermediate product other than heat, or finished product;
- (x) "once-through cooling water" means non-contact cooling water that has been circulated once through the cooling device;
- (y) "owner" or "operator" means the owner or operator of any facility or activity subject to the provisions of this By-law;
- (z) "pathological waste" means a material which is a pathological waste within the meaning of Ontario Regulation 309 made under the Environmental Protection Act (Ontario) or any material which may be designated in writing by the Chief Medical Officer of Health (Ontario);
- (aa) "PCB" means any monochlorinated or poly-chlorinated biphenyl or any mixture of these or mixture that contains one or more of them;
- (bb) "PCB waste" means a PCB waste within the meaning of Ontario Regulation 148/86 made under the Environmental Protection Act (Ontario);
- (cc) "person" includes an individual, association, partnership, corporation, municipality, Provincial or Federal agency, or an agent or employee thereof;

- (dd) "pesticides" means a pesticide regulated under the Pesticides Act (Ontario);
- (ee) "pH" means the logarithm to the base 10 of the reciprocal of the concentration of hydrogen ions in moles per litre of solution;
- (ff) "phenolic compounds" means those derivatives of aromatic hydrocarbons which have a hydroxyl group directly attached to the ring as determined by one of Method 510B or 510C in Standard Methods;
- (gg) "phosphorus" means total phosphorus as determined by both Method 424C plus one of Method 424D, 424E, 424F or 424G in Standard Methods;
- (hh) "reactive waste" means a material which is a reactive waste within the meaning of Ontario Regulation 309 made under the Environmental Protection Act (Ontario);
- (ii) "sanitary sewer" means a sewer for the collection and transmission of domestic, commercial, institutional and industrial sewage or any combination thereof;
- (jj) "severely toxic material" means any material listed in Schedule 3 of Ontario Regulation 309 made under the Environmental Protection Act (Ontario);
- (kk) "sewage" means any liquid waste containing animal, vegetable or mineral matter in solution or in suspension except uncontaminated water;
- (ll) "sewage works" means any works for the collection, transmission, treatment or disposal of sewage or any part of such works;
- (mm) "SIC code" means Standard Industrial Classification Code contained in either the Standard Industrial Classification Manual published by the Minister of Supply and Services Canada, 1989 (Canadian SIC) or the Standard Industrial Classification Manual published by the Executive Office of the President, Office of Management and Budget, 1972 (U.S. SIC);
- (nn) "solvent extractable matter of animal or vegetable origin" means grease and oil as determined by Methods 503A, 503B, 503C or 503D in Standard Methods;
- (oo) "solvent extractable matter of mineral or synthetic origin" means grease and oil as determined by Method 503E in Standard Methods;
- (pp) "Standard Methods" means a procedure set out in Standard Methods for the Examination of Water and Wastewater published jointly by the American Public Health Association, American Water Works Association and Water Pollution Control Federation, 16th Edition (1985), current at the date of testing or a procedure published by the Ontario Ministry of the Environment as a standard method or the equivalent of a standard method;
- (qq) "storm sewer" means a sewer for the collection and transmission of uncontaminated water, stormwater, drainage from land or from a watercourse or any combination thereof;
- (rr) "stormwater" means water from rainfall or other natural precipitation or from the melting of snow or ice;
- (ss) "suspended solids" means solid matter in, or on a liquid which matter is removable by filtering and dried at 103-105° C as determined by Method 209C in Standard Methods;
- (tt) "uncontaminated water" means water to which no matter has been added as a consequence of its use, or to modify its use, by any person;
- (uu) "waste disposal site leachate" means leachate from any waste disposal site;

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- (vv) "waste radioactive materials" means any waste material exhibiting the property of spontaneous disintegration of atomic nuclei usually with the emission of penetrating radiation or particles; and
- (ww) "watercourse" means an open channel or ditch constructed as, or resulting from the construction of a municipal works in which a flow of stormwater occurs, either continuously or intermittently, including road ditches and other natural depressions or watercourses draining into such open channel or ditch whether connected to storm sewer or not.

SECTION 2

DISCHARGES TO SANITARY SEWERS

- 2(1) No person shall discharge or deposit or cause or permit the discharge of matter of a kind listed below into, or in land drainage works, private branch drains or connections to any sanitary sewer:
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 January, 1986) 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;
 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 sewer, 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) Sewage that may cause an offensive odour to emanate from a sewage works and without limiting the generality of the foregoing, sewage containing hydrogen sulphide, carbon disulphide, other reduced sulphur compounds, amines, ammonia, trichloroethylene, formaldehyde, chlorine, bromine or pyridine in such quantity that may cause an offensive odour.

