

BYLAW NO. 35-18

LEDUC COUNTY

A BYLAW OF LEDUC COUNTY, IN THE PROVINCE OF ALBERTA, TO SET FORTH THE TERMS AND CONDITIONS FOR THE SUPPLY OF WASTEWATER COLLECTION, TREATMENT AND DISPOSAL SERVICES IN LEDUC COUNTY AND THAT BYLAW NO. 30-14 AND ALL AMENDMENTS THERETO ARE HEREBY REPEALED.

WHEREAS

Pursuant to the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended, including ss. 7 and 8, and *Part 3, Division 3*, and amendments thereto, the *Council of Leduc County* may pass Bylaws for the purpose of operating a public utility, subject to any terms, costs or charges which may be established by *Council*;

Under the authority of the *Environment Protection and Enhancement Act*, R.S.A. 2000 c. E-12, as amended, *Leduc County* has received registration for the operation of Wastewater Services Systems providing service to the development of properties within *Leduc County* as a public utility for the benefit of its residents;

Leduc County is responsible for the operation and maintenance of municipally owned *Wastewater Collection and Treatment Systems* within the jurisdiction of *Leduc County*;

The Alberta Capital Region *Wastewater Commission* (A.C.R.W.C.) has constructed the Southeast Regional Trunk Sewer (S.E.R.T.S.) line which extends into *Leduc County*, and where the S.E.R.T.S. line is available to the County for disposal of *Wastewater* from *Leduc County* to the Alberta Capital Region *Wastewater Treatment Facility* through mutually agreed terms;

The Alberta Capital Region *Wastewater Commission* has passed the *Alberta Capital Region Wastewater Commission Bylaw No. 8*, of which *Section 19(2)* requires that *Leduc County*, as a commission member, reflect the requirements and prohibitions indicated in that bylaw in *Leduc County's wastewater bylaw*; and

The *Council of Leduc County* deems it necessary and desirable to establish a *Wastewater Services Bylaw* to govern the management and operations of the *Wastewater utilities* within the jurisdictional boundaries of *Leduc County*;

NOW THEREFORE:

The *Council of Leduc County* in the Province of Alberta, duly assembled, enacts as follows:

1. General

- 1.1. This Bylaw may be cited as, "The Wastewater Services Bylaw".
- 1.2. *Leduc County* is hereby authorized to supply *Wastewater Services* within the boundaries of the *Service Area* pursuant to the terms of this Bylaw and subject to such economic or other restraints as *Council*, in their discretion, may deem appropriate.

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- 1.3. *Leduc County* shall be the sole provider of *Wastewater Services* to land and Properties within the *Service Area*, unless *Council*, in its discretion, authorizes *Leduc County* to enter into an express written agreement to the contrary.
- 1.4. The *Wastewater Services* provided by *Leduc County* shall be provided pursuant to the terms, conditions and provisions of this *Wastewater Services Bylaw*.
- 1.5. Nothing in this Bylaw relieves any *Person* from complying with any federal or provincial law or regulation, other bylaw, or any requirement of any lawful permit, order or license.
- 1.6. Every provision of this Bylaw is independent of all other provisions, and if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.
- 1.7. All schedules attached to this Bylaw shall form part of this Bylaw.
- 1.8. Any headings or subheadings in this Bylaw are included for guidance purposes and convenience only, and shall not form part of this Bylaw.
- 1.9. Specific references to statutes and bylaws in this bylaw are meant to refer to the current laws applicable within Alberta or Canada, as applicable, at the time this Bylaw was enacted, and as they are amended from time to time, including successor legislation.

2. Definitions

In this Bylaw each of the following words or terms shall have the following meaning unless expressly stated otherwise:

- 2.1. **"Accredited Laboratory,"** means any laboratory accredited by an authorized accreditation body in accordance with a standard based on 'CAN-P-1585: Requirements for the Accreditation of Environmental Testing Laboratories' established by the Standards Council of Canada, as amended, or "ISO/IEC/EN 17025: General Requirements for Competence of Calibration and Testing Laboratories" established by the International Organization for Standardization, as amended.
- 2.2. **"ACRWC"** means the Alberta Capital Region Wastewater Commission.
- 2.3. **"Additional Over Strength Surcharge"** means a rate, fee or charge imposed upon a *Person* who releases *Wastewater* to the *Wastewater System* that exceeds one or more constituent concentrations set out in Column B of Schedule "C".
- 2.4. **"Best Management Practices (BMP)"** means an integrated plan to control and reduce the release of *Restricted Waste* and *Prohibited Waste* into the *Wastewater System* to a practicable extent, through methods including physical controls, *Pretreatment* processes, operational procedures and staff training.

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- 2.5. **"Biochemical Oxygen Demand (BOD)"** means the five-day BOD which is the determination of the molecular oxygen utilized during a five-day incubation period for the biochemical degradation of organic material (carbonaceous demand), and the oxygen used to oxidize inorganic material such as sulphides and ferrous iron, and the amount of oxygen used to oxidize reduced forms of nitrogen (nitrogenous demand) as determined by the appropriate procedure in *Standard Methods*.
- 2.6. **"Biomedical Waste"** means biomedical waste as defined in the Province of Alberta's *Waste Control Regulation*, as amended from time to time.
- 2.7. **"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.
- 2.8. **"Business Day"** means a day other than a Saturday, Sunday or statutory holiday in the Province of Alberta.
- 2.9. **"Chemical Oxygen Demand (COD)"** means a measure of the capacity of water to consume oxygen as a result of oxidation of inorganic chemicals and decomposition of organic *Matter*.
- 2.10. **"Clear-Water Waste"** includes *Non-Contact Cooling Water* and other water that has not come into contact with *Wastewater* contaminant sources.
- 2.11. **"Code of Practice"** means a set of practices applicable to specific *Designated Sector Operations*; a code of practice identifies mandatory procedures, equipment, training or other provisions required as a condition of *Wastewater* discharge into the *Wastewater System*. A *Code of Practice* may be included in approved *Best Management Practices*.
- 2.12. **"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.
- 2.13. **"Compliance Program"** means the necessary steps undertaken by a *User* to bring *Wastewater* discharged into the *Wastewater System* into compliance with the terms and conditions of this Bylaw or related permit. Compliance programs are applicable to existing *Users* only; new *Users* must fully comply with the requirements of this Bylaw.
- 2.14. **"Composite Sample"** means a volume of *Wastewater* made up of four or more *Grab Samples* that have been combined automatically or manually and taken at intervals during a sampling period.
- 2.15. **"Council"** means the Municipal *Council* of *Leduc County* in the Province of Alberta.
- 2.16. **"County Manager"** means the Chief Administrative Officer of *Leduc County* or his designate.

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- 2.17. "County Service Pipe"** means that portion of a *Service Connection* owned by *Leduc County* that extends from the *Wastewater Main* to the *Property Line* of a parcel that receives, or is to receive, *Wastewater Services*.
- 2.18. "Dental Amalgam"** means a dental filling material consisting of an amalgam of mercury, silver and other materials such as copper, tin or zinc.
- 2.19. "Dental Amalgam Separator"** means any technology, or combination of technologies, designed to separate *Dental Amalgam* particles from dental operation *Wastewater*.
- 2.20. "Designated Sector Operations"** means *Industrial*, commercial or *Institutional* sectors required to adopt Codes of Practice.
- 2.21. "Domestic Wastewater"** means sanitary *Wastewater* produced on residential premises, or sanitary *Wastewater* and *Wastewater* from sanitary facilities produced on a non-residential property.
- 2.22. "Due Date"** means the date by which payment on an invoice is required.
- 2.23. "Emergency"** means an act of God or force majeure creating a condition over which the *User* or *Leduc County* has no control, a condition which creates an imminent danger or a real possibility of *Property* damage, or personal injury, or when a condition or situation is declared to be an emergency by *Council*, or the Federal or Provincial Crown, or other civil authority having jurisdiction.
- 2.24. "Engineering Standards"** means the *Leduc County* Design Guidelines and Construction Standards for Developments, or in the absence of such standards, generally accepted municipal engineering standards.
- 2.25. "Fees and Charges"** means the rates, fees and charges applicable to *Wastewater Services*, as set out in the *Fees and Charges Bylaw*.
- 2.26. "Fees and Charges Bylaw"** means the *Leduc County* bylaw to establish utility rates, fees and charges, as may be as amended or repealed and replaced from time to time;
- 2.27. "Flashpoint"** means the temperature at which enough vapour collects on the surface of a liquid to become flammable. The lower the flashpoint, the more flammable the material is.
- 2.28. "Flow Monitoring Point"** means an access place to a *Private Service* for the purpose of:
- 2.28.1.** measuring the rate or volume of *Wastewater*, *Storm Water*, *Clear Water Waste* or *Subsurface Water* released from the premises; and
 - 2.28.2.** collecting representative samples of the *Wastewater*, *Storm Water*, *Clear Water Waste* or *Subsurface Water* released from the premises.

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- 2.29. "Fuels"** means alcohol, gasoline, naphtha, diesel fuel, fuel oil or any other ignitable substance intended for use as a fuel.
- 2.30. "Grab Sample"** means a volume of *Wastewater, Storm Water or Uncontaminated Water* which is collected over a period not exceeding 15 minutes.
- 2.31. "Ground Water"** means water collected from below the surface of the ground.
- 2.32. "Hauled Waste"** means any *Industrial* waste which is transported to and deposited into any location in the *Wastewater System*, excluding *Hauled Wastewater*.
- 2.33. "Hauled Wastewater"** means *Wastewater* removed from a collection system, including a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet or a *Wastewater* holding tank.
- 2.34. "Hazardous Substance"** means:
- 2.34.1.** any substance or mixture of substances, other than a *Pesticide*, that exhibits characteristics of flammability, corrosivity, reactivity or toxicity; and
 - 2.34.2.** any substance that is designated as a hazardous substance within the meaning of the Province of Alberta's *Waste Control Regulation* 192/1996 as amended from time to time.
- 2.35. "Ignitable Waste"** means a substance that:
- 2.35.1.** is a liquid, other than an aqueous solution containing less than 24 percent alcohol by volume, and has a flash point less than 93 degrees Celsius, as determined by the Tag Closed Cup Tester (ASTM D-56-97a), the Setaflash Closed Cup Tester (ASTM D-3828-97 or ASTM D-3278-96e1), the Pensky-Martens Closed Cup Tester (ASTM D-93-97), or as determined by an equivalent test method;
 - 2.35.2.** is a solid and is capable, under standard temperature and pressure, of causing fire through friction, absorption of moisture or spontaneous chemical changes and, when ignited, burns so vigorously and persistently that it creates a danger;
 - 2.35.3.** is an ignitable compressed gas as defined under any applicable federal or provincial statute or regulation, as amended; or
 - 2.35.4.** is an oxidizing substance as defined under any applicable federal or provincial statute or regulation, as amended.
- 2.36. "Improvement"** means an improvement as defined by Part 9 of the *Municipal Government Act*, including a structure or a building.

