

THE REGIONAL MUNICIPALITY OF HALTON

BY-LAW NO. 131-10

A BY-LAW TO REPEAL AND REPLACE BY-LAW NO. 42-04, AS AMENDED, BEING A BY-LAW RESPECTING THE SUPPLY OF WATER, THE ESTABLISHMENT, CONSTRUCTION, MAINTENANCE, OPERATION, IMPROVEMENT AND EXTENSION OF WATER WORKS SYSTEMS FOR THE REGIONAL MUNICIPALITY OF HALTON AND THE ESTABLISHMENT OF WATER RATES AND CHARGES.

WHEREAS pursuant to the *Municipal Act, 2001*, S.O. 2001, c. 25, Section 11(2), as amended (hereafter referred to as the *Municipal Act, 2001*), The Regional Municipality of Halton (hereafter referred to as the Region) has the exclusive responsibility for public utilities, including water distribution, production, treatment and storage, and the collection of storm water and other drainage from lands within the Regional boundaries and all the provisions of any general act relating to such collection, production and treatment of such water and the financing thereof by a municipal corporation or local board thereof and all provisions of any special act relating to such collection and treatment of such water apply, with the necessary changes being made, to the Region;

AND WHEREAS pursuant to Section 80 of the *Municipal Act, 2001*, a municipality may at reasonable times enter on land to which it supplies a public utility: to inspect, repair, alter or disconnect the service pipe, wire, machinery, equipment and other works; to inspect, install, repair, replace or alter a public utility meter; to shut off or reduce the supply of the public utility to the land; and, if a customer discontinues the use of a public utility on land or the municipality lawfully decides to cease supplying the public utility to land, to shut off the supply of the public utility; to remove any property of the municipality; or to determine whether the public utility has been or is being unlawfully used;

AND WHEREAS Regional Council is desirous of passing such a By-law.

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HALTON HEREBY ENACTS AS FOLLOWS:

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SECTION I

DEFINITIONS

1. THAT in this By-law, the following terms are defined as:

- a) “Applicant” an **Owner** of lands who requires **Water Services** for his/her property;
- b) “Application” means an application in the form prescribed by the **Commissioner** by an **Applicant** requesting a connection to the **Waterworks System**;
- c) “Auxiliary Water Supply” means any **Water Service**, on or available to a **Property**, supplying water that is not from the Region’s **Waterworks System**;
- d) “Backflow Prevention Device” means a device in a water supply pipe which:
 - (i) incorporates two or more check **Valves** to prohibit the reverse flow of the water, irrespective of the pressure differentials, where the maximum working pressure is not exceeded; and
 - (ii) contains integral safeguards to make failsafe the event of a malfunction of one or more of the check **Valves**;
- e) “By-pass Valve” means a **Valve** located on a **Water Meter** by-pass pipe;
- f) “Combined Service” means a combined **Water Service** and Fire Service;
- g) “Commercial” means lands, buildings or structures that are deemed by the **Commissioner** to be used for the sale or provision of goods and services to the

general public which does not include **Industrial** or **Residential**;

- h) “Commissioner” means the Commissioner of Public Works for the **Region** or his/her authorized representative;
- i) “Consumer” means any person, **Owner**, tenant or lessee or water hauler actually drawing or using the **Waterworks System**;
- j) “Corporate Counsel” means the Corporate Counsel for the Region;
- k) “Cross-Connection Control By-law” means Regional By-law No. 157-05, as amended;
- l) “Design Criteria” means the criteria approved by the **Commissioner** that details design and construction methods, and other related guidelines for roads, the **Waterworks System**, wastewater collection and storm sewers in the **Region**;
- m) “Development Process” means any process required for development approvals required for lands, buildings or structure, within the meaning of the applications, rezoning applications, site plan Agreements, Parkway Belt and Niagara Escarpment Applications, Committee of Adjustment Applications, **Services Permit** applications and Official Plan amendments;
- n) “Double Check Valve Assembly” means a mechanical **Backflow Prevention Device** that consists of two internally loaded check valves. It includes two shut-off valves and four test cocks;
- o) “Hydrant Meter” means a **Water Meter** for specific use of measuring water discharge from a **Municipal Fire Hydrant**;
- p) “I/C/I” means Industrial, Commercial and Institutional;
- q) “Industrial” means lands, buildings or structures that are deemed by the **Commissioner** to be used for the manufacturing, producing, processing or selling

to the general public which does not include **Commercial** or **Residential**;

- r) “Institutional” means lands, buildings or structures that are deemed by the **Commissioner** to be, places of worship, schools, seniors residences, hospitals, recreation centers, libraries or municipal/provincial/federal facilities and any other facilities as designated by the **Commissioner**;
- s) “Meter Chamber” means an accessible in-ground structure remote from a building, containing and protecting the **Water Meter(s)** and control **Valve(s)** and when on private **Property**, is maintained by the **Owner**;
- t) “MOE” means the Ontario Ministry of the Environment;
- u) “Multi-Residential” means all dwelling units designed or intended for use as a residence or a household, this includes townhouse units or other such units as determined by the **Commissioner**. This excludes high rise buildings 5 stories or higher;
- v) “Multiple Unit Servicing Policy” means the approved policy of **Regional Council** respecting the provision of individual **Water Services**, as amended from time to time;
- w) “Municipal Fire Hydrant” means a fire hydrant owned and maintained by the **Region** and located on a public right-of-way or on lands where there is a registered easement in favour of the **Region**;
- x) “Municipal Service” means the portion of the **Water Service** pipe located on a public right-of-way;
- y) “OBC” means the Ontario *Building Code*, O.Reg. 350/06;
- z) “Owner” means the owner or owners of freehold **Property**, a condominium corporation or their authorized agent(s), but does not include a mortgagee unless the mortgagee is in possession of the **Property**;

