The Corporation of the Municipality of Grey Highlands

Consolidation By-law No. 2026-039

OFFICE CONSOLIDATION
Being a By-law to authorize the implementation of an onsite sewage system inspection program for lakefront properties and properties within 100m of shoreline.

***as amended by By-law 2026-050**

Whereas, the malfunctioning of an onsite sewage system can have significant negative impacts on both human health and the environment; and

Whereas, Section 7(1)(b.1) of the Building Code Act, 1992, S.O. 1992, c. 23, as amended (the "Act"), authorizes the council of a municipality to pass by-laws establishing and governing sewage system maintenance inspection programs in accordance with Division C, Part 1, Section 1.10.1 of the Building Code Act, 1992 — Ontario Regulation 332/12, as amended, (the "Building Code") hereby referred to as a "Community Onsite Septic Inspection Program"; and

Whereas, Section 7(1)(b.2) of the Act authorizes the Council of a municipality to pass by-laws establishing and governing sewage system maintenance inspection programs in accordance with Division C, Part 1, Section 1.10.2 of the Building Code hereby referred to as a "Community Onsite Septic Inspection Program"; and

Whereas, Section 7(1)(c)(ii) of the Act authorizes the Council of a municipality to require the payment of fees and prescribing the amounts of the fees for maintenance inspections; and

Whereas, Section 7(1)(b.2)(c)(ii) of the Act requiring the payment of fees and prescribing the amount of fees for maintenance inspections, allows for the requirement of the payment of interest and other penalties, including payment of collection cost, when fees are unpaid or are paid after the due date; and

Whereas, Section 7(8.1) allows for the fees established by a municipality to be added to the tax roll and be collected in the same manner as taxes; and

Whereas, Section 15.10.1 of the Act allows a Building Inspector to enter upon land and into buildings at any reasonable time without a warrant for the purpose of conducting a maintenance inspection; and

Whereas, Section 10.1 of the Act prescribes that no person shall operate or maintain a sewage system or permit a sewage system to be operated or maintained except in accordance with the Act and the Building Code; and

Whereas, Section 10(2) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides the ability for a municipality to pass by-laws relating to the health, safety and well-being of persons; and

Whereas, the intention of the Onsite Septic Inspection Program is to identify and resolve potential hazards associated with malfunctioning sewage systems.

Now Therefore the Council of the Municipality of Grey Highlands hereby enacts as follows:

1) SHORT TITLE

This By-law may be cited as the Onsite Septic Inspection Program By-law.

2) DEFINITIONS

"Act" means the Building Code Act, 1992, S.O. 1992, c. 23, as amended.
"Building Code" means Ontario Regulation 163/24 as amended or as a regulation made under Section 34 of the Act, which may include a more recent revision or amendment.
"Building Inspector" means an Inspector appointed under Section 3 of the Act and having jurisdiction for the enforcement of the Act, the Building Code and this By-law.
"Chief Building Official" means the Chief Building Official appointed under Section 3 of the Act and having jurisdiction for the enforcement of the Act, the Building Code and this By-law. A Chief Building Official is deemed to also be a Building Inspector in accordance with the Act.
"Community Onsite Septic Inspection Program" means a sewage system maintenance inspection program established under clause 7(1)(b.1) and subsection 34 (2.1) of the Act.
"Effluent" means sanitary sewage that has passed through a Treatment Unit.
"Maintenance Inspection" means an inspection conducted under the Pilot Onsite Septic Inspection Program.
"Lake" reference is in regards Eugenia Lake, Irish Lake, Wilcox Lake, Brewster Lake
~~**"Officer"**~~ **"Officer/Inspector"** means a Building Inspector, Chief Building Official or other person appointed by By-law of the Municipality to enforce the provisions of this By-law or any person authorized by the Municipality to carry out inspections under this By-law, including a contractor acting as the municipalities agent. (By-law 2026-050)
"Owner" means the registered owner, lessee, or mortgagee in possession of the property subject to inspection.
"Sewage System" means:

