

# THE CORPORATION OF THE MUNICIPALITY OF STRATHROY-CARADOC

## BY-LAW NO. 27-23

### A By-law to Authorize an Extra Strength Surcharge Agreement

#### WHEREAS:

- A. Pursuant to the provisions of the *Municipal Act, 2001*, the Municipality owns and operates a Sewage Works as that term is defined in the *Ontario Water Resources Act, R.S.O. 1990, c.40* (the "Sewage Works");
- B. A component of the Sewage Works includes a sewage treatment plant (the "Plant");
- C. The sewage treatment plant is governed by an Environmental Compliance Approval issued pursuant to Section 53 of the *Ontario Water Resources Act, R.S.O. 1990, c.40*;
- D. Pursuant to the provisions of the *Municipal Act, 2001, s. 11*, the Municipality did enact Sewer Use By-law #64-14 (as amended from time to time) ("the By-law") to regulate wastewater discharges to the Sewage Works;
- E. KML WINDOWS, INC. has agreed to pay a monthly surcharge for the levels of Total Phosphorous ("TP"), Biochemical Oxygen Demand ("BOD"), Total Suspended Solids ("TSS"), and Total Kjeldahl Nitrogen ("TKN") discharged in wastewater which exceed the levels set out in the By-law, and the Municipality has agreed to allow the Company to discharge wastewater containing Total Phosphorous (TP), Biochemical Oxygen Demand (BOD), Total Suspended Solids (TSS), and Total Kjeldahl Nitrogen (TKN) to the Sewage Works at levels which would otherwise be prohibited by the By-law, subject to such maximum levels as may be imposed by the Municipality.
- F. KML WINDOWS, INC. has agreed to pay the cost of time/materials/labour/laboratory costs associated with the two monthly effluent samples, which shall be billed to the Company as per the fees and charges in the most current applicable bylaw.

**NOW THEREFORE** be it enacted by the Council of the Municipality of Strathroy-Caradoc as follows:

1. That the Corporation of the Municipality of Strathroy-Caradoc authorize, approve, and confirm the Extra Strength Surcharge Agreement with KML Windows Inc. allowing KML Windows Inc. to discharge wastewater containing Total Phosphorous (TP), Biochemical Oxygen Demand (BOD), Total Suspended

Solids (TSS), and Total Kjeldahl Nitrogen (TKN) to the Sewage Works at Levels which would otherwise be prohibited by Sewer Use By-law #64 - 14, subject to such maximum levels as may be imposed by the Municipality, as set out in the Agreement dated May 1, 2023, attached hereto.

2. That the Corporation of the Municipality of Strathroy-Caradoc confirms that the Mayor and the Clerk have been authorized to execute on behalf of the Municipality, all documentation required to the said Agreement.
3. That this by-law shall come into force and take effect on the date of its final passing in open Council.

**READ A FIRST, SECOND TIME THIS 1st DAY OF MAY, 2023.**

**READ A THIRD TIME AND FINALLY PASSED IN OPEN COUNCIL THIS 1st DAY OF MAY 2023.**

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Colin Grantham, Mayor

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Brianna Hammer-Keidel, Acting Clerk