

The Corporation of the Town of Tecumseh

By-Law Number 2024-113

Being a by-law to amend By-Law 2003-80, being a by-law to prohibit, regulate, and inspect the discharge of sewage into the municipal sewage system of the Corporation of the Town of Tecumseh.

Whereas Sections 8 and 11(3) 3 of the *Municipal Act*, 2001, S.O. 2001, c.25 (the “Act”), authorizes the council of local municipalities to pass by-laws under the sphere of jurisdiction of “waste management”;

And Whereas pursuant to Section 74, Section 425(1), Section 426, and Section 429 of the Act, as amended, a municipality may, in a by-law prohibit or regulate any matter passed under the “waste management” sphere of jurisdiction provided that a person or corporation who contravenes the by-law is guilty of an offence and is liable for certain fines;

And Whereas pursuant to Sections 80 and 87 of the Act, a municipality may enter on land, at reasonable times, to inspect the discharge of any matter into the sewage system of the municipality or into any other sewage system the contents of which ultimately empty into the municipal sewage system and may conduct tests and take samples for this purpose;

And Whereas Council adopted By-Law 2003-80 on the 28th day of October 2003 to prohibit, regulate, and inspect the discharge of sewage into the municipal sewage system of the Corporation of the Town of Tecumseh;

Now Therefore the Council of The Corporation of The Town of Tecumseh enacts as follows:

1. **That** By-Law 2003-80 be amended by **deleting Section 1(vv) in its entirety and replacing same with the following:**

“**Storm Sewer**” means a sewer or municipal drain for the collection and transmission of uncontaminated water, storm water, drainage from land or from a water course or any combination thereof.”

2. **That** By-Law 2003-80 be amended by adding to Section 1 a new subsection as follows:

“**Land Drainage Works**” means collectively, any private or public property involved in the conveyance, control, and disposal of land drainage.”

3. **That** By-Law 2003-80 be amended by **deleting Section 9(E) in its entirety and replacing same with the following:**

“The Director of Public Works and Engineering, or their delegate, may require the owner or operator of industrial premises to install and maintain devices to monitor sewage discharges and to submit regular reports regarding the discharges to the Municipality.”

4. **That By-Law 2003-80 be amended by deleting Sections 10(B) and (C) in its entirety and replacing same with the following:**

“(B) The Director of Public Works and Engineering, or their delegate, is appointed inspector for the purpose of carrying out inspections for the enforcement of this By-law.

(C) In accordance with Section 436 of the Municipal Act, the Director of Public Works and Engineering, or their delegate, may, for the purpose of carrying out such inspections, enter in or upon any land or premises, except land or premises being used as a dwelling, at any time without a warrant, to inspect the discharge of any matter into the sewage works sanitary sewer or storm sewer, as the case may be, of the Municipality, or into any other sewage system the contents of which ultimately empty into the Municipality’s sewage works, sanitary sewer or storm sewer, as the case may be, and may conduct tests and take samples for this purpose, inspect and observe any plant, machinery, equipment, work, activity or documents, make inquiries and take photographs.

Read a first, second, third time and finally passed this 10th day of December, 2024.

Gary McNamara, Mayor

Robert Auger, Clerk