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- 2.37. “Industrial”** means of or pertaining to manufacturing, commerce, trade, business or *Institutions*, as distinguished from domestic or residential.
- 2.38. “Industry User”** means any owner or operator of *Industrial*, commercial or *Institutional* premises from which there is a discharge of any *Matter* directly or indirectly into the *Wastewater System*.
- 2.39. “Inspector”** means a Person authorized by *Leduc County* to install, maintain, remove and read *Meters* and to conduct inspections, take measurements, conduct sampling, and perform testing, as contemplated in this Bylaw, which *Person* may include, without restriction, the *ACRWC*.
- 2.40. “Institution”** means a facility, usually owned by a government, operated for public purposes, such as schools, universities, medical facilities (hospitals, nursing stations, nursing homes), museums, prisons, government offices, military bases. Some of these facilities produce non-residential discharges to sewers from, for example, laboratories, chemical use, or industrial processes.
- 2.41. “Institutional”** means of or pertaining to an *Institution*.
- 2.42. “Interceptor”** shall mean a receptacle that is installed to prevent oil, grease, sand or other material from entering the *Wastewater System*.
- 2.43. “Leduc County”** means the corporation of Leduc County and its duly authorized representatives.
- 2.44. “Lower Explosive Limit (LEL)”** means the concentration of a gas or vapour in the air. Below the LEL, there is not enough vapour in the air to fuel a fire.
- 2.45. “Matter”** includes any solid, liquid or gas.
- 2.46. “Meter”** means an approved measuring device and all other equipment and instruments supplied or approved by *Leduc County* to calculate and register the amount of water consumed, on the *Property* upon which such devices are situated, including, but not limited to the meter itself, radio frequency units and *Remote Readers*.
- 2.47. “Monitoring Access Point”** means an access point, such as a chamber, in a *Private Service or County Service Pipe* to allow for observation, sampling and flow measurement of the *Wastewater, Uncontaminated Water or Storm Water* therein.
- 2.48. “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 or finished product other than heat.
- 2.49. “Non-Domestic Wastewater”** means all *Wastewater* except *Domestic Wastewater, Uncontaminated Water, and Septic Tank Waste*.
- 2.50. “Oil and Grease”** means n-Hexane extractable *Matter* as described in *Standard Methods*.

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- 2.51. **"Oil – Water Separator"** means a three-stage oil-water separator that meets the Standard for Oil-Water Separators (ULC-S656-14) prepared by Underwriters' Laboratories of Canada or the equivalent oil-water separation technology able to achieve a *Wastewater* quality of 100 mg/L of *Oil and Grease* (mineral-synthetic/hydrocarbons) or less.
- 2.52. **"Owner"** means the *Person* who is registered under the Land Titles Act as an owner of a parcel of land, or in the case of *Property* other than land and the *Improvements* thereon, any *Person* who is in legal possession thereof, or a representative for the *Owner* as designated by the *Owner*.
- 2.53. **"Over Strength"** means *Wastewater* released to the *Wastewater System* that is higher in concentration for one or more constituent concentrations set out in Schedule "C" of this Bylaw.
- 2.54. **"Over Strength Surcharge"** means a rate, fee or charge imposed upon a *Person* who releases *Wastewater* to the *Wastewater System* that exceeds one or more constituent concentrations set out in Column A of Schedule 'C'.
- 2.55. **"Pathological Waste"** means pathological waste within the meaning of the Canadian *Human Pathogens and Toxins Act*, as amended.
- 2.56. **"PCBs"** means any monochlorinated or polychlorinated biphenyl or any mixture of them or mixture that contains one or more of them.
- 2.57. **"Peace Officer"** means a Bylaw Enforcement Officer, or a *Peace Officer* within the meaning of the *Peace Officer Act*, employed or appointed by *Leduc County*.
- 2.58. **"Person"** includes a partnership, a firm, a corporate body, and the successors, heirs, executors, administrators or other legal representatives of a *Person* to whom the context can apply according to law.
- 2.59. **"Pesticide"** means a pesticide regulated under the Canadian *Pests Control Products Act* and the Province of Alberta's *Pesticide (Ministerial) Regulation* and *Pesticide Sales, Handling, Use and Application Regulation*, all as amended.
- 2.60. **"pH"** means the logarithm of the reciprocal of the hydrogen ion concentration in moles per liter denoting the degree of acidity or alkalinity.
- 2.61. **"Pretreatment"** means the reduction, elimination or alteration of *Matter* in *Wastewater* prior to discharge into the *Wastewater System*. This reduction or alteration can be obtained by physical, chemical, or biological processes, through pollution prevention, or by other means, except by diluting the concentration of the pollutants.
- 2.62. **"Private Service" or "Private Service Pipe"** means that portion of a *Service Connection* that extends from the *Property Line* to an *Improvement* or location that receives, or is to receive, *Wastewater Services*, comprised of the *User-owned* assembly of pipes, fittings, fixtures, traps and appurtenances for the collection and transmission of *Wastewater* into the *Wastewater System*.

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- 2.63. “Prohibited Waste”** means prohibited waste as defined in Schedule ‘A’ of this Bylaw.
- 2.64. “Property”** means a parcel of land or an *Improvement* or a parcel of land and the *Improvement* to it, as the context requires, whether the *Improvement* is occupied or unoccupied.
- 2.65. “Property Line”** means the boundary of a piece of land described in a certificate of title by reference to a plan filed or registered in a land titles office.
- 2.66. “Reactive Waste”** means a substance that:
- 2.66.1.** is normally unstable and readily undergoes violent changes without detonating;
 - 2.66.2.** reacts violently with water;
 - 2.66.3.** forms potentially explosive mixtures with water;
 - 2.66.4.** when mixed with water, generates toxic gases, vapours or fumes in a quantity sufficient to present danger to human health or the environment;
 - 2.66.5.** is a cyanide or sulphide bearing waste which, when exposed to pH conditions between 2 and 12.5, can generate toxic gases, vapours or fumes in a quantity sufficient to present danger to human health or the environment;
 - 2.66.6.** is capable of detonation or explosive reaction if it is subjected to a strong initiating source or if heated under confinement;
 - 2.66.7.** is readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure; or
 - 2.66.8.** is an explosive as defined in the regulations under the Canadian *Explosives Act*, as amended.
- 2.67. “Remote Reader”** means an approved device attached to the outside of an *Improvement* enabling *Leduc County* to read water consumption without entering the *Improvement*.
- 2.68. “Restricted Waste”** means restricted waste as defined in Schedule ‘B’ of this Bylaw.
- 2.69. “Sampling Port”** a valve, tap, or similar device on equipment, a drain pipe or at another suitable location, to allow for sampling, consistent with technical guidelines that *Leduc County* may establish or adopt from time to time.

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- 2.70. **"Septic Tank Waste"** means any waste extracted from a cesspool, septic tank, sewage holding tank, seepage pit, *Interceptor* or other containment for human excretion and wastes.
- 2.71. **"S.E.R.T.S."** means the Southeast Regional Trunk Sewer which acts as a sewer collection trunk main and is owned and operated by ACRWC serving *Leduc County* and other municipal areas.
- 2.72. **"Service Area"** means those areas of *Leduc County* where *Leduc County* owned *Wastewater Services* are made available, as identified in Schedule "E" of this Bylaw.
- 2.73. **"Service Connection"** means the infrastructure and equipment required to achieve a physical connection between the *Wastewater Main* and an *Improvement* or location that receives *Wastewater Services*, to allow for the discharge of *Wastewater* into the *Wastewater System*, which includes a *County Service Pipe* and a *Private Service*.
- 2.74. **"Spill"** means a direct or indirect discharge into the *Wastewater System*, which is abnormal in quantity or quality in light of all the circumstances of the discharge.
- 2.75. **"Standard Methods"** means a procedure or method 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 the Water Environment Federation, recent or latest edition, or approved in writing by *Leduc County*.
- 2.76. **"Storm Sewer"** means a pipe, conduit, drain, open channel or ditch for the collection and transmission of *Uncontaminated Water*, *Storm Water*, drainage from land or from a *Watercourse* or any combination.
- 2.77. **"Storm Water"** means water that originates during precipitation events or snowmelt.
- 2.78. **"Subsurface Water"** means *Ground Water* including foundation drain water.
- 2.79. **"Tenant"** means a *Person* who is not the *Owner* but who is in legal possession of a *Property* or *Improvement* to which *Wastewater Services* are provided.
- 2.80. **"Total Suspended Solids (TSS)"** means insoluble *Matter* in liquid that is removable by filtration, as determined by the appropriate procedure described in *Standard Methods*.
- 2.81. **"Toxic Substance"** means any substance defined as toxic under the *Canadian Environmental Protection Act* 1999, as amended from time to time and within the meaning of Alberta's *Waste Control Regulation*, as amended from time to time.
- 2.82. **"Transfer Station"** means the location at which *Hauled Wastewater* or *Hauled Waste* is received for disposal into the *Wastewater System*.

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- 2.83. "Turn-Off"** means a discontinuance of the *Wastewater Services* to a *User* or *Property*.
- 2.84. "Uncontaminated Water"** means water with a level of quality which is typical of potable water normally supplied by *Leduc County*.
- 2.85. "User"** means any *Person* receiving *Wastewater Services*, including without limiting the generality of the foregoing, any *Person* who discharges any *Matter*, including *Wastewater*, into the *Wastewater System*, and where the context or circumstances so require, also includes any *Person*:
- 2.85.1.** who has made an application for *Wastewater Services* or otherwise seeks to receive *Wastewater Services*;
- 2.85.2.** who is named on an account, contract or agreement for the supply of *Wastewater Services* by *Leduc County* or its authorized representatives; or
- 2.85.3.** who acts as agent or representative of a *User*.
- 2.86. "Utility Bill"** means a document issued by *Leduc County* which sets out *Fees and Charges* for *Wastewater Services* provided to the *User*, and such other charges as may imposed pursuant to this Bylaw.
- 2.87. "Utility Officer"** means the *Leduc County* Utility Officer / Technician or a designate authorized by *Leduc County* to provide *Wastewater* operation services.
- 2.88. "Waste Disposal Site Leachate"** means the liquid containing dissolved or suspended contaminants which emanates from waste (solid waste or garbage) and is produced by water percolating through waste or by liquid in waste.
- 2.89. "Waste Radioactive Substances"** means substances defined in the federal *Nuclear Safety and Control Act* and the regulations passed thereunder, as amended.
- 2.90. "Wastewater"** means the composite of water and water carried wastes from residential, commercial, *Industrial* or *Institutional* premises or any other source.
- 2.91. "Wastewater Discharge Permit"** means a permit issued by *Leduc County*, or an authorized representative of *Leduc County*, which may include, without restriction, the *ACRWC*, which will govern the discharge of *Non-Domestic Wastewater*, *Hauled Waste* and *Hauled Wastewater* into the *Wastewater System*.
- 2.92. "Wastewater Main"** means those pipes installed for the collection and transmission of *Wastewater* throughout *Leduc County* to which *County Service Pipes* may be connected.
- 2.93. "Wastewater Services"** includes the collection, transmission, treatment and disposal of *Wastewater*, as applicable, by or on behalf of *Leduc County*, and associated services offered under this Bylaw.

- 2.94. **"Wastewater Sludge"** means solid material recovered from the *Wastewater* treatment process.
- 2.95. **"Wastewater System"** means the infrastructure and works used by Leduc County and/or its authorized representatives, which may include, without restriction, the ACRWC, for the collection, transmission, treatment and/or disposal of *Wastewater*, including, without limitation, *Wastewater Mains*, *County Service Pipes*, *Transfer Stations*, and all other associated pipes, valves, fittings, chambers, equipment and machinery.
- 2.96. **"Wastewater Treatment Facility"** means any structure or thing used for the physical, chemical, biological or radiological treatment of *Wastewater*, and includes sludge treatment, *Wastewater Sludge* storage and disposal facilities.
- 2.97. **"Watercourse"** means an open channel, ditch or depression, either natural or artificial, in which flow of water occurs either continuously or intermittently.
- 2.98. **"Water Services"** means the provision of water by *Leduc County* pursuant to The Water Services Bylaw (No. 31-14), as amended or repealed and replaced from time to time.

