

Subject: Sewer Use By-Law Review

File Number: ACS2025-IWS-WL-0009

**Report to Environment and Climate Change Committee on 18 February 2025
and Council 26 February 2025**

**Submitted on February 6, 2025 by Marilyn Journeaux, Director, Water Linear and
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Ward: Citywide

Objet : Examen du Règlement municipal sur les égouts

Numéro de dossier : ACS2025-IWS-WL-0009

Rapport présenté au Comité de l'environnement du changement climatique

Rapport soumis le 18 février 2025

et au Conseil le 26 février 2025

**Soumis le 2025-02-06 par Marilyn Journeaux, directrice, eau linéaire et services à
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Quartier : À l'échelle de la ville

REPORT RECOMMENDATION(S)

**That the Environment and Climate Change Committee recommends Council
approve the updated Sewer Use By-law as described in this report, and
substantially in the form attached as Document 1, to be in effect July 1, 2025.**

RECOMMANDATION(S) DU RAPPORT

Que le Comité de l'environnement et du changement climatique recommande au Conseil municipal d'approuver la version à jour du *Règlement municipal sur les égouts* conformément aux modalités exposées dans le présent rapport et essentiellement sous la forme reproduite dans la pièce 1, pour qu'il prenne effet le 1^{er} juillet 2025.

EXECUTIVE SUMMARY

The Infrastructure and Water Services Department conducted a review of the Sewer Use By-Law (No. 2003-514), which safeguards the environment and City infrastructure from harmful substances by regulating discharge limits to storm and sanitary sewers and ensuring industry compliance. This review is part of the Council-approved 2023-2026 By-law Review Work Plan, a comprehensive strategy outlining regulatory projects and by-law reviews to be undertaken during the Council's term.

The comprehensive review ensures alignment with all Provincial regulatory changes, including O. Reg 267/03 for Biosolids. It also incorporates references to the Ontario Building Code Act and the Ontario Water Resources Act, addresses industry trends, enhances compliance awareness, and improves transparency and accountability through clear guidelines for all stakeholders.

RÉSUMÉ

La Direction générale des services d'infrastructure et d'eau a mené l'examen du *Règlement municipal sur les égouts* (Règlement n° 2003-514), qui vise à protéger l'environnement et les infrastructures de la Ville contre les substances nuisibles, en réglementant les limites fixées pour les rejets des réseaux d'égout pluvial et d'égout sanitaire et en veillant à la mise en conformité de l'industrie. Cet examen fait partie du Plan de travail de l'examen des règlements municipaux 2023-2026, qui constitue une stratégie globale faisant état des projets réglementaires et des examens des règlements municipaux à réaliser pendant le mandat du Conseil municipal.

Cet examen global assure la concordance avec tous les changements réglementaires apportés par le gouvernement provincial, dont le Règlement de l'Ontario 267/03 pour les biosolides. Dans le cadre de cet examen, on prévoit aussi d'intégrer dans le Règlement des rappels de la *Loi de 1992 sur le code du bâtiment de l'Ontario* et de la *Loi sur les ressources en eau de l'Ontario*, en plus de se pencher sur les tendances de l'évolution de l'industrie, de mieux faire connaître les questions de mise en conformité et d'améliorer la transparence et la redevabilité en publiant des lignes de conduite claires pour toutes les parties prenantes.

BACKGROUND

The City of Ottawa's Sewer Use Program, established in 1993, is a regulatory strategy designed to reduce or eliminate the discharge of harmful contaminants into the sewer and storm systems by addressing waste at its source. This program:

- enforces the Sewer Use By-law which is intended to protect the health and safety of sewer workers,
- maintains the integrity of infrastructure and the wastewater treatment process, ensures the quality of biosolids produced,
- safeguards the plant effluent discharged into the Ottawa River and
- helps protect the environment.

Additionally, the program helps the City comply with environmental legislation such as the [Fisheries Act \(2019\)](#), [Ontario Water Resources Act \(2007\)](#), [Ontario Environmental Protection Act \(2021\)](#), and the [Canadian Environmental Protection Act \(1999\)](#).

The Sewer Use By-law provides the City the authority to regulate the discharge of matter into the sewage works and recover costs associated with the use of the sewage works and the treatment of wastewater. The authority for the by-law is provided by the Ontario [Municipal Act \(2001\)](#) which provides single-tier municipalities with the authority to pass by-laws respecting the economic, social and environmental well-being of the municipality, including respecting climate change, the health, safety and well-being of persons, the protection of persons and property, and public assets of the municipality acquired for the purpose of exercising its authority under the *Municipal Act, 2001*. In addition, the *Municipal Act, 2001*, provides the City the authority to recover costs

associated with this by-law.

The Sewer Use By-Law was enacted by Council in August 2003 ([ACS2003-TUP-UTL-0008](#)). Currently all wastewater from the sewers in the City of Ottawa, including the waste that is hauled to the Robert O. Pickard Environmental Centre (ROPEC) for treatment, is governed by the **by-law** (2003-514).