- (c) Stormwater, water from drainage of roofs or land, water from a watercourse or uncontaminated water from such sources as cooling or condensing systems.
- (d) Water other than stormwater that has originated from a source separate from the water distribution system of the municipality.
- (e) Sewage at a temperature greater than 65° Celsius.
- (f) Sewage having a pH less than 5.5 or greater than 9.5.
- (g) Sewage containing more than 15 milligrams per litre of solvent extractable matter of mineral or synthetic origin.
- (h) Sewage containing more than 150 milligrams per litre of solvent extractable matter of animal or vegetable origin.
- (i) Sewage in which the biochemical oxygen demand exceeds 300 milligrams per litre.
- (j) Sewage containing more than 350 milligrams per litre of suspended solids.
- (k) Sewage containing more than 10 milligrams per litre of phosphorus.
- (l) Sewage containing more than 100 milligrams per litre of kjeldahl nitrogen.
- (m) Sewage containing more than 1 milligram per litre of phenolic compounds.
- (n) Sewage which consists of two or more separate liquid layers.
- (o) Sewage containing dyes or colouring materials which pass through a sewage works and discolour the sewage works effluent.
- (p) Sewage containing any of the following in excess of the indicated concentrations:

1500 milligrams/litre

Chlorides expressed as Cl
Sulphates expressed as SO₄

50 milligrams/litre

Aluminum expressed as Al
Iron expressed as Fe

10 milligrams/litre

Fluorides expressed as F

5 milligrams/litre

Antimony expressed as Sb
Barium expressed as Ba
Bismuth expressed as Bi
Chromium expressed as Cr
Cobalt expressed as Co
Gold expressed as Au
Lead expressed as Pb
Manganese expressed as Mn
Molybdenum expressed as Mo
Platinum expressed as Pt
Rhodium expressed as Rh
Selenium expressed as Se
Silver expressed as Ag
Tin expressed as Sn
Titanium expressed as Ti
Vanadium expressed as V

3 milligrams/litre

Copper expressed as Cu
Nickel expressed as Ni
Sulphides (total) expressed as H₂S
Zinc expressed as Zn

2 milligrams/litre

Cyanide (total) expressed as CN

1 milligram/litre

Arsenic expressed as As
Cadmium expressed as Cd

0.1 milligram/litre

Mercury expressed as Hg

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

Fuels
PCBs
Pesticides & Herbicides
Severely Toxic Materials
Waste Radioactive Materials
Explosive Products or Substances

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

Hauled Sewage
Waste Disposal Site Leachate

- (s) 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

- (2) In determining whether the limit with respect to any matter prescribed in Subsection 2(1) is contravened, the volume of any water that has been added for the purpose of enabling the limit to be met shall be disregarded for the purposes of calculating whether the limit has been met so that compliance with the limit cannot be attained by dilution.

- (3) Subclauses 2(1) 2.(b) and 2(1) 2.(s) do not apply to prevent the discharge of human waste.
- (4) Subclause 2(1) 2.(d) does not apply to prevent the discharge of:
- (a) Water taken in an amount greater than 50,000 litres per day from a metered separate source when the owner or operator of the premises has a Permit To Take Water issued by the Ontario Ministry of the Environment and a copy of such permit has been provided to the municipality, or
 - (b) Water taken in an amount less than 50,000 litres per day from a metered separate source when the owner or operator of the premises has provided the municipality with the following information:
 - (i) Address of premises where the water is being used;
 - (ii) Location of the water source; and
 - (iii) Amount of water being taken.
- (5) Subclause 2(1) 2.(q) does not apply to prevent the discharge of waste radioactive materials where they are being discharged in accordance with a licence from the Atomic Energy Control Board and a copy of the licence has been provided to the municipality or to the discharge of de minimis waste.
- (6) Subclause 2(1) 2.(q) does not apply to prevent the discharge of PCBs when:
- (a) The owner or operator of the premises has a certificate of approval relating to the premises from the Ontario Ministry of the Environment which expressly allows the discharge or written approval from the Director of the Ontario Ministry of the Environment which expressly authorizes the discharge from the premises;
 - (b) The owner or operator of the premises has written approval from the municipality which expressly authorizes the discharge from the premises; and
 - (c) The discharge contains a concentration of less than 5 micrograms per litre of PCBs; and
 - (d) A copy of the certificate of approval or written authorization referred to in clause (a) has been provided to the municipality.
- (7) Subclause 2(1) 2.(r) does not apply to prevent the discharge of waste disposal site leachate when:
- (a) The waste disposal site leachate is being discharged pursuant to a certificate of approval or order relating to the premises under the Environmental Protection Act (Ontario) or the Ontario Water Resources Act which expressly allows the discharge;
 - (b) The owner or operator of the premises has written approval from the municipality which expressly authorizes the discharge from the premises; and
 - (c) A copy of the certificate of approval or written authorization referred to in clause (a) has been provided to the municipality.
- (8) Subclause 2(1) 2.(r) does not apply to prevent the discharge of hauled sewage when:
- (a) The carrier of the hauled sewage is a waste transportation system under a licence issued under Part VII of the Environmental Protection Act (Ontario);