3. Connections

Requirement to Connect

- 3.1. The *Owner of Property* for which there are no existing connections to the *Wastewater System* shall, subject to the provisions of Subsections (3.1.1) to (3.1.3) of this Section, connect to the *Wastewater System* in accordance with the requirements of this Bylaw,
- 3.1.1. Where a *Wastewater Main* exists adjacent to the *Owner's Property*, the *Owner* shall complete the connection to the *Wastewater System* in the manner required by this Bylaw.
- 3.1.2. Where no *Wastewater Main* exists adjacent to the *Owner's Property* on the date of the coming into force of this Bylaw, the *Owner* shall complete the connection to the *Wastewater System* in the manner required by this Bylaw within one (1) year of the *Owner* receiving written notice from *Leduc County*.
- 3.1.2.1. Written notice shall indicate that the installation of an appropriate *Wastewater Main* adjacent to the *Owner's Property* has caused the service to be available.
- 3.1.2.2. Written notice shall be served upon the *Owner* by ordinary mail sent to the last mailing address for the *Owner* shown on the tax roll for the affected *Property* and shall be deemed to have been received within seven (7) days of the date of mailing.

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- 3.1.3.** In addition to the notice requirements set out at Subsection 3.1.2 *Leduc County* may give such further and additional notice which it may determine warranted, in its sole discretion, by any additional means of its choosing including but not limited to, radio or newspaper advertising.
- 3.2.** During any period of time prior to the completion of the connection to the *Wastewater System* required by Section 3.1, the *Owner* shall ensure that suitable sanitary washroom facilities are made available for use of employees and guests of the *Owner*.

 - 3.2.1.** The *Owner* shall ensure that such sanitary washroom facilities, along with any other existing sewer services on the *Property* are connected to an approved private sewage disposal system.

 - 3.2.1.1.** A private sewage disposal system described at Subsection 3.2.1 shall, at a minimum, consist of a sanitary sump and/or industrial sump, the contents of which are periodically pumped out and hauled away for disposal by a hauler pursuant to requirements of this bylaw.
 - 3.2.1.2.** Notwithstanding Subsection 3.2.1.1, all *Wastewater* holding facilities shall provide for the segregated storage of sanitary and *Industrial Wastewaters* in separate sanitary and *Industrial* sumps.
 - 3.2.1.3.** Any private sewage disposal system constructed or maintained pursuant to this Section shall comply with the applicable provisions of the *Safety Codes Act*, as amended or repealed and replaced from time to time, and all applicable regulations, codes of practice or orders established there under.
- 3.3.** Where a *Property* subject to an obligation to connect to the *Wastewater System* pursuant to Section 3.1 is sold to a new *Owner* subsequent to the commencement of the one (1) year period set out by Section 3.1 as applicable, that new *Owner* shall be required to comply with the requirements of Section 3.1 as if that new *Owner* was the *Owner* of the *Property* at the time the obligation arose.
- 3.4.** Where an *Owner* that is subject to an obligation to connect to the *Wastewater System* under Section 3.1 is unable to do so within the applicable time limit, that *Owner* may apply in writing to *Leduc County* for a one (1) year extension of the time limit for meeting the *Owner's* obligations under Section 3.1.
- 3.5.** Where an application is received pursuant to Section 3.4, the *County* may determine to accept or reject that application at the *County's* discretion and shall, in the exercise of that discretion, give consideration to any guidelines respecting the exercise of that discretion as may be established by resolution of *Council* from time to time.

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- 3.6.** Any septic tanks, holding tanks, cesspools, sumps or similar *Wastewater* disposal facilities no longer required to service the *Property* after connection to the *Wastewater System*, shall be removed or abandoned and filled with suitable material.

Applications for Wastewater Services

- 3.7.** Any *Person* seeking to obtain *Wastewater Services* from *Leduc County* shall submit a completed application for *Wastewater Services*, along with a non-refundable connection fee as set out in the *Fees and Charges Bylaw* for those services prior to the subject *Property* or *Improvement* to receive services being occupied or otherwise put into use by any *Person*.
- 3.8.** A *Person* developing a *Property* requiring the provision of *Wastewater Services* during construction and development may apply for a permit to receive those *Wastewater Services* on the subject *Property*.
- 3.9.** An application for a permit under Section 3.8 shall be submitted to *Leduc County* with the applicable permit fee as set out in the *Fees and Charges Bylaw*.
- 3.10.** The *County Manager* may impose any conditions determined to be reasonable and necessary as part of the permit contemplated by Section 3.8, if granted, including but not limited to requiring *Wastewater Services* provided during construction or development to be *Metered* and billed in accordance with the *Fees and Charges Bylaw*.
- 3.11.** An application under the requirements of this Bylaw shall be in the form prescribed by *Leduc County*.
- 3.12.** *Leduc County* shall be under no obligation to process any application if:
- 3.12.1.** the application is incomplete or;
 - 3.12.2.** the required fee associated with the application has not been submitted, or;
 - 3.12.3.** the applicant or the *Owner* of the *Property* or *Improvement* to be serviced has any outstanding account balances with *Leduc County*.
- 3.13.** Upon the change of ownership of a *Property*, the new *Owner* shall be required to submit a new application for *Wastewater Services* to *Leduc County* pursuant to the requirements of this Bylaw; however, the failure of the new *Owner* to submit an application shall not relieve that new *Owner* from the obligation to pay the applicable *Fees and Charges* for the provision of *Wastewater Services* to the *Property* after the date of transfer of title has occurred.
- 3.14.** An application for *Wastewater Services*, when accepted by *Leduc County*, shall form a binding contract between the *User* and *Leduc County*, and the provisions of this Bylaw shall form part of the terms and conditions of that contract, which the *User* agrees to comply with by submitting the application.

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- 3.15.** Except as otherwise provided for under this Bylaw, a *Tenant* shall not be entitled to submit an application or to otherwise enter into a contract for the provision of *Wastewater Services* to any *Property* or *Improvement*.
- 3.16.** If *Wastewater Services* are currently being provided to a *Tenant*, and the account is in the *Tenant's* name, *Leduc County* will require the *Owner* of the *Property* at which the *Tenant* receives *Wastewater Services* to apply for an account for *Wastewater Services* in the *Owner's* name, failing which, *Leduc County* may deem an application to have been received from the *Owner* of the *Property* and open an account in the *Owner's* name.
- 3.17.** The *Owner* of a *Property* where *Wastewater Services* are received shall be responsible for all *Wastewater Services* provided, and all charges levied for *Wastewater Services* provided to a *Property*, whether the provision of *Wastewater Services* was measured by way of a *Meter* or metering device, or whether delivered or consumed by accidental or illegal means.
- 3.18.** An *Owner* of a *Property* or *Improvement* to which *Wastewater Services* are provided may make an application in a form prescribed by *Leduc County*, to have *Utility Bills* mailed to the *Tenant* of the *Owner* under the *Owner's* name; however, the *Owner* shall remain responsible for the *Fees and Charges* imposed for the *Wastewater Services*.

4. Service and Servicing

Application for Service Connection

- 4.1.** A *Person* that proposes, or is required by this Bylaw, to connect to the *Wastewater System* via a new *Service Connection* shall apply to *Leduc County* for approval, which the application shall include:
 - 4.1.1.** construction drawings identifying the proposed *Service Connection* and all associated piping fittings and installations;
 - 4.1.2.** any documentation and information required by the *Engineering Standards*;
 - 4.1.3.** any documentation and information required by *Leduc County*; and
 - 4.1.4.** any application fee or charge that may be required;and shall be in compliance with the provisions of the *Safety Codes Act*, as amended or repealed and replaced from time to time, and all applicable regulations, codes of practice or orders established thereunder, and the *Engineering Standards*.
- 4.2.** *Leduc County* may advise a *Person* who has applied under Section 4.1 whether and on what terms *Leduc County* is prepared to approve the *Service Connection*, of the type and character of the *Service Connection* that *Leduc County* requires, and of any conditions, including without limitation, payments by the *Person*, that

must be satisfied as a condition of installation of a *Service Connection* and supply of *Wastewater Services*.

Construction of Service Connections

- 4.3. The *Owner* of a *Property* being serviced is responsible for the costs of providing, constructing, and installing the *County Service Pipe* that serves the *Owner's Property*.
- 4.4. The *Owner* of a *Property* shall be responsible for, and shall bear all costs associated with, the installation and condition of the *Private Service* and all other piping and equipment or other facilities of any kind whatsoever on the *Owner's Property*, and shall ensure that:
 - 4.4.1. the proposed *Private Service* receives approval from *Leduc County* prior to construction;
 - 4.4.2. the *Private Service*, and connection to the *Wastewater System*, conforms with all applicable requirements of:
 - 4.4.2.1. this Bylaw;
 - 4.4.2.2. the *Safety Codes Act*, as amended or repealed and replaced from time to time, and all applicable regulations, codes of practice or orders established thereunder;
 - 4.4.2.3. the *Engineering Standards*; and
 - 4.4.2.4. any other requirements that may be imposed by *Leduc County*, in its discretion; and
 - 4.4.3. the construction of the *Private Service* and any connection to the system is completed by and under the direction of *Person* holding appropriate expertise and certifications.
- 4.5. No *Person* shall have, construct or maintain more than one *Private Service* to any *Property* owned, occupied or controlled by that *Person*, except with the express written approval of *Leduc County*.
- 4.6. No *Person* shall extend a *Private Service* from one parcel of land to another without prior written consent from *Leduc County*.
- 4.7. The *Owner* of a *Property* to be serviced shall be responsible for obtaining all permits, certificates, licenses, inspections, reports, and other authorizations necessary for the installation and operation of the *Private Service*, which may include, without limiting the generality of the foregoing, a required development permits or subdivision approvals.
- 4.8. *Leduc County* shall not be required to commence *Wastewater Services* to a *Property* unless and until the *Owner* has complied with the requirements of all

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governmental authorities, permits, certificates, licenses, inspections, reports and other authorizations, all right-of-way agreements, and all of *Leduc County's* requirements applicable to the installation and operation of the *Private Service*. *Leduc County* reserves the right, but is not obligated, to verify that all necessary authorizations have been obtained.

- 4.9. *Leduc County* retains ownership of all facilities necessary to provide *Wastewater Services* to a *User*, other than the *Private Service*, unless a written agreement between *Leduc County* and the *User* specifically provides otherwise, and payment made by a *Person* for costs incurred by *Leduc County* for supplying and installing facilities does not entitle that *Person* to ownership of any such facilities.

