APPENDIX "C" – MBEA By-law Amendment

THE CITY OF WINNIPEG

BY-LAW NO. /2018

A By-law of THE CITY OF WINNIPEG to amend the Municipal By-law Enforcement Act (MBEA) Enabling By-law.

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

Municipal By-law Enforcement Act (MBEA) Enabling By-law amended

1 The Municipal By-law Enforcement Act (MBEA) Enabling By-law No. 59/2016 is amended by adding the table set out in Schedule A to this By-law to Schedule A of the Municipal By-law Enforcement Act (MBEA) Enabling By-law immediately following the table setting out the provisions of the Responsible Pet Ownership By-law No. 92/2013.

Coming into force

2 This By-law comes into force on January 1, 2019.

DONE AND PASSED this day of , 2018.

Mayor

City Clerk

Approved as to content:

Director of Water and Waste

Legally reviewed and certified as to form:

for Director of Legal Services
and City Solicitor

DRAFT

SCHEDULE "A"

Sewer By-law No. /2018		Administrative Penalty	
Provision	Contravention summary	Administrative Penalty ($)	Discounted Amount ($)
11(a)	Failed to install access point in accordance with plans and specifications approved by the designated employee	1000	500
11(b)	Failed to maintain access point in a safe condition as determined by the designated employee	500	250
11(c)	Failed to ensure access point is accessible to a designated employee at all reasonable times	500	250
20(7)	Permit holder failed to comply with condition(s) imposed on a permit, licence or authorization	1000	500
37(1)	Discharged wastewater or land drainage overland to the wastewater system or the land drainage system without a temporary overland discharge permit	500	250
44	Failed to discharge wastewater to the wastewater system	500	250
45(1)(a)	Discharged to the wastewater system wastewater that posed a risk of harm to the health or safety of persons or property, to the environment or to City infrastructure	500	250
45(1)(b)	Discharged to the wastewater system wastewater that interfered with the operation or maintenance of the wastewater system	500	250
45(1)(c)	Discharged to the wastewater system wastewater that damaged the wastewater system	500	250
45(1)(d)	Discharged to the wastewater system wastewater that restricted the flow in the wastewater system	500	250
45(1)(e)	Discharged to the wastewater system wastewater that caused an unusual or offensive odour to be given off from the wastewater system	500	250
45(1)(f)	Discharged to the wastewater system wastewater that prevented the City from meeting limits imposed by the Province of Manitoba or the Government of Canada for disposal of liquid to waterways or of biosolids to land	500	250
46(1)	Discharged wastewater into the land drainage system without a valid Wastewater Discharge Licence	500	250

DRAFT

Sewer By-law No. /2018		Administrative Penalty	
Provision	Contravention summary	Administrative Penalty ($)	Discounted Amount ($)
50	Discharged swimming pool water to the land drainage system, street, neighbouring property, waterway, or above ground to a wastewater system without a valid Wastewater Discharge Licence	250	125
51(1)	Failed to ensure that every kitchen sink waste pipe and dishwasher waste pipe in a food service establishment is connected to a grease interceptor	500	250
51(4)(a)	Failed to ensure that a grease interceptor was accessible for maintenance and cleaning	500	250
51(4)(b)	Failed to ensure that a grease interceptor was sized so as to be able to accommodate the maximum flow capacity of all plumbing fixtures connected to the grease interceptor as identified in the manufacturer's specifications	500	250
51(4)(c)(i)	Failed to ensure that a grease interceptor was installed in compliance with all requirements and specifications of the Canadian Standards Association Standard B481 or successor standard	500	250
51(4)(c)(ii)	Failed to ensure that a grease interceptor was installed in compliance with all requirements and specifications of the manufacturer	500	250
51(5)(a)	Failed to ensure that a dishwasher is connected to a dedicated grease interceptor that is of an appropriate size	500	250
51(5)(b)	Failed to ensure that a dishwasher is connected to a dedicated grease interceptor that meets tempering requirements	500	250
51(6)	Added enzymes, bacteria, solvents, hot water or other agents or substances to wastewater discharged to a grease interceptor	500	250
55(1)(a)	Failed to ensure that an oil, grease or sediment interceptor is operated and maintained according to all applicable standards or manufacturer's instructions	500	250
55(1)(b)	Failed to ensure that an oil, grease or sediment interceptor is cleaned so that the oil, grease or sediment interceptor functions properly	500	250
55(2)(a)	Failed to keep maintenance records in respect of an oil, grease or sediment interceptor for 12 months following the date of maintenance	250	125