a) Class 1 sewage system including a chemical toilet, an incineration toilet, a recirculation toilet, a self-contained portable toilet and all forms of privy, including a portable privy, and earth pit privy, a pail privy, a privy vault and a composting toilet system;
b) Class 2 sewage system also called a greywater system;
c) Class 3 sewage system also called a cesspool;
d) Class 4 sewage system also called a leaching bed system, or;
e) Class 5 sewage system which is system that requires or uses a holding tank for the retention of hauled sewage at the site where it is produced before its collection by a hauled sewage system,

where these; have a design capacity of 10,000 litres per day or less; have, in total, a design capacity of 10,000 litres per day or less, where more than one of these are located on a lot or parcel of land, and; are located wholly within the boundaries of the lot or parcel of land on which is located near the building or buildings they serve.
"Significant Drinking Water Threat" has the same meaning as in subsection 2(1) of the Clean Water Act, 2006, S.O. 2006, c. 22, as amended.

"Municipality" means the Corporation of the Municipality of Grey Highlands or the land within the geographical limit of the Corporation of the Municipality of Grey Highlands as the context requires.

"Treatment Unit" means a device that, when designed, installed, and operated in accordance with its design specification, provides a specific degree of sanitary sewage treatment to reduce contaminant load from that of sanitary sewage to a given effluent quality.

Any word or term not defined in this by-law shall have the same meaning as ascribed in the Act or the Building Code. Terms not defined in the Act or Building Code shall have the same meaning as described in a standard Canadian dictionary

3) GENERAL REGULATIONS

3.1. Except as provided in section 4 of this By-law, the Onsite Septic Inspection Program will apply to all properties within the Municipality on a lake and within 100m of the Lake, as identified in Schedule "B" attached to and forming part of this By-law, that utilizes a Sewage System.

4) EXCEPTIONS

4.1. Every Sewage System that was installed within 3 years of the commencement of Onsite Septic Inspection Program is exempt from requiring a Maintenance Inspection during the initial phase.

4.2. Every new Sewage System that is installed and is not previously part of the Onsite Septic Inspection Program is exempt from requiring a Maintenance Inspection during the Community Onsite Septic Inspection Program cycle in which the system is installed.

4.3. Every Treatment Unit that is under a current service agreement and annual Effluent samples are within the specified parameters is exempt from requiring a Maintenance Inspection where:

a) The Treatment Unit is under a current service agreement;

b) The annual Effluent samples are within the specified parameters of the Building Code;

c) The location and design of the Treatment Unit is known and on file with the Municipality;

d) The Owner acknowledges that the Treatment Unit continues to be operated the basis on which the construction and use of the Treatment Unit was approved or required under the Act or predecessor legislation, as the case may be, and in accordance with the requirements of the manufacturer of the Treatment Unit; and,

e) The Owner submits the above documents annually to the Chief Building Official.

5) GENERAL REQUIREMENTS FOR OPERATION AND MAINTENANCE

5.1 Pursuant to Division B, Part 8, Sections 8.9.1.2(1)(a)(b) and (c) of the Building Code, every sewage system shall be operated and maintained so that;

a) the sewage system or any part of it shall not emit, discharge or deposit sanitary sewage or effluent onto the surface of the ground;

b) sanitary sewage or effluent shall not emit, discharge, seep, leak or otherwise escape from the sewage system or any part of it, other than from a place or part of a sewage system where the system is designed or intended to discharge the sanitary sewage or effluent, and;

c) except as otherwise permitted by other regulations, a sanitary sewage or effluent shall not emit, discharge, seep, leak or otherwise escape from the sewage system or any part of it into a piped water supply, well water supply, a watercourse, ground water or surface water.
d) Section 5.1(c) of this by-law does not apply to the use of a sewage system designed and operated such that properly treated effluent is discharged into soil.

5.2 No sewage system utilizing a Treatment Unit, other than a septic tank, shall be operated unless it is operated in accordance with manufacturer's requirements.