Repair and Maintenance

- 4.10. An *Owner* of a *Property* that receives *Wastewater Services* through a *Service Connection* is responsible for the repair, maintenance and replacement of the *Private Service* located on the *Property*, and for all costs associated therewith.
- 4.11. An *Owner* of a *Property* that receives *Wastewater Services* through a *Service Connection* shall ensure that the *Private Service* is maintained in a sanitary condition, and in a condition that complies with all applicable requirements of:
- 4.11.1. this Bylaw;
 - 4.11.2. the *Safety Codes Act*, as amended or repealed and replaced from time to time, and all applicable regulations, codes of practice or orders established thereunder;
 - 4.11.3. the *Engineering Standards*; and
 - 4.11.4. any other requirements that may be imposed by *Leduc County*, in its discretion.
- 4.12. The *Owner* of a *Property* is, subject to Section 4.13, responsible for the costs of maintaining and repairing the *County Service Pipe* that serves the *Owner's Property*.
- 4.13. *Leduc County* may, in its sole and absolute discretion, decide that *Leduc County* will bear costs related to the repair or maintenance of a particular *County Service Pipe* in given case, and, in making such a determination, *Leduc County* may consider and apply the terms of any applicable policies, procedures or guidelines that may be established by *Leduc County*, from time to time.

5. Access to Property and Authority to Investigate

- 5.1. An *Inspector* authorized by *Leduc County* has the authority to, subject to the provisions of this Bylaw governing entry to *Property*, carry out any inspection reasonably required to ensure compliance with this Bylaw, which may include, but is not limited to:

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- 5.1.1** inspecting components of the *Wastewater System*, including, without restrictions, *Private Services*;
 - 5.1.2** inspecting, observing, sampling and measuring the flow in any *Private Service*, private *Wastewater* disposal system or *Flow Monitoring Point*;
 - 5.1.3** taking samples of *Wastewater*, *Storm Water*, *Clear-Water Waste* and *Subsurface Water* being released from a *User's* premises or flowing within a *Private Service*;
 - 5.1.4** performing on-site testing of the *Wastewater*, *Storm Water*, *Clear-Water Waste* and *Subsurface Water* within or being released from *Private Services*, *Pretreatment* facilities and *Storm Water* management facilities;
 - 5.1.5** collecting and analyzing samples of *Hauled Wastewater* coming to a discharge location into the *Wastewater System*;
 - 5.1.6** making inspections of the types and quantities of chemicals being handled or used on a *User's* premises in relation to possible release to the *Wastewater System*;
 - 5.1.7** requiring information from any *User* concerning a matter relevant to the *Wastewater Services* or *Wastewater System*;
 - 5.1.8** inspecting and copying documents relevant to the *Wastewater Services* or *Wastewater System*, or removing such documents from premises to make copies;
 - 5.1.9** inspecting chemical storage areas and spill containment facilities and request Safety Data Sheets (SDS) for materials stored or used on site; and
 - 5.1.10** inspecting the premises where a release of *Prohibited Waste* or *Restricted Waste*, or of water containing *Prohibited Waste* or *Restricted Waste* has been made or is suspected of having been made, and to sample any or all *Matter* that could reasonably have been part of the release.
- 5.2.** An *Inspector* authorized by *Leduc County* shall have the right to enter a *User's Property* at all reasonable times to install, maintain, inspect, replace, test, monitor, read, or remove *Leduc County's Property* and *Meters*, respond to a *User's* complaint or query, or conduct an inspection pursuant to Section 5.1.
- 5.3.** Except in the case of an *Emergency*, where entry is permitted by an Order of the Court, or where otherwise legally empowered to enter, before entering a *User's Property*, *Leduc County* or its authorized *Inspector* will make reasonable effort to give notice of entry to the *User* or other responsible *Person* who is present on the *Property* and who appears to have sufficient authority to permit entry.

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- 5.4. All *Inspectors* shall produce identification upon request.
- 5.5. No *Person* shall hinder or prevent entry to *Property* by *Leduc County* or its *Inspectors* pursuant to this Section.
- 5.6. In the event that a *User* hinders or prevents entry to *Property* by *Leduc County* or its *Inspectors*, *Leduc County* may, in addition to any other remedy available, *Turn-Off Wastewater Services* to that *User* and impose any established fee or charge as may be contained in the *Fees and Charges Bylaw*.
- 5.7. No *Person* shall obstruct or interfere with an *Inspector* in the discharge of their duties under this bylaw.
- 5.8. If an inspection discloses any act or omission contrary to the provisions of this Bylaw, or the inspection discloses any defect or insufficiency in the location, construction, design or maintenance of any equipment in connection with the *Wastewater* discharge, the *Inspector* will report to the *Utility Officer* who may, in addition to any other remedy available, direct the *Owner* or occupier of the premises to correct the act or omission or any defect or deficiency.

6. Restrictions, Prohibitions and Interruption of Service

- 6.1. *Leduc County* does not guarantee or warrant the continuous supply of *Wastewater Services* and *Leduc County* reserves the right, in case of *Emergencies*, construction or maintenance activities, to change the operating practices, restrict the availability of *Wastewater Services* or to *Turn-Off Wastewater Services*, in whole or in part, with or without notice.
- 6.2. *Leduc County* may, in its discretion, *Turn-Off Wastewater Services*, in whole or in part, to any *User* for any lawful reason, including non-payment, upon providing reasonable notice to the *User*.
- 6.3. No *Person* shall attempt to obtain *Wastewater Services* from the *Wastewater System* by, from or through a bypass or otherwise, in any fraudulent manner.
- 6.4. *Leduc County* shall not be liable for damages including losses caused by:
 - 6.4.1. a failure within the *Wastewater System*;
 - 6.4.2. the interference or cessation of *Wastewater Services* including those necessary or advisable regarding the repair or proper maintenance of the *Wastewater System*; or
 - 6.4.3. generally for any accident that may or may not have been a result of operation of the *Wastewater System*;

unless such costs or damages have been shown to be directly due to the willful act of *Leduc County* or employees of *Leduc County*. All limitations, protections and exclusions of liability contained in any provincial or federal legislation shall be

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applicable to and shall benefit *Leduc County* in respect of any action brought or contemplated in respect of the provision of *Wastewater Services*.

- 6.5. No *User* shall allow, supply, or give away access to the *Wastewater System* unless approved by *Leduc County* in writing.
- 6.6. In the event that a *Private Service* is abandoned or discontinued within a *Property*, the *Owner* of the *Property*, at his expense, shall cap the sewer at the location specified by the County in order to prevent *Wastewater*, *Storm Water*, soil, dirt or debris from being washed or backed up into the *Wastewater System*.
 - 6.6.1. All methods of service capping must be approved and inspected by *Leduc County* prior to burial.

7. Interceptors

7.1. Food-Related Grease Interceptors

- 7.1.1. Every *User* who is the *Owner* or operator of a restaurant or other *Industrial*, commercial or *Institutional* premises where food is cooked, processed or prepared, for which the premises is connected directly or indirectly to the *Wastewater System*, shall take all necessary measures to ensure that *Oil and Grease* are prevented from entering the *Wastewater System* in excess of the provisions of this bylaw. *Oil and Grease Interceptors* shall not discharge to *Storm Sewers*.
- 7.1.2. The *User* referred to in Subsection 7.1.1 shall install, operate, and properly maintain, at the *User's* expense, an *Oil and Grease Interceptor* in any piping system at its premises that connects directly or indirectly to the *Wastewater System*. The *Oil and Grease Interceptors* shall be installed in compliance with the most current requirements of the applicable Building Code and the National Plumbing Code of Canada, as amended.
- 7.1.3. All *Oil and Grease Interceptors* shall be maintained in good working order according to the manufacturer's recommendations. The testing, maintenance and performance of the *Interceptor* shall meet the requirements of CAN/CSA B-481. Traps should be cleaned before the thickness of the organic material and solids residuals is greater than twenty-five percent of the available volume; cleaning frequency should not be less than every four weeks. Maintenance requirements should be available at the workplace where the grease *Interceptor* is installed. Maintenance and clean out shall be documented at the time it is performed.
- 7.1.4. A maintenance schedule and record of maintenance carried out shall be submitted to *Leduc County* and/or its authorized representative upon request for each *Interceptor* installed.

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- 7.1.5.** A *User* who is the *Owner* or operator of the restaurant or other *Industrial*, commercial or *Institutional* premises where food is cooked, processed or prepared, shall, for two (2) years, keep the records which document the maintenance and clean outs performed for *Interceptor* clean-out and *Oil and Grease* disposal.

7.2. Vehicle and Equipment Service Oil and Grease Interceptors

- 7.2.1.** Every *User* who is the *Owner* or operator of a vehicle or equipment service station, repair shop or garage or of an *Industrial*, commercial or *Institutional* premises or any other establishment where motor vehicles are repaired, lubricated or maintained and where the sanitary discharge is directly or indirectly connected to the *Wastewater System* shall install an *Oil and Grease Interceptor* designed to prevent motor oil and lubricating grease from passing into the *Wastewater System* in excess of the provisions of this Bylaw. *Oil and Grease Interceptors* shall not discharge to *Storm Sewers*.
- 7.2.2.** The *User* referred to in Subsection 7.2.1 shall install, operate, and properly maintain, at the *User's* expense, *Oil and Grease Interceptors* in any piping system at its premises that connects directly or indirectly to the *Wastewater System*. The *Oil and Grease Interceptors* shall be installed in compliance with the most current requirements of the applicable Building Code and be maintained as recommended by the Canadian Fuels Association (formerly the Canadian Petroleum Products Institute).
- 7.2.3.** All *Oil and Grease Interceptors* and separators shall be maintained in good working order and according to the manufacturer's recommendations and shall be inspected regularly to ensure performance is maintained to the manufacturer's specifications for performance and to ensure the surface oil and sediment levels do not exceed the recommended level. In the absence of manufacturer's recommendations, the floating *Oil and Grease* shall not accumulate in the final stage chamber of the oil and grease separator in excess of 5% of the wetted height and the settled solids shall not accumulate in the final stage chamber of the oil and grease separator in excess of 25% of the wetted height. Maintenance and clean out shall be documented at the time it is performed.
- 7.2.4.** A maintenance schedule and record of maintenance shall be submitted to *Leduc County* and/or its authorized representative upon request for each *Oil and Grease Interceptor* installed.
- 7.2.5.** A *User* who is the *Owner* or operator of the premises as set out in Subsection 7.2.1, shall, for two (2) years, keep the records which document the maintenance and clean outs performed for *Interceptor* clean-out and *Oil and Grease* disposal.

7.3. Sediment Interceptors

- 7.3.1. Every *User* who is the *Owner* or operator of premises from which sediment may directly or indirectly enter the *Wastewater System*, including but not limited to premises using a ramp drain or area drain and vehicle wash establishments, shall take all necessary measures to ensure that such sediment is prevented from entering the *Wastewater System* in excess of the limits in this Bylaw.
- 7.3.2. All sediment *Interceptors* shall be maintained in good working order, at the user's expense, according to manufacturer's recommendations and shall be inspected regularly to ensure performance is maintained to the manufacturer's specifications for performance. In the absence of manufacturer's recommendations, the settled solids shall not accumulate in the final stage chamber of the sediment *Interceptor* in excess of 25% of the wetted height. Maintenance and clean out shall be documented at the time it is performed.
- 7.3.3. A *User* who is the *Owner* or operator of a premises as referred to in Subsection 7.3.1, shall, for two (2) years, keep the records which document *Interceptor* clean-out and sediment disposal.
- 7.3.4. A maintenance schedule and record of maintenance shall be submitted to *Leduc County* and/or its authorized representative upon request for each sediment *Interceptor* installed.

