THE REGIONAL MUNICIPALITY OF HALTON

BY-LAW NO. 71-19


WHEREAS Section 11 of the Municipal Act, 2001, provides that The Regional Municipality of Halton has the exclusive responsibility for public utilities, including water distribution, production, treatment and storage 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 apply, with the necessary changes being made;

AND WHEREAS Section 80 of the Municipal Act, 2001 provides that 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 Section 23.1 of the Municipal Act, 2001 provides that a municipality may delegate its powers and duties under the Municipal Act, 2001 or any other act to a person or body subject to legislated restrictions;

AND WHEREAS Section 20(1) of the Safe Drinking Water Act, 2002 provides that it is an offence to cause or permit anything to enter a drinking-water system if it could result in, a drinking-water health hazard, a contravention of a prescribed standard or the interference with the normal operation of the system;

AND WHEREAS Sections 78, 79 and 80 of the Municipal Act, 2001 provide rights of entry for the municipality onto Property in relation to the supply of a public utility and water supply is a public utility;
AND WHEREAS Part XIV of the *Municipal Act, 2001* provides for the enforcement of municipal by-laws;

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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DEFINITIONS

1. In this By-law, the following words or phrases are defined as:

“Applicant” means the Owner, or authorized agent of the Owner, of the Property wanting to connect to the Drinking Water System;

“Application” means an application in the form provided to the Commissioner by an Applicant requesting a connection, extension or modification to the Drinking Water System;

“Authorized Functions List” means the list of functions and the Persons authorized to carry out such functions as set out in Appendix A;

“Authorized Tester” means a Person authorized to carry out such functions as set out in the Authorized Functions List;

“Auxiliary Source of Water” means any Private Service, on or available to a Property, supplying water that is not from the Drinking Water System;

“Backflow” means a flowing back of water or reversal of the normal direction of flow;


“Backflow Prevention Device” means a device that, (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;
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<td>&quot;Backflow Prevention Device Tester&quot;</td>
<td>means a Person who has completed and passed a Cross Connection Control course in Backflow Prevention Device testing at an accredited school or college and shall be in accordance with CSA B64 10.1-01 Subsection 4. Device Testers and School Accreditation;</td>
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<td>&quot;By-pass Valve&quot;</td>
<td>means a mechanical engineering device for controlling the flow of fluids (liquids, gases, slurries) located on or around a Regional Water Meter by-pass pipe or on a Backflow Prevention Device;</td>
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<td>&quot;Combined Service&quot;</td>
<td>means a water system used for both Potable Water and fire protection services;</td>
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<td>&quot;Commercial&quot;</td>
<td>means land, buildings or structures that are deemed by the Commissioner to be used for the sale or provision of goods and services, not designed or intended for Residential use;</td>
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<td>&quot;Commissioner&quot;</td>
<td>means the Commissioner of Public Works for the Region or an authorized representative of the Commissioner;</td>
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<td>&quot;Consumer&quot;</td>
<td>means any Person actually drawing upon or using the Drinking Water System;</td>
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<td>&quot;Control Valve&quot;</td>
<td>means the Valve that controls the flow or pressure of water located at or before the Residential Water Meter;</td>
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<td>&quot;Corporate Counsel&quot;</td>
<td>means the Corporate Counsel for the Region or an authorized representative of the Corporate Counsel;</td>
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<td>&quot;Cross Connection&quot;</td>
<td>means an actual or potential connection between a Potable Water system and any source of pollution affecting any temporary, permanent, or potential water connections that may allow</td>
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<tr>
<td>Backflow</td>
<td>to occur;</td>
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<td>“Cross Connection Control”</td>
<td>means the enforcement of any ordinance or other legal statement regulating Cross Connections;</td>
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<td>“Cross Connection Control Program”</td>
<td>means a program initiated by the Region to administer and regulate the selection, installation, testing, and maintenance of Backflow Prevention Devices;</td>
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<td>“Cross Connection Survey”</td>
<td>Means a visual inspection of the Private Service, Auxiliary Water Supply, Combined Service or other, to determine if Premise Isolation prevents any Cross Connection to the Drinking Water System;</td>
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<td>“CSA”</td>
<td>means the Canadian Standards Association;</td>
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<td>“CSA B64”</td>
<td>means CSA Standard Series B64.10 Selection and Installation of Backflow Preventers/Maintenance and Field Testing of Backflow Preventers Standard, as amended;</td>
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<td>“Design Requirements”</td>
<td>means the Region’s Design Requirements approved by the Commissioner that details design and construction methods, and other related guidelines for roads, the Drinking Water System, or wastewater collection system in the Region;</td>
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<td>“Development Agreement”</td>
<td>means an agreement between the Region and a developer making provision for financial, planning, environmental and other conditions related to the orderly development and phasing of lands;</td>
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<td>“Development Process”</td>
<td>means the construction, erection or placing of one or more buildings on land or the making of an addition or alteration to a building that has the effect of increasing the size or usability and/or changing the use thereof and development shall</td>
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include redevelopment;

