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| ITEM                 | 6        |
| MANAGER'S REPORT NO. | 30       |
| COUNCIL MEETING      | 88/04/25 |

RE: PROPOSED RESTRICTION FOR DISCHARGES TO THE STORM SEWER SYSTEM  
MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the Chief Public Health inspector be adopted.

\* \* \* \* \*

TO: MUNICIPAL MANAGER 1988 APRIL 19  
FROM: CHIEF PUBLIC HEALTH INSPECTOR  
SUBJECT: PROPOSED RESTRICTION FOR DISCHARGES  
TO THE STORM SEWER SYSTEM

RECOMMENDATION:

1. THAT the Municipal Solicitor be authorized to prepare, for Council's approval, an amendment to the "Burnaby Watercourse Bylaw 1962" in order to prohibit the discharge of contaminants to the storm sewer, open ditches, watercourses and soil as outlined in this report.

REPORT

SUMMARY:

Recognizing the environmental sensitivity of Deer Lake, Burnaby Lake, Still Creek, Brunette River and their tributaries to discharges of contaminants through the Burnaby storm sewer system, the Environmental Health Division is recommending that Council approve an amendment to the "Burnaby Watercourse Bylaw 1962". The proposed amendments contained in this report will strengthen the ability of the Municipal inspection staff to prevent discharges of contaminants from entering the Burnaby storm sewer system and eventually the above-noted environmentally sensitive areas.

1.0 EXISTING MUNICIPAL BYLAW:

The Municipal Bylaw, "Burnaby Watercourse Bylaw 1962" is the current Municipal Regulation used by the Environmental Health Division for prohibiting discharges of contaminants to the Burnaby storm sewer system, copy attached.

The Federal and Provincial Governments have regulations dealing with pollution of fish bearing waters, however municipalities and cities are responsible for the quality of waters entering their storm sewer system. The existing Municipal Bylaw requires updating to cover various environmental issues of concern to our Municipality such as sediment discharges to watercourses during land excavation and requiring regular maintenance of oil interceptors. The proposed restrictions are similar to other Municipal and City Bylaws within the G.V.R.D.

For the information of Council, any spill or discharge of polluted water, toxic chemicals, petroleum products, etc., that enters a catchbasin or open ditch in our Municipality has the potential to impact environmentally sensitive receiving waters. **111**

Location of Discharge

Receiving Waters Affected  
\*Approximate\*

Hastings Street and locations north

Burrard Inlet

South of Hastings Street and north of Kingsway (Central Valley)

Either Burnaby Lake, Deer Lake, Brunette River, Still Creek

South of Kingsway

Fraser River

2.0 PROPOSED AMENDMENTS:

2.1 Requiring Regular Servicing of Storm Water Retaining and Treatment Devices

Currently, there are no Municipal requirements which will ensure regular maintenance of oil/grease interceptors and catchbasins. In order that Municipal inspection staff can legally require a business to implement a maintenance program for regular servicing of oil and grease interceptors, it is essential that this requirement be included in a Municipal Bylaw.

2.2 Ensuring that only Storm Water, Unpolluted Drainage Water and Cooling Water is Discharged to Storm Sewers

This restriction will allow Municipal staff to legally enforce that no discharges other than unpolluted water will enter the Municipal storm sewer system.

2.3 Requiring Preventive Measures to Ensure Against Discharges to the Storm Sewer System

The intent of this requirement is to allow Municipal staff to legally prevent discharges to the storm sewer system. This proposed requirement will allow staff to take preventive measures such as requiring the installation of temporary sediment control ponds for treatment of storm water runoff from soil excavation sites and containment barriers for waste or chemical product storage areas.

2.4 Requiring Removal of Chemicals and Wastes Upon Termination of a Business

Environmental Health Division staff have experienced situations of businesses vacating premises and abandoning waste chemicals.

The intent of this requirement is to allow Municipal staff to legally direct businesses to dispose of chemical wastes prior to vacating a premise and to allow for legal charges when chemicals have been left abandoned.

2.5 Allowing for Municipal Staff to Remove Wastes and Perform Site Restoration Work and Defer Charges to Property Taxes

The intent of this requirement is to allow Municipal staff to charge the person or business responsible for the costs incurred during site restoration of a creek, ditch etc., as a result of an illegal discharge and cleanup and disposal of wastes left by a business vacating a premise. Although we do receive good cooperation from the business community, there have been situations where costs have not been accepted by the person or business responsible for an illegal discharge to the watercourse. The ability to defer charges to the property tax, as is the case for Municipal cleanup of unsightly property conditions, will provide an efficient mechanism for recapturing costs.

PROPOSED RESTRICTION FOR DISCHARGES  
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2.6 Penalty

Section 308 of the Municipal Act allows a Court to impose a penalty on a person convicted of an offence against a Municipal Bylaw. The penalty may be the fine authorized under the offence act, i.e., a maximum of \$2,000. It is proposed that offences under this Bylaw should be treated in that manner.

3.0 CONCLUSIONS:

The above-noted proposed amendments will improve Municipal staff's ability to prevent contamination of our storm sewer system and possible deleterious effects to our environmentally sensitive recreational waters. We would recommend that Council authorize the Municipal Solicitor to prepare, for Council's approval, an amendment to the "Burnaby Watercourse Bylaw 1962" in order to prohibit the discharge of contaminants to the storm sewer, open ditches, watercourses and soil as outlined in this report.

GVH/g1

Att.

cc: Medical Health Officer  
Director of Engineering  
Director of Administrative &  
Community Services  
Municipal Solicitor

*George V. Harvie*

G.V. Harvie, C.P.H.I.(C)  
CHIEF PUBLIC HEALTH INSPECTOR

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 4417

A BY-LAW to prohibit the fouling, obstructing or impeding of any waterway or watercourse.

NOW THEREFORE the Council of The Corporation of the District of Burnaby ENACTS as follows:-

1. This By-law may be cited as "BURNABY WATERCOURSE BY-LAW 1962".

2. No person shall foul, obstruct or impede the flow of any stream, creek, waterway, watercourse, waterworks, ditch, drain or sewer whether or not the same are situated on private property.

3. Any person found guilty of an infraction of any of the provisions of this by-law shall be liable to a fine not exceeding Five Hundred Dollars or in default of payment to imprisonment for a term not exceeding thirty days.

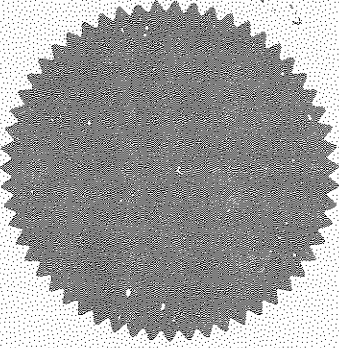
Read a first time this 15th day of November, 1962.

Read a second time this 15th day of November, 1962.

Read a third time this 15th day of November, 1962.

Reconsidered and adopted this 15th day of November,

1962.



REENE

CLERK