8. Dental Waste Amalgam Separator

- 8.1. Every *User* who is the *Owner* or operator of premises from which *Dental Amalgam* may be discharged, which waste may directly or indirectly enter the *Wastewater System*, shall install, operate and properly maintain, at the *User's* expense, *Dental Amalgam Separator(s)* with at least 95% efficiency in amalgam weight and certified *ISO 11143 – "Dentistry - Amalgam Separators"*, in any piping system at its premises that connects directly or indirectly to the *Wastewater System*, except where the sole dental-related practice at the premises consists of one or more of the following specialties or type of practice:
 - 8.1.1. Orthodontics and dentofacial orthopaedics;
 - 8.1.2. Oral and maxillofacial surgery;
 - 8.1.3. Oral medicine and pathology;
 - 8.1.4. Periodontics; or
 - 8.1.5. A dental practice consisting solely of visits by a mobile dental practitioner who prevents any *Dental Amalgam* from being released directly or indirectly to the *Wastewater System*.

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- 8.2.** Notwithstanding compliance with Subsection 8.1, all *Persons* operating or carrying on the business of a dental practice shall comply with Schedules 'A' and 'B' of this Bylaw.
- 8.3.** All *Dental Waste Amalgam Separators* shall be maintained in good working order and according to the manufacturer's recommendations.
- 8.4.** A maintenance schedule and record of maintenance shall be submitted to Leduc County and/or its authorized representative upon request for each *Dental Amalgam Separator* installed.

9. Releases to the Wastewater System

- 9.1.** No *Person* shall release, or permit the release of, any *Matter* into the *Wastewater System* except:
 - 9.1.1.** *Domestic Wastewater*;
 - 9.1.2.** *Non-Domestic Wastewater* that complies with the requirements of this Bylaw;
 - 9.1.3.** *Hauled Wastewater*, including septage, that complies with the requirements of this Bylaw, or where a *Wastewater Discharge Permit* has been issued by *Leduc County* or an authorized representative of Leduc County, which may include, without restriction, the *ACRWC*;
 - 9.1.4.** *Storm Water, Clear-Water Waste, Subsurface Water* or other *Matter* where a *Wastewater Discharge Permit* has been issued by *Leduc County* or an authorized representative of *Leduc County*, which may include, without restriction, the *ACRWC*;
- 9.2.** No *Person* shall release or permit the release of any *Prohibited Waste* listed in Schedule "A" of this Bylaw, or any *Restricted Waste* which exceeds the concentrations listed in Schedule "B" of this Bylaw, without a valid *Wastewater Discharge Permit* that authorizes the release in question.
- 9.3.** When required by *Leduc County*, *Users* that discharge *Non-Domestic Wastewater* and *Hauled Wastewater* shall complete and submit an application for a *Wastewater Discharge Permit*, and such application shall be of a type, and in a form, specified by *Leduc County* or an authorized representative of Leduc County, which may include, without restriction, the *ACRWC*.
- 9.4.** When required by *Leduc County*, *Users* that discharge *Non-Domestic Wastewater* and *Hauled Wastewater* shall not discharge to the *Wastewater System* until the discharger has obtained a *Wastewater Discharge Permit* from *Leduc County* or an authorized representative of Leduc County, which may include, without restriction, the *ACRWC*.
- 9.5.** *Leduc County*, and the *ACRWC*, if authorized by Leduc County, may issue, and amend, a *Wastewater Discharge Permit* to allow the discharge of *Non-Domestic*

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Wastewater and Hauled Wastewater into the Wastewater System upon such terms and conditions as Leduc County, or the ACRWC, as applicable, considers appropriate and, without limiting the generality of the foregoing, may in the Wastewater Discharge Permit.

9.5.1. Place limits and restrictions on the quantity, composition, frequency and nature of the *Wastewater* permitted to be discharged;

9.5.2. Require the holder of a *Wastewater Discharge Permit* to repair, alter, remove, add to, or construct new *Pretreatment* facilities; and

9.5.3. Provide that the *Wastewater Discharge Permit* will expire on a specified date, or upon the occurrence of a specified event.

9.6. A *Person* that is subject to a *Wastewater Discharge Permit* shall comply with the *Wastewater Discharge Permit*.

10. Non-Contact Cooling Water

10.1. No *Person* shall discharge *Non-Contact Cooling Water* or *Uncontaminated Water* to the *Wastewater System* unless the discharge is in accordance with a *Wastewater Discharge Permit*.

11. Water Originating from a Source Other than the County Water Services

11.1. With the exception of *Hauled Wastewater* or *Hauled Waste*, no *Person* shall discharge water originating from a source other than the *Leduc County Water Services*, including *Storm Water* or *Ground Water*, directly or indirectly to the *Wastewater System* unless the discharge is in accordance with a *Wastewater Discharge Permit*.

12. Hauled Wastewater

12.1. Subject to the requirements of this Bylaw, *Wastewater* may be delivered to *Transfer Stations* for disposal.

12.1.1. Authorization is required to gain access to the disposal facilities.

12.1.1.1. Application for disposal access permits shall be made to *Leduc County* in the format prescribed by *Leduc County*.

12.1.1.2. A *Person* who has been issued a disposal access permit shall comply with that permit, failing which *Leduc County* may, in addition to any other remedy available, revoke or limit the *Person's* permit and authorization to access *Transfer Stations*.

12.2. No *Person* shall discharge *Hauled Wastewater* or *Hauled Waste* to the *Wastewater System*, including a *Transfer Station*, unless:

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- 12.2.1.** The *Person* carrying the *Hauled Wastewater* or *Hauled Waste*, operating as a waste management system, is certified according to all applicable federal and provincial legislation, as amended from time to time;
 - 12.2.2.** The *Person* carrying the *Hauled Wastewater* or *Hauled Waste* meets all conditions for discharge that are or may be set from time to time with respect to the discharge of *Hauled Wastewater* or *Hauled Waste* by *Leduc County*; and
 - 12.2.3.** The *Hauled Wastewater* or *Hauled Waste* meets the conditions set out in all applicable federal and provincial environment protection regulations, as amended from time to time.
- 12.3.** No *Person* shall discharge or permit the discharge of *Hauled Wastewater* or *Hauled Waste* to the *Wastewater System*, including a *Transfer Station*:
- 12.3.1.** At a location other than a *Transfer Station* approved by *Leduc County*;
 - 12.3.2.** Without a manifest, in a form approved by *Leduc County* completed and signed by the *Person* carrying the *Hauled Wastewater* or *Hauled Waste* and deposited in an approved location at the time of discharge; and
 - 12.3.3.** Without the use of a discharge hose securely attached to the discharge port at the approved location.

13. Monitoring Access Points

- 13.1.** A *User* who owns or operates a commercial, *Institutional* or *Industrial* premises shall supply, install, operate and maintain in good repair, a *Monitoring Access Point* in each *Service Connection* to allow observation, sampling and flow measurement of the *Wastewater*, *Uncontaminated Water* or *Storm Water* therein.
- 13.2.** Where construction of a *Monitoring Access Point* is not possible, written authorization from *Leduc County* must be obtained as approval for a suitable alternate device or facility.
- 13.3.** The *Monitoring Access Point* or alternative device or facility, such as a *Sampling Port*, shall be installed in the location provided for in the *Engineering Standards*, unless *Leduc County* has given prior written approval for a different location.
- 13.4.** Each *Monitoring Access Point*, alternative device or facility installed shall be designed and constructed in accordance with good engineering practice and the requirements and specifications of *Leduc County*, and shall be constructed and maintained by the *User* at his or her expense.
- 13.5.** The *Owner* or *Tenant* of an *Industrial*, commercial or *Institutional* premises shall at all times ensure that every *Monitoring Access Point*, alternative device or facility installed as required by this Bylaw is accessible to *Leduc County* and its *Inspectors*

for the purposes of observing, sampling and flow measurement of the *Wastewater, Uncontaminated Water* or *Storm Water* therein.

14. Over Strength Surcharge

14.1. *Leduc County* may impose *Over Strength Surcharges* and *Additional Over Strength Surcharges* upon *Users* who discharge, into the *Wastewater System, Wastewater* that exceeds the limits set out in Schedule 'C'.

14.2. Testing of the *Wastewater* being discharged into the *Wastewater System* to determine *Over Strength Surcharges* and *Additional Over Strength Surcharges* shall be conducted by *Leduc County* or an authorized *Inspector*, or by the discharger to the satisfaction of *Leduc County* that a representative sample is obtained, using automated sampling devices or in accordance with the following manual sampling protocol:

14.2.1. Samples from the *Wastewater* produced at a location will be collected each day for a minimum of two days;

14.2.2. A minimum of four *Grab Samples* of equal volume shall be taken each day, such samples to be taken at least one hour apart;

14.2.3. The analysis shall be conducted on a *Composite Sample* made of each day's *Grab Samples*;

14.2.4. The respective results of these tests for each of the days on which samples are taken, shall be averaged to determine the characteristics and concentration of the *Wastewater* being discharged into the *Wastewater System*.

14.3. The *Over Strength Surcharge* and *Additional Over Strength Surcharge* rates shall be those set out in the *Fees and Charges Bylaw*.

15. Sampling

15.1. Where sampling is required for the purposes of determining the concentration of constituents in *Wastewater, Storm Water* or *Uncontaminated Water*, the sample may:

15.1.1. Be collected manually or by using an automatic sampling device; and

15.1.2. Contain additives for its preservation.

15.2. For the purpose of determining compliance with Schedules 'A' or 'B', discrete *Wastewater* streams may be sampled, at the discretion of *Leduc County* or its *Inspector*.

15.3. Any single *Grab Sample* may be used to determine compliance with Schedules 'A' and 'B'.

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15.4. All tests, measurements, analyses and examinations of *Wastewater*, its characteristics or contents pursuant to this Bylaw shall be carried out in accordance with *Standard Methods* and be performed by an *Accredited Laboratory* for analysis of the particular substance(s) using a method which is within the laboratory's scope of accreditation or to the satisfaction of *Leduc County* as agreed in writing prior to sample analysis.

16. Self Monitoring by User

16.1. A *User* shall, at the *User's* expense, complete any monitoring or sampling of any discharge to the *Wastewater System* as required by *Leduc County*, and provide the results to *Leduc County*, or if directed by *Leduc County*, to the ACRWC, in the form specified by *Leduc County* or the ACRWC, as applicable.

17. Prohibition of Dilution

17.1. No person shall dilute *Wastewater* for the purpose of achieving compliance with this Bylaw.

18. Pretreatment

18.1. When required by *Leduc County*, a *User* shall install, on the *User's Property*, and prior to the sampling point, a *Wastewater Pretreatment* facility.

18.2. *Pretreatment* facilities shall be installed, operated and maintained by the *User* at the *User's* expense.

18.3. The *User* shall ensure the design, operation and maintenance of the *Pretreatment* facility achieves the treatment objectives and operates and is maintained in accordance with the manufacturer's recommendations.

18.4. The *User* shall not deposit the waste products from the *Pretreatment* facility in the *Wastewater System* and shall ensure any waste products from the *Pretreatment* facility are disposed of in a safe manner.

18.5. The maintenance records and waste disposal records shall be submitted to *Leduc County*, and/or its authorized representative upon request.

18.6. The *User* shall keep documentation pertaining to the *Pretreatment* facility and waste disposal for two years.

19. Best Management Practices & Codes of Practice

19.1. *Leduc County* may adopt *Best Management Practices* and *Codes of Practice* and may, without limiting the generality of the foregoing, adopt *Best Management Practices and Codes of Practice* that have been established or adopted by the ACRWC.