DRAFT

Sewer By-law No. /2018		Administrative Penalty	
Provision	Contravention summary	Administrative Penalty ($)	Discounted Amount ($)
55(2)(b)	Failed to produce maintenance records in respect of an oil, grease or sediment interceptor for inspection by a designated employee upon request	250	125
59	Failed to discharge land drainage to the land drainage system	500	250
60(1)(a)	Discharged to the land drainage system land drainage that posed a risk of harm to the health or safety of persons or property, to the environment or to City infrastructure	500	250
60(1)(b)	Discharged to the land drainage system land drainage that interfered with the operation or maintenance of the land drainage system	500	250
60(1)(c)	Discharged to the land drainage system land drainage that damaged the land drainage system	500	250
60(1)(d)	Discharged to the land drainage system land drainage that restricted the flow in the land drainage system	500	250
60(1)(e)	Discharged to the land drainage system land drainage that caused an unusual or offensive odour to be given off from the land drainage system	500	250
60(1)(f)	Discharged to the land drainage system land drainage that prevented the City from meeting limits imposed by the Province of Manitoba or Government of Canada for disposal of liquid to waterways or of biosolids to land	500	250
61(1)	Discharged land drainage into a wastewater sewer main or an interceptor sewer main without a valid Land Drainage Discharge Licence	500	250
66(1)	Failed to immediately notify a designated employee of a spill or to provide required information about the spill	500	250
66(2)	Failed to call 911 to report a spill which posed an immediate risk to the health or safety of persons or property, to the environment or to City infrastructure	500	250
67(a)	Failed to take all reasonable measures to contain a spill	500	250
67(b)	Failed to take all reasonable measures to reduce the risk of harm from a spill	500	250
67(c)	Failed to take all reasonable measures to clean up a spill and dispose of the spill material appropriately	500	250

DRAFT

Sewer By-law No. /2018		Administrative Penalty	
Provision	Contravention summary	Administrative Penalty ($)	Discounted Amount ($)
67(d)	Failed to take all reasonable measures to restore an area after a spill	500	250
68	Failed to submit a completed written spill report within 5 business days of the spill	250	125
72(1)	Discharged hauled wastewater without a valid Wastewater Hauler's Licence	500	250
73(1)	Discharged hauled wastewater without a valid Wastewater Disposal Vehicle Licence	500	250
75(2)(a)	Failed to ensure that wastewater is not deposited on the ground at the discharge point	500	250
75(2)(c)	Failed to provide required load information before discharging the load	250	125
75(2)(d)	Failed to comply with any rules established for the operation of a hauled wastewater disposal site	500	250
75(2)(e)	Failed to ensure that sand, gravel or other material that has been identified by the designated employee as likely to obstruct the wastewater system was not deposited at the discharge point	500	250
75(2)(g)	Failed to comply with any condition imposed on a Wastewater Hauler's Licence	500	250
76(a)	Permitted the collection of wastewater that contained substances set out in Schedule "A" to the Sewer By-law	1000	500
76(b)	Permitted the collection of wastewater that contained substances with concentrations that exceed the limits set out in Schedule "B" to the Sewer By-law	1000	500
77	Caused or permitted damage or blockages to or within a hauled wastewater disposal site	500	250
80(2)	Failed to submit a plan within timeframe set out in a notice	250	125
80(5)(a)	Failed to obtain approval of a Plan	500	250
80(5)(b)	Failed to comply with an approved Plan	500	250
84(1)	Failed to submit a new Plan	500	250
85	Failed to notify of a change in any info contained in an approved Plan within 30 days	250	125
86(2)	Failed to submit a Plan within the timeframe set out in a notice	250	125
87	Failed to obtain approval of a progress update	500	250
89(1)(a)	Failed to submit a progress update in the approved form	500	250

DRAFT

Sewer By-law No. /2018		Administrative Penalty	
Provision	Contravention summary	Administrative Penalty ($)	Discounted Amount ($)
89(1)(b)	Failed to submit a progress update with adequate information to evaluate progress	500	250
90(1)	Failed to implement an approved Plan to the satisfaction of the designated employee	1000	500
90(2)	Failed to obtain approval of a new Plan	1000	500
90(3)	Failed to submit a new Plan within the timeframe set out in a notice	250	125
91(a)	Failed to keep a copy of an approved Plan or an approved progress updated on the premises of a business	250	125
91(b)	Failed to make an approved Plan or an approved progress updated available for inspection upon request	250	125

DRAFT