- (b) The carrier has written approval from the municipality which includes a specified time and location for the discharge; and
 - (c) The discharge occurs at the approved time and location.
- (9) Subclause 2(1) 2.(s) does not apply to prevent the discharge of pathological waste that has been decontaminated prior to discharge when;
- (a) The owner or operator of the premises has a certificate of approval from the Ontario Ministry of the Environment which expressly allows the discharge or written approval from the Director of the Ontario Ministry of the Environment which expressly authorizes the discharge from the premises;
 - (b) The owner or operator of the premises has written approval from the municipality which expressly authorizes the discharge from the premises; and
 - (c) A copy of the certificate of approval or written authorization referred to in clause (a) has been provided to the municipality.

SECTION 3

DISCHARGES TO STORM SEWERS

- 3(1) No person shall discharge or deposit or cause or permit the discharge of matter of a kind listed below into or in land drainage works, private branch drains or connections to any storm sewer:
1. Matter of any type or at any temperature or in any quantity which may:
 - (a) Interfere with the proper operation of a storm sewer;
 - (b) Obstruct a storm sewer or the flow therein;
 - (c) Result in a hazard to any person, animal, property or vegetation;
 - (d) Impair the quality of the water in any well, lake, river, pond, spring, stream, reservoir or other water or watercourse; or
 - (e) Result in the contravention of an approval, requirement, direction or other order under the Ontario Water Resources Act or the Environmental Protection Act (Ontario) with respect to the storm sewer or its discharge; and
 2. Without limiting the generality of the foregoing any of the following:
 - (a) Water at a temperature greater than 40⁰ Celsius;
 - (b) Water having a pH less than 6.0 or greater than 9.0;
 - (c) Water containing more than 15 milligrams per litre of suspended solids;
 - (d) Water in which the biochemical oxygen demand exceeds 10 milligrams per litre;
 - (e) Water containing dyes or colouring material which discolour the water;
 - (f) Water containing solvent extractable matter of animal or vegetable origin or of mineral or synthetic origin which causes a visible film, sheen or discolouration on the water surface;

(g) Water containing any of the following in excess of the indicated concentrations:

200 micrograms/litre

Chromium expressed as Cr

50 micrograms/litre

Zinc expressed as Zn
Lead expressed as Pb
Nickel expressed as Ni

10 micrograms/litre

Copper expressed as Cu

1 microgram/litre

Cadmium expressed as Cd
Mercury expressed as Hg

per 100 millilitres

Fecal coliforms

(h) The following matter in any amount:

Sewage
Once-through cooling water
Blowdown

(i) The following materials in any amount:

Automotive or Machine Oils & Greases
Fuels
Paints & Organic Solvents
PCBs
Pesticides or Herbicides
Severely Toxic Materials
Waste Disposal Site Leachate
Waste Radioactive Materials

(j) 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

(2) Subclause 3(1) 2.(h) does not apply to prevent the discharge of once-through cooling water when the once-through cooling water is being discharged with the written approval of the municipality.

(3) The provisions of clause 3(1) 2. apply only to:

1. The discharge of stormwater runoff from industrial process areas to a storm sewer, and
2. To any stormwater discharge to a storm sewer to which the matter prohibited by subsection 1 has been added for the purpose of disposing of the matter.