19.2. *Leduc County* may define *Designated Sector Operations* to which a *Code of Practice Applies* and may, without limiting the generality of the foregoing, adopt

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definitions or descriptions of *Designated Sector Operations* that have been established by the ACRWC.

- 19.3. A *Code of Practice* adopted by *Leduc County* applies to all *Users* that fall within the *Designated Sector Operations* to which that *Code of Practice* applies, but does not apply to a *User* that is subject to a *Wastewater Discharge Permit*, unless the *Wastewater Discharge Permit* specifies otherwise, and does not apply to the discharge of *Domestic Wastewater*.
- 19.4. All *Users* to whom A *Code of Practice* applies shall comply with that *Code of Practice*.
- 19.5. Nothing in a *Code of Practice* relieves a person discharging wastewater from complying with this bylaw, a *Wastewater Discharge Permit* or any other applicable enactment, but if a code of practice establishes a requirement that is inconsistent with a requirement in this Bylaw, the requirement in the *Code of Practice* shall prevail.
- 19.6. A *User* that is subject to a *Code of Practice* must submit to *Leduc County* or, if directed by *Leduc County*, to the ACRWC, a completed *Code of Practice* registration form, in the form approved by *Leduc County*:
 - 19.6.1. Within ninety (90) days after the date that the *Code of Practice* was adopted or established, if the *User* was receiving *Wastewater Services* at the time that the *Code of Practice* was adopted or established; and
 - 19.6.2. In all other cases, within thirty (30) days of the date on which the *User* began to receive *Wastewater Services*.
- 19.7. A *User* who has submitted a *Code of Practice* registration form must report to *Leduc County* or, if directed by *Leduc County*, to the ACRWC, any change in the ownership, name, location, contact person, telephone number, or email address of the *User* within thirty (30) days of the change by submitting a completed *Code of Practice* registration form showing the changes.
- 19.8. A *User* who has submitted a *Code of Practice* registration form must, within thirty (30) days of any change in the *User's* practices or operations that results in the *User* no longer falling within the *Designated Sector Operations* to which the *Code of Practice* applies, report the change to *Leduc County* or, if directed by *Leduc County*, to the ACRWC, by submitting a completed *Code of Practice* registration form describing the changes.

20. Compliance Programs

- 20.1. Without limiting any other provision of this Bylaw governing *Wastewater Discharge Permits*, *Leduc County*, or its authorized representative, which may include, without restriction, the ACRWC, may require an *Industry User* to apply for and obtain a *Wastewater Discharge Permit* to discharge *Wastewater* to the *Wastewater System* that does not comply with Schedule "A" and/or "B" of this Bylaw. The

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Industry User shall be entitled to make non-complying discharges in the amount and only to the extent set out in the *Wastewater Discharge Permit*.

- 20.2.** As a term set out in the *Wastewater Discharge Permit*, *Leduc County*, or its authorized representative, which may include, without restriction, the *ACRWC*, may require an *Industry User* to submit a *Compliance Program* setting out activities to be undertaken by the *Industry User* that would result in the prevention or reduction and control of the discharge or deposit of *Matter* and/or *Uncontaminated Water*, *Ground Water* or *Storm Water* from the *Industry User's* premises into the *Wastewater System*. This may include, but is not limited to, planning, design and construction or installation of facilities or works needed to implement the approved *Compliance Program*.
- 20.3.** Each *Compliance Program* shall include the following:
- 20.3.1.** A description of the processes at the premises which produce discharges that do not comply with the requirements of this Bylaw;
 - 20.3.2.** A description of those processes at the premises which are to be the subject of the *Compliance Program*;
 - 20.3.3.** A list of non-complying pollutants present at the premises at any stage of the operations at the premises;
 - 20.3.4.** A description setting out the types, quantities and concentrations of all non-complying pollutants discharged, directly or indirectly, to the *Wastewater System*;
 - 20.3.5.** A description of current *Wastewater* reduction, recycling, treatment and compliance activities at the premises with respect to discharges to the *Wastewater System* from the premises;
 - 20.3.6.** A description of compliance options for non-complying pollutants and *Wastewater* discharge and an evaluation of those options;
 - 20.3.7.** A list of possible targets and timeframes (in compliance with any *Wastewater Discharge Permit* that may have been issued to the *User*) to reduce or eliminate the discharge of non-complying *Matter* to the *Wastewater System*;
 - 20.3.8.** A declaration, from a *Person* authorized by the *Industry User*, that the content of the *Compliance Program* is, to the best of that *Person's* knowledge, true, accurate and complete.
- 20.4.** Every proposed *Compliance Program* shall be for a specified length of time during which *Pretreatment* facilities or other measures are to be installed or implemented and shall be specific as to the remedial actions to be implemented by the *Industry User*, the dates of commencement and completion of the activity and the materials or other characteristics of the *Matter* to which it relates. The final activity completion date shall not be later than the final compliance date in the *Compliance Program*.

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- 20.5.** *Industry Users* which are required to submit a *Compliance Program* shall also submit a *Compliance Program* progress report to *Leduc County*, or, if directed by *Leduc County*, to the ACRWC, within fourteen (14) days after the scheduled completion date of each activity listed in the *Compliance Program*.
- 20.6.** *Leduc County* may terminate any proposed *Wastewater Discharge Permit* related to a *Compliance Program* by written notice at any time to the *Industry User* in the event that the *Industry User* fails or neglects to carry out or diligently pursue the activities required of it under its *Compliance Program*.
- 20.7.** In the event that an *Industry User* submitting a *Compliance Program* is not sent written notice from *Leduc County* that it's *Compliance Program* is not approved by *Leduc County*, within ninety (90) days of the *Industry User* delivering a copy of the *Compliance Program* to *Leduc County*, the *Compliance Program* shall be deemed to have been approved by *Leduc County*.
- 20.8.** Where an *Industry User* receives notice from *Leduc County* that its *Compliance Program* has not been approved, *Leduc County* may provide the *Industry User* with a date by which it must submit an amended *Compliance Program* to *Leduc County* for approval in accordance with this Section 20.
- 20.9.** In the event that a *Compliance Program* resubmitted to *Leduc County* in accordance with Subsection 20.8 does not comply with the requirements of this Bylaw, *Leduc County* shall so notify the *Industry User*, within thirty (30) days of delivery to *Leduc County* of the amended *Compliance Program*, and the *Industry User* shall be in contravention of Subsection 20.1 and shall continue to be in contravention until such time as *Leduc County* approves an amended *Compliance Program* resubmitted by the *Industry User*, in accordance with this Section 20.
- 20.10.** When required by *Leduc County*, an *Industry User* which has received approval from *Leduc County* for its *Compliance Program* shall submit a revised and updated *Compliance Program* for the approval of *Leduc County* within the timeframe specified by *Leduc County*. Such revised and updated *Compliance Program* shall, in addition to the requirements otherwise set out in this Section 20, detail and evaluate the progress of the *Industry User* to accomplish the objectives set out in its *Compliance Program*.
- 20.11.** A copy of the *Compliance Program* shall be kept at all times at the premises in respect to which it was prepared and shall be available for inspection by *Leduc County* and/or its authorized representative at any time.

21. Spills

- 21.1.** In the event of a *Spill* to the *Wastewater System*, the *Person* responsible for the *Spill* or the *Person* having the charge, management and control of the *Spill* shall:
- 21.1.1.** immediately notify and provide any requested information with regard to the spill to:

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21.1.1.1. If there is any immediate danger to human health and/or safety:

21.1.1.1.1. 9-1-1 emergency, and

21.1.1.1.2. *Leduc County's* Utilities Department (*Leduc County* shall then notify the ACRWC of the *Spill*),

or

21.1.1.2. If there is no immediate danger:

21.1.1.2.1. *Leduc County's* Utilities Department (*Leduc County* shall then notify the ACRWC of the *Spill*),

21.1.1.2.2. the *Owner* of the premises where the *Spill* occurred, and

21.1.1.2.3. any other *Person* whom the *Person* reporting knows or ought to know may be directly affected by the *Spill*.

21.1.2. Provide a detailed report on the *Spill* to *Leduc County* and, if directed by *Leduc County*, to the ACRWC, within five (5) *Business Days* after the *Spill*, containing the following information to the best of his or her knowledge:

21.1.2.1. Location where *Spill* occurred;

21.1.2.2. Name and telephone number of the *Person* who reported the *Spill* and the location and time where and when they can be contacted;

21.1.2.3. Date and time of *Spill*;

21.1.2.4. Material *Spilled*;

21.1.2.5. Characteristics and composition of material *Spilled*;

21.1.2.6. Volume of material *Spilled*;

21.1.2.7. Duration of the *Spill* event;

21.1.2.8. Work completed and any work still in progress in the mitigation of the *Spill*;

21.1.2.9. Preventive actions being taken to ensure a similar *Spill* does not occur again; and

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21.1.2.10. Copies of applicable *Spill* prevention and *Spill* response plans.

21.2. The *Person* responsible for a *Spill*, and a *Person* having charge, management and control of the *Spill*, shall do everything reasonably possible to contain the *Spill*, protect the health and safety of other *Persons*, minimize damage to *Property*, protect the environment, clean up the *Spill* and contaminated residue and restore the affected area to its condition prior to the *Spill*.

21.3. None of the provision of this Bylaw governing *Spills* relieves any *Person* from complying with any notification or reporting provisions of:

21.3.1. Other government agencies, including federal and provincial agencies, as required and appropriate for the material and circumstances of the *Spill*; or

21.3.2. Any other Bylaw of *Leduc County*.

21.4. Without limiting any other remedy available, any costs incurred by *Leduc County* as a result of a *Spill* may, at *Leduc County's* option, be charged to the *Person* responsible for the *Spill* as an amount due and payable by that *Person* to *Leduc County*.

21.5. *Leduc County* may require a *Person* who is responsible for a *Spill* to prepare and submit, to *Leduc County*, a spill contingency plan to indicate how risk of future *Spills* will be reduced and how future *Spills* will be addressed.

22. Reuse of Treated Wastewater

22.1. Proposals for reuse of treated *Wastewater* shall be managed in accordance with all applicable regulatory agencies guidelines.

23. Administration

23.1. A *User* is obligated to pay in full, and in accordance with this Bylaw, all applicable *Fees and Charges* for *Wastewater Services*, as well as all other charges imposed pursuant to this Bylaw, and, for greater certainty, the amount payable may, without limiting the generality of the foregoing, consist of fixed charges, service charges, special charges, consumption based charges or a combination thereof.

23.2. *Utility Bills* are intended to be issued on a bi-monthly basis, unless *Leduc County* determines that another frequency is necessary or desirable.

23.3. Where *Fees and Charges* for *Wastewater Services* are based upon consumption of water, the amount payable shall be calculated based on the water use recorded by the water *Meter* servicing a *Property* to which *Wastewater Services* are provided.

23.3.1. Where no *Meter* or other exact means exist to determine the quantity of water with which any *Property* is supplied, the *Leduc County Utilities*

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Department shall make an estimate of such quantity for the purpose of determining the *Wastewater Services* charges and such estimate shall be final and conclusive.

