

The Corporation of The Township of Adjala-Tosorontio

By-Law No. 2024-026

A By-law to Impose Wastewater Rates and to Prescribe the Amount of Such Rates and to Control Discharges to Municipal Wastewaters, and to Repeal By-law 23-41

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 80 (1) of the Municipal Act, 2001, S.O. 2001, provides that a municipality may enter onto land to which it supplies a public utility to inspect, repair, alter or disconnect the service pipe or wire, machinery, equipment and other works used to supply the public utility;

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;

AND WHEREAS the said Township deems it necessary and desirable to control discharge to municipal wastewaters

NOW THEREFORE the Council of Township of Adjala-Tosorontio hereby ENACTS AS FOLLOWS:

SHORT TITLE

This By-law shall be known as the Wastewater Rates By-law.

1. Billing

- (a) THAT the wastewater rates shall be billed in on four (4) billings per year for the Wastewater Works System in the Municipality;

- (b) THAT the wastewater rates shall be billed in conjunction with the water rates;
- (c) 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;
- (d) THAT the assessed owner be billed for the Wastewater Works System and the assessed owner is responsible for payment of the bill;
- (e) THAT the wastewater rates be billed upon issuance of the Occupancy Permit;

2. Rates

- (a) THAT the wastewater rates for a single residential dwelling unit shall include the monthly base rate and the meter rate of municipally supplied water in accordance to the rates set out in the Schedule A;
- (b) THAT buildings with multiple unit dwellings shall be charged the meter rate of municipally supplied water and the monthly base rate charged for a single residential dwelling unit multiplied by the number of dwelling units in the building;

3. Outstanding Accounts

- (a) THAT the Treasurer may direct that the residential water service be disconnected that has a utility billing account in arrears for ninety (90) days or more;
- (b) THAT the Treasurer may direct that any penalties incurred due to an administrative error be written off;
- (c) THAT the Treasurer 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 Wastewater Works System

- (a) 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 Wastewater Works System, including into or in any land drainage works, private branch drains or connections to any sanitary wastewater:

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 wastewater works employee, or which may be or may become harmful to a wastewater works, or which may cause the wastewater 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 wastewater works to fail to meet the criteria relating to contaminants for spreading the sludge on agricultural lands under Ontario's Guidelines for Wastewater Sludge Utilization on Agricultural Lands (as revised) unless the person has been advised in writing by the operator of the wastewater treatment works that the sludge from the wastewater treatment works will never be used on agricultural lands, or which may interfere with the proper operation of a wastewater works, or which may impair or interfere with any wastewater 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:
 - i. 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,
 - ii. Storm water, water from drainage of roofs or land, water from a watercourse or uncontaminated water,
 - iii. Water other than storm water that has originated from a source separate from the water distribution system of the Municipality,
 - iv. Wastewater 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,
 - v. Wastewater in which the composite biochemical oxygen demand concentration exceeds 300 milligrams per litre,

- vi. The following materials or wastewater containing any of the following in any amount:

- Fuels,
- PCBs,
- Pesticides,
- Severely Toxic Waste,
- Waste Radioactive Prescribed Substances,

- vii. The following materials or wastewater containing any of the following in any amount:

- Hauled Wastewater
- Waste Disposal Site Leachate,

- viii. 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

- (a) The discharge or deposit of septage 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 wastewater service rates or otherwise as may be necessary to compensate for any additional costs or operation, repair and maintenance of the wastewater works;

6. Penalties

- (a) 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. New Connections

- (a) THAT any new connection to the Municipal Wastewater Systems must be approved and capacity allocated by resolution of Council;
- (b) THAT the installation of any new connection to the Municipal Wastewater Works Systems shall be under the supervision of the Director of Infrastructure and Development;
- (c) THAT the costs including a 10% administration fee incurred by the Municipality for supervising or assisting in the placement, installation or repair of new sanitary sewers or appurtenances shall be recoverable against the registered owner of the lands on which said work is being done;
- (d) THAT the Service Connection Fees for any new connection to connect initially to the Municipal Wastewater Systems in accordance with the fees set out in the Township's Fees and Charges Bylaw as amended from time to time. These fees will be subject to an annual increase of 2.4% as of January 1st of each year. Any additional expensed in excess of the aforementioned fee will be charged back to the property owner.
- (e) Installation - to Township specifications – Ontario Building Code requirements:

THAT all wastewater service pipes, and private mains located within Township property shall be constructed according to the Township's standards or as approved by the Township from time to time. All water service pipes and private mains located on private property shall be constructed in accordance with the Ontario Building Code as revised from time to time and in accordance with good engineering practices and shall be approved by the Chief Building Official or designate. Every wastewater lateral shall be laid in a straight line and at a right angle to a Main, as nearly as practicable. A Wastewater Service shall be installed to each Unit of semi-detached houses, street townhouses and street link houses, unless the Director of Infrastructure and Development has approved an alternative form of connection. Where the Ontario Building Code is silent the Townships's specifications shall be applied and shall prevail.

(f) Connection to main-Private lands:

THAT no wastewater service to one Owner's building shall be installed in, over or across the property of another person or located on an easement on another Person's property, except by written consent, in the form of an easement agreement, of the Persons concerned and the approval of the Township. Alterations requiring repairs on private lands will be the responsibility of the property owner.

8. 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;
- (c) THAT By-law 23-41 is hereby repealed on the date that this By-law comes into force and effect, and this By-law shall supersede any corresponding by-laws of the Township of Adjala-Tosorontio which, through inadvertence, may not have been repealed.

ENACTMENT

THAT the provisions of this By-law shall take full force and effect on July 1, 2024.

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 10th day of April, 2024.



Scott W. Anderson, Mayor



Robin Reid, Clerk

Wastewater Rates

	2024	2025	2026	2027
Monthly Base Rate	\$41.78	\$43.29	\$44.86	\$46.48
Meter Rate (per cubic meter)	\$5.43	\$5.63	\$5.83	\$6.04