- (4) The provisions of subclauses 3(1) 2(c), (d), (e), (f) and (g) do not apply to prevent the discharge of stormwater runoff from the industrial process areas to a storm sewer when:
- (a) The owner or operator of the premises has a certificate of approval or order relating to the premises under the Environmental Protection Act (Ontario) or the Ontario Water Resources Act which expressly allows the discharge and a copy of the certificate of approval or order has been provided to the municipality; or
 - (b) The owner or operator of the premises has written approval from the municipality for a Best Management Practices Plan (BMP). A guide on Best Management Practices Plan is available from the Pollution Control Division of Public Works.

SECTION 4

REPORTS

- 4(1) Notwithstanding sections 2 and 3 the owner or operator of any industrial premises or class of industrial premises listed in Appendix A shall not discharge or deposit or cause or permit the discharge or deposit of sewage into or in land drainage works, private branch drains or connections to any sanitary sewer or storm sewer after the 1st day of September, 1989 unless a Waste Survey Report has been submitted to the Pollution Control Division of Public Works.
- (2) Subsection (1) does not apply with respect to any industrial premises for which a current Waste Survey Report prepared in accordance with subsections (3) and (4) has been filed at the municipality.
- (3) The Waste Survey Report shall contain the following information and shall be signed by an authorized representative of the owner or operator:
- (a) Name and address of the premises and names of its owner and operator;
 - (b) Description of process operations including waste discharge rates and contaminant concentrations, hours of operation and Canadian or U.S. Standard Industrial Classification codes;
 - (c) A schematic process diagram indicating waste discharge points and waste descriptions;
 - (d) The generator registration number, if any, assigned with respect to the premises under Ontario Regulation 309 made under the Environmental Protection Act (Ontario); and
 - (e) The waste class, hazardous waste number, primary and secondary characteristics and analytical data and the name of the laboratory, if any, furnished to the Ontario Ministry of the Environment under Ontario Regulation 309 made under the Environmental Protection Act (Ontario) relating to any material discharged into, or in land drainage works, private branch drains or connections to any sanitary or storm sewer.
- (4) Blank Waste Survey Reports are available from the Pollution Control Division of Public Works.
- (5) Where a change occurs in the information required under clause (3)(a) contained in a Waste Survey Report the owner or operator of the premises shall submit the new information within 15 days of the change.

- (6) Where a change occurs in any information required under clauses (3)(b), (c), (d), or (e) described in a Waste Survey Report the owner or operator of the premises shall not discharge or deposit or cause or permit the discharge or deposit of sewage into, or in land drainage works, private branch drains or connections to any sanitary sewer or storm sewer after 30 days after the change occurs unless a new Waste Survey Report has been submitted setting out the change.

SECTION 5

OVERSTRENGTH WASTE

- 5(1) Where effluent discharged to the sanitary or storm sewer system does not meet By-law requirements then the person discharging the sewage shall:
- (a) Forthwith provide preliminary treatment or take such other measures as may be necessary to improve effluent quality to within By-law limits or;
 - (b) Submit to the municipality a program to correct the non-complying effluent (Section 6, Compliance Program).
- (2) In some cases sewage characteristics may be such that the municipality may consider allowing the discharge of overstrength waste to the sanitary sewer with compensation made to the municipality by the discharger for increased costs of operating the sewage works (Section 7, Agreements).

SECTION 6

COMPLIANCE PROGRAM

- 6(1) A compliance program may be issued as set out in subsections (2) to (6) for the discharge of a non-complying effluent during the period of planning, design, construction or installation of facilities to eliminate the non-compliance.
- (2) The owner or operator of industrial premises may submit to the municipality a program to prevent or to reduce and control the discharge or deposit of sewage into, or in land drainage works, private branch drains or connections to any sanitary sewer from premises.
- (3) The owner or operator of industrial premises may submit to the municipality a program to prevent or to reduce and control the discharge or deposit of uncontaminated water or stormwater or eliminate the discharge or deposit of sewage into, or in land drainage works, private branch drains or connections to any storm sewer from the premises.
- (4) The municipality may issue an approval for a compliance program to the person who submitted the program.
- (5) Every compliance program shall be for a specified length of time during which the facilities are to be installed and shall be specific as to the remedial actions to be implemented, the dates of commencement and completion and the materials or other characteristics of the sewage, uncontaminated water or stormwater to which it relates. The final activity completion date shall not be later than the final compliance date in the compliance program.

