THE CITY OF WINNIPEG

BY-LAW NO. 24 /2007

A By-law of THE CITY OF WINNIPEG to repeal Section 2 of By-law No. 247/2006 and to amend Sewer By-law No. 7070/97.

THE CITY OF WINNIPEG, in Council assembled enacts as follows:

1. Section 2 of By-law No. 247/2006 is hereby repealed.

2. Effective July 1, 2007, Section 50 of By-law No. 7070/97 is hereby repealed and the following is substituted:

"50. Surcharges

A *person* discharging *overstrength wastewater* shall pay an additional charge over and above the uniform sewer rates where such *wastewater* has a *biochemical oxygen demand* (BOD) greater than 300 mg/L and/or contains more than 350 mg/L *total suspended solids* for sewered *wastewater* and a *biochemical oxygen demand* (BOD) greater than 2,400 mg/L and/or contains more than 5,500 mg/L *total suspended solids* for hauled *wastewater*. Any additional sums so charged in addition to the said uniform sewer rates shall be termed a *surcharge* and shall be determined as hereinafter set out:

(1) the amount of the *surcharge* to any *person* shall be based on the characteristics of the *wastewater* and the number of kilolitres of *wastewater* discharged into the City *wastewater system*;

(2) the *Sewer Utility* may within three (3) months of the date of application for Overstrength Wastewater Discharge License under Section 44, make such analyses and measurements as may be appropriate in order to ascertain the *biochemical oxygen demand* and *total suspended solids* of the *wastewater* discharged and to determine whether such *wastewater* contains any concentration of any other substance or characteristics prohibited under this By-law;

(3) the *surcharge* payable by the *person* discharging the *overstrength wastewater* shall be computed assuming that all of the *wastewater* discharged is as found by such analyses;

(4) the *Sewer Utility* may thereafter, at any time, perform further analyses on the *wastewater* being so discharged and gather samples of the *wastewater* over such period as the *Sewer Utility* may determine, or may analyze samples submitted by the *person*;

(5) if a *person* has installed treatment equipment, or for any other reason is of the opinion that the nature of the *overstrength wastewater* normally discharged has a change in concentration from prior analyses and provides evidence satisfactory to the *Sewer Utility*, a written request may be made to the *Sewer Utility* to perform new analyses. Anyone requesting new analyses shall pay to the *Sewer Utility* an amount which represents the actual costs to the *Sewer Utility* for performing the analyses. New analyses shall be based on at least a *full day of operation*. If the *Sewer Utility* determines that such analyses were made when the *wastewater* was discharged during normal operations, the results of the latest analyses shall be used in computing the *surcharge* for *wastewater* discharged."

DONE AND ENACTED by Council assembled, this 24th day of January, 2007.

MAYOR

CITY CLERK

Approved:

Director, Water and Waste Department

Certified as to form:

for City Solicitor/Manager of
Legal Services