

FINANCIAL

Chapter 277 SEWAGE AND WATER RATES

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Article 1
INTERPRETATION

277.1.1 Biochemical oxygen demand - defined

“biochemical oxygen demand” means the quantity of oxygen utilized in the biochemical oxidation of matter in five days at twenty degrees Celsius.

277.1.2 Chemical oxygen demand - defined

“chemical oxygen demand” means the quantity of oxygen utilized in the chemical oxidation of matter.

277.1.3 Composite sample - defined

“composite sample” means a representative sample of the effluent discharged to a municipal sanitary sewer by a person, gathered over a minimum of six hours of operation with a minimum of seven equal volumes taken at equal time intervals. Where a person has more than one sanitary private drain connection, composite samples shall be collected at all connections and each connection shall be surcharged individually.

277.1.4 Corporation - defined

“Corporation” means The Corporation of the City of Brantford.

277.1.5 Engineer - defined

“Engineer” means the Engineer of The Corporation of the City of Brantford or his or her authorized deputy.

277.1.6 Person - defined

“person” includes an individual, an association, a chartered organization, a firm, a partnership or a corporation.

277.1.7 Sanitary sewer - defined

“sanitary sewer” means a sewer which carries sewage and to which storm and surface water are not intentionally admitted.

277.1.8 Sewage - defined

“sewage” means any liquid waste containing animal, vegetable or mineral matter in solution or in suspension except as approved for discharge to the storm sewer by the Engineer.

277.1.9 Sewage works - defined

“sewage works” means all facilities for collecting, pumping, treating, and disposing of sewage and liquid-borne wastes, or any part of any such works.

277.1.10 Storm sewer - defined

“storm sewer” means a sewer, the purpose of which as certified by the Engineer, is to carry storm water and drainage from land or from a watercourse, or other water as approved by the Engineer.

277.1.11 Storm water - defined

“storm water” means water from rainfall or other natural precipitation or from the melting of snow or ice.

277.1.12 Suspended solids - defined

“suspended solids” means solid matter in or on a liquid that is removable by filtering.

Article 2 RATE - IMPOSED

277.2.1 Sufficient - to defray cost

Pursuant to section 221 of the *Municipal Act*, R.S.O. 1990, c. M.45, a sewage service rate is hereby imposed upon the owners and/or occupants of the land situate in the City of Brantford from which sewage is received, treated, or disposed of, sufficient in amount to defray the total cost, or a portion thereof, of the operation, repair, maintenance, and extension of the sewage works as defined in subsection 221 (1) of the *Municipal Act*, in and of the City of Brantford. By-law 74-82, 5 April, 1982.

277.2.2 Sewage service rate - per cubic metre - actual use

The sewage service rate is \$0.60 per cubic metre of water purchased from the Corporation. The sewage service rate for a single family residential dwelling unit used exclusively as a residence, serviced by a water meter solely for that unit shall be based on the actual water consumption to a maximum of 30 cubic metres per month to be applied to utility bills issued between June 1 and September 30 of each year. By-law 6-2001, 15 January, 2001.

277.2.2.1 Sewage service rate - residential - actual use

The sewage service rate for a residential dwelling unit serviced by a water meter exclusively for that unit shall be based on the actual water consumption to a maximum of 35 cubic metres per month. By-law 19-2000, 7 February, 2000.

277.2.3 Exemption permit

Where any person uses water purchased from the Corporation in such a way that all of the water passing through a single water meter does not ultimately enter the City’s sanitary sewers, the Engineer may, at his or her discretion, issue a sewage service rate exemption permit to that person which shall exempt that person from the payment of the sewage service rate set forth in Section 277.2.2. The sewage service rate

exemption permit shall be renewable on an annual basis. By-law 163-92, 2 November, 1992; By-law 39-97, 24 March, 1997.

277.2.4 Refunded - no discharge - sanitary sewer - agreement

If a person's effluent, in whole or part, is approved by the Engineer for discharge to a storm sewer or natural watercourse and is discharged to a storm sewer or natural watercourse, or if a person utilizes water purchased from the Corporation in such a way that the purchased water is not discharged to a sanitary sewer, the person may apply to the Engineer for permission to enter into an agreement with the Corporation, whereby the person will be refunded, in whole or in part, the sewage service rate described in Section 277.2.2 calculated from measurements of the actual effluent discharged to the sanitary sewer system. The person shall be responsible for installing and maintaining the required flow measuring devices. By-law 74-82, 5 April, 1982; By-law 39-97, 24 March, 1997.