- (6) A person to whom a compliance program has been issued shall submit a compliance program progress report within 14 days after the scheduled completion date for each activity listed in the compliance program.
- (7) Compliance program progress reports are available from the Pollution Control Division of Public Works.
- (8) A person to whom a compliance program has been issued shall not be prosecuted under section 2 or 3 of this By-law for the discharge or deposit of sewage, uncontaminated water or stormwater containing the matters specified in the compliance program and in compliance with the compliance program during the period within which the compliance program is applicable and so long as the compliance program is being fully complied with.

SECTION 7

AGREEMENTS

- 7 (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 sewer to an extent fixed by agreement with the municipality under such conditions with respect to payment of additional sewage rates or otherwise as may be necessary to compensate for any additional costs of operating and maintaining the sewage works.
- (2) Agreements to discharge overstrength waste to the sanitary sewer will only be considered by the municipality where pretreatment of such waste either due to quality or quantity is not deemed appropriate by the municipality.
- (3) An agreement can only be made for the discharge of suspended solids, biochemical oxygen demand and phosphorus.
- (4) The company allowed by the municipality to discharge overstrength waste shall sign an agreement and shall at all times comply with the provisions set out in this agreement.
- (5) A person who has entered into an agreement with the municipality shall not be prosecuted under section 2 of this By-law for the discharge or deposit of sewage containing the matters specified in the agreement and in compliance with the agreement during the period within which the agreement is applicable and so long as the agreement is being fully complied with.

SECTION 8**SAMPLING AND ANALYSIS**

- 8(1) Where a sample is required for the purpose of determining the characteristics or contents of the sewage, uncontaminated water or stormwater to which reference is made in this By-law:
- (a) One sample alone is sufficient and without limiting the generality of the foregoing the sample may be a grab sample or a composite sample, may contain additives for its preservation and may be collected manually or by using an automatic sampling device;
 - (b) Except as otherwise specifically provided in this By-law all tests, measurements, analyses and examinations of sewage, uncontaminated water and stormwater shall be carried out in accordance with Standard Methods; and
 - (c) For each one of the following metals: aluminum, antimony, arsenic, barium, bismuth, cadmium, chromium, cobalt, copper, gold, iron, lead, manganese, mercury, molybdenum, nickel, platinum, rhodium, selenium, silver, tin, titanium, vanadium and zinc whose concentration is limited in subclauses 2(1) 2.(p) and 3(1) 2.(g) the analysis shall be for the quantity of total metal which includes all metal both dissolved and particulate.

SECTION 9**SPILLS**

- 9(1) Every person who discharges or deposits or causes or permits the discharge or deposit of sewage into, or in land drainage works, private branch drains or connections to any sanitary sewer shall if such discharge or deposit is not in the ordinary course of events forthwith notify the Pollution Control Division of Public Works.
- (2) Every person who discharges or deposits or causes or permits the discharge or deposit of uncontaminated water or stormwater into, or in land drainage works, private branch drains or connections to any storm sewer shall if such discharge or deposit is not in the ordinary course of events forthwith notify the Pollution Control Division of Public Works.
- (3) Every person who discharges or deposits or causes or permits the discharge or deposit of any of the items listed in subclauses 2(1) 2.(q) and (s) into, or in land drainage works, private branch drains or connections to any sanitary sewer shall forthwith notify the Pollution Control Division of Public Works.
- (4) Every person who discharges or deposits or causes or permits the discharge or deposit of any of the items listed in subclauses 3(1) 2.(i) and (j) into, or in land drainage works, private branch drains or connections to any storm sewer shall forthwith notify the Pollution Control Division of Public Works.

- (5) For any of the discharges in subsections 9(1), (2), (3) and (4) for which the person is required to forthwith notify the Pollution Control Division of Public Works the notification shall include the following information:
- (a) Name of the company and the address of location of spill;
 - (b) Name of person reporting the spill and telephone number where that person can be reached;
 - (c) Time of the spill;
 - (d) Type and volume of material discharged and any associated hazards; and
 - (e) Corrective actions being taken to control the spill.
- (6) Within 5 days following a discharge to which subsection (5) applies the person shall submit to the municipality or agency a detailed written report describing the cause of the spill and the actions taken or to be taken to prevent a recurrence.

