



POLLUTION PREVENTION AND CLEAN-UP BYLAW NO. 8475

EFFECTIVE DATE – October 13, 2009

CONSOLIDATED FOR CONVENIENCE ONLY

This is a consolidation of the bylaws below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

<u>AMENDMENT BYLAW</u>	<u>DATE OF ADOPTION</u>	<u>EFFECTIVE DATE</u> (If different from Date of Adoption)
Bylaw No. 9950	December 19, 2018	

CITY OF RICHMOND
POLLUTION PREVENTION AND CLEAN-UP BYLAW NO. 8475
TABLE OF CONTENTS

PART ONE: INTERPRETATION

1.1 Definitions.....1

PART TWO BYLAW EFFECT

2.1 Bylaw Effect5

PART THREE: PROHIBITION AGAINST RELEASE OF POLLUTING SUBSTANCE

3.1 Prohibition Against Release of Polluting Substance5

PART FOUR: OBLIGATIONS REGARDING THE STORAGE AND HANDLING OF A POLLUTING SUBSTANCE AND OF DANGEROUS GOODS

4.1 Obligations Regarding the Storage and Handling of a
Polluting Substance.....5

4.2 Obligations Regarding the Storage and Handling of
Dangerous Goods.....5

PART FIVE: SPILL RESPONSE AND CLEAN-UP REQUIREMENTS

5.1 Obligation to Clean-Up Spill6

PART SIX: NON-STORMWATER DISCHARGE MANAGEMENT

6.1 Provisions for Non-Stormwater Discharge.....6

6.2 Non-Stormwater Discharge Regulations9

6.3 Permit Expiry10

PART SEVEN: ORDER TO COMPLY

7.1 Order to Comply10

7.2 Appeal Against an Order to Comply 10

PART EIGHT: EMERGENCY SITUATIONS

8.1 Emergency Situations11

PART NINE: ENFORCEMENT

9.1 Suspension of a Permit.....11
9.2 Non-compliance.....11

PART TEN: AUDIT

10.1 Audit12

PART ELEVEN: OFFENCES AND PENALTIES

11.1 Offences and Penalties.....13

PART TWELVE: PREVIOUS BYLAW REPEAL

12.1 Previous Bylaw Repeal.....13

PART THIRTEEN: SEVERABILITY AND CITATION

13.1 Severability13
13.2 Citation.....13



POLLUTION PREVENTION AND CLEAN-UP BYLAW NO. 8475

WHEREAS the City of Richmond has committed to environmental stewardship and the protection of its **watercourses** and **drainage systems**;

AND WHEREAS pursuant to subsection 8(3)(j) of the *Community Charter* SBC 2003 Chapter 26, a municipality may by bylaw regulate, prohibit and impose requirements in relation to the protection of the natural environment;

AND WHEREAS pursuant to subsections 9(1)(b) and 9(3) of the *Community Charter* SBC 2003 Chapter 26, the Province of British Columbia has concurrent authority with municipalities in connection with protection of the natural environment, a Council may not adopt a bylaw relating to the protection of the natural environment unless one of the conditions of subsection 9(3) has been met (one of which is that the bylaw is in accordance with a regulation enacted pursuant to subsection 9(4)); and

AND WHEREAS the Province of British Columbia has enacted B.C. Reg 144/2004 entitled “Spheres of Concurrent Jurisdiction – Environment and Wildlife Regulation” which provides in section 2(1)(a) that for the purposes of section 9(4)(a)(i) of the *Community Charter*, a municipality may, under section 8(3)(j) of the *Community Charter*, regulate, prohibit and impose requirements in relation to polluting or obstructing, or impeding the flow of, a stream, creek, waterway, watercourse, waterworks, ditch, drain or sewer, whether or not it is located on private property.