6) SCOPE OF INSPECTIONS

6.1 The Building Inspector ~~(or alternate)~~ or authorized officer/inspector (By-law 2026-050) will attend each property described in Section 3.2 of this by-law for a visual non-invasive inspection of the sewage system and surrounding area to ensure compliance with Section 5 of this by-law.

6.2 Every Owner of a septic tank that undergoes an inspection shall provide any documentation in their position related to the design, construction and maintenance of the septic tank.

7) FORMS

7.1 The Chief Building Official is the delegated authority to create and/or adopt for usage, forms (other than those prescribed by the Act or Building Code) which provide for the collection of specific information in relation to the Maintenance inspection where that information is necessary for the administration and enforcement of the Act, the Building Code and this by-law.

8) ENFORCEMENT AND PENALTY PROVISIONS

8.1 Council shall appoint a Chief Building Official, Building Inspectors and Bylaw Enforcement Officers as are necessary for the purpose of carrying out maintenance inspections and enforcing the provisions of this by-law.

8.2 This by-law is to be read in conjunction with all the statutes referred to in the preamble hereto and in the event that there is a conflict between the provision of this by-law and the provisions of the Act as amended, or its regulations, then the provisions of the latter will prevail.

8.3 No person shall operate or maintain a sewage system or permit a sewage system to be operated or maintained except in accordance with the Act and the Building Code.

8.4 No person shall hinder, obstruct or attempt to hinder or obstruct the Chief Building Official, Building Inspectors and appointed inspectors in the exercise of any power conferred or the performance of any duty imposed by this by-law and under the Act.

8.5 Every person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine as provided for in the Act.

9) FEES

9.1 Fees for the maintenance inspections described in Section 3 of this by-law shall be in accordance with Schedule 'A' attached hereto and forming part of this by-law.

9.2 Fees for maintenance inspections shall become payable by each affected Owner according to the invoice provided to the Owner following the inspection. Should fees not be paid in full in accordance with the invoice, they will be added to the tax roll of the property inspected.

10) BY-LAW TO BE REPEALED

10.1 All by-laws or parts thereof and resolutions passed prior to this by-law, which contradict this by-law, have no force for this by-law's purposes, and are hereby repealed.

11) ULTRA VIRES

11.1 In the event any provision, or portion thereof, of this by-law including all Schedules is found by a Court of competent jurisdiction to be ultra vires, such provision, or part thereof, shall be deemed to be severed, and the remaining portions of such provisions and all other provisions including Schedules shall remain in full force and effect.

12) CONFLICTING LEGISLATION

12.1 If there is a conflict between a provision in the Act or a provision of any other Act, the provision that is more restrictive shall prevail.

12.2 Whenever any reference is made in this by-law to a statute of the Legislature of the Province of Ontario, such reference shall be deemed to include all subsequent amendments to such statute and all subsequent amendments to such statute and all successor legislation to such statute.

13) IMPLEMENTATION

13.1 This by-law shall come into full force and effect upon the date of its passing.

13.2 The Sewage Systems Maintenance Program shall come into effect on the date of the passing of this by-law.

13.3 The Sewage Systems Maintenance Programs will be implemented in phases as identified in Schedule "C" attached to and forming part of this By-law.

Read a first, second and third time, and finally passed on April 15 2026.

The Corporation of the
Municipality of Grey Highlands

Original Signed By

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Paul McQueen, Mayor

Original Signed By

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Amanda Fines-VanAlstine, Clerk

Status: Passed

SCHEDULE A

TO BY-LAW 2026 - 039

1.