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<tr>
<td>“Disconnection”</td>
<td>Means the removal of a connection between the Drinking Water System and the Private Service, and the removal of the Regional Water Meter;</td>
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<td>“Double check valve assembly”</td>
<td>means a mechanical Backflow Prevention Device that consists of two internally loaded check Valves and includes two shut-off Valves and test ports;</td>
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<td>“Drinking Water Quality Standards”</td>
<td>means the prescribed standards under O. Reg. 169/03 of the Safe Drinking Water Act;</td>
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<td>“Drinking Water System”</td>
<td>means any works for the collection, protection, measurement, production, treatment, storage, supply and distribution of water, or any part of such works excluding plumbing, that is established for the purpose of providing users of the system with Potable Water and located within the limits of the public road allowance, or on lands where there is a registered easement in favour of the Region;</td>
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<td>“Enclosure”</td>
<td>means an above-ground structure, certified to &quot;ASSE Standard# 1060 for Outdoor Enclosures for Backflow Prevention Assemblies&quot; designed to accommodate a Backflow Prevention Device and Regional Water Meter, that incorporates positive drainage to prevent submergence of the Backflow Prevention Device, provide security, increase accessibility for testing and repair, and provide freeze protection;</td>
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<tr>
<td>“Hydrant”</td>
<td>means any hydrant either owned and maintained by the Region located on a public right-of-way or on lands where there is a registered easement in favour of the Region, or a hydrant located on private Property that is not owned nor maintained by the Region, that is connected to the Drinking Water System;</td>
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</table>
“Hydrant Meter” means a Regional Water Meter for specific use of measuring water usage from Hydrant connected to the Drinking Water System;

“I/C/I” means Industrial, Commercial and Institutional;

“Illegal Connection” means an unauthorized or unmetered connection to the Drinking Water System either by by-pass or removal of the Regional Water Meter, unauthorized Hydrant connection or as otherwise determined by the Commissioner;

“Industrial” means land, buildings or structures that are deemed by the Commissioner to be used for the manufacturing or storage of goods and services, not designed or intended for Residential, Commercial and/or Institutional use;

“Institutional” means lands, buildings or structures that are to be places of worship, schools, seniors residences, hospitals, recreation centers, libraries or municipal/provincial/federal facilities and any other facilities as deemed by the Commissioner;

“Irrigation Systems” means artificially supplying land with water for agriculture or landscaping, usually by artificial means such as pipes and sprinklers;

“Meter Chamber” means an accessible in-ground structure not attached to a building, containing and protecting the Regional Water Meter(s), Control Valve(s) and Double Check Valve Assembly and when on private Property, is maintained by the Owner;

“Meter Seal” Means a metal wire, mechanism or device that is secured to the Regional Water Meter and/or Valves to prevent tampering and can only be removed by an authorized agent of the Region;
“MECP” means the Ontario Ministry of the Environment, Conservation and Parks or the applicable Ministry at the time and its applicable legislation, regulations and regulatory guidelines;

“Multi-Residential” means a Property that contains two or more Residential dwellings including but not limited to townhouses, apartments, condominiums, strata or other such units as determined by the Commissioner, but does not include Secondary Suites;