Accordingly, the Council of the City of Richmond enacts as follows:

PART ONE: INTERPRETATION

1.1 Definitions

1.1.1 In this bylaw, unless the context otherwise requires:

APPLICANT	means the person who has applied for a Permit.
CITY	means the City of Richmond as a corporate entity.
CITY OF RICHMOND	means the City of Richmond as a geographic area.
CITY CLERK	means the Municipal Officer appointed by Council and assigned responsibility for corporate administration for the City under section 148 of the <i>Community Charter</i> .

COUNCIL	means the Council of the City .
DANGEROUS GOODS	means dangerous goods as defined in the <i>Transportation of Dangerous Goods Act</i> 1992, S.C. 1992, c. 34.
DEWATERING	means the extraction of groundwater from temporary excavations and/or during construction activities.
DISCHARGE	means either, according to the context in which such word is used in this bylaw: <ul style="list-style-type: none"> (a) as a verb, the release of a substance into any drainage system and/or watercourse or onto or into any soil; or, (b) as a noun, a substance which is released.
DRAINAGE SYSTEM	means all storm sewer works and appurtenances owned, controlled, maintained and operated by the City , including storm sewers, watercourses , storm service connections, ditches, channels, sloughs, detention facilities, pumping stations and outfalls laid within any highway, City right-of-way or easement or City -owned property.
ENVIRONMENT	means air, land, water and all other external conditions or influences under which humans, animals and plants live or are developed.
ENVIRONMENTAL LAWS	means all applicable federal, provincial, and City laws, statutes, regulations, ordinances, bylaws, and codes, all applicable policies, standards, protocols, orders, directives, and decisions issued, rendered or promulgated by any ministry, federal or provincial department, or judicial, administrative, or regulatory agency or body, whatsoever relating to fisheries, public health and safety, occupational health and safety, the protection or preservation of the environment , or the manufacture, operation, processing, distribution, use, treatment, storage, disposal, release , transport, handling, or remediation of contaminants, all as may be amended or replaced from time to time, including, but not limited to, the <i>Environmental Management Act</i> , S.B.C. 2003 c. 53, the <i>Canadian Environmental Protection Act, 1999</i> S.C. 1999, c. 33, and the <i>Fisheries Act</i> , R.S.C. 1985, c. F-14 (as may be amended or replaced from time to time), and all applicable principles of common law and equity.
GENERAL MANAGER	means the General Manager, Engineering and Public Works, and his or her respective designates and authorized agents.

INDUSTRIAL PROCESS WATER	means water from any source that is used in, or produced as a waste product of, industrial processes or other industrial activities.								
MINIMUM DISCHARGE CRITERIA	means the following minimum criteria that any permitted non-stormwater discharge must meet:								
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">pH</td> <td style="padding: 2px;">6.5 - 9.0</td> </tr> <tr> <td style="padding: 2px;">Temperature</td> <td style="padding: 2px;">< or = to 19°C</td> </tr> <tr> <td style="padding: 2px;">Dissolved Oxygen</td> <td style="padding: 2px;">> or = to 5.0 mg/L</td> </tr> <tr> <td style="padding: 2px;">Turbidity</td> <td style="padding: 2px;">< or = to 8 NTU, and < or = to 50 NTU during storm events</td> </tr> </table>	pH	6.5 - 9.0	Temperature	< or = to 19°C	Dissolved Oxygen	> or = to 5.0 mg/L	Turbidity	< or = to 8 NTU, and < or = to 50 NTU during storm events
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Temperature	< or = to 19°C								
Dissolved Oxygen	> or = to 5.0 mg/L								
Turbidity	< or = to 8 NTU, and < or = to 50 NTU during storm events								
	<p>Notes: NTU- Nephelometric Turbidity Units C- Celsius mg/L- milligrams per Litre</p>								
MONITOR/MONITORING	means to observe, record, or detect.								
NON-STORMWATER DISCHARGE	means any substance that is discharged to the City's drainage system and/or any watercourse that has not originated from naturally occurring precipitation flowing over the land surface and includes any discharge from dewatering activities and industrial process water .								
NON-STORMWATER DISCHARGE QUALITY DECLARATION	means a statutory declaration or letter, in the form provided by the City from time to time or in form otherwise satisfactory to the City , signed and sealed by a Qualified Environmental Professional , certifying the findings of site investigation work as to the quality of the proposed non-stormwater discharge and confirmation that the proposed non-stormwater discharge meets the minimum discharge criteria .								
ORDER TO COMPLY	means an order referred to in Part 7 of this bylaw.								
OWNER	means a person who is the registered owner of an estate in fee simple.								
PARCEL	means a lot, block, or other area in which land is held, or into which land is legally subdivided.								
PERMIT	means an authorization by the City to allow non-stormwater discharge to enter a drainage system or watercourse .								
PERMITTEE	means the holder of a Permit .								
PERSON	includes the City , a government body, an individual, corporation, partnership or other party, and the personal or other legal representatives of a person to whom the context can apply according to law.								