SECTION 10

GENERAL

- 10(1) The owner or operator of industrial premises with one or more connections to a sewage works shall install and maintain in good repair in each connection a suitable manhole to allow observation and sampling of the sewage and measurement of the flow of sewage therein, provided that where installation of a manhole is not possible an alternative device or facility may be substituted with the written approval of the municipality.
- (2) The manhole or alternate device shall be located on the property of the owner or operator of the premises unless the municipality has given written approval for a different location.
- (3) Every manhole, device or facility installed as required by subsection (2) shall be designed and constructed in accordance with current municipal standards, and shall be constructed and maintained by the owner or operator of the premises at his expense.
- (4) The owner or operator of industrial premises shall at all times ensure that every manhole, device or facility installed as required by subsection (2) is at all times accessible for purposes of observing and sampling the sewage and measuring the flow of sewage therein.
- (5) The municipality may require the owner or operator of industrial premises to install and maintain devices to monitor sewage discharges and to submit regular reports regarding the discharges to the municipality.
- (6) For the purpose of the administration of this By-law, a person appointed by Council for the purpose may, upon production of his identification, enter any industrial premises, to observe, to measure the flow of sewage to any sewer and to collect any samples required.
- (7) No person shall break, damage, destroy, deface or tamper or cause or permit the breaking, damaging, destroying, defacing or tampering with:
- (a) Any part of a sewage works; or
 - (b) Any permanent or temporary device installed in a sewage works for the purpose of measuring, sampling and testing of sewage.

- (8) Subject to sections 2(1) 2.(g) and (n) all owners or occupants of automotive repair, rustproofing establishments and car washes and without limiting the generality of the foregoing, industries whose operation generates a waste of a solvent extractable nature of mineral or synthetic origin shall install and maintain an interceptor acceptable to municipal standards to prevent entry of such material into the sanitary sewer.
- (9) The agreement contemplated by section 7 and the compliance program contemplated by section 6 may be terminated by the municipality on 14 days written notice if the discharge of sewage covered by such agreement or compliance program is causing contravention of clauses 2(1) 1. or 3(1) 1. of the By-law.
- (10) The agreement contemplated by section 7 and the compliance program contemplated by section 6 may be terminated by the municipality by written notice at any time where there is an emergency situation of immediate threat or danger to any person, property, plant or animal life or waters.
- (11) Administration of this By-law is under the authority of the Pollution Control Division of the Public Works Department.

SECTION 11

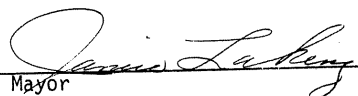
OFFENCES

- 11(1) Every person other than a corporation who contravenes any provision of this By-law is guilty of an offence and on conviction is liable for every day or part thereof upon which such offence occurs or continues to a fine of not more than \$5,000 for a first offence and \$10,000 for any subsequent conviction.
- (2) Every corporation which contravenes any provision of this By-law is guilty of an offence and on conviction is liable for every day or part thereof upon which such offence occurs or continues to a fine of not more than \$25,000 for a first offence and \$50,000 for any subsequent conviction.
- (3) In this By-law subsequent conviction means a conviction for an offence which occurs after the date of conviction for an earlier offence under this By-law.
12. That By-law 70-10 and By-law 70-18 are hereby repealed.

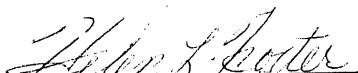
This By-law shall come into force and take effect immediately upon final passing.

Read a first time, considered read a second and third time and finally passed this 24th day of April, A.D., 1989.

THE CORPORATION OF THE CITY OF BARRIE.