- aa) “Plumber” means any person or group of persons or company holding themselves out as plumbers, pipe fitters or contractors engaged in the work of installing pipes for the purpose of carrying potable water;
- bb) “Pressure Reducing Valve (PRV)” means a **Valve** that is designed to reduce water pressure;
- cc) “Private Fire Hydrant” means a fire hydrant owned and maintained by a private **Owner** and located on private **Property**;
- dd) “Private Service” means the portion of the **Water Service** pipe that is located on private **Property**;
- ee) “Property” includes both public and private lands, buildings, structures, boats, vehicles, railway cars, or mobile homes which are located within the **Regional Area** and which may be entitled to a **Service** connection;
- ff) “Region” means The Regional Municipality of Halton;
- gg) “Regional Area” means the geographic area of the **Region** including the geographic areas of the City of Burlington, the Town of Oakville, the Town of Milton and the Town of Halton Hills;
- hh) “Regional Council” means the council for the **Region**;
- ii) “Regional Standards” means approved drawings standards and specifications relating to the construction and engineering of **Water Services**, including any municipal standards and specifications, levels of **Service** criteria and any policies and any procedures which are approved by the **Commissioner**, amended from time to time;
- jj) “Remote Reader” means a device used to record the quantity of water and which is located in an area remote from the **Water Meter** to which it is connected;
- kk) “Residential” means lands, buildings or structures that are deemed by the **Commissioner** to be used for a residence or a household of one or more individuals and includes but is not limited to:

single family dwellings, semi-detached dwellings, single tenant townhouses, Multi-Residential dwellings, but does not include **Commercial** or **Industrial**;

- ll) “Service” means the pipe which is connected to a **Water Main** distribution system and which is designed to carry potable water within the municipal right-of-way;
- mm) “Service Valve” means a device consisting of a **Valve** and box located at the boundary for controlling the flow of water to a **Private Service**;
- nn) “Services Permit” means written permission that is granted to an **Applicant** by the **Commissioner** for the construction of **Water Services** on public **Property**;
- oo) “Services Permit Fees” means charges as set out in the **Water Rates By-law**;
- pp) “Trunk Water Main” means a water pipe 400 mm diameter in size or larger that is owned and operated by the **Region** for the sole purpose of transmission of water from the source to another area;
- qq) “Urban Service Area” includes the area designated by By-law No. 130-00 and any amendments, as Urban Service Area and Waterfront Areas as defined by the Regional Official Plan, not including the hamlets of Stewarttown, Glen Williams, Norval and Milton Heights;
- rr) “Valve” means a device for controlling the flow of water through a pipe;
- ss) “Water Main” means a primary pipe in any one area used for the supply of potable water and is a water pipe 150 mm to 350 mm diameter in size and used for the purpose of water distribution within an area;
- tt) “Water Meter” means a device or mechanism which unless specified by the Commissioner, is owned by the

Region and used for the purpose of measuring the flow and quantity of water consumed;

- uu) “Water Quality Standards” means the potability of drinking water as prescribed by the applicable legislation, regulations and/or current **MOE** guidelines and specifications;
- vv) “Water Rates By-law” means the **Region’s** current By-law establishing water rates and related fees and charges, as passed from time to time by **Regional Council**;
- ww) “Water Service(s)” means all of the physical and mechanical equipment and devices, to fully and completely service a **Property** with water; and
- xx) “Waterworks System” includes any and all buildings, structures, plants, equipment, appurtenances, devices, conduits, intakes, outlets, underground pipelines and installations, and other works designed for the production, treatment, transmission, distribution and storage of water, and includes lands and easements that are owned and operated by the **Region** for such purposes and uses.

SECTION II

WATERWORKS SYSTEM

A. GENERAL

1. THAT the **Region** may supply water through the **Waterworks System** as circumstances, equipment and capacity permit.
2. THAT the **Region** does not guarantee to any **Consumer** an uninterrupted supply of water through the **Waterworks System** and will not be liable for any damages associated in a change to the **Consumer’s** supply of water.
3. THAT no employee or agent of the **Region** shall under any circumstances be permitted to give any guarantee for the supply of water through the **Waterworks System**.
4. THAT no **Owner** shall proceed with any construction or work related to the connection to the **Waterworks System** until the **Application** is approved to the satisfaction of the **Commissioner**.

5. THAT any **Owner** who has proceeded with or authorized any construction or work related to the connection to the **Waterworks System** shall be liable for any damage caused by such construction or work. The **Commissioner** shall be notified immediately of any damage caused to the **Waterworks System**. If the damage is not remedied to the satisfaction of the **Commissioner**, within a reasonable period of time, the **Commissioner** may, upon giving reasonable notice, have such damage repaired at the sole cost of the **Owner**.
6. THAT the **Region** shall not be liable for any damages, which may arise as a consequence of the thawing of frozen **Water Services**.

B. RESPONSIBILITIES OF THE COMMISSIONER

7. THAT except as otherwise expressly provided in this By-law, the **Commissioner** is responsible for:
 - a) the administration and enforcement of all the provisions of this By-law; and
 - b) the construction, maintenance, operation, improvement, and extension of the **Waterworks System** of the **Region**, as authorized by **Regional Council**.
8. THAT subject to Section 9 hereafter, the **Commissioner** may, in the course of performing his/her duties enter, pass upon, through, over and under any **Property** in the **Regional Area**.
9. (1) THAT except in the case of an emergency, the **Commissioner** or his representative shall give reasonable notice before entering any **Property** in the **Regional Area**.