**POLLUTING
SUBSTANCE**

means any substance, whether liquid or solid, that damages or is capable of damaging the **environment** and includes **dangerous goods** and includes any substance that does not conform to the British Columbia Water Quality Guidelines for the Protection of Aquatic Life and/or the Canadian Council of Ministers of the Environment - Canadian Water Quality Guidelines for the Protection of Aquatic Life.

**PROFESSIONAL
ENGINEER**

means a **person** who is registered or licensed as a professional engineer pursuant to the *Engineers and Geoscientists Act*, R.S.B.C. 1996, c. 116.

**PROPERLY
STORE/STORED**

means stored and identified so as to prevent the overflow, **release**, or leakage of a **polluting substance** into a **drainage system**, a **watercourse** and/or the **environment**.

**QUALIFIED
ENVIRONMENTAL
PROFESSIONAL**

means an applied scientist or technologist registered and in good standing in British Columbia with an appropriate professional organization constituted by provincial statute, insured against professional liability arising from errors and omissions occurring in the performance of professional services, acting under that association's code of ethics, and subject to disciplinary action by that association, including but not limited to agronomists, biologists, engineers, foresters, geoscientists and technologists.

RELEASE

means **spill**, **discharge**, leak, pump, pour, emit, empty, inject, migrate, escape, leach, dispose, dump, deposit, spray, bury, abandon, incinerate, seep, place, or any other similar action.

RESPONSIBLE PERSON

means the person who has possession, charge, or control of a **polluting substance** when a **spill** of such **polluting substance** occurs, or is at imminent risk of occurring."

SPILL

means the introduction of a **polluting substance** into the **environment**, either intentionally or unintentionally, other than as authorized under the *Environmental Management Act*.

WATERCOURSE

means a channel through which water flows at any time of the year and includes a brook, river, stream, creek, lake, pond and any other body of water running through or situated partially or fully within the **City of Richmond**.

**WATER QUALITY
MONITORING
AND RESPONSE PLAN**

means a written plan prepared by a **Qualified Environmental Professional** that includes:

- (a) an outline of the steps to be taken to ensure that the proposed **discharge** complies at all times with this bylaw, other **City** requirements and all **environmental laws**; and
- (b) details the mitigation, remediation, and communication responses to be undertaken by the **owner** if there is noncompliance with this bylaw.

PART TWO: BYLAW EFFECT

2.1 Bylaw Effect

2.1.1 This bylaw applies to any **polluting substance**:

- (a) being handled or stored within the **City of Richmond**; or
- (b) **released** onto soil or into any **drainage system** and/or **watercourse** within the **City of Richmond**.

2.1.2 This bylaw applies to all **persons** except that subsection 6.1.1 of this bylaw does not apply to the **City**.

2.1.3 Part 6 of this bylaw does not apply to agricultural activities.

PART THREE: PROHIBITION AGAINST RELEASE OF POLLUTING SUBSTANCE

3.1 Prohibition Against Release of Polluting Substance

3.1.1 No **person** shall **release** or allow to be **released** a **polluting substance** into any **drainage system**, **watercourse** or onto or into the soil, other than as authorized by all applicable **environmental laws**.