	Service	**Fee**	**When Payable**
1.	Initial Sewage System Maintenance Inspection	$375	After Inspection
2.	Follow up Site visit, if required	$125	After site visit

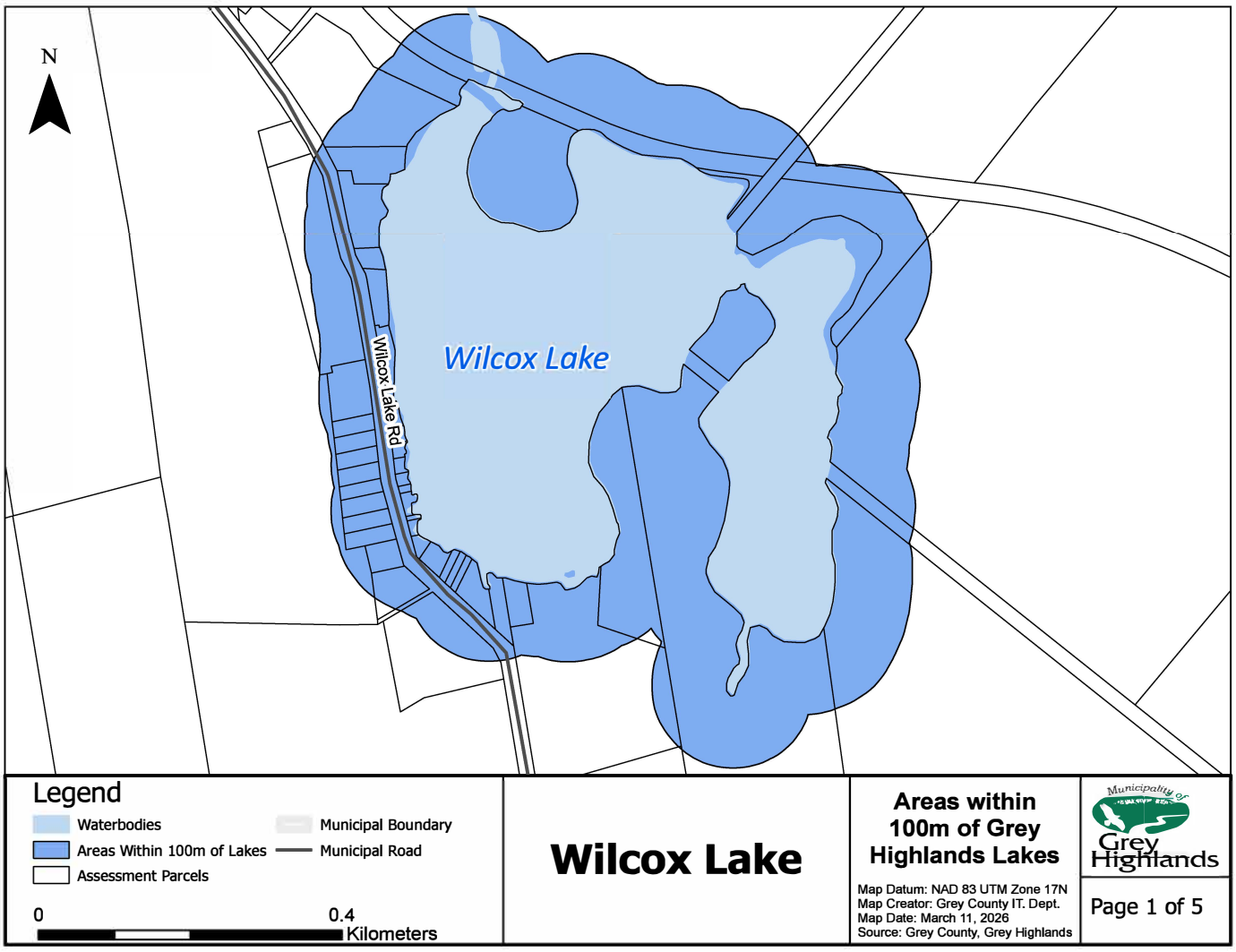
2. Interest and Costs on Unpaid Fees

Interest Charges at the rate of 1.25% per month shall be due and payable on the above fees on the first day of default and monthly thereafter at the same rate. In addition to the foregoing any collection costs incurred by the Municipality shall also bear interest and be due and payable in the same manner with interest at the same rate.

NOTE: Pursuant to Section 7(8.1) of the Building Code Act 1992 fees including interest and collection costs are a debt owing by the Owner to whom the inspection services are provided and will be added to the tax roll for the property inspected and collected in the same manner as municipal taxes.