277.2.5 Water rate - per cubic metre - actual use

In addition to the sewage service rate charged pursuant to Section 277.2.2, the rate to be charged for water is \$0.47 for each cubic metre of water purchased from the Corporation on or after January 1, 2001. By-law 6-2001, 15 January, 2001.

227.2.6 Repealed: By-law 39-97, 24 March, 1997

Article 3

SPECIAL CIRCUMSTANCES

277.3.1 Well water - private supplies - agreement

All owners and/or occupants of land described in Section 277.2.1 who use well water or other private supplies in whole or in part, shall enter into an agreement with the Corporation to pay a sewage service rate which shall be calculated in conformance with the principles outlined in Sections 277.2.2 through 277.2.4 inclusive.

277.3.2 Excess - 1 million litres - effluent/day - agreement

All owners and/or occupants of land described in Section 277.2.1 who discharge more than one million litres of effluent per average working day to the sewage works, shall enter into a separate agreement with the Corporation, if required by the Engineer. By-law 74-82, 5 April, 1982.

Article 4

WASTE FLOW - DETERMINATION

277.4.1 Meters - approved - formulae - variables

Determination of the waste flow per two month billing period shall be calculated by:

- (a) actual quantities of effluent discharged to sanitary sewers, as determined by recording meters approved by the Engineer, installed and maintained by the owner and/or occupant at his/her expense; or
- (b) by the following formula:

$$w = j + k$$

Where:

- w = waste flow in litres per two months to be used in calculating the surcharge;
- j = water in litres per two months purchased from the Corporation;
- k = water in litres per two months obtained from other sources such as private well systems, lakes, streams, and canals; as determined by recording meters approved by the Engineer, installed and maintained by the owner and/or occupant, at his/her expense. By-law 74-82, 5 April, 1982; By-law 39-97, 24 March, 1997.

Article 5

BIOCHEMICAL - CHEMICAL - OXYGEN DEMAND - SUSPENDED SOLIDS

277.5.1 Samples - data - provided - approved

Biochemical oxygen demand, chemical oxygen demand, and suspended solids concentrations shall be determined as follows:

- (a) by the City of Brantford from composite samples of the person's effluent, taken during the person's normal working day by personnel of the Engineering Department. The samples shall be taken not less than twice per sanitary private drain connection during any two month period. An average concentration of all composite samples taken over the specified two month period will be used in calculating the surcharge; or, by the following if approved by the Engineer:
- (b) by data supplied by the person, where the person has installed equipment to monitor the biochemical oxygen demand, the chemical oxygen demand, and the suspended solids concentrations of their effluent to a municipal sanitary sewer.

277.5.2 Engineer - to determine - method - employed

The Engineer shall be the sole judge of which of the methods described in Section 277.5.1 is to be employed in determining the surcharge for any billing period.

277.5.3 Excess - agreement with Corporation - surcharge

All owners and/or occupants of land described in Section 277.2.1 whose waste has a biochemical oxygen demand in excess of 300 milligrams per litre and suspended solids in excess of 350 milligrams per litre, shall enter into an agreement with the Corporation to pay an additional Sewage Service Rate (surcharge) to be calculated in accordance with the provisions set out in this Chapter.

277.5.4 Excess - determined - formulae - variables

Excess quantities of biochemical oxygen demand, chemical oxygen demand, and suspended solids shall be determined by the following formulae:

$$V_b = \frac{ib \times w}{106}$$

$$V_s = \frac{is \times w}{106}$$

$$V_d = \frac{id \times w}{106}$$

Where:

V_b = excess kilograms of biochemical oxygen demand discharged to a sanitary sewer per two months by the person;

V_s = excess kilograms of suspended solids discharged to a sanitary sewer per two months by the person;

V_d = excess kilograms of chemical oxygen demand discharged to a sanitary sewer per two months by the person;

ib = biochemical oxygen demand in milligrams per litre as determined from composite samples as outlined in Sections 277.5.1 and 277.5.2 less 300 milligrams per litre;

is = suspended solids in milligrams per litre as determined from composite samples as outlined in Sections 277.5.1 and 277.5.2, less 350 milligrams per litre;

id = chemical oxygen demand in milligrams per litre as determined from composite samples as outlined in Sections 277.5.1 and 277.5.2, less 1000 milligrams per litre.

w = waste flow in litres per two months discharged to a sanitary sewer by the person as determined in Section 277.4.1.