PART FOUR: OBLIGATIONS REGARDING THE STORAGE AND HANDLING OF A POLLUTING SUBSTANCE AND OF DANGEROUS GOODS

4.1 Obligations Regarding the Storage and Handling of a Polluting Substance

4.1.1 Every **person** storing or handling any **polluting substance** must ensure that such **polluting substance** is **properly stored**.

4.2 Obligations Regarding the Storage and Handling of Dangerous Goods

- 4.2.1 In addition to complying with the provisions of section 4.1, any **person** storing or handling **dangerous goods** must ensure that such **dangerous goods** are **properly stored** in an impervious containment system which is of sufficient capacity to hold the larger of:
- (a) 110% of the largest volume of free liquid **dangerous goods** in any given container or tank, or
 - (b) 25% of the total volume of free liquid **dangerous goods** in storage.

PART FIVE: SPILL RESPONSE AND CLEAN-UP REQUIREMENTS

5.1 Obligation to Clean-Up Spill

- 5.1.1 Where a **spill** has occurred, the **responsible person** shall in accordance with all **environmental laws**:
- (a) immediately contain such **spill** and clean-up:
 - (i) any residue of the **polluting substance**;
 - (ii) any absorbent materials which have come into contact with, and have, in the opinion of the **City**, become contaminated by such **polluting substance**; and
 - (iii) any areas impacted by the **spill**, including without limitation, the **drainage system**, any **watercourse** and any soil, to the satisfaction of the **City**; and
 - (b) if required by the **General Manager**, complete any necessary remediation to the satisfaction of the **City** or to the applicable standards set out in the **environmental laws**.

PART SIX: NON-STORMWATER DISCHARGE MANAGEMENT

6.1 Provisions for Non-Stormwater Discharge

6.1.1 Non-Stormwater Discharge Permit

No person shall allow any **non-stormwater discharge** to enter any **drainage system** or any **watercourse** without first making an application for and obtaining a **Permit**, and every such **discharge** shall be undertaken in accordance with all requirements and regulations of this bylaw, the terms and conditions of the **Permit**, and all applicable **environmental laws**.

6.1.2 Application Requirements

- 6.1.2.1 Unless exempted by the **General Manager**, an application for a **Permit** must:

- (a) be made in the form provided from time to time by the **City**;
- (b) be made by the **owner** of the source **parcel**, or by an agent of the **owner**, provided that such agent has been granted written authority to act on behalf of the **owner**;
- (c) include the applicable fees as specified in the *Consolidated Fees Bylaw No. 8636*;
- (d) include written confirmation from the **owner** that the **owner** will waive, release, remise, indemnify, and save harmless the **City** and its elected officials, agents, employees, officers, and servants from and against all claims, demands, losses, costs (including legal costs), damages, actions, suits, or proceedings whatsoever brought by reason of, or arising from, the issuance of the **Permit** by the **City**, or the breach of any of the terms and conditions of the **Permit** by the **owner** or by those for which the **owner** is responsible at law, or the proposed **discharge** of **non-stormwater discharge** by or on behalf of the **owner**;
- (e) be accompanied by one of the following:
 - (i) a **non-stormwater discharge quality declaration** satisfactory to the **City**; or
 - (ii) a copy of the written approval of the proposed **discharge** from the applicable federal or provincial regulatory authority as required by the applicable **environmental laws**;
- (f) be accompanied by proof of insurance in an amount and on the terms satisfactory to the **City**;
- (g) be accompanied by a **water quality monitoring and response plan** satisfactory to the **City**;
- (h) be accompanied by a capacity analysis of the **drainage system** and, based on the capacity analysis, a letter signed and sealed by an appropriate **Qualified Environmental Professional** (being a professional engineer) confirming that the **drainage system** has capacity to accommodate the flow rate of the proposed **discharge**;
- (i) if required by the **City**, be accompanied by evidence satisfactory to the **City** that the **owner** has been denied a permit to **discharge** the **non-stormwater discharge** into the sanitary waste disposal system servicing the **parcel**, if any; and

- (j) be accompanied by any supporting documentation requested by the **City** relevant to the matters referred to in subsections (e), (g), (h) and/or (i) above.