“Mixed-Use” means a Property or dwelling unit, part of which may be used as a business establishment, intended for Residential use and units intended for I/C/I use, including live/work units as defined in the Building Code Act and local zoning by-laws;


“New Construction” means a process that consists of the building or assembling of infrastructure, Residential, Multi-Residential, Commercial, Institutional or Industrial buildings which conforms to all applicable zoning and Building Code Act requirements;

“Non-Municipal Drinking Water System” means a non-municipal drinking water system as per the Safe Drinking Water Act;

“Officer” means the Commissioner, a municipal law enforcement officer, a police officer, or any person appointed to enforce the provisions of this By-law;

"Ontario Water Resources Act" means the Ontario Water Resources Act, R.S.O. 1990, c. O.40;

“Owner” means the registered Owner of the Property, or their authorized agent, or a lessee or occupant of
the Property;

“Permit” means a written permission that is granted to an Applicant by the Commissioner or an authorized representative, for the construction and/or installation of all of the physical and mechanical equipment and devices to make a connection to the Drinking Water System;

"Person" means an individual, association, partnership, corporation, municipality, provincial or federal agency, or an agent or employee thereof, trustee, executors, administrators or other legal representatives of a person to whom the context can apply according to law;

“Premises Isolation” means the prevention of Backflow into the Drinking Water System from a Private Service by the installation of a suitable Backflow Prevention Device at the entrance of the building or Property;

“Potable Water” means water from the Drinking Water System intended for human consumption;

“Private Service” means water service pipe, devices, service valves, plumbing, fittings and appurtenances located on the private side of the Property Line or contained within a Non-Municipal Drinking Water System or other Private Service;

“Private Water Meter” means a device or mechanism installed on a Private Service, after the Regional Water Meter, that is not the Property of the Region, that an Owner may install for the purposes of bulk or sub-metering the consumption of water;

“Property” means both public and private lands, buildings, structures, boats, vehicles, railway cars, or mobile homes located and means a parcel of land which is capable of being legally conveyed as the
context requires within the Region;

"Property Line" means the line marking the limits between private and public Property;

“Region” means The Regional Municipality of Halton;

“Regional Employee” means an employee, contractor, or agent of the Region;

“Regional Official Plan” means the Region’s in force Official Plan, pursuant to the Planning Act, R.S.O. 1990, c P.13;

“Regional Council” means the elected Council for the Region;

“Regional Standards” means approved current standards relating to the construction and engineering of water, wastewater, storm sewer, and road systems on public lands, including any standards, specifications, guidelines, criteria, levels of service criteria and any policies and procedures which are approved by the Commissioner, from time to time;

“Regional Water Meter” means a device or mechanism, including but not limited to Advanced Meter Infrastructure (AMI) technology, a Remote Reader and all appurtenances thereto, which is owned by the Region and used for the purpose of measuring the flow and quantity of water provided for billing purposes in accordance with the Water Rates and Charges By-law;

“Remote Reader” means a device used to record the quantity of water to which it is connected;

“Residential” means developed land, buildings or portions thereof used, designed or intended for residential use and includes but not limited to a single detached dwelling, a semidetached dwelling, a
multiple dwelling, an apartment dwelling, a **Secondary Suite**, a special care/special need dwelling, an accessory dwelling and the residential portion of a **Mixed-Use** building;

**“Safe Drinking Water Act”** means the *Safe Drinking Water Act, 2002*, S.O. 2002, c. 32;

**“Secondary Suite”** means an accessory **Residential** dwelling permitted by a local zoning by-law that is located within or upon private **Property** and does not require a separate connection to the **Drinking Water System**;

**“Service Extension Policy”** means the policy approved by **Regional Council** related to the extension of the **Drinking Water System**;

**“Service Valve”** means a device consisting of a **Valve** and box/chamber located at or near the **Property Line** which is owned by the **Region** for controlling the flow of water from the **Drinking Water System** to a **Private Service**;

**“Temporary Connections”** means a connection that is granted to an **Applicant** by the **Commissioner** on a temporary basis with an agreed upon termination date;

**“Test Tag”** means a tag approved by the **Region** that is placed on the **Backflow Prevention Device** that records the device information, date of testing and tester information;