- 23.3.2.** For greater certainty, and further to Section 3.17, *Fees and Charges* for *Wastewater Services* may be imposed in cases where there has been a leak or other loss of water originating from *Leduc County's* treated water system, and the source of the leak or other loss is located on the *User's* side of the *Property Line*. In such cases, if the amount of water lost cannot be determined by reading the *Meter* on the *Property* in question, the amount payable shall be calculated based on the amount of water lost, as estimated by the *Leduc County Utilities Department*, and such estimate shall be final and conclusive.
- 23.4.** Where *Fees and Charges* for *Wastewater Services* are based upon consumption of water, and two (2) consecutive estimated *Meter* readings have been used for billing purposes due to the *Meter* not being read by a municipal official as a result of the *User* failing to provide or allow *Leduc County* access to the *Meter* or *Remote Reader* during a billing period:
- 23.4.1.** a notice may be left at the *User's* address requesting the *User* to contact *Leduc County* within two (2) *Business Days*, advising of the date and time that *Leduc County* will be able to have access to the *Meter* or *Remote Reader* for the purpose of obtaining an actual *Meter* reading; or
- 23.4.2.** In a case where the *User* does not contact *Leduc County* within two (2) *Business Days*, *Leduc County* may *Turn-Off* the *Wastewater Services* without any further notice until such time as an actual *Meter* reading can be obtained.
- 23.5.** Where metering devices are employed, an actual *Meter* reading shall be required at least once in each calendar year for each *Property* receiving *Wastewater Services*.

Adjustments for Estimations

- 23.6.** In the event that estimations of the quantity of water supplied to a *Property* have occurred on an individual account for billing purposes, billing adjustments will be made upon discovery of actual volume of *Wastewater* discharge based on water *Meter* reads as described in this Bylaw.
- 23.6.1.** Over billed amounts will be credited to accounts.
- 23.6.1.1.** Refunds may be granted upon request for values of \$200.00 or greater.
- 23.6.2.** Under-billed amounts will be invoiced on the next billing period.
- 23.7.** All estimated readings shall be based on the average of the previous year's consumption. The average consumption for a two month billing period shall be

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calculated by taking the sum of the previous year's consumption divided by six. In instances where a consumption history does not exist for the affected account, *Leduc County* may use the consumption history from a similar type of activity.

Discrepancy in Reads

23.8. In the event that a *User* believes that a *Meter* reading is in error, *Leduc County* shall verify the *Meter* reading.

23.8.1. If necessary, adjustments will be made to the invoice.

23.9. In the event that *Leduc County* disputes the accuracy of a water *Meter*, a written notice shall be given to the *User*. In the event that a *User* disputes the accuracy of a *Meter*, the *User* shall present *Leduc County* with written notice accompanied by a payment of the water *Meter* test fee in accordance with the *Fees and Charges Bylaw*.

23.10. Where accuracy of a water *Meter* is disputed, at a mutually agreed time, the *Meter* shall be tested or calibrated by a certified third party as delegated by *Leduc County*.

23.10.1. In the event that the *Meter* is found to be accurate within 97% to 103% of the water passing through the same, the expense of such test or calibration shall be borne by the party giving such notice.

23.10.2. In the event that the *Meter* is found not to be accurate within 97% to 103% of the water passing through the same, the *Meter* shall be repaired or replaced as soon as is practical at the expense of *Leduc County*.

23.10.3. In the event that testing of a *Meter* determines that the *Meter* must be replaced:

23.10.3.1. *Leduc County* shall return the water *Meter* test fee, as paid by the *User*, and

23.10.3.2. *Leduc County* shall adjust the water charges previously billed for a maximum of two (2) billing cycles.

23.10.4. Any costs deemed to be borne by the *User* that may be associated with verifying, supplying, installing, altering, repairing, relocating or replacing a water *Meter* or *Wastewater System* appurtenances, shall be collectable by *Leduc County* if so desired in the same manner as *Fees and Charges* and by the terms defined in this Bylaw.

24. Repairs and Restoration

24.1. If a *User* neglects or refuses to comply with a notice to repair a *Private Service* within sixty (60) days of receipt thereof, *Leduc County* may make or cause to be made repairs at the expense of the said *User*.

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- 24.1.1. In a case where *Leduc County* has to dig and repair the service pipes, *Leduc County* shall have the right to use the private *Property*, but shall be responsible for restoration of the private *Property* to a condition at least equivalent to that which existed before the work began.
- 24.1.2. The expense incidental to the laying, connecting, disconnecting or repairing as herein provided of service pipes when the work is done by *Leduc County* on private *Property*, is payable by the *Owner* on demand by *Leduc County*.
- 24.1.3. If the cost referred to in Subsection 24.1.2 is not paid within ninety (90) days of notification thereof, the cost may be added to the tax roll for the *User's Property*.
- 24.1.4. The costs imposed on the *Owner* or occupier referred to in Subsection 24.1.2 may include fines or penalties imposed upon *Leduc County* by the Federal or Provincial Government or *ACRWC* as a result of the said *Owner* or occupier's non-compliance with this Bylaw.

25. Accounts

Payment on Account

- 25.1. Payment on account may be made to *Leduc County* at such locations designated and under any payment method utilized by *Leduc County*.
 - 25.1.1. Payments must be received on or before the *Due Date* noted on the *Utility Bill*.

Overdue Accounts

- 25.2. A *Utility Bill* not paid by the *Due Date* will be considered to be in arrears and subject to late penalty charges, the rate for which is set out in the *Fees and Charges Bylaw*.
- 25.3. A previous *Tenant's* utility arrears are not required to be paid in order to open an account in the name of a *Property Owner*.
- 25.4. The *Fees and Charges* owing to *Leduc County* by a *Person* for, or in connection with, *Wastewater Services* pursuant to this Bylaw may be added to the tax roll for the *Property* to which the services are provided.
 - 25.4.1. In the event of default in payment of any *Utility Bill*, *Leduc County* may, in addition to any other remedy available to the County, enforce payment by action in a Court of competent jurisdiction.
 - 25.4.2. An administrative fee as set out in the *Fees and Charges Bylaw* will be levied in the event that a transfer of a utility account balance to the property tax account is deemed necessary.

26. Termination of *Wastewater Services*

26.1. by *User*

26.1.1. All *Users* wishing to cancel *Wastewater Services* must provide written authorization to *Leduc County*, a move out date and forwarding address; providing at least five (5) *Business Days*' notice prior to the anticipated final date.

26.1.2. All *Fees and Charges* shall continue to apply to the registered *Property Owner* until a new application for services to the *Property* is received.

26.2. Any *User* seeking to have *Wastewater Services Turned-Off* for his own purposes shall submit a request in writing at least five (5) *Business Days* in advance of the intended date of *Turn-Off*, which shall be accompanied by payment of the disconnection or *Turn-Off* fee and a reconnection fee, both as set out in the *Fees and Charges Bylaw*.

26.3. by *Leduc County*

26.3.1. Any *Turn-Off* of *Wastewater Services* may be achieved by, or otherwise performed in conjunction with, a discontinuance or disconnection of *Water Services* provided to the *User* or property in question.

26.3.2. Without limiting any other provision of this Bylaw, *Leduc County* may *Turn-Off Wastewater Services* to a *User* or *Property*, which may include, without restriction, prohibiting a *User* from discharging *Wastewater* into the *Wastewater System* or requiring a *User* to take such action as is necessary to prevent *Wastewater* from entering the *Wastewater System*, for any of the following reasons:

26.3.2.1. *Fees and Charges*, or any other charge imposed upon a *User* pursuant to this Bylaw, have not been paid in full, when due, as required by this Bylaw;

26.3.2.2. to accommodate repairs to any part of any *Leduc County Wastewater Services* system;

26.3.2.3. due to a lack of *Water Services*;

26.3.2.4. where in the opinion of *Leduc County* leakage from the *Service Connection* constitutes a risk;

26.3.2.5. failure by, or refusal of, a *User* to comply with any provision of this bylaw;

26.3.2.6. failure by, or refusal of, a *User* to comply with any provisions of any Provincial Acts, the Building Code, or any regulations there under;

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26.3.2.7. at the *Owner's* request to have the services discontinued;

26.3.2.8. where *Wastewater* discharged by a *User*:

26.3.2.8.1. is hazardous or creates an immediate danger to any *Person*,

26.3.2.8.2. endangers or interferes with the operation of the *Wastewater System* and/or the *Wastewater* treatment processes, or

26.3.2.8.3. causes or is capable of causing an adverse effect; or

26.3.2.9. in any other case provided for in this Bylaw;

and in such event *Leduc County*, its officers, employees or agents shall not be liable for any damages of any kind from such discontinuance of service.

26.3.3. *Leduc County* may impose a *Turn-Off* or disconnection fee upon a *User* whose *Wastewater Service* have been *Turned-Off*, may impose a reconnection fee for subsequent restoration of service and may require the *User* to pay an additional deposit in accordance with the *Fees and Charges Bylaw*.

26.3.4. All applicable *Fees and Charges* shall continue to be payable by a *User* during a period that *Wastewater Services* have been *Turned-Off*.

26.3.5. No reduction in *Fees and Charges* will be made because of any interruption by any cause whatsoever of the *Wastewater Services*.

26.3.6. *Wastewater Services* that have been *Turned-Off* may not be restored prior to *Leduc County* approval.

27. Designation of Authority

27.1. *Leduc County Council* hereby delegates to the *County Manager* all those powers stipulated by this Bylaw to be exercised by *Leduc County* and all necessary authority to exercise those powers, excluding there out, the power to set *Fees and Charges* or enact bylaws, or do anything else reserved exclusively for *Council* pursuant to the provisions of the *Municipal Government Act*.

27.2. The *County Manager* may prohibit, or set discharge concentration and/or loading rate limits for, any material or substance not identified in a Schedule to this Bylaw where required to protect the *Wastewater System*, meet *Wastewater* standards or legislative requirements, control biosolids quality, or adopt prohibitions, discharge concentration limits or flow rate limits established by the *ACRWC*.

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27.3. The *Leduc County Utilities Department* is hereby authorized to administer and enforce the provisions of this By-Law. In addition to those duties, without limiting them, the *Leduc County Utilities Department* may levy charges and fines in accordance with this Bylaw.

27.3.1. Any *Owner* or occupier of *Property* using or intending to use the sewerage system shall, upon request of the *Leduc County Utilities Department*, provide such information as the type, quantity and chemical composition of pollutants which are or may be handled, stored or used on that *Property*, or which may become part or all of the *Wastewater* generated on that *Property*.

28. Information Provided

28.1. If a *Person* who submits documentation to *Leduc County* or the *ACRWC* pursuant to this Bylaw considers some or all of the information contained in the documentation to be confidential, or otherwise wishes to request that the some or all of the information not be disclosed, that *Person* shall indicate this, in writing, on the documentation in question.

29. Enforcement

29.1. Where a *Peace Officer* has reasonable grounds to believe that a person has violated any provision of this Bylaw, the *Peace Officer* may commence Court proceedings against such person by issuing the person a violation ticket pursuant to the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34, as amended.

29.2. Subject to the *Provincial Offences Procedures Act*, and the regulations thereunder, where a *Peace Officer* issues a person a violation ticket, the *Peace Officer* may either:

29.2.1. allow the person to make a voluntary payment of the minimum specified penalty as provided for the offence in this Bylaw by indicating such specified penalty on the violation ticket; or

29.2.2. require the person to appear in court without the alternative of making a voluntary payment.

29.3. No provision of this Bylaw or any action taken pursuant to any provision of this Bylaw shall in any way restrict, limit, prevent, or preclude *Leduc County* from pursuing any other remedy *Leduc County* may have at common law or by operation of statute.