6.1.2.2 An application will be deemed to have been abandoned if the **Applicant** fails to fully and completely respond to a request by the **General Manager** for documentation or information under this bylaw within 6 months of the date the request is made. Once abandoned, all application fee(s) collected will be forfeited to the **City**. If the **Applicant** wishes to proceed with a **discharge** after any such abandonment, the **Applicant** must, unless exempted in writing by the **General Manager**, submit a new application for a **Permit** and must pay an additional non-refundable application fee as specified in the *Consolidated Fees Bylaw No. 8636*.

6.1.2.3 If it is determined by the **General Manager** that any **discharge** of **non-stormwater discharge** has occurred without a valid **Permit**, all work must cease and the appropriate **Permit** application must be immediately submitted with a non-refundable application fee of twice the amount as specified in the *Consolidated Fees Bylaw No. 8636*.

6.1.3 Permit Issuance

6.1.3.1 Subject to section 6.1.3.2, the **General Manager** may issue a **Permit** upon being satisfied that:

- (a) the proposed **discharge** of **non-stormwater discharge** complies with this bylaw and all applicable **environmental laws**;
- (b) the proposed **discharge** of **non-stormwater discharge** can be carried out safely, without undue nuisance or interference to adjacent **parcels** or the public, or damage or injury to persons or property;
- (c) the **Applicant** has complied with the applicable requirements of section 6.1.2; and
- (d) the **Applicant** has paid to the **City** all applicable fees required under the *Consolidated Fees Bylaw No. 8636*.

6.1.3.2 The **General Manager** may refuse to issue a **Permit** if the requirements of section 6.1.3.1 have not been met or the **General Manager** is of the opinion that the proposed **discharge** of **non-stormwater discharge** will or is reasonably likely to:

- (a) endanger, damage, or otherwise adversely affect any adjacent **parcel**, structure, highway, easement, utility works and

- services or right-of-way, whether privately or publicly owned;
- (b) foul, obstruct, destroy, impede, divert, or otherwise adversely affect any **watercourse** or **drainage system**, whether privately or publicly owned;
 - (c) contravene any applicable **environmental laws**;
 - (d) threaten the health, safety, or welfare of the public or be otherwise contrary to the public interest;
 - (e) cause a federal, provincial or municipal authority to incur excessive costs to provide public utilities, works, or services to the subject **parcel**, or an adjoining or reasonably adjacent **parcels**.

6.2 Non-Stormwater Discharge Regulations

6.2.1. In addition to any terms and conditions contained in a **Permit**, no person shall cause or permit the **discharge** of **non-stormwater discharge** except in accordance with the following requirements, unless exempted in writing by the **General Manager**:

- 6.2.1.1 the **Permittee** shall engage a **Qualified Environmental Professional** to supervise and monitor the **discharge**;
- 6.2.1.2 the **Permittee** conducts water quantity monitoring to confirm and ensure that the **discharge** does not exceed the allowable flow rate set out in the capacity analysis referred to in subsection 6.1.2.1(h) of this **Bylaw**, and, if requested by the **City**, provides a copy of the monitoring results signed and sealed by a **Qualified Environmental Professional** to the **City**;
- 6.2.1.3 the **Permittee** conducts continuous monitoring of water levels in the pipe, box culvert or ditch receiving the **discharge** and if water levels overload the pipe or box culvert or exceed the maximum hydraulic gradeline of the ditch, as specified in the capacity analysis of the **drainage system** referred to in subsection 6.1.2.1(h) of this **Bylaw**, the **Permittee** shall:
 - (a) immediately discontinue the **discharge**;
 - (b) report to the **City** that the **drainage system** is over capacity;
 - (c) retain the water from the **discharge** on the subject **parcel** until the **drainage system** is no longer over capacity; and
 - (d) only resume the **discharge** once the **drainage system** is no longer over capacity and the **discharge** will not cause it to become over capacity.