**“Urban Service Area”** means the area designated by the **Regional Official Plan** as eligible for a connection to the **Drinking Water System**;

**“Valve”** means a device for controlling the flow of fluids (liquids, gases, slurries) in a pipe or other enclosure, controlled by means of a movable element that opens, shuts, or partially obstructs an
“Water and Waste Water Connection Charges By-law” means the Region’s current By-law establishing connection charges and related fees and charges, as passed from time to time by Regional Council;

“Watermain” means any system of pipes and appurtenances owned by the Region used for the distribution of water, but does not include plumbing or a pumping facility;

“Water Rates and Charges 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;

“Zone/Area Protection” means protection provided for sections of a piping building or facility with no Potable Water connections downstream of a Backflow Prevention Device.
ADMINISTRATION

2. General

2.1. The Region may supply water through the Drinking Water System as circumstances, equipment and capacity permit.

2.2. The Region shall meet all regulatory requirements under the Safe Water Drinking Act.

2.3. No Regional Employee shall under any circumstances be permitted to give any guarantee for the supply of water through the Drinking Water System and will not be liable for any damages associated in a change to the Consumer’s supply of water.

3. Responsibilities of the Commissioner

3.1. Except as otherwise expressly provided in this By-law, the Commissioner is responsible for:

i) the administration and enforcement of all the provisions of this By-law; and

ii) the construction, installation, maintenance, operation, improvement, and extension of the Drinking Water System of the Region, that shall comply with approved Regional Standards.

3.2. The Commissioner shall determine the nature of any extension, alteration or connection to the Drinking Water System required, the location and size of any pipe or appurtenance, the material required to be used for such purpose, or component thereof in accordance with Regional Standards and MECP regulatory requirements or guidelines.

3.3. Where there is a need for greater certainty, the Commissioner in consultation with Corporate Counsel, 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 protections of the Drinking Water System.

4. Power of Entry and Notice

4.1. The Commissioner may, in the course of performing their duties under this By-law, enter, pass upon, through, over and under any
Property within the jurisdiction of the Region or area as permitted in accordance with the Municipal Act.

4.2. 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.

4.3. Except in the case of an emergency, risk to the Drinking Water System or an Illegal Connection, the Commissioner or a representative shall give reasonable notice before ceasing the supply of water for any necessary inspection, installation, construction, alterations, upgrade, repair or maintenance of the Drinking Water System or parts thereof, or as a result of any unpaid or overdue fees or charges as permitted in accordance with the Municipal Act. 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 Property.

5. Restrictions on the Use of Water

5.1. The Commissioner may from time to time at their complete and sole discretion prohibit or restrict the use of water.

CONNECTIONS

6. Application for Connection to the Drinking Water System

6.1. No Person shall proceed with construction or any work related to the connection to the Drinking Water System until the Application is approved to the satisfaction of the Commissioner.

6.2. Where an Owner of any Property located within the Region requests to connect to an adjacent municipality’s Watermain that exists in a highway or public utility corridor located outside of the Regional Urban Service Area as defined in the Regional Official Plan, the Owner is responsible for obtaining consent from the adjacent municipality and Regional Council through a request Regional Official Plan Amendment to amend the Regional Official Plan. The Region shall not be responsible for the cost of the infrastructure or connection to the water supply from an adjacent municipality.

6.3. Where a Property does not front or abut an existing Watermain within a right-of-way or Regional easement, the Owner of any Property, which is within the Urban Service Area as defined in the Regional Official Plan must first make an Application to the Commissioner for
the extension of the **Drinking Water System**, providing such **Application** conforms to the policies and guidelines contained in the **Regional Official Plan**. Any extension of the **Drinking Water System** shall be undertaken according to the terms and conditions set forth in the **Service Extension Policy** as amended from time to time, or in the form of an agreement to the satisfaction of the **Commissioner** and **Corporate Counsel**. Upon an approved **Application**, all costs related to the extension of and connection to the **Drinking Water System** shall be at the complete and sole expense of the **Owner**.

6.4. Where a **Watermain** exists within a Right-of-Way or Regional Easement, the **Owner** of any abutting or fronting **Property**, which is within the **Urban Service Area** as defined in the **Regional Official Plan** 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 **Drinking Water System**, providing such **Application** conforms to the policies and guidelines contained in the **Regional Official Plan**.

