

**REPORT TO ENVIRONMENTAL SERVICES COMMITTEE
MEETING OF WEDNESDAY, JANUARY 10, 2018**

SUBJECT Sewer Use Bylaw No. 2922 – Amendment

ISSUE

Capital Regional District (CRD) Bylaw No. 2922 (Appendix A), which regulates sanitary sewer discharge, requires an amendment to address a regulatory gap and CRD Bylaw No. 1857 requires an amendment to add corresponding ticketing provisions.

BACKGROUND

The CRD Regional Source Control Program regulates sanitary sewer discharge through Bylaw No. 2922, *Capital Regional District Sewer Use Bylaw No. 5, 2001* (Sewer Use Bylaw). The Sewer Use Bylaw contains language and regulatory tools such as Waste Discharge Permits, Authorizations and Codes of Practice for the protection of sewers, sewage facilities, human or animal safety and the environment.

Bylaw No. 1857, *Capital Regional District Ticket Information Authorization Bylaw, 1990* (MTI), provides for the enforcement of bylaws through ticketing by CRD Bylaw Enforcement Officers.

Under the *Environmental Management Act*, Section 29, the Sewage Control Manager can regulate contaminant discharge from industries, businesses or other operations to the sanitary sewage system with Waste Discharge Permits and Authorizations. Staff recently discovered that the current version of the Sewer Use Bylaw lacks language to ensure dischargers meet all the terms and conditions of Waste Discharge Permits and Authorizations. Other sections of the Sewer Use Bylaw and Codes of Practice are not affected by this omission.

The Sewer Use Bylaw therefore needs to be updated to enforce all terms and conditions of Waste Discharge Permits and Authorizations. Amendment Bylaw No. 4221 (Appendix B) adds the necessary sections (3.6 and 3.7) to Bylaw No. 2922.

The MTI requires updating to allow the issuing of tickets for failure to comply with the new Sections 3.6 and 3.7. Amendment Bylaw No. 4220 (Appendix C) updates Bylaw No. 1857 by adding new offences as items 18 and 19 to Schedule 21 with the subsequent items renumbered.

ALTERNATIVES

Alternative 1

That the Environmental Services Committee recommend to the CRD Board:

1. That Bylaw No. 4221, "Capital Regional District Sewer Use Bylaw No. 5, 2001, Amendment Bylaw No. 6, 2018" be introduced and read a first and second time, read a third time, and adopted.

2. That Bylaw No. 4220, “Capital Regional District Ticket Information Authorization Bylaw 1990, Amendment Bylaw No. 62, 2018 be introduced and read a first and second time, read a third time, and adopted.

Alternative 2

That the Environmental Services Committee direct staff to revise the amendment bylaws for reconsideration.

ENVIRONMENTAL IMPLICATIONS

Some types of non-domestic waste can be discharged to the sanitary sewer when the appropriate source control practices and pre-treatment are in place. Waste Discharge Permits and Authorizations are useful tools within the Sewer Use Bylaw to manage contaminants in non-domestic waste discharged to the CRD sewer system, thereby protecting infrastructure, treatment works, workers and the marine receiving environment.

FINANCIAL IMPLICATIONS

There is no financial impact associated with these amendments.

CONCLUSION

The Sewer Use Bylaw needs to be updated to include language to enforce the terms and conditions of Waste Discharge Permits and Authorizations, and the MTI requires updating to allow the issuing of tickets for failure to meet the terms and conditions.

Waste Discharge Permits and Authorizations were intended to be regulatory tools when the Sewer Use Bylaw was originally drafted. The bylaw amendments presented in this report will address a gap in enforcement rather than creating new powers.

RECOMMENDATIONS

That the Environmental Services Committee recommend to the Capital Regional District Board:

1. That Bylaw No. 4221, “Capital Regional District Sewer Use Bylaw No. 5, 2001, Amendment Bylaw No. 6, 2018” be introduced and read a first and second time, read a third time, and adopted.
2. That Bylaw No. 4220, “Capital Regional District Ticket Information Authorization Bylaw 1990, Amendment Bylaw No. 62, 2018 be introduced and read a first and second time, read a third time, and adopted.

Submitted by:	Glenn Harris, Ph.D., R.P.Bio., Senior Manager, Environmental Protection
Concurrence:	Larisa Hutcheson, P.Eng., General Manager, Parks & Environmental Services
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

DG:cam

Attachments: Appendix A – Bylaw No. 2922 – Consolidated Bylaw (November 10, 2016)
Appendix B – Bylaw No. 4221 – A Bylaw to Amend CRD Sewer Use Bylaw No. 5, 2001 (Bylaw No. 2922)
Appendix C – Bylaw No. 4220 – A Bylaw to Amend Bylaw No. 1857, CRD Ticket Information Authorization Bylaw No. 1990