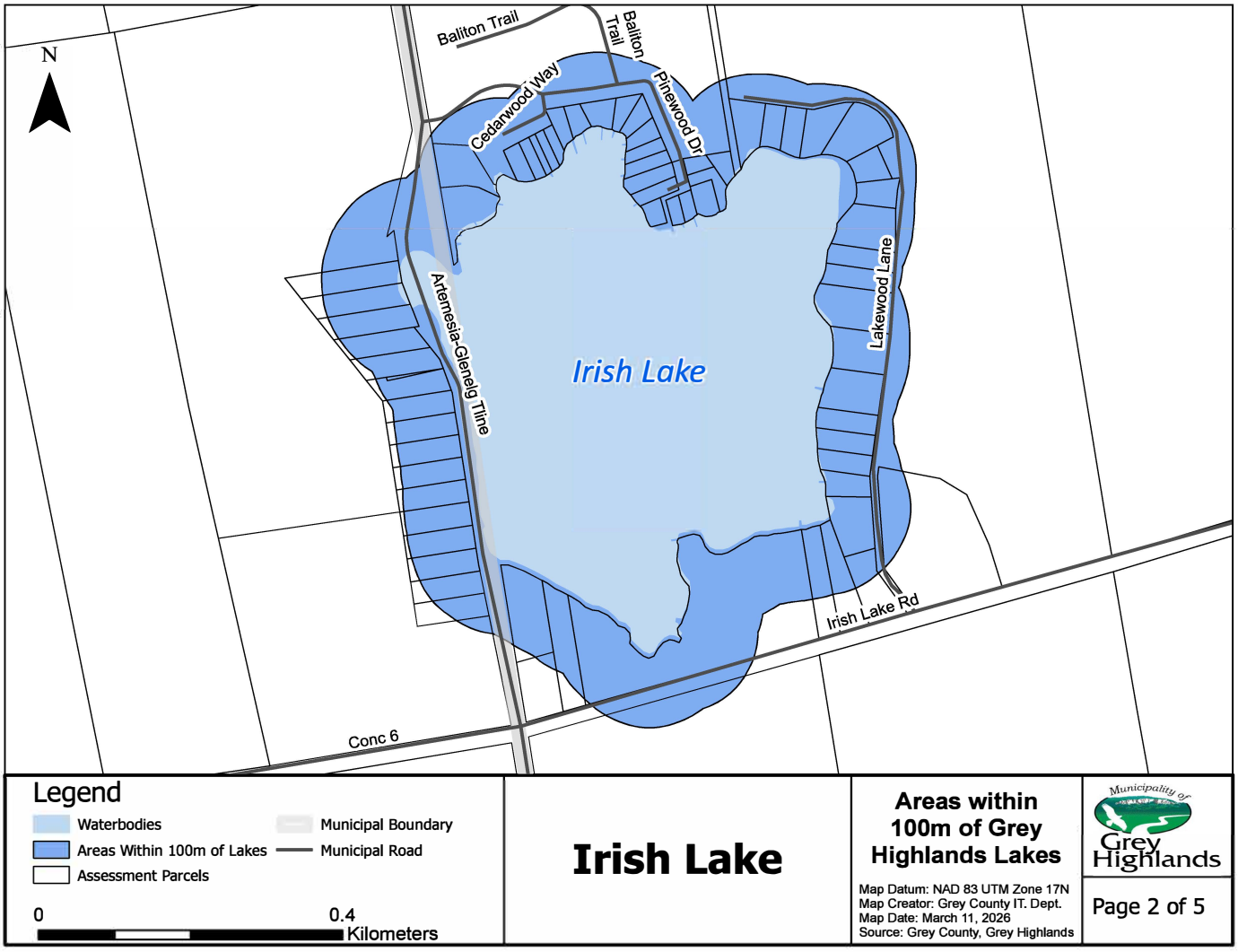
SCHEDULE B

TO BY-LAW 2026 - 039



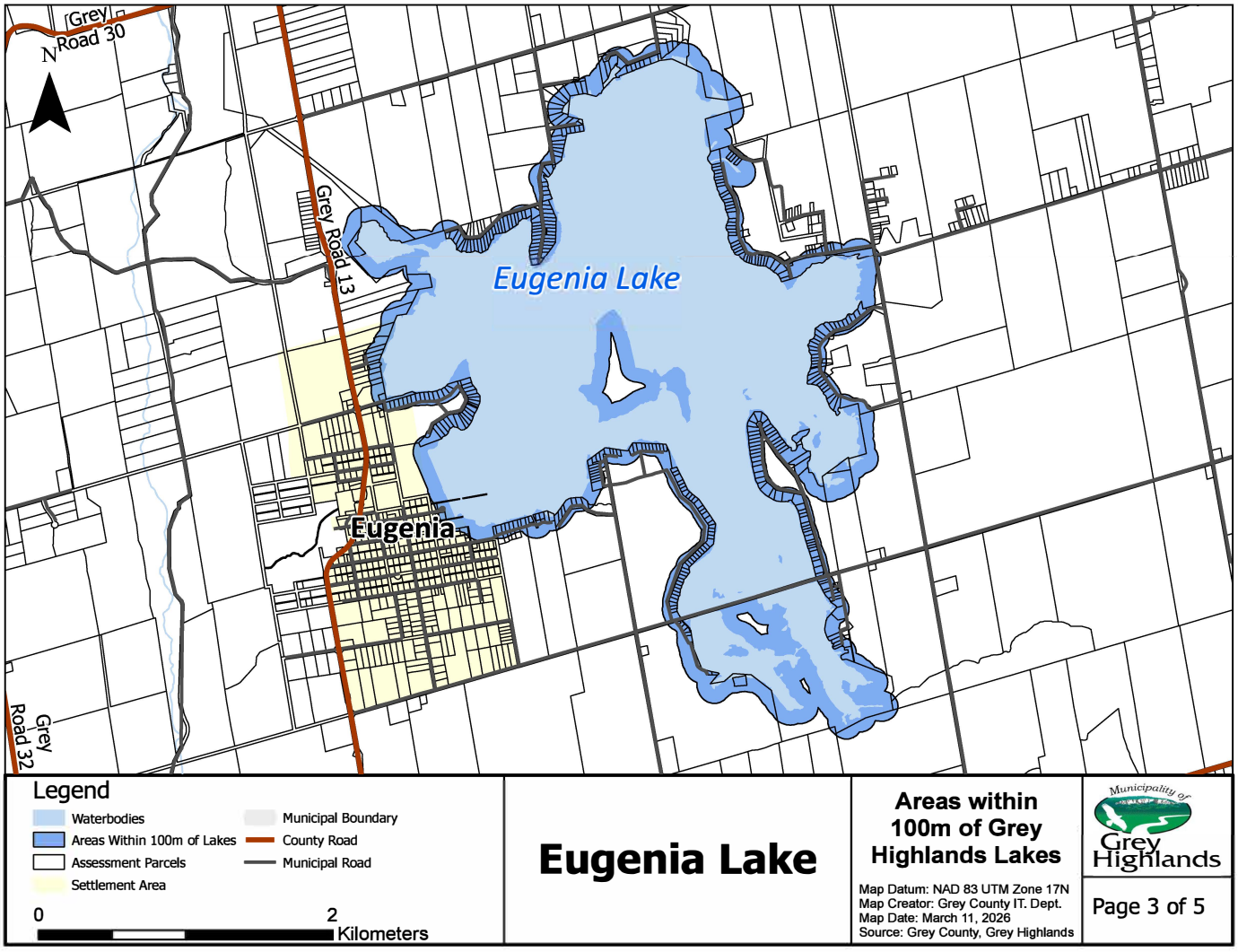
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TO BY-LAW 2026 - 039



