

Authority: Item 3, Committee of the Whole
Report 09-034 (FCS09102/PW09100)
CM: December 9, 2009

Bill No. 263

CITY OF HAMILTON

BY-LAW NO. 09- 263

To Amend the Sewer Use By-law No. 04-150, as amended, and Implement the 2010 Sewer Use Fees and Charges

WHEREAS on June 30, 2004, the Council of the City of Hamilton passed and enacted By-law No. 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 9th day of December, 2009, the Council of the City of Hamilton did approve of Item 3 of Committee of the Whole Report 09-034 and did authorize the 2010 water and wastewater fees and charges, including the sewer use fees and charges set out herein;

AND WHEREAS notice of the 2010 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.

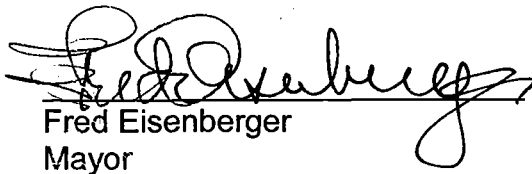
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. By-law No. 04-150 is amended by adding the following subsection 9(2) immediately after subsection 9(1):
 - (2) Upon request, subject to the approval of the General Manager of Public Works and the payment of the prescribed wastewater sampling fees set out in Schedule "D" to this By-law, the City will provide sampling services to the requesting person for the purpose

of determining the characteristics or contents of the sewage which is the subject of the request.

2. Subsection 10(1) of By-law No. 04-150 is amended by striking out the word "and" in the second line of the subsection before the word "drainage" and substituting the word "land".
3. Schedule "D" to By-law No. 04-150 is repealed and Schedule "D" attached to this by-law is substituted therefor.
4. This by-law comes into force on January 1, 2010.
5. In all other respects, the contents of By-law No. 04-150, as amended, are hereby confirmed as unchanged.

PASSED and ENACTED this 9th day of December, 2009.


Fred Eisenberger
Mayor


Rose Caterini
Acting City Clerk

SCHEDULE D

**SCHEDULE OF FEES
EFFECTIVE JANUARY 1ST, 2010**

1. Annual permit to discharge hauled sewage \$271.78*

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	\$ 40.90*	\$40.90*
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	\$ 40.90*	\$81.80*
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	\$ 81.80*	\$122.71*
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	\$122.71*	\$204.49*
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	\$163.61*	\$245.39*

*plus applicable taxes

b) Holding Tanks of Recreational Vehicles \$ 5.38*

3. Overstrength Discharge Fees

Parameter	Fee (cents/kg)
B.O.D.	\$0.6525*
Suspended Solids	\$0.5219*
Solvent Extractable Matter	\$0.5480*
Kjeldahl Nitrogen	\$1.9868*
phosphorus	\$1.3976*

4. Administrative Fees for Sewer Use Agreements (minimum charges per quarter)

a) Overstrength Discharge Agreement \$268.03*
 b) Sanitary Sewer Surcharge Agreement \$268.03*
 c) Chloride Discharge Agreement \$268.03*

5. Spills Response Fee (per hour) \$ 57.96*

6. Information Request Fee \$123.31*

7. Wastewater Sampling Fees

(a) Wastewater Sampling Vehicle Fee (per day) \$ 5.50*
 (b) Wastewater Sampling Equipment Fee (per day) \$ 15.00*
 (c) Wastewater Sampling Technician Fee (per hour) \$ 38.79*

*plus applicable taxes