277.5.5 Treatment - cost - determined - formulae - variables

The determination of the cost per kilogram for the treatment of biochemical oxygen demand, chemical oxygen demand, and suspended solids shall be calculated on the basis of the following formulae:

$$x = \frac{c}{1.6b}$$

$$y = \frac{c}{2.5s}$$

$$z = \frac{c}{1.6d}$$

Where:

x = cost per kilogram in dollars to treat biochemical oxygen demand;

y = cost per kilogram to treat suspended solids;

z = cost per kilogram in dollars to treat chemical oxygen demand;

c = latest known annual operating cost of the Brantford Water Pollution Control Plant. Operating costs include all charges incurred for the operation, repair and maintenance of sewage works and may include a charge for depreciation, deferred maintenance or a reserve fund for any such purpose;

b = kilograms of biochemical oxygen demand removed by the Brantford Water Pollution Control Plant in the year corresponding with the latest known annual operating cost;

s = kilograms of suspended solids removed by the Brantford Water Pollution Control Plant in the year corresponding with the latest known annual operating cost;

d = kilograms of chemical oxygen demand removed by the Brantford Water Pollution Control Plant in the year corresponding with the latest known annual operating cost.

Article 6**SURCHARGE - APPLIED****277.6.1 Greatest - surcharge - determined - applied**

Either the biochemical oxygen demand or chemical oxygen demand, but not both, will be used in any surcharge calculation. Whichever concentration, biochemical oxygen demand or chemical oxygen demand, yields the greatest surcharge will be used in the surcharge billing.

277.6.2 Engineer - to calculate - Treasurer - to collect

The Engineer shall be responsible for calculating the surcharge, and the Treasurer shall be responsible for collecting the surcharge.

277.6.3 Calculation - formulae

The surcharge will be calculated using the following formulae:

surcharge in dollars per two months = $x (V_b) + y (V_s)$

or

surcharge in dollars per two months = $z (V_d) + y (V_s)$

By-law 74-82, 5 April, 1982.

277.6.4 Additional costs - inspection - sampling - analyses

In addition to the above, a charge of \$30 shall be levied against each person for costs involved in inspection, sampling and analyses of each composite sample, to a maximum charge of \$100 per sanitary private drain connection per two months billing period unless additional sampling is requested by the person, in which case the person shall pay an additional charge of \$30 per sample. By-law 74-82, 5 April, 1982; By-law 9-94, 17 January, 1994.

277.6.5 Arrears - lien on property

Pursuant to subsection 218 (21) of the *Municipal Act*, R.S.O. 1990, c. M.45, the sewage service rate and the sewage surcharge imposed under this Chapter is a lien and charge upon the land against which it is assessed and if any owner and/or occupant of the land fails to pay the said rate on or before the due date, the amount unpaid may be collected by distress upon the goods and chattels of such owner and/or occupant, or by action in any competent court and shall be charged against the property and collectable in the same way, as nearly as may be, as municipal taxes are collectable.

277.6.6 Arrears - interest rate

Arrears, as described in Section 277.6.5, shall bear interest from the date due at the rate of 1 ½% per month until paid. By-law 74-82, 5 April, 1982.

Article 7 ENFORCEMENT

277.7.1 Fine - for contravention

Every person who contravenes any of the provisions of this Chapter is guilty of an offence and shall, upon conviction thereof, forfeit and pay a penalty of not more than \$5,000, exclusive of costs and every such fine is recoverable under the *Provincial Offences Act*. By-law 55-92, 23 March, 1992.

Article 8 REPEAL

277.8.1 By-law - previous

By-law 68-77 of the Corporation of The City of Brantford is repealed. By-law 74-82, 5 April, 1982.