DISCUSSION

This report provides the outcomes of the review of the Sewer Use By-Law. This review has included an evaluation of the current program, a municipal scan, and consultations with Council, members of the industry and residents. The feedback received demonstrated a need for enhanced education regarding the overall sewer use program and its applicability.

This proposed changes also aligns the by-law with recent provincial regulations, including updates to [O. Reg 267/03](#) for Biosolids. Additionally, the proposed changes incorporate references to the [Ontario Building Code Act \(2023\)](#), and the *Ontario Water Resources Act (2007)*. Additionally, the review addresses evolving industry trends and improves compliance language. The proposed changes include administrative updates that refining definitions, clarifying language, and streamlining the requirements. Ultimately, the proposed changes seek to enhance transparency and accountability through clearer guidelines for all users. The proposed changes are as follows:

1. General Prohibitions (Discharge to Sewage Works)

This new section takes existing content from the current by-law and consolidates it into a single section outlining general prohibited activities. This includes Sanitary and Combined Sewer Requirements, Storm Sewer Requirements, Protection from Damage, and Damage to Sewer Works. The section outlines the prohibited actions related to the sewage works. These updates reduce duplication and potential for misinterpretation as the same prohibition would now appropriately apply to the entire section.

2. Discharges to Sanitary and Combined Sewers

(a) Atmospheric Limits

Proposed changes update specific limits for toxic gases in the sanitary and combined sewers. The limit remains at 10 per cent of the lower explosive limit (LEL) per confined space entry requirements; additionally, the hydrogen sulfide limit increases from 2 ppm to 5 ppm to align with the [Occupational Health and Safety Act \(2021\)](#). These changes aim to clarify regulations and ensure consistency with industry standards.

(b) Volatile Organic Compounds (VOCs) and Semi-volatile Organic Compounds (SVOCs), formaldehyde and acetone

Proposed changes update existing limits and add new limits to enhance clarity on regulated parameters without posing a significant environmental or health hazard.

(c) Biomedical Waste

The general clause specifying times for the discharge of bulk fluids from biomedical waste is removed as it is not a requirement to meet provincial legislation, and by removing, streamlines the process while ensuring safe discharging continues. Decontamination is still required prior to any discharge to the sanitary and combined sewers.

The proposed changes align with other municipal best practices.

3. Liquid Waste Transported to Sewage Works

The proposed changes include a new section to require industrial, commercial, and institutional generators of hauled liquid waste to obtain a permit before discharging in the sewer system. This measure formalizes the existing process without the need to introduce any new fees.

4. Monitoring Access Point

Historically, the by-law requires industrial or multi-storey residential buildings to connect to a suitable maintenance hole to allow observation, sampling, and flow measurement. Given there are times where a maintenance hole is not feasible, staff recommend broadening the requirement from maintenance hole to include a monitoring access point. A monitoring access point provides flexibility to the industry as the connection now includes, but not limited to, a maintenance hole, sample port, alternative device, or pretreatment system.

5. Monitoring Devices and Pretreatment

The proposed changes adds a new subsection that allows the City to require the installation of pretreatment systems. These pretreatment systems will include interceptors and solids removal.

6. Discharge Permits

The proposed changes replace sewer discharge agreements with issuing discharge permits to enhance service quality and timeliness. These permits continue to cover all activities currently addressed by existing agreements. Additionally, proposed changes introduce two new types of permits: 1) a storm sewer discharge permit to cover dewatering activities into storm sewers and, 2) a conditional permit for wastewater discharges that typically would not be allowed, provided there is no risk to sewage works, treatment plants, or the environment.

7. Pollution Prevention Plan

Proposed changes include requiring industrial, commercial, and institutional facilities that discharge certain pollutants to prepare a Pollution Prevention Plan, if requested by the City, in response to a Notice of Violation, or as part of a Request to Discharge Application. This plan serves as a monitoring tool to prevent pollution at its source to protect the sewage system, receiving waters, and the environment. The plan includes details on identifying and quantifying pollutants and the measures taken to minimize their use or hazard.

8. Dewatering Activities

To expand the available dewatering options for the industry, the proposed changes require a discharge permit for designated dewatering activities that discharge to either a sanitary, combined or storm sewer, with strict sampling and monitoring requirements, to provide additional protection to the storm sewer and receiving waters. Defining dewatering activities provides clarity for industries requesting to discharge to the sewage works and aligns the by-law with other Ontario municipalities. The proposed change align with the new Discharge Permit section.

9. Storm Sewers

The proposed changes include the list of prohibited materials in Schedule "C" using

existing and new items.

Discharges of water from groundwater remediation systems may also be permitted to the storm sewer, so long as all bylaw conditions are met. A person discharging water from a groundwater remediation system may still be required to comply with provincial and federal regulations.