(2) THAT the **Commissioner**, upon reasonable notice, may shut off the water supply for any necessary inspection, installation, construction, alterations, repair or maintenance of the **Water Service**, and the **Region** shall not be liable for any damages whatsoever caused by the shutting off or the reduction of supply of water or for damaging any component of the **Private Service** or appurtenances.
10. (1) THAT the **Commissioner** may, in the case of an emergency, or if he/she has reason to believe that the water supplied does not meet the **Water Quality Standards**, shut off or reduce the water supply to a **Property**.

- (2) THAT the construction, installation, maintenance and operation of the **Waterworks System** shall comply with approved **Regional Standards** and specifications.
11. THAT the **Commissioner** shall determine the nature of any **Water Services** required, the size of any pipe, the material required to be used for such purpose, and the location where the **Water Service** or component thereof shall be constructed and the re-sizing of **Water Meters** to the proper size for **Property** requirements.
12. THAT where there is a need for greater certainty, the **Commissioner** is authorized to interpret, implement and enforce this By-law in a manner which is consistent with the purpose and intent of the By-law to ensure the provisions of **Water Quality Standards** to the **Consumers** of Halton.
13. THAT where there is a need for greater certainty, the **Commissioner** in consultation with the **Corporate Counsel**, is authorized to interpret, implement and enforce this By-law in a manner which is in the **Region's** best interests and consistent with the By-law's overall purpose and intent.

C. CONNECTIONS TO PERMANENT WATER SUPPLY – APPLICATIONS

14. (1) THAT where a Regional **Water Main** exists in a highway or public utility corridor, the **Owner** of any abutting **Property**, which is within the Regional **Urban Service Area** and which may in the opinion of the **Commissioner** be readily supplied there from, may make an **Application** to the **Commissioner** for approval to connect to the **Region's Waterworks System**, providing such **Application** conforms to the policies contained in the Regional Official Plan.
- (2) THAT at the time of such **Application**, the **Owner** shall pay those fees as set out in the **Water Rates By-law**, including the cost for:
- a) the **Water Service** permit fee;
 - b) the tapping of the **Water Main**;
 - c) the turning on of the water;
 - d) the inspection;
 - e) the installation of the **Water Meter** and **Remote Reader**;
 - f) the construction deposit fee.

- (3) THAT any necessary cost adjustment shall be made after the actual cost incurred for connecting to the **Region's Waterworks System** is determined and shall be paid by the **Applicant**.
 - (4) THAT any connection to an existing **Service**, previously installed shall be swabbed, flushed and sampled by the **Region** at the sole expense of the **Applicant**.
 - (5) THAT upon connection to the **Service**, the **Applicant** will decommission and disconnect any wells servicing the **Applicant's Property**.
15. THAT any extension of the **Waterworks System** shall be undertaken according to the terms and conditions set forth in the **Region's** Service Extension Policy as amended from time to time.

D. CONNECTIONS TO PERMANENT WATER SUPPLY FOR LAND DEVELOPMENT APPLICATIONS

16. THAT where an **Applicant** requires a supply of water for a proposed land development pursuant to the **Development Process**, the **Applicant** shall enter into a written agreement with the **Region**, to the satisfaction of the **Corporate Counsel**, which agreement shall include details respecting the installation of **Water Mains, Water Services, Water Meters** and any other appurtenances as required to the various lots in the proposed development.
17. THAT at no time shall re-development of a lot be permitted until the size and location of the existing **Municipal Service** is confirmed by the **Owner**, at his/her sole expense, to conform to this By-law and current **Regional Standards**.

E. CONNECTIONS TO PERMANENT WATER SUPPLY FOR PROPERTY OUTSIDE OF THE REGIONAL AREA – APPLICATIONS

18. THAT **Applications** may be made for connecting to the **Region's Waterworks System** and for the supply of water to **Property** outside of the **Regional Area** and shall be in a form and for a fee prescribed by the **Commissioner** on the following terms and conditions:
- a) that approval of the appropriate water authority in the adjacent municipality must be obtained by the **Applicant**;

- b) that the **Applicant** shall pay and shall provide evidence of its capacity to pay any and all costs associated with receiving **Water Services**;
- c) that the **Applicant** shall pay and shall provide evidence of its capacity to pay such additional charges to the satisfaction of the **Commissioner** for connecting to the **Region's Water Mains** in accordance with **Regional Standards** and specifications as may be determined by **Regional Council**;
- d) that the **Application** conforms to the policies contained in the Regional Official Plan;
- e) that the **Applicant** shall, to the satisfaction of the **Corporate Counsel**, enter into an agreement for the connection of the **Property** to the water supply;
- f) that the **Applicant** shall install a **Water Meter** on the **Water Service**; and
- g) that the **Applicant** shall connect to the **Water Service** in accordance with the **Cross-Connection Control By-law**.