6.5. The **Commissioner** may refuse approval of an **Application**, where in the **Commissioner's** opinion the **Drinking Water System** may be adversely affected by the connection or where the **Application** does not satisfy one or all of the criteria set forth in the **Drinking Water System By-Law**, the **Regional Official Plan** or any ancillary legislation.

7. **Connections to Permanent Water Supply - Land Development**

7.1. Where an **Applicant** requires a connection to the **Drinking Water System** for a proposed land development pursuant to the **Development Process** for **New Construction**, the **Applicant** shall enter into a **Development Agreement** with the **Region**, to the satisfaction of the **Corporate Counsel**, which shall include details respecting the installation of any **Watermain**, **Private Service**, **Regional Water Meters**, **Backflow Prevention Devices** and any other appurtenances as required to the various lots in the proposed development.

7.2. The developer is responsible for the protection of the **Drinking Water System** through the implementation of an interim water quality plan, locates, maintenance and prevention of damage to the **Drinking Water System**.
8. Connections to Permanent Water Supply

8.1. Upon the Commissioner's approval of an Application to connect to the Region’s Drinking Water System, the Region shall issue a Permit. The Applicant shall pay all fees associated with the provision of the connection(s) to the Drinking Water System including the tapping of the Watermain, inspection and testing as set out in the Water Rates and Charges By-law and Water and Wastewater Connection Charges By-Law, as amended from time to time.

8.2. When a Permit has been granted, the Applicant shall at their complete and sole expense install the required connection and appurtenances thereto, from the Watermain to the Property Line according to current Regional Standards, applicable legislation such as the Building Code Act, Drinking Water Quality Standards and provincial standards and specifications. These costs are in addition to the fees imposed under the Water Rates and Charges By-law and Water and Wastewater Connection Charges By-law and any costs associated with works on the Property of the Owner that shall not be the responsibility of the Region.

8.3. Upon connection to the Drinking Water System, the Applicant shall disconnect any Auxiliary Source of Water from the Property and under no circumstances shall an Auxiliary Source of Water or any pipes or devices connected to said water source be permitted to be cross connected with the Region's Drinking Water System.

8.4. The Region shall not be liable for damage caused by any authorized or unauthorized construction or work related to the connection to the Drinking Water System by an Owner or their authorized representative.

CONSTRUCTION, INSTALLATION AND MAINTENANCE STANDARDS

9. Installation and Specifications

9.1. The size and type, the materials for the construction thereof and the location shall be in accordance with Regional Standards, the Building Code Act, Safe Drinking Water Act or any subsequent act.

9.2. Where the Region determines that a Private Service or connection to the Drinking Water System is not constructed or maintained in accordance with current Regional Standards, this By-law, the Building Code Act, or any ancillary legislation, it shall be the
responsibility of the Owner to upgrade the Private Service at the complete and sole cost of the Owner.

9.3. Where in the opinion of the Commissioner a Private Service is dormant or extraneous, it shall be the Owner’s responsibility at their complete and sole expense, to disconnect from the Drinking Water System.

9.4. The Region may discontinue the supply of water to the Property and may shut off the Service Valve at the Property Line, until such time as any upgrade, maintenance or repairs are undertaken or completed to the satisfaction of the Commissioner.

9.5. The size of a Watermain, the materials for the construction thereof and the location of a Watermain within the road allowance shall be as specified in the current Regional Standards. On an existing road allowance where utilities or otherwise are already in existence, the Commissioner may consider alternate, non-standard locations for a Watermain subject to the approval of the local road authority.

9.6. Unless previously authorized by the Commissioner, no work shall be undertaken or performed by any Regional Employee, servant, agent or contractor of the Region, and no material shall be placed upon private Property except the placing of a Regional Water Meter or Remote Reader.

9.7. Where a Private Service for a Property is approved by the Commissioner to supply water to more than one registered lot, or is installed in, over or across another Property, an easement, Condominium Agreement or other appropriate agreement to the satisfaction of Corporate Counsel shall be in force.