- 6.2.1.4 the **Permittee** complies with the **water quality monitoring and response plan** and, if requested by the **City** provide a copy of the monitoring results to the **City**;
- 6.2.1.5 the **discharge** complies with the **minimum discharge criteria**;
- 6.2.1.6 the **Permittee** complies with all applicable **environmental laws**;
- 6.2.1.7 the **Permittee** shall obtain any and all approvals and authorizations required, in addition to the **Permit**, by any applicable governmental authority, public utility or other governmental agency; and
- 6.2.1.8 the **Permittee** shall immediately report to the **City** any emergency or the existence of any condition which prevents the operation of any treatment system required in relation to the water being **discharged**.

6.3 Permit Expiry

- 6.3.1 Every **Permit** issued under this bylaw shall expire and cease to authorize any **discharge** of **non-stormwater discharge** twenty-four (24) months following the date of issue or upon such earlier date as may be specified in the **Permit** unless an expiry date for a different term is specified in the **Permit** or a renewal has been issued in accordance with section 6.3.2.

PART SEVEN: ORDER TO COMPLY

7.1 Order to Comply

- 7.1.1 If a **person** fails to comply with any provision of this bylaw and/or any **Permit**, the **General Manager** may order pursuant to an **Order to Comply** served on such **person**, the cessation and remedy of any action which contravenes this bylaw and/or any **Permit**, within such period of time as the **General Manager** stipulates in the **Order to Comply**. The **General Manager** may, when the remedy ordered has been completed, authorize continuation of any action which was ceased or ordered remedied.

7.2 Appeal Against an Order to Comply

- 7.2.1 A **person** upon whom an **Order to Comply** has been served may appeal to **Council** against such **Order to Comply** by giving notice in writing to the **City Clerk** at least 72 hours prior to the expiration of the time given in the **Order to Comply**.
- 7.2.2 Upon hearing the appeal against an **Order to Comply**, **Council** must either uphold, amend, or cancel the **Order to Comply**.

PART EIGHT: EMERGENCY SITUATIONS

8.1 Emergency Situations

- 8.1.1 Where the **City** has determined that there has been a possible contravention of this bylaw which poses a possible threat to the environment or the health or safety of individuals, and immediate action is required to remedy the situation, the **City** may immediately take whatever action the **City** considers necessary to remedy the situation without the necessity of full compliance with the provisions of this bylaw at the time it is undertaken, and the expense of doing so, plus a reasonable sum as determined by the **General Manager** as a charge for the **City's** overhead, shall be paid by the **owner**. If not paid within 90 days, the expense, with interest at the prescribed rate and costs, shall be recovered in the same manner and with the same remedies as municipal taxes.

PART NINE: ENFORCEMENT

9.1 Suspension of a Permit

- 9.1.1 The **General Manager** may suspend any **Permit** where, in the opinion of the **General Manager** there is a contravention of or non-compliance with the terms and conditions of the **Permit**, this bylaw, or any other relevant **City** bylaw. The **Permit** shall remain suspended and will cease to authorize the **discharge** of **non-stormwater discharge** until, in the opinion of the **General Manager**, compliance is obtained.
- 9.1.2 Where a **Permit** is suspended, the **General Manager** will cause written notice of suspension to be delivered to the **Permittee** and to the **owner** of the subject **parcel** by registered mail and to be posted on the subject **parcel** where possible.
- 9.1.3 Sections 9.1.1 and 9.1.2 are without prejudice to any other remedies available to the **City** under this bylaw, any other law, or in equity.

9.2 Non-compliance

- 9.2.1 If a **Permittee** or the **owner** of the subject **parcel** contravenes a provision of this bylaw or a term of a **Permit**:
- 9.2.1.1 such person shall immediately cease any and all contravening actions;
- 9.2.1.2 the **General Manager** may notify the **Permittee** or the **owner** in writing of such contravention; and
- 9.2.1.3 the **General Manager** may instruct the **Permittee** or the **owner** to correct the contravention by a date specified in the notice. If the correction of the contravention will not be completed by the date specified in the notice, the **Permittee** or the **owner** as instructed by the **General Manager** must inform the **General Manager** of

such and immediately take all reasonable steps to begin to correct the contravention.