F. CONNECTION(S) FOR TEMPORARY WATER SUPPLY

- 19. (1) THAT where the **Property** of an **Applicant** is not adjacent to a **Water Main** and is within the **Regional Area**, the **Owner** may make **Application** in the prescribed form to the **Commissioner** for approval to connect to the **Region's Waterworks System**.
- (2) THAT the **Commissioner** may accept the **Application** described in subsection 19(1) herein but shall not approve an **Application** to connect to the **Region's Waterworks System** on a permanent basis and may authorize temporary **Water Services** to be provided to the **Applicant's Property** from the nearest **Water Main** at the complete and sole expense of the **Applicant**.
- (3) THAT the **Commissioner** shall not accept an **Application** for temporary **Water Services** until the **Applicant** pays to the **Region** the total amount of the expense for laying temporary **Water Services** including the prescribed fees set out in the **Water Rates By-law**, and enters into a written agreement with the **Region** to the satisfaction of the **Corporate Counsel** which provides, among other things, as follows:

- a) that the **Applicant** shall actively support an **Application** for the construction of a **Water Main** adjacent to the **Applicant's Property**, to the satisfaction of the **Commissioner**;
 - b) that the **Applicant's** failure to actively support such **Application** shall be deemed to provide sufficient grounds for the **Region** to discontinue the supply of water by way of temporary **Water Services** connection; and
 - c) that the said agreement shall be registered against the title to the **Property**.
20. THAT in assessing any **Application** for connecting to the **Region's Waterworks System** made pursuant to Sections 14, 16 and 18 herein, the **Commissioner** shall be satisfied the **Application** conforms with:
- a) Section 56 of this By-law;
 - b) the health, safety, welfare and convenience of the **Applicants** and of **Consumers** and **Owners** in the **Regional Area**; and
 - c) the policies contained in the Regional Official Plan.
21. THAT the **Commissioner** may refuse approval of an **Application**, where in the **Commissioner's** opinion the **Waterworks System** may be adversely affected by the connection or where the **Application** does not satisfy one or all of the criteria set forth in Section 20 above.

G. INSTALLATION OF WATER SERVICES AND SPECIFICATIONS

22. THAT upon the **Commissioner's** approval of an **Application** for **Water Service(s)**, the **Region** shall issue a **Services Permit** and shall undertake the tapping of the **Water Main** and the inspection of the new **Water Service(s)**. The **Applicant** shall pay all fees associated with the provisions of the **Water Service(s)** as set out in the **Water Rates By-law**.
23. THAT in no case shall a **Water Service** be tapped into a **Trunk Water Main** unless specifically approved by the **Commissioner**.
24. THAT the **Applicant** shall, at his/her complete and sole expense, install the required **Water Services** including the **Municipal Service** and **Private Service** and appurtenances thereto, from the **Water Main** up to and including the works on private **Property** according to current **Regional Standards**, applicable legislation such as the **OBC**, **Water Quality Standards** and provincial standards and specifications.

25. THAT in no case shall a **Water Service** be connected inside a **Property** that is also connected to an **Auxiliary Water Supply**.

H. MAINTENANCE OF PRIVATE SERVICE(S)

26. THAT where an **Owner** or **Consumer** fails to maintain the **Private Service** according to the current **Regional Standards** or in accordance with the **Cross-Connection Control By-law**, the **Region** may discontinue the supply of water to the **Property** and may shut off the **Service Valve** at the street line, until such time as any maintenance or repairs are undertaken or completed to the satisfaction of the **Commissioner**.

I. REPLACEMENT OF EXISTING PRIVATE SERVICE(S)

27. (1) THAT where an **Owner** of **Residential Property** requests that a **Water Service** connection be installed of a larger size than that prescribed by current **Regional Standards** for **Residential Property**, any and all costs associated with the installation of the **Service** connection of a larger size shall be borne by the **Owner**.
- (2) THAT the **Region** shall at the request of a **Residential Property Owner** replace the **Municipal Service** on the public portion of the street in accordance with current **Regional Standards** at no cost to the **Owner**, when the **Water Service** is found to be substandard in size (15 mm or smaller), and/or insufficient in capacity (4 imperial gallons per minute or 10 psi). This work shall be undertaken only when the private portion of the **Water Service** has been replaced by the **Property Owner**.
- (3) THAT at no time shall the **Region** bear any responsibility or costs to upgrade a **Water Service**, due to a change in use of a **Property**. It shall be the sole responsibility of the **Owner** to upgrade all **Water Services** to the minimum standards as defined in this By-law.

J. DISCONNECTION, INSPECTION AND REPAIR OF MAINS FOR DEMOLITION OF BUILDINGS

28. (1) THAT at the request of an **Applicant** and where a **Municipal Demolition Permit** is received by the **Region**, a minimum of seventy-two (72) hours' notice is required for the turning off of the water supply at the **Property** line of the **Municipal Service** and the removal of the **Water Meter(s)**.

- (2) THAT in the case of a **Property** demolition where the demolished **Property** will not be replaced with a new **Property**, the **Region** shall disconnect the **Municipal Service** at the **Region's** cost.
- (3) THAT in the case where an **Applicant** makes a request to continue to use the existing **Municipal Service** notwithstanding the demolition of a **Property**, the exposure of the **Municipal Service** at the **Property** line is required. The **Applicant** shall, at its complete and sole expense, arrange for this exposure to enable the **Region** to ensure the **Municipal Service** is in accordance with current **Regional Standards**. If the **Municipal Service** is not in accordance with current **Regional Standards**, it shall be the responsibility of the **Applicant** to upgrade such a **Water Service** to comply with the current **Regional Standards** at the complete and sole cost of the **Applicant**. This work is to include the disconnection of the existing **Municipal Service** at the **Water Main**.

K. CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION STANDARDS FOR WATER SERVICES FOR NEW BUILDINGS

29. THAT the construction, installation, maintenance and operation of **Water Services** shall comply with the **Regional Standards**. The foregoing requirements shall be in addition to and concurrent with any other requirements that may be prescribed by legislation or regulation including, but not limited to the *Safe Drinking Water Act*, S.O. 2002, c.32, as amended.
30. THAT the size of **Water Mains/Water Services**, the materials for the construction thereof and the location of **Water Mains** within the road allowance shall be as specified in the current **Regional Standards**. On an existing road allowance where utilities and **Services** are already in existence, the **Commissioner** may consider alternate, non-standard locations for **Water Mains** subject to the approval of the local road authority.
31. THAT unless previously authorized by the **Commissioner**, no work shall be undertaken or performed by any employee, servant, agent or contractor of the **Region**, and no material shall be placed upon private **Property** in connection with the supply of **Water Services** except the placing of a **Water Meter**, **Remote Reader** and/or control **Valve** and where applicable a **Pressure Reducing Valve**.
32. (1) THAT at no time shall a **Private Service** be used to supply water to more than that one registered lot (lot of record) unless otherwise approved by the **Commissioner**.

- (2) THAT at no time shall a **Private Service** for a **Property** be installed in, over or across another **Owner's Property** or located on an easement on another **Owner's Property**.
 - (3) THAT at no time shall a **Private Service** be cross-connected with an **Auxiliary Water Supply** on the **Property**.
 - (4) THAT unless previously authorized by the **Commissioner**, all **Residential Water Services** shall be installed in accordance with Regional Report No. PPW67-01.
- 33.
- (1) THAT any **Consumer** occupying **Property** which has been provided with two or more **Services** which have been connected to separate sections of the **Waterworks System** and interconnected inside the **Property** line shall install on each **Service**, in addition to manually operative **Valves**, a sufficient number of **Valves**, **Backflow Prevention Devices** and **Water Meters**, as determined and approved by the **Commissioner**, and shall maintain all **Backflow Prevention Devices** in good operating condition.
 - (2) THAT where a developer has pre-serviced a lot, block, or parcel of land with more than one **Water Service** or fire main, and in the opinion of the **Commissioner** any of these **Water Services** are superfluous, it shall be the **Owner's** responsibility at his/her complete and sole expense, to disconnect the superfluous **Water Services** and upgrade the **Water Mains** to current **Regional Standards**.
- 34.
- (1) THAT all **Multi-Residential** units, including but not limited to townhouse units, and stacked townhouse units, shall be equipped with individual shut-off **Valves** for each unit.
 - (2) THAT all **Multi-Residential** units, including but not limited to townhouse units, and stacked townhouse units, shall be equipped with individual **Water Services** and **Water Meters** for each unit.
 - (3) THAT a **Private Service** shall be permitted to service more than one **Residential** horizontal or vertical condominium complex or apartment complex regardless of ownership as long as the necessary **Private Service** easements and/or **Water Main** common elements are placed on title or within the condominium documents. The documents shall clearly spell out the private construction, maintenance, surface treatment and reconstruction obligations of the **Owners**.
 - (4) THAT the subsection 34(3) above shall be considered as part of a phased development where **Water Main** looping back to the municipal main will be the last phase of development or where

theoretical fireflows provided by the **Owner's** professional engineer show that the **Water Main** will be adequate to service the development.

- (5) THAT all **Commercial** and **Industrial** multi-tenant structures shall be equipped with individual shut-off **Valves** for each unit.
 - (6) THAT all **Commercial** and **Industrial** multi-tenant structures shall be equipped with individual **Water Services** and **Water Meters** for each unit.
 - (7) THAT **Water Main** looping shall be incorporated into **Multi-Residential** and **I/C/I** development unless otherwise approved by the **Commissioner**.
35. THAT the provision of all **Water Services** to townhouse blocks and multi-tenant units shall:
- a) comply with the **Region's Multiple Unit Servicing Policy**; and
 - b) include:
 - (i) individual **Water Meters** located within each unit;
 - (ii) individual **Water Services** thereon; and
 - (iii) **Service Valves** located outside the units at 1.5m from the face of the building.
36. THAT in the case of all condominium units, each individual **Water Service** and each common condominium **Service** shall be located outside the private condominium units and located within an area designated as the common element in the common element and general index register for the particular condominium corporation.

SECTION III

WATER METERS

L. LOCATION STANDARDS FOR WATER METERS FOR NEW CONSTRUCTION

37. (1) THAT at any **Property** where a **Water Meter** is to be installed, the **Owner** shall provide space without any obstructions for such **Water Meter** in a location approved by the **Commissioner**, and the location shall be as close as practicable to the point where the **Water Service**

enters the building, and shall be accessible at all times for reading, repairing, testing and replacing by the **Region**, in accordance with the current **Regional Standards** and the **OBC**.

- (2) THAT when a location for a **Water Meter** cannot be provided by an **Owner** to the satisfaction of the **Commissioner**, or conditions or circumstances change with respect to a **Water Meter** installation within a building, the **Owner** shall at his/her complete and sole expense, have a **Meter Chamber** constructed according to the current **Regional Standards**.
 - (3) THAT where a request is made to relocate a **Water Meter**:
 - a) it shall be the responsibility of the **Owner** or **Consumer** to notify the **Region**;
 - b) the location shall be approved by the **Commissioner** before the **Water Meter** is relocated; and
 - c) the **Water Meter** shall be inspected and sealed by the **Region**.
38. THAT the **Commissioner** shall determine the size of any **Water Meter**, the manner of its installation, and any and all matters relating to the required piping and other appurtenances associated therewith. Notwithstanding the aforesaid, the minimum **Water Meter** size for all **Water Services** shall be 20mm diameter.