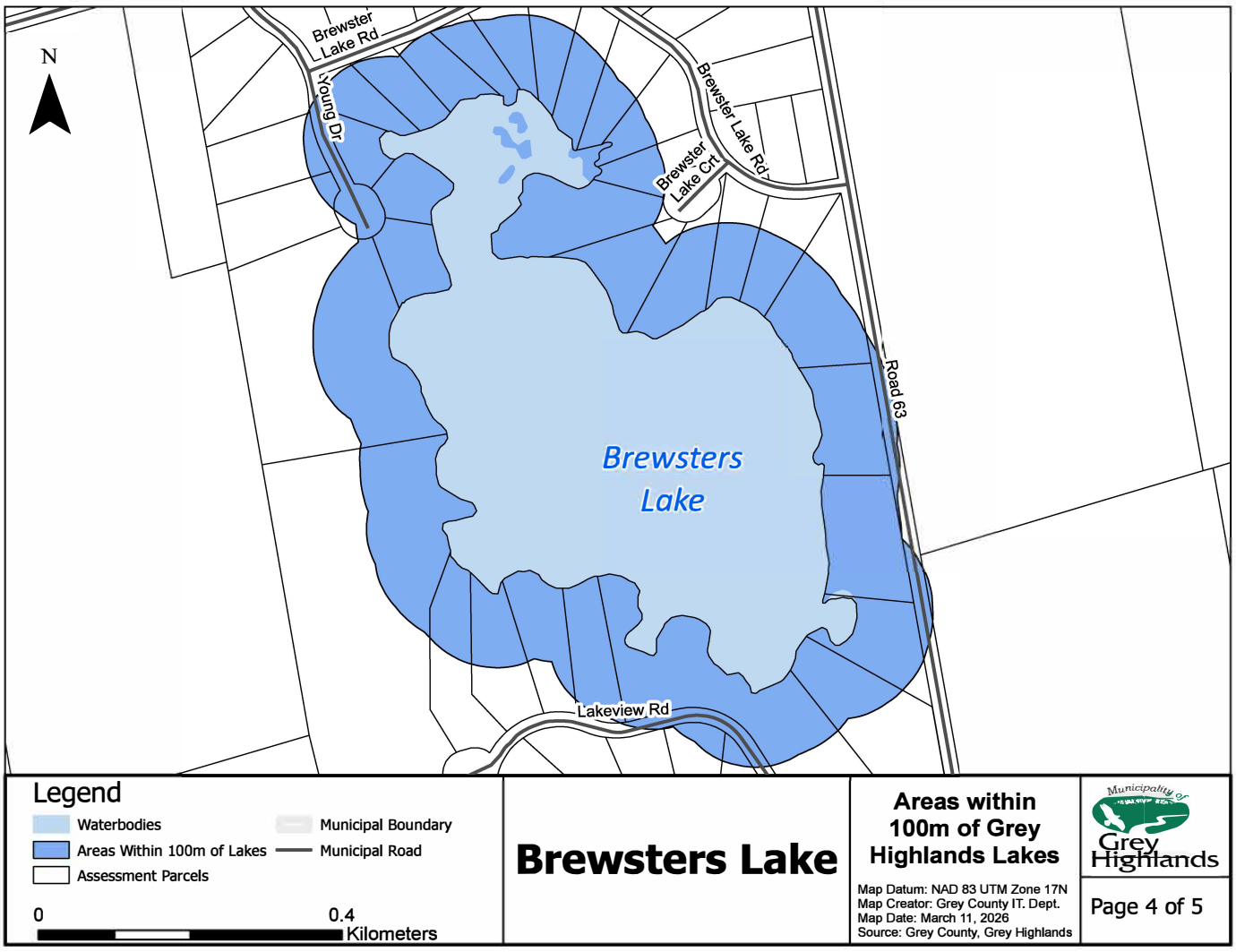
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TO BY-LAW 2026 - 039