The proposed changes update the discharge limit for E.coli in accordance with the limits outlined in the Provincial Water Quality Objectives.

10. Grease Traps, Interceptors and Separators

The proposed changes address four types of interceptors and clarify maintenance requirements, aligning them with the Canadian Standards Association, the *Ontario Building Code (2023)*, the *Environmental Protection Act (2021)*, and the *Ontario Water Resources Act (2007)*. The proposed changes outline the required inspection, maintenance, and documentation for the devices. These proposed requirements, as related, apply to all food establishments, garages, car washes, stone cutting establishments, and owners of oil/grit separators for stormwater.

11. Right of Entry

The proposed changes update the Right of Entry section to reflect the similar section in the City's Water By-law (2019-74).

12. Enforcement

In response to the evolving enforcement landscape, the proposed changes formalize the current practice of issuing Notice of Violations. In addition, the proposed changes introduce new mechanisms, such as Stop Orders, Termination Orders, and Corrective Orders, all within the authority of the Municipal Act, 2001, and similar to those from the City's Site Alteration By-Law (2024-448).

Program Education and Awareness

To ensure that industries and residents are adequately informed and understand the new and existing guidelines, the Sewer Use program will update the available information on Ottawa.ca and incorporate a communications strategy. This initiative will

define specific activities aimed at educating the public on the application of the revised by-law.

FINANCIAL IMPLICATIONS

The user fees detailed in the draft By-Law were prepared in accordance with the City's User Fees and Charges Policy whereby Section 391 of the Municipal Act, 2001 provides municipalities with authority to establish and collect user fees and charges to recover costs associated with the delivery of services where users can be identified. If approved, the changes outlined in the report will be reflected in the 2026 Draft Operating Budget. If revenues are inconsistent with past trends and are not achieved, volumes will be reviewed annually, and fees adjusted through future budget process(es).

LEGAL IMPLICATIONS

There are no legal impediments to approving the recommendations in this report.

COMMENTS BY THE WARD COUNCILLOR(S)

This is a City-Wide Report.

CONSULTATION

The public consultation for the Sewer Use By-law review began in July 2024, featuring key activities to raise awareness and gather feedback. The Public Information and Media Relations (PIMR) team used social media from July to early September to inform the public about the review and the Engage Ottawa survey. The results of this survey are available in the [As We Heard It report](#).

An email was sent to stakeholders, including various industries and 18 Business Improvement Areas, directing them to the Engage Ottawa page for feedback. Follow-up communications, including emails, phone calls, and a presentation to the National Capital Heavy Construction Association, aimed to highlight the review, discuss proposed changes, and clarify details.

ACCESSIBILITY IMPACTS

Infrastructure and Water Services adheres to the requirements of the *Accessibility for Ontarians with Disabilities Act*, (2005) in its operations, programs, and initiatives. This report is administrative in nature and has no associated accessibility impacts.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with the recommendations of this report.

DELEGATION OF AUTHORITY IMPLICATIONS

There are no new delegation of authority implications.

CLIMATE AND RESILIENCY IMPLICATIONS

The revision of the Sewer Use By-law is a key element in the strengthening of the Sewer Use Program, which is a regulatory strategy aimed at reducing or eliminating the discharge of inappropriate contaminants to the sewer system by dealing with waste at its source. This helps provide for favorable operating conditions in the sewage works, high quality of biosolids and effluent from the wastewater treatment plant, and a safe work environment for sewer workers. It also serves as a mechanism to ensure that steps are being taken to maintain the City's compliance with environmental legislation such as the *Fisheries Act*, *Ontario Water Resources Act* and the *Canadian Environmental Protection Act*.

RISK MANAGEMENT IMPLICATIONS

All risk implications are outlined throughout the report.

RURAL IMPLICATIONS

The provisions of the Sewer Use By-law apply to rural residents, including those who make use of the Robert O. Pickard Environmental Centre (ROPEC) to treat material contained in their septic tanks and holding tanks. There is now a requirement for industrial, commercial, and institutional generators of hauled liquid waste to receive a permit before they can discharge their sewage at ROPEC. There will be no cost for a generator to receive a permit and the impacts will be minimal.

TERM OF COUNCIL PRIORITIES

This report supports the following strategic priorities in the 2023 to 2026 Term of Council Priorities:

- A city that is green and resilient which aims to mitigate or eliminate the discharge of inappropriate contaminants into the sewer system by implementing waste management strategies at its source.

SUPPORTING DOCUMENTATION

The following Documents support this report:

Document 1 – Recommended Sewer Use By-Law

DISPOSITION

Following approval of this report's recommendation, Infrastructure and Water Services together with Legal Services will prepare the amended by-law for enactment by Council and will apply for appropriate set fines from the Province of Ontario in accordance with applicable processes. In addition, all related administrative requirements for the implementation of the recommendations will be undertaken.