

Authority: Item 2, Committee of the Whole
Report 08-035
CM: December 10, 2008

Bill No. 302

CITY OF HAMILTON

BY-LAW NO. 08-302

**To Amend the Sewer Use By-law 04-150, as amended,
and Implement the 2009 Sewer Use Fees and Charges**

WHEREAS on June 30, 2004, the Council of the City of Hamilton passed and enacted By-law 04-150, known and referred to as the "Sewer Use By-law", which By-law came into force and effect on June 30, 2004;

AND WHEREAS pursuant to section 391 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, sections 9 and 10 of the said Act authorize a municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of the municipality and for the use of the municipality's property, including property under its control;

AND WHEREAS on the 10th day of December, 2008, the Council of the City of Hamilton did approve of Item 2 of Committee of the Whole Report 08-035 and did authorize the 2009 water and wastewater fees and charges, including the sewer use fees and charges set out herein;

AND WHEREAS notice of the 2009 sewer use fees and charges set out herein has been given in accordance with the provisions of the City of Hamilton's Public Notice Policy By-law No. 07-351.

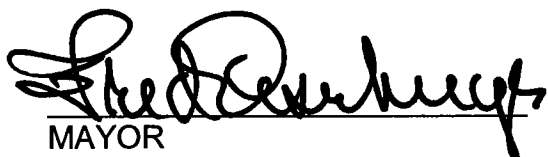
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Section 10 of By-law No. 04-150, as amended, by adding the following subsection 10(8):
 - (8) The person subject to the duty imposed by subsections 10(1), (2), (3) and (4), or any combination thereof, is also responsible for all

costs incurred by the City as a result of the discharge. In addition, such person is responsible for payment of an hourly Spills Response Fee, as set out in Schedule "D" to this By-law, to offset the internal cost to the City for its employees and equipment to respond to the discharge.

2. Schedule "D" to By-law No. 04-150, as amended, is repealed and Schedule "D" attached to this by-law is substituted therefor.
3. This by-law shall come into force as of January 1, 2009.
4. In all other respects, the contents of By-law 04-150, as amended, are hereby confirmed as unchanged.

PASSED AND ENACTED this 10th day of December, 2008.


MAYOR


CLERK

Approved
as to form

Legal
Services

SCHEDULE D

**SCHEDULE OF FEES
EFFECTIVE JANUARY 1ST, 2009**

- 1. Annual permit to discharge hauled sewage \$266.45*

- 2. (a) Discharge fees for hauled sewage generated inside the City of Hamilton:

Volume of Hauled Sewage Vehicle		Fee for discharge: compliant	Fee for discharge: non-compliant
Up to 1000 imperial gallons or any part thereof	Up to 4.54 m ³ or any part thereof	\$ 40.10*	\$40.10*
Greater than 1000 imperial gallons but less than or equal to 3500 imperial gallons	Greater than 4.54 m ³ but less than or equal to 15.9 m ³	\$ 40.10*	\$80.20*
Greater than 3500 imperial gallons but less than or equal to 5000 imperial gallons	Greater than 15.9 m ³ but less than or equal to 22.7 m ³	\$ 80.20*	\$120.30*
Greater than 5000 imperial gallons but less than or equal to 8000 imperial gallons	Greater than 22.7 m ³ but less than or equal to 36.3 m ³	\$120.30*	\$200.48*
Greater than 8000 imperial gallons but less than or equal to 10000 imperial gallons	Greater than 36.3 m ³ but less than or equal to 45.43 m ³	\$160.40*	\$240.58*

*plus applicable taxes

(b) Discharge fees for hauled sewage generated outside the City of Hamilton:

Volume of Hauled Sewage Vehicle		Fee for all discharges from outside the City: compliant and non-compliant
Up to 1000 imperial gallons or any part thereof	Up to 4.54 m ³ or any part thereof	\$80.20*
Greater than 1000 imperial gallons but less than or equal to 3500 imperial gallons	Greater than 4.54 m ³ but less than or equal to 15.9 m ³	\$160.40*
Greater than 3500 imperial gallons but less than or equal to 5000 imperial gallons	Greater than 15.9 m ³ but less than or equal to 22.7 m ³	\$240.58*
Greater than 5000 imperial gallons but less than or equal to 8000 imperial gallons	Greater than 22.7 m ³ but less than or equal to 36.3 m ³	\$400.98*
Greater than 8000 imperial gallons but less than or equal to 10000 imperial gallons	Greater than 36.3 m ³ but less than or equal to 45.43 m ³	\$481.27*

c) Holding Tanks of Recreational Vehicles \$ 5.27*

3. Overstrength Discharge Fees

Parameter	Fee (cents/kg)
B.O.D.	\$0.6397*
Suspended Solids	\$0.5117*
Phenolic Compounds	\$0.6397*
Solvent Extractable Matter	\$0.5373*
Kjeldahl Nitrogen	\$1.9478*
Phosphorus	\$1.3702*

*plus applicable taxes

4. Administrative Fees for Sewer Use Agreements (minimum charges per quarter)
- a) Overstrength Discharge Agreement \$262.77*
 - b) Sanitary Sewer Surcharge Agreement \$262.77*
 - c) Chloride Discharge Agreement \$262.77*
5. Spills Response Fee (per hour) \$ 56.82*
6. Information Request Fee \$120.89*

* plus applicable taxes