M. FIRE SYSTEMS

39. THAT any **Industrial**, **Commercial** or domestic private fire system which uses chemicals in the system must incorporate a reduced pressure **Backflow Prevention Device** as determined and approved by the **Commissioner** and in accordance with all **Regional Standards**, **Design Criteria** and Provincial legislation and Regulations.
40. THAT all fire lines and domestic **Water Services** for **Industrial** and **Commercial** buildings shall be installed and operated as separate **Services** from the **Property** line to the building, unless the **Water Main** is a looped system, as in a multi-tenant application.
41. THAT any fire line on private **Property** having more than one **Private Fire Hydrant** attached thereto shall be looped back to the **Municipal Water Main** with two (2) connections and **Valve(s)** located on private **Property** between the **Private Fire Hydrants**.

42. THAT **Water Meters** shall be required on **Water Services** in the following locations:
- a) where a separate domestic **Water Service** and a separate fire **Service** exist, a **Water Meter** shall be installed on the domestic **Service** only; or
 - b) on a **Combined Service**, a **Water Meter** shall be installed on the domestic branch of such **Combined Service** provided that the fire **Service** branch has a detector check installed which is of a type approved by the National Board of Fire Underwriters and such a fire service branch is used only to supply open sprinkler systems, stand pipes, hose connection outlets, external **Private Fire Hydrant(s)** or other outlets; or
 - c) on a **Combined Service**, a **Water Meter** shall be installed on the domestic branch of such **Combined Service** and a **Water Meter** shall not be installed on the fire service branch provided that the fire service branch is used solely to supply a closed circuit sprinkler system controlled by an alarm **Valve** or supervisory service.

N. **INSTALLATION, MAINTENANCE AND OPERATION STANDARDS FOR WATER METERS AND APPURTENANCES**

43. (1) THAT unless otherwise specified by the Commissioner, all **Water Meters** shall be owned and maintained by the **Region**.
- (2) THAT the **Region** supplies and installs all **Residential Water Meters**, including the control **Valve**, up to and including 25mm in size.
- (3) THAT all **Water Meters** and control **Valves** larger than 25mm in size shall be installed by the **Owner** or their contractor in conformity with the requirements of this By-law.
44. THAT the **Service Valve** shall be owned by the **Region** and maintained in accordance with the current **Regional Standards**.
45. THAT the **Service Valve** shall be located at grade level and shall be in good working condition prior to the **Water Meter** being placed in service.
46. THAT during the installation or the removal of a **Water Meter**, where piping is damaged as a consequence of the defective condition of the piping, the **Owner** shall install new piping at his/her complete and sole expense, in accordance with the current **Regional Standards**.

47. THAT a **Consumer** shall take all precautions necessary to prevent:
- a) damage by frost, hot water, blows, injury or damage from any cause to the **Water Meter** and any appurtenances thereto; and
 - b) the loss of the **Water Meter**, where the same is removed from its premises without the consent of the **Region**, whether by theft or otherwise.
48. THAT a **Consumer** shall immediately notify the **Commissioner** of any breakage, stoppage irregularity or loss of a **Water Meter**.
49. THAT should a **Water Meter** be required to be replaced or repaired as a consequence of any of the matters referred to in Section 47 herein, the cost of replacing or repairing such **Water Meter** shall be payable to the **Region** on demand.
50. THAT the cost of downsizing or upsizing a **Water Meter** shall be the sole responsibility of the **Consumer** and/or **Owner** with reimbursement to the **Region** payable in full prior to the requested changeover. The cost of the **Water Meter** shall be determined in accordance with the current year's **Water Meter** installation fee for the replacement **Water Meter**. Further, no allowance or rebate shall be provided to the **Consumer** and/or **Owner** for the requested **Water Meter** changeover.
51. THAT if required, all **Water Services** shall be equipped with a **Backflow Prevention Device** in accordance with the **Cross Connection Control By-law**.
52. THAT seals shall be placed on all **Water Meters** and all **By-pass Valves**, in order to prevent unauthorized interference with the said **Water Meters** and **By-pass Valves**.
53. THAT any seals placed upon **Water Meters** and **By-pass Valves** shall only be broken by the **Commissioner**, in the course of maintaining and operating the **Water Meters** and **By-pass Valves**.
54. THAT except where a person has caused damage to a **Water Meter** by reason of neglect, the **Region** shall bear the cost of routine normal repair, testing and maintenance of **Water Meters**, and appurtenances.
55. THAT where a **Consumer** requests that a **Water Meter** be tested and such testing is not part of the routine normal repair, testing and maintenance program conducted by the **Region**, the **Commissioner** shall, at the complete and sole expense of the **Consumer**, test the **Water Meter** and shall charge the **Consumer** for such test at the rates as set out in the **Water Rates By-law**.

