



Staff Report

Operations – Water & Wastewater Services

Report To: Council Meeting
Meeting Date: May 8, 2023
Report Number: CSOPS.23.022
Title: Update to the Sewer Use By-law 2019-62
Prepared by: Shawn Carey, Director of Operations

A. Recommendations

THAT Council receive Staff Report CSOPS.23.022, entitled “Update to the Sewer Use By-law 2019-62”;

AND THAT Council directs Staff to schedule a Public Meeting on May 30, 2023, to consider the proposed updates to the Sewer Use By-Law.

B. Overview

Staff are aiming to include the use of Administrative Monetary Penalties (AMPs) to assist with compliance efforts in the protection of the Town’s wastewater and stormwater infrastructure and therefore an amendment to By-Law 2019-62 being a by-law to regulate or prohibit the discharge of water and waste into the Town’s sanitary and stormwater systems is required. Staff are seeking Council direction to hold a Public Meeting to solicit input on the addition of AMPs to this by-law.

C. Background

The Towns [Sewer Use By-law 2019-62](#) protects the Town’s infrastructure which includes the sewer mains, sewer laterals, sewage pumping stations and wastewater treatment plants. Discharges in excess of the by-law may damage the sewer infrastructure and create treatment problems at the wastewater treatment plants. Discharges that impact the treatment plant processes may result in abnormal discharges to the receiving water bodies that could have an impact on the environment.

D. Analysis

Staff are seeking to amend the Sewer Use By-Law 2019-62 to include the use of AMPs. AMPs are an effective and efficient tool to further assist in protecting the Town’s wastewater treatment systems by imposing penalties, providing further deterrents, and helping to ensure compliance.

The By-law to Establish a Comprehensive System of Administrative Monetary Penalties for the Town of The Blue Mountains (AMP By-law) is a robust system of administering and imposing AMPs. AMPs are means to impose penalties on offenders without having to pursue the timely, complex and more serious Provincial Offences process. Provincial Offences still apply to the by-law but no person can be charged with an Offence under the Provincial Offences Act for a contravention dealt with under the AMP By-law.

The AMP regime establishes a robust hearing system which includes a Screening Officer who reviews penalties issued under the AMP system and a formal Hearing Officer program.

Hearing Officers are not employees of the Town or Councillors, they are independent adjudicators who hear appeals and objections to penalties under the AMP and the decisions of Screening Officers. This is a quasi-judicial tribunal with independent members who are paid a per-diem by the Town for their service in this role.

Schedule A of the proposed amendment to By-law 2019-62 (Attachment 2) shows the infractions and proposed penalty. Staff feel that the fine structure as proposed represents a reasonable deterrent to the relevant conduct without being punitive. An amendment to the AMP By-law to include reference to the Sewer Use By-Law is also required and will be addressed under a separate Staff Report.

Next Steps

Staff are recommending a Public Meeting be held on May 30, 2023, including a follow up Staff Report for Council to a future Committee of the Whole meeting.

F. Strategic Priorities

1. Communication and Engagement

We will enhance communications and engagement between Town Staff, Town residents and stakeholders

2. Organizational Excellence

We will continually seek out ways to improve the internal organization of Town Staff and the management of Town assets.

3. Community

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

4. Quality of Life

We will foster a high quality of life for full-time and part-time residents of all ages and stages, while welcoming visitors.

G. Environmental Impacts

The addition of AMPs to this By-Law will aid in achieving compliance and reduce the risk to both the environment and the operation, maintenance, and quality of the Town's wastewater infrastructure.

H. Financial Impacts

Revenue generated from the use of AMPS (after expenses) will be used to offset user fees.

I. In Consultation With

Ruth Prince, Director of Finance & IT Services

Corrina Giles, Town Clerk

Allison Kershaw, Manager of Water and Wastewater

Debbie Young, Interim Manager of Bylaw & Licensing

Wayne DeWitt, Supervisor, By-Law Services

Mark Service, Wastewater Supervisor

Meg Boyd, Water & Wastewater Compliance & Efficiency Coordinator

J. Public Engagement

The topic of this Staff Report will be the subject of a Public Meeting in accordance with the following schedule:

- May 8, 2023, Council –considered by Council
- May 9, 2023, Public Meeting Notice posted on Town Website
- May 11 & May 18, 2023, Public Meeting advertised in the Collingwood Connection;
- May 30, 2023, Public Meeting
- June 6, 2023, Committee of the Whole – Follow-up report to the Public Meeting, attaching comments received in response to the Public Meeting;
- June 19, 2023, Council – recommendation from Committee of the Whole considered by Council, and related By-law.

Any comments regarding this report should be submitted to Shawn Carey, Director of Operations directorops@thebluemountains.ca.

K. Attached

1. Notice of Public Meeting

2. Draft By-Law Amendment

Respectfully submitted,

Shawn Carey
Director Operations

For more information, please contact:
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Report Approval Details

Document Title:	CSOPS.23.022 Update to the Sewer Use By-Law 2019-62.docx
Attachments:	- Attachment 1 Notice of Public Meeting.pdf - Attachment 2 Draft By-Law Amendment.pdf
Final Approval Date:	Apr 28, 2023

This report and all of its attachments were approved and signed as outlined below:

Shawn Carey - Apr 28, 2023 - 10:55 AM