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**MEMORANDUM**

**PWC-C 5-2021**

**Subject: Appointment of By-law Officers for the Enforcement of the Sewer-use By-law (By-law #27-2014)**

**Date: February 16, 2021**

**To: Public Works Committee**

**From: Jason Oatley, Manager, Quality and Compliance (Wastewater)**

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Niagara Region enacted Sewer-use By-law #27-2014 (the By-law) on February 27, 2014. The By-law contains concentration-based limits for the discharge of heavy metals, suspended solids, oil and grease, phosphorus and other parameters of concern. The By-law also contains requirements for the discharge of Hauled Sewage and storm water. The limits and requirements of the By-law are designed to protect the wastewater collection system and sewage treatment plant infrastructure from adverse effects and to ensure the wastewater treatment plant discharges are maintained in environmental compliance with various provincial and federal legislation.

The purpose of this memorandum is to request approval from Regional Council for the appointment of individuals involved in administration and enforcement of the By-law as listed below. Individuals responsible for the administration and enforcement of this By-law require Council approval to be duly authorized as by-law enforcement officers and Provincial Offences Officers.

Under Section 87 of the Municipal Act, 2001, *“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.”*

Under Section 3.1 of Niagara Region By-law, 27-2014, *“Regional Council may enact a by-law appointing enforcement officers for the purpose of the enforcement of this By-law as required.”*

A temporary Environmental Enforcement Officer has joined the Environmental Enforcement Section to replace another officer currently on leave. Staff is requesting that the required by-law be enacted to appoint this individual to enforce the Bylaw.

The following list of individuals are employees of the Corporation and are trained and qualified for the enforcement of the By-law:

Jason Oatley, Manager, Quality and Compliance (Wastewater) - Previously Appointed

Dominic Valentini, Environmental Enforcement Officer- Previously Appointed

Craig Burns, Environmental Enforcement Officer – Previously Appointed

Ashley Marshall, Environmental Enforcement Officer – Previously Appointed

Chris Brylinski, Environmental Enforcement Officer – Previously Appointed

Jasson Villeneuve, Environmental Enforcement Officer – New appointment needed

It is therefore recommended that the individual(s) above be appointed (or remain appointed as the case may be) as by-law enforcement officers and Provincial Offences Officers and included in a by-law as appropriate.

Respectfully submitted and signed by

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Jason Oatley, B.Sc., C.Chem.  
Manager, Quality and Compliance (Wastewater)