SECTION IV
CHARGES AND BILLINGS

O. METHODS OF CALCULATION AND PAYMENT PROVISIONS

56. (1) THAT all **Consumers** of water shall be charged in accordance with the rates and charges fixed and set forth in the **Water Rates By-law**.
- (2) THAT **Owners** shall be responsible to pay those rates and charges as set forth in the **Water Rates By-law** which are incurred for a **Property** by their tenants, inmates, lessees, licensees, occupants and **Consumers**, in accordance with the Municipal Act, 2001.
57. THAT until such time as a **Consumer** provides written notice to the **Commissioner** of his/her desire to discontinue the use of a **Water Service** and such **Water Service** is in fact discontinued, the rates and charges as prescribed in the **Water Rates By-law** shall continue to be charged to the **Consumer** by the **Region**.
58. THAT the reading of the register of the **Water Meter** shall be the sole evidence of the quantity of water supplied to a **Property** unless the **Water Meter** is proven to be defective, following a proper calibration testing conducted by the **Commissioner**.
59. THAT where a **Water Meter** fails or is removed for any reason or purpose, the quantity of water consumed during the period of such failure or removal shall be estimated by the **Region's** Commissioner of Corporate Services and the **Consumer** shall be liable for any and all charges based on this estimate.
60. THAT in making any such estimate, the **Region's** Commissioner of Corporate Services shall give due consideration to consumption records for the **Property** made prior to the failure or removal of the said **Water Meter** and shall in addition, give due consideration to consumption records for the **Property** made following the installation of an accurate **Water Meter**.
61. THAT any **Consumer** who fails to report to the **Region** that a **Water Meter** has not been installed shall be back charged for the quantity of water consumed to the date of installation of the hydro electric meter at the water rate then in effect.
62. THAT where any consumption of water supplied to a **Property** by the **Region** is not properly recorded, the **Region's** Commissioner of Corporate Services shall reserve the right to estimate an input usage for the **Property** and shall

employ the rates and charges applied to accurately metered water flows as set out in the **Water Rates By-law**, as the basis for any such estimate.

63. THAT all accounts for continued water rates shall be sent to a **Consumer** at any such frequency as is determined by the **Region's** Commissioner of Corporate Services or his/her designate and each **Consumer** shall pay to the **Region** or its authorized representative on or before the final due date shown on the said account, the full amount of the rates and charges shown thereon.
64. THAT the **Region** shall not accept an **Application** for **Water Services** for any **Property** owned or occupied by a **Consumer** where the **Consumer** has one or more accounts for metered water rates remaining unpaid for a period of thirty (30) days after the expiration of the due date for payment indicated thereon.
65. (1) THAT in the event that:
 - a) an outstanding account for metered water rates remains unpaid after the payment due date shown on the said account, that amount may be added to the tax roll and collected in the same manner as taxes and a notice shall be sent to the **Consumer** and if necessary to any of the following persons not included in the definition of **Consumer**, namely all of the **Owners**, lessors, mortgages, landlords, tenants, lessees and mortgagors (where applicable) of the **Property**, by ordinary first-class prepaid mail advising that the amount has been added to the tax roll and may be collected in the same manner as taxes;
 - b) an outstanding account for metered water rates remains unpaid for thirty (30) days after the expiration of the due date for payment indicated thereon, final notice shall be sent to the **Consumer** by the **Region's** Commissioner of Corporate Services by ordinary first-class prepaid mail advising that, should the account continue to remain outstanding for ten (10) days following the mailing of such final notice, the water may be turned off or the arrears in payment may be collected by distress.
- (2) THAT if an outstanding account for metered water rates is paid by cheque, and such a cheque is not honoured by the proper banking authorities, the **Region** shall charge to the **Consumer** the fees set out in the **Water Rates By-law** and such fees shall be added to any outstanding account for metered water rates.

SECTION V

MUNICIPAL FIRE HYDRANTS

P. COMMISSIONER'S RESPONSIBILITIES WITH RESPECT TO FIRE HYDRANTS

66. (1) THAT each local municipality shall be charged the amount set out in the **Water Rates By-law** for the use of **Municipal Fire Hydrants** connected to the **Waterworks System**, which amounts shall be used to cover the costs of providing water for fire protection, sewer flushing, street cleaning, and maintenance.
- (2) THAT **Backflow Prevention Devices** shall be utilised by all vehicles that connect to **Municipal Hydrants** and these **Backflow Prevention Devices** shall be inspected on an annual basis.
- (3) THAT each local municipality shall be charged the amount set out in the **Cross-Connection Control By-law** for any backflow inspections.
- (4) THAT the local municipalities shall only use **Municipal Fire Hydrants** specified by the **Commissioner**, and the locations can be changed at the discretion of the **Commissioner**.
- (5) THAT subject to Section 72 the **Commissioner** has the authority to revoke the use of the **Municipal Fire Hydrant** at any time.
67. THAT the design, location, installation, separation and maintenance of all fire hydrants within the **Regional Area** shall be in accordance with current **Regional Standards** and the current National Fire Prevention Association Standard, the *Fire Protection and Prevention Act*, 1997, S.O. 1997, c. 4 and the Ontario *Fire Code*, O.Reg. 213/07, as applicable.
68. THAT the **Commissioner** shall have the authority, through the statutory **Development Process**, to establish standards for and to secure the provision of adequate **Municipal Fire Hydrants**.
69. THAT any high rise buildings or any buildings which are determined by the **Commissioner** to be a high risk building which require the use of a booster pump shall incorporate a **Double Check Valve Assembly** located before the pump in order to protect the **Region's Waterworks System**.