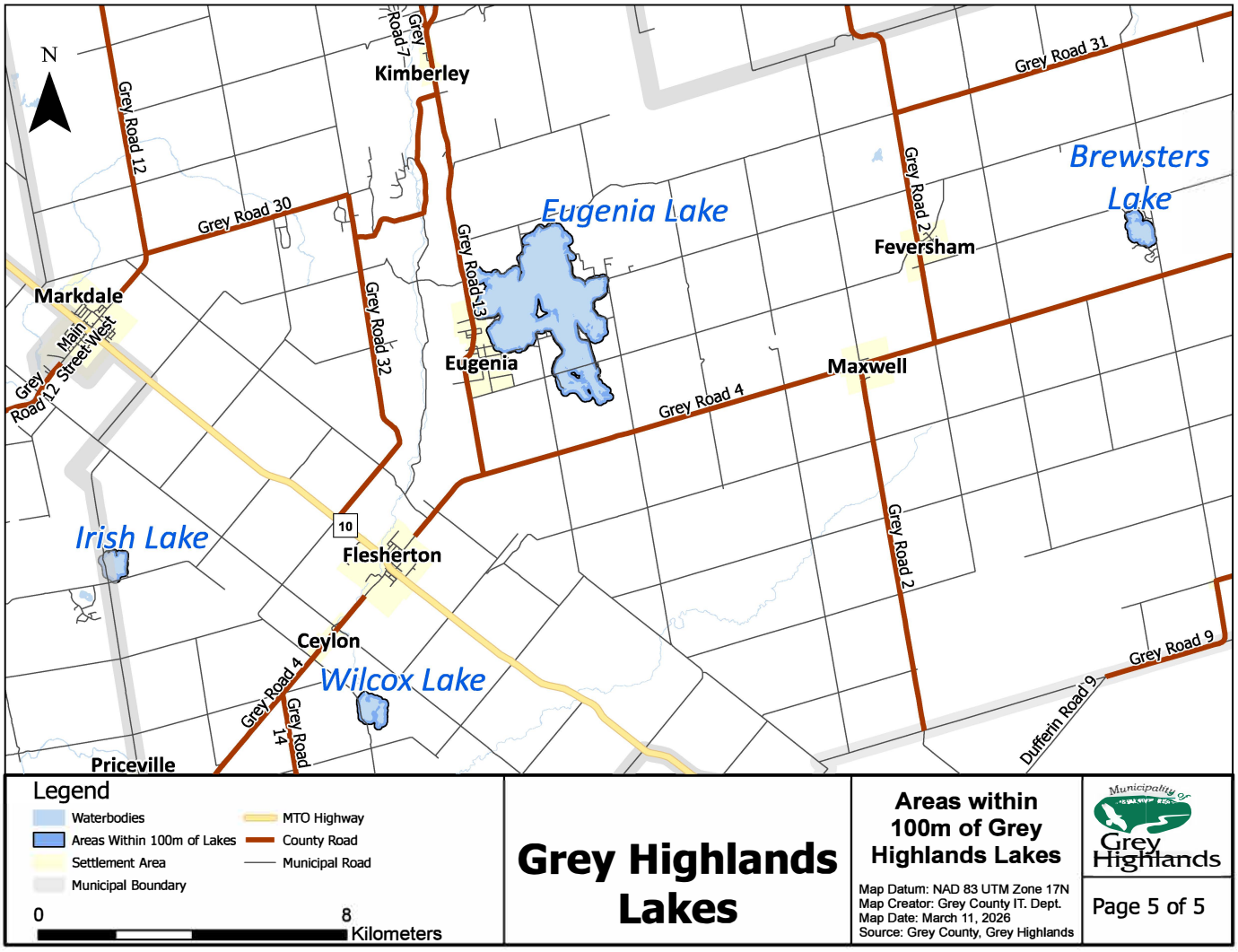
SCHEDULE B

TO BY-LAW 2026 - 039



SCHEDULE B

TO BY-LAW 2026 - 039



SCHEDULE C

TO BY-LAW 2026 - 039

Phases:

Q2-Q3 2026 – Pilot Program implementation for Lake Eugenia Properties

Q4 2026 – Review of Pilot Program and report to Council

2027 – Full implementation of all lakes