- 9.2.2 If a **Permittee** or the **owner** of the subject **parcel** fails to cease any and all contravening actions and/or correct a contravention referenced in section 9.2.1 by the date specified in the notice, or otherwise instructed by the **General Manager**:
- 9.2.2.1 the **City** may carry out such works and undertake such actions as the **City** deems necessary to correct the contravention;
- 9.2.2.2 the **General Manager** may revoke or suspend the relevant **Permit**, if any; and
- 9.2.2.3 in the event that any person having received notice fails to correct a contravention within the time specified in the notice, the **City** or its appointed agents may enter upon the subject **parcel** or any part thereof and carry out the works required to remedy the contravention, and the expense of doing so, plus a reasonable sum as determined by the **General Manager** as a charge for the **City's** overhead, shall be paid by the **owner**. If not paid within 90 days, the expense, with interest at the prescribed rate and costs, shall be recovered in the same manner and with the same remedies as municipal taxes.
- 9.2.3 Other than in case of emergency (in the opinion of the **General Manager**), in which case no notice is required, the **City** will give ten days' written notice to the **Permittee** of the **City's** intention to carry out works pursuant to section 9.2.2.
- 9.2.4 If the **City** carries out works pursuant to section 8.1.1 or 9.2.2, the **Permittee** or the **owner** of the subject **parcel** will reimburse the **City** for the **City's** cost of carrying out such works, within ten days of receiving a written request by the **City** for such reimbursement.
- 9.2.5 The **City** will not be liable for any damage, loss or expense of any nature or kind whatsoever, arising out of or in connection with the issuance of a **Permit**, or the **discharge** of **non-stormwater discharge**, or any other action by the **City** under this bylaw or a **Permit**.
- 9.2.6 In the event of damage to **City** or privately-owned **drainage system, watercourses**, highways, lands, or other **City** property or privately-owned property or facilities, resulting from a **discharge** of **non-stormwater discharge** operation, the **Permittee**, or an agent of the **Permittee**, will promptly and properly repair the damage to the satisfaction of the **General Manager**.

PART TEN: AUDIT

10.1 Audit

- 10.1.1 The **City** may, in its sole discretion, conduct an audit of the compliance with the obligations contained in the **Permit** and this bylaw. The **City** shall conduct the audit on the basis that it is for the **City's** own information and the **City** shall not be obliged to share the results of the audit with the **owner** or any other **person**. The **City** shall not be responsible to the **owner** or any other **person** in any way if the audit is inadequate or otherwise wrongly performed.

PART ELEVEN: OFFENCES AND PENALTIES

11.1 Offences and Penalties

11.1.1 Any person who:

- (a) violates or who causes or allows any of the provisions of this bylaw to be violated;
- (b) fails to comply with any of the provisions of this bylaw;
- (c) neglects or refrains from doing anything required under the provisions of this bylaw; or
- (d) makes any false or misleading statement in connection with this bylaw,

is deemed to have committed an infraction of, or an offence against, this bylaw, and is liable on summary conviction to a penalty of not more than \$10,000.00 in addition to the costs of the prosecution, and each day that such violation is caused or allowed to continue constitutes a separate offence.

PART TWELVE: PREVIOUS BYLAW REPEAL

12.1 Previous Bylaw Repeal

- 12.1.1 Pollution Prevention and Clean-up Regulation Bylaw 7435 (adopted February 10th, 2003) is repealed.

PART THIRTEEN: SEVERABILITY AND CITATION

13.1 Severability

- 13.1.1 If any part, section, sub-section, clause, or sub-clause of this bylaw is, for any reason, held to be invalid by the decision of a Court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.

13.2 Citation

- 13.2.1 This bylaw is cited as **“Pollution Prevention and Cleanup Bylaw No. 8475”**.