Q. TEMPORARY USE OF MUNICIPAL FIRE HYDRANT(S)

70. (1) THAT where, in the opinion of the **Commissioner**, there is no viable alternative for providing water to a **Consumer**, the **Commissioner** may issue a permit for the temporary use of a **Municipal Fire Hydrant** by a **Consumer** upon such terms and conditions and for a period to be determined by the **Commissioner** and in all cases the **Municipal Fire Hydrant** shall have a **Hydrant Meter** and a **Backflow Prevention Device** installed thereon.
- (2) THAT at no time shall a **Consumer** or any person other than the **Commissioner** remove a **Regional Hydrant Meter**.
- (3) THAT the **Region** shall install a **Regional Hydrant Meter** and **Backflow Prevention Device** on a **Private Fire Hydrant**, only with prior written consent from the **Owner**.
- (4) THAT subject to subsection 70(3) the **Owner** shall bear all responsibility of damage to a fire hydrant located on private **Property** and shall hold the **Region** harmless for any such damage.

R. RELOCATION OF MUNICIPAL FIRE HYDRANTS

71. THAT at the request of an **Owner** or at the insistence of the **Commissioner**, where a **Municipal Fire Hydrant** does not conform to current **Regional Standards**:
- a) the **Commissioner** may permit a **Municipal Fire Hydrant** relocation for a **Residential Property** not in accordance with current **Regional Standards**, at no cost to the **Region**;
- b) the **Commissioner** may permit a **Municipal Fire Hydrant** relocation in accordance with current **Regional Standards**, at the sole cost of the **Owner**; and
- c) providing they have applied to the **Region** for a **Services Permit** and paid all necessary fees, as set out in the **Water Rates By-law**.

SECTION VI

GENERAL PROVISIONS AND PROHIBITIONS

S. RESTRICTION ON USE OF WATER

72. THAT the **Commissioner** may from time to time in his/her complete and sole discretion prohibit or restrict the use of water.
73. THAT from the commencement of the giving of a fire alarm until the extinguishment of the fire for which such alarm was given, no person in the area in which fire is occurring shall use water supplied by the **Region** for lawn watering or other exterior purposes.
74. THAT all equipment utilizing municipal water in once-through cooling systems shall not be approved for use on any **Property** in the **Regional Area**.

T. OFFENCES

75. (1) THAT no person, except a Regional employee, municipal firefighter, or other authorized municipal employee, shall use or discharge any water from a **Municipal Fire Hydrant** or a **Private Fire Hydrant**, unless expressly permitted in accordance with this By-law.
- (2) THAT in the event that any seals on a **Water Meter** are discovered to have been broken by someone other than the **Commissioner**, the **Commissioner** may cause an investigation to be made to determine whether there has been a contravention of subsection 77(h) of this By-law.
76. THAT occupancy of a **Property** is prohibited until such time as a **Water Meter** is installed and is deemed operational to the satisfaction of the **Commissioner**.
77. THAT no person or persons shall:
- a) wilfully hinder or interrupt, or cause or permit to be hindered or interrupted, the **Region** or any of its authorized officers, contractors, agents, servants or workers in the exercise of any of the powers conferred by this By-law;
 - b) wilfully let off or discharge water so that water runs waste or useless from the **Region's Waterworks System**;

- c) being an **Owner**, tenant, lessee, or inmate of any building, structure, or **Property** supplied with water from the **Water Works System** lend, sell or dispose of water, give it away, permit it to be taken or carried away, use or apply it to the use or benefit of another, or permit any use and/or benefit other than his/her own, increase the supply of water agreed for, or improperly waste water;
- d) without lawful authority, wilfully open or close any **Municipal Fire Hydrant, Private Fire Hydrant, Valve** or chamber, or obstruct the free access to any **Hydrant Valve**, chamber, pipe or hydrant chamber by placing on or near to it any building material, rubbish, temporary structure, or other obstruction of any nature whatsoever;
- e) wilfully obstruct free access by Regional employees to any part of the **Region's Waterworks System**;
- f) hinder, obstruct or refuse entry to any employee or agent of the **Region** in the discharge of any duty under this By-law;
- g) deposit any injurious, noxious, noisome or offensive matter into the water or **Water Works System**, or upon the ice, if the water is frozen, or in any way foul the water or commit any wilful damage or injury to the **Water Works System**, the pipes or water, or encourage the same to be done;
- h) wilfully alter any **Water Meter** placed upon any **Service** pipe or connected therewith, within or without any **Property**, so as to lessen or alter in any manner the amount of water consumption registered;
- i) lay or cause to be laid any pipe or main to connect with any pipe or **Water Main** of the **Water Works System**, or in any way tap into or obtain the use of the water without the written consent of the **Commissioner**;
- j) place or cause to be placed any material including trees, shrubs, plants, fences, berms, or other obstruction or vehicle of any kind whatsoever a distance of less than three metres (3m) from any **Municipal Fire Hydrant**; or
- k) use water contrary to a water use prohibition or restriction by the **Commissioner** or in a manner which is contrary to any direction given by the **Commissioner**.

78. THAT every person who contravenes any provision of this By-law shall be guilty of an offence and on summary conviction shall be liable to a fine of not more than \$5,000.00.

79. THAT the **Commissioner** may at any reasonable time, enter and inspect any lands or structures thereon, to determine whether any provisions of this By-law are being complied with.

80. THAT each day that a person contravenes any provision of this By-law constitutes a separate offence.

U. REPEAL, SHORT TITLE AND EFFECTIVE DATE

81. THAT By-law No. 42-04, as amended, is hereby repealed.

82. THAT the short title of this By-law is the “Waterworks By-law”.

83. THAT this By-law comes into force on the day it is passed.

READ and PASSED this 24th day of November, 2010.

REGIONAL CHAIR

REGIONAL CLERK

Report No. PW-74-10/LPS96-10