Mayor



Acting City Clerk

APPENDIX A

INDUSTRIAL SECTORS

CATEGORY	SIC	SIC (CANADIAN)
Construction Industry	1600-1799	4011-4499
<u>Food and Kindred Products</u>		
Meat	2011-2013	1011
Poultry	2016-2017	1012
Dairy	2021-2026	1041-1049
Fruit and Vegetables	2032-2038	1031-1032
Grain Mills	2041-2048	1051-1059
Fats and Oils	2074-2079	1061
Bakery Products	2051-2052	1071-1072
Sugar Processing	2061-2067	1081-1089
Beverages	2082-2087	1111-1141
Seafood Processing	2091-2092	1021
Misc. Food Processing	2095-2099	1091-1099
Tobacco	2110-2141	1211-1221
<u>Textile Mill Products</u>		
Primary Textiles	2211-2269	1800-1899
Textile Products	2271-2299	1900-1999
Apparel and Other Textile Products	2311-2399	2441-2499
<u>Lumber and Wood Products</u>		
Timber Products Processing	2411-2499	2511-2599
Wood Preserving	2491	2591
Wood and Metal Furniture Manufacturing	2510-2599	2611-2699
<u>Paper and Allied Products</u>		
Pulp, Paper and Paperboard Mills	2600-2631	2711-2712
Misc. Converted Paper Products	2640-2655	2731-2799
Building Paper and Board Mills	2661	2713-2719
Printing and Publishing	2700-2799	2811-2899
<u>Chemicals and Allied Products</u>		
Inorganic Chemicals Manufacturing	2810-2819	3711
Phosphate Manufacturing	2819	3721-3729
Plastics, Resins & Synthetic Fibers Manufact.	2821-2824	3731
Pharmaceutical Manufacturing	2830-2834	3741
Soaps and Cosmetics	2840-2844	3761-3771
Paints, Varnishes Manufacture	2851	3751
Gums and Wood Chemicals	2861	3712
Dye Manufacture	2865	3712
Organic Chemicals and Pesticide Manufacturing	2869	3712
Pesticide Formulation	2879	3712
Fertilizer Manufacture	2873-2875	3721-3729
Adhesives and Sealants	2891	3792
Explosives	2892	3711
Ink Manufacture	2893	3791
Carbon Black	2895	3711
Chemicals and Chemical Preparation	2899	3711
Petroleum Refining	2911	3611
Paving and Roofing Materials	2951-2952	3699
Coal and Petroleum Products	2991-2999	3612-3698
<u>Rubber and Misc. Plastic Products</u>		
Rubber Products	3011-3069	1500-1599
Plastics Moulding	3070-3079	1600-1699

CATEGORY	SIC	SIC (CANADIAN)
<u>Leather and Leather Products</u>		
Leather Tanning and Finishing	3111	1711
Leather Goods	3131-3199	1712-1719
<u>Stone Clay and Glass Products</u>		
Stone, Clay and Glass Products	3200-3299	3511-3599
Asbestos Manufacturing	3292	3592
Glass Manufacturing	3211-3229	3561-3562
Cement Manufacturing	3271-3273	3521-3551
<u>Primary Metal Industries</u>		
Iron and Steel	3300-3317	2911-2921
Foundries	3321-3325	2941
Nonferrous Metals Forming/Manufacture	3331-3369	2951-2999
Aluminum Forming	3353-3355	2951
Copper Forming	3351-3357	2959
Misc. Primary Metal Products	3390-3399	2999
<u>Fabricated Metal Products</u>		
Metal Finishing	3411-3469	3011-3099
Electroplating	3471	3011-3099
Coil Coating	3479	3011-3099
Ordinance and Accessories	3482-3489	3011-3099
Misc. Fabricated Metal Products	3490-3499	3011-3099
<u>Equipment and Machinery</u>		
Machinery Manufacturing	3500-3599	3111-3199
Electrical and Electronic Components	3612-3690	3311-3399
Battery Manufacturing	3691-3692	3391
Misc. Electrical Equipment	3693-3699	3392-3399
Transportation Equipment	3711-3799	3211-3299
Instruments and Related Products	3811-3873	3911-3914
Misc. Manufacturing	3911-3999	3921-3999
Photographic Chemicals Manufacturing	3861	
<u>Transportation and Public Services</u>		
Transportation Services	4000-4799	4511-4599
Electricity Generation & Distribution	4911-4931	4911
Water Supply	4941	4931
Waste Treatment and Disposal	4952	4999
Refuse Systems	4953	4999
Hazardous Waste Treaters	4953	4999
<u>Wholesale and Retail Industry</u>		
Petroleum Products Dealers	5983-5989	5111
Automotive Wrecking	5015	5911
Barrel and Drum Reclaimers	5085	5919
Scrap and Waste Materials	5093	5919
Solvent Reclaimers	5093	5919
Waste Oil Reclaimers	5093	5919
<u>Services</u>		
Furniture Refinishing	7641	6213
Gasoline Service Stations	5541	6331
Automotive Repair	7532-7549	6351-6399
Photographic Services	7384	6571
Hospitals and Clinics	8062-8072	8611-8619
Industrial and Commercial Laundries	7211-7219	9721-9729
Funeral Services	7261	9731
Disinfecting and Exterminating	7342	9951
Building Maintenance	7349	9952-9959