30. Strict Liability Offence

30.1. It is the intention of Council that all offences created by this Bylaw be interpreted to be strict liability offences.

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31. Offences and Penalties

- 31.1.** Any *Person* that contravenes any provision of this Bylaw is guilty of an offence and liable upon summary conviction to the penalty set out in this Bylaw.
- 31.2.** If a *Property* is involved in an offence under this Bylaw, which may include, without limiting the generality of the foregoing, a *Property* being the source of *Matter* that is discharged or released in contravention of this Bylaw, the *Owner* of that *Property* is, in addition to any other *Person* or *User* who may be responsible, guilty of an offence under this Bylaw and liable on summary conviction to the penalty set out in this Bylaw.
- 31.3.** In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues, and a *Person* found guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each day upon which the offence occurs.
- 31.4.** When a corporation commits an offence under this Bylaw, every director, officer, manager, employee, or agent of the corporation, who authorized, assented to, acquiesced in, or participated in the offence, act, or omission, that constitutes an offence under this Bylaw, is guilty of the offence whether or not the corporation has been prosecuted for the offence.
- 31.5.** A *Person* who is guilty of an offence pursuant to this Bylaw for which no specified penalty has been set out at Schedule "D", is liable to pay a fine in an amount which is not to be less than FIVE HUNDRED (\$500.00) DOLLARS, and not more than TEN THOUSAND (\$10,000.00) DOLLARS.
- 31.6.** Notwithstanding the specified penalties provided for in this Bylaw, a Judge of the Provincial Court of Alberta, or any other Court of competent jurisdiction, may increase the penalty provided for in this Bylaw, where the Court deems it appropriate to do so, having regard, among other things, to the gravity or consequences of the offence, or whether the offence has been repeated.
- 31.7.** Voluntary payments, where allowed, for any offence not specified elsewhere in this Bylaw, shall be as follows:
- 31.7.1.** For a first offence, a specified penalty in the sum of THREE HUNDRED (\$300.00) DOLLARS;
- 31.7.2.** For a second offence, a specified penalty in the sum of ONE THOUSAND (\$1,000.00) DOLLARS; and
- 31.7.3.** For a third or subsequent offence, a specified penalty in the sum of ONE THOUSAND FIVE HUNDRED (\$1,500.00) DOLLARS

32. Repeal and Coming into Force

- 32.1.** Upon Third reading of this Bylaw, Bylaw No. 30-14 as amended is repealed.

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READ a first time this 6th day of November, 2018.

READ a second time this 6th day of November.

READ a third time with the unanimous consent of the Council Members present and finally passed this 6th day of November.



MAYOR



COUNTY MANAGER

SCHEDULE "A"

Prohibited Wastes

No person shall discharge directly or indirectly or deposit or cause or permit the discharge or deposit of *Wastewater* into the *Wastewater System* in circumstances where:

(1) To do so may cause or result in:

(a) A health or safety hazard to a person authorized by ACRWC or *Leduc County* to inspect, operate, maintain, repair or otherwise work on the *Wastewater System*;

(b) An offence under, or contravention of, any applicable federal or provincial legislation, or *Leduc County Bylaw*, as amended from time to time, or any regulation made thereunder from time to time;

(c) *Wastewater Sludge* from the *Wastewater Treatment Facility* to which *Wastewater* discharges, either directly or indirectly, to fail to meet the objectives and criteria as listed in any applicable federal or provincial legislation, as amended from time to time;

(d) Interference with the operation or maintenance of the *Wastewater System*, or which may impair or interfere with any *Wastewater Treatment Facility* process;

(e) A hazard to any *Person*, animal, *Property* or vegetation;

(f) An offensive odour emanating from the *Wastewater System*, 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;

(g) Damage to the *Wastewater System*;

(h) An obstruction or restriction to the flow in the *Wastewater System*.

(2) The *Wastewater* has two or more separate liquid layers.

(3) The *Wastewater* contains:

(a) *Hazardous Substances*;

(b) *Combustible Liquid*;

(c) *Biomedical Waste*, including but not limited to the following categories: human anatomical waste, animal waste, untreated microbiological waste, waste sharps and untreated human blood and body fluids known to contain viruses and agents listed in "Risk Group 4" as defined in "Laboratory Biosafety Guidelines" published by Health Canada, dated 2004, as amended.

- (d) Specified risk material for bovine spongiform encephalopathy as defined in the federal Fertilizers Regulations (C.R.C., c. 666), as amended from time to time, including material from the skull, brain, trigeminal ganglia, eyes, tonsils, spinal cord and dorsal root ganglia of cattle aged 30 months or older, or material from the distal ileum of cattle of all ages.
 - (e) Dyes or colouring materials which may or could pass through and discolour the *Wastewater* within the *Wastewater System*;
 - (f) *Fuel*;
 - (g) *Ignitable Waste*.
 - (h) *Pathological Waste*.
 - (i) *PCBs*.
 - (j) *Pesticides* which are not otherwise regulated in this Bylaw.
 - (k) *Reactive Waste*.
 - (l) *Toxic Substances* which are not otherwise regulated in this Bylaw.
 - (m) *Waste Radioactive Substances* in excess of concentrations greater than those specified for release to the environment under the *Nuclear Safety and Control Act* and regulations or amended versions thereof.
 - (n) Solid or viscous substances in quantities or of such size to be capable of causing obstruction to the flow in the *Wastewater System*, including but not limited to ashes, asphalt, bones, cinders, sand, gravel, mud, soil, straw, shaving, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, animal parts or tissues, and paunch manure.
 - (o) Wash water from washing equipment used in the mixing and delivery of concrete and cement-based products, or
- (4) The *Wastewater* contains a concentration, expressed in milligrams per litre, in excess of any one or more of the limits in Schedule 'B' of this Bylaw, unless:
- (a) The discharge is in accordance with a valid *Wastewater Discharge Permit*;
 - (b) The discharge is authorized in a *Code of Practice* approved by *Leduc County*; and
 - (c) All requirements of Sections 7, 8 and 18 of the Bylaw have been fully satisfied.

SCHEDULE "B"

Restricted Wastes Applicable to Wastewater System

The following are designated as Restricted Wastes when present in *Wastewater*, *Storm Water*, *Subsurface Water* or *Clear-Water Waste* being released to the *Wastewater System* at a concentration in excess of the levels set out below, with concentrations being expressed as total concentrations unless specified otherwise:

1.

Table A - CONVENTIONAL CONTAMINANTS

Substance	Concentration Limit– [mg/L, except as noted]
Biochemical Oxygen Demand	10,000
Chemical Oxygen Demand	20,000
Nitrogen, Total Kjeldahl	500
Oil and Grease, Total – Animal and Vegetable + Mineral and Synthetic/Petroleum Hydrocarbons	500
Phosphorus, total	200
Suspended Solids, Total	5,000

Table B- ORGANIC CONTAMINANTS

Substance	Concentration Limit– [mg/L]
Benzene	0.5
Ethylbenzene	0.5
Oil and Grease – Mineral and Synthetic/Petroleum Hydrocarbons	100
Phenols, Total (or phenolic compounds)	1.0
Toluene	0.5
Xylene	0.5

Table C - INORGANIC CONTAMINANTS

Substance	Concentration Limit– [mg/L]
Arsenic (As)	1.0
Cadmium (Cd)	0.10
Chlorine, Total (Cl ₂)	5.0
Chromium (Hexavalent) (Cr ⁺⁶)	2.0
Chromium, Total (Cr)	4.0
Cobalt (Co)	5.0
Copper (Cu)	2.0
Cyanide (CN)	2.0
Lead (Pb)	1.0
Mercury (Hg)	0.10
Molybdenum (Mo)	5.0
Nickel (Ni)	4.0
Selenium (Se)	1.0
Silver (Ag)	5.0
Sulphide (S ⁻)	3.0
Thallium (Tl)	1.0
Zinc (Zn)	2.0

Table D - PHYSICAL PARAMETERS

Parameter	Limit
Flashpoint	Not ≤60.5° C
Lower Explosive Limit (LEL) in headspace	10% of the LEL
pH	6.0 – 11.5 (unitless)
Temperature	60° C

2. Concentrations that do not exceed the constituent concentrations limits listed in Schedule 'B' are permitted for discharge, however may be subject to an *Over Strength Surcharge* or *Additional Over Strength Surcharge* outlined in Schedule 'C'.

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SCHEDULE "C"

Wastewater Over-Strength Limits

	Column A	Column B
Substance	<i>Over Strength-Surcharge Concentration Limits, mg/l</i>	<i>Additional Over Strength Surcharge Concentration Limits, mg/L</i>
Biochemical Oxygen Demand (BOD)	300	3000
Chemical Oxygen Demand (COD)	600	6000
Oil and Grease (O&G) – Animal and Vegetable + Mineral and synthetic/hydrocarbon	100	400
Total Suspended Solids (TSS)	300	3000
Total Kjeldahl Nitrogen(TKN)	50	200
Total Phosphorus (TP)	10	75

SCHEDULE "D"

Specified Penalties

Offence	Section Number	Specified Penalty
Having, constructing, or maintaining more than one <i>Private Service</i> to a <i>Property</i> without the approval of <i>Leduc County</i>	4.5	\$2,500.00
Obtaining, or attempting to obtain, <i>Wastewater Services</i> from the <i>Wastewater System</i> through the use of a bypass device, or through the use of any fraudulent means	6.3	\$1,000.00
Providing <i>Wastewater Services</i> , within <i>Leduc County</i> , without the express approval of <i>Leduc County</i>	6.5	\$2,500.00
Failure to cap a sewer after abandonment or discontinuance of <i>Private Service</i>	6.6	\$ 750.00
Failure to comply with requirements respecting <i>Interceptors</i> and/or <i>Dental Waste Amalgam Separators</i>	7 and 8	\$2,500.00
Release of <i>Matter</i> into the <i>Wastewater System</i> in contravention of Section 9.1	9.1	\$2,500.00
Release of <i>Prohibited Waste</i> or <i>Restricted Waste</i> without a valid <i>Wastewater Discharge Permit</i>	9.2	\$2,500.00
Discharge of <i>Non-Contact Cooling Water</i> or <i>Uncontaminated Water</i> unless in accordance with a <i>Wastewater Discharge Permit</i>	10.1	\$2,500.00
Discharge of water originating from a source other than the <i>Leduc County Water Services</i> into the <i>Wastewater System</i> in contravention of Section 11.1	11.1	\$1,000.00
Releasing or permitting the release of <i>Hauled Waste</i> or <i>Hauled Wastewater</i> contrary to the provisions of section 12.2 of this Bylaw	12.2	\$2,500.00
Releasing or permitting the release of <i>Hauled Waste</i> or <i>Hauled Wastewater</i> contrary to the provisions of section 12.3 of this Bylaw	12.3	\$2500.00
Failure to comply with requirements respecting <i>Monitoring Access Points</i>	13	\$2,500.00
Diluting <i>Wastewater</i> to avoid the requirements of this Bylaw	17.1	\$2500.00

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SCHEDULE "E"

Service Areas

1. Hamlet of Nisku
2. Nisku Industrial Park
3. East Vistas subdivisions- Diamond Estates, Royal Oaks, and Lukas Estates
4. Hamlet of New Sarepta
5. Hamlet of Buford
6. Hamlet of Kavanagh
7. Hamlet of Sunnybrook
8. Hamlet of Rollyview
9. Hamlet of Looma