9.8. Where an easement exists, the registered party is responsible for the cost of maintenance, repair, replacement and any associated costs located within the easement.

9.9. Any Property that contains two or more Private Services which have been connected to separate sections of the Drinking Water System and are interconnected inside the Property Line, the Owner shall install and maintain on each Private Service a sufficient number of Valves, Backflow Prevention Devices and Regional Water Meters, as determined and approved by the Commissioner and Regional Standards.

9.10. The installation of once-through cooling systems shall not be approved for use on any Property connected to the Drinking Water System.
10. **Service Valves**

10.1. **Service Valves** shall be located at the **Property Line** or at a location as otherwise determined by the **Commissioner**.

10.2 Every **Owner** shall maintain a **Service Valve** by taking all precautions necessary to prevent damage by frost, freezing, blows through landscaping, snow removal, driveway repair, theft or otherwise.

10.3 Where a **Service Valve** has been damaged, encased, concealed, or made inaccessible by the **Owner**, or an agent of the **Owner**, through landscaping, driveway repair or otherwise, the **Owner** shall at their complete and sole expense be responsible for exposure of, repair or replacement of the **Service Valve**.

11. **Replacement or Upgrade of Existing Private Service(s)**

11.1. Where an **Owner** with an existing connection to the **Drinking Water System** engages in the redevelopment of a lot, major renovation or change of use, and they wish to re-use that connection, the **Owner** shall, at their sole expense, expose the connection at the **Property Line** to confirm the size and location of the connection and verify it functions as intended and conforms to this By-law and current **Regional Standards**.

11.2. Any existing connection to the **Drinking Water System** shall be flushed, sampled and tested according to Regional Standards, prior to being re-connected to the Region’s **Drinking Water System** at the sole expense of the **Applicant**.

11.3. Where the **Region** determines that the **Drinking Water System** requires retrofitting or upgrading as a result of the redevelopment, major renovation or change of use to comply with current **Regional Standards**, this By-law, the **Building Code Act**, or any ancillary legislation, any upgrade to the **Drinking Water System** shall be at the complete and sole cost of the **Owner**.

12. **Disconnections**

12.1. 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 disconnection of the **Drinking Water System** at the **Property Line** and the removal of the **Regional Water Meter(s)** at the **Owner’s** expense.
12.2. In the case of a Property demolition where the demolished Property will not be replaced with a new Property, the Region shall disconnect the Drinking Water System at the Region’s cost.

12.3. Until such time as a Consumer provides written notice to the Commissioner of their desire to disconnect from the Drinking Water System and the disconnect has occurred, the rates and charges as prescribed in the Water Rates and Charges By-law shall continue to be charged to the Consumer by the Region.

13. Multi-Residential and Mixed-Use

13.1. A Private Service shall be permitted to service more than one Residential horizontal, vertical or stratus condominium complex or apartment complex regardless of ownership as long as the necessary Private Service easements and/or Watermain 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 Owner.

13.2. In the case of all condominium units, each Private Service and each common condominium Private 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.

13.3. Watermain looping shall be incorporated into Multi-Residential development unless otherwise approved by the Commissioner.

14. I/C/I

14.1. A Private Service shall be permitted to service more than one I/C/I regardless of ownership as long as the necessary Private Service easements and/or Watermain 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 Owner.

14.2. Watermain looping shall be incorporated into I/C/I development unless otherwise approved by the Commissioner.

15. Secondary Suites

15.1. For the purposes of this By-Law, Secondary Suites do not require an additional Private Service or Regional Water Meter, provided that a
Regiona Water Meter has been installed before a Private Service extension to the Secondary Suite on the Property.

16. Non-Municipal Drinking Water Systems

16.1. Where a Property with a Non-Municipal Drinking Water System that serves apartment buildings, private subdivisions and mobile home parks, or any other privately-owned system including I/C/I and Mixed-Use exists, the Owner of the Non-Municipal Drinking Water System is responsible for monitoring testing and reporting in accordance with MECP regulations and the Safe Drinking Water Act.

HYDRANTS

17. Hydrant Use

17.1. No Person shall use or discharge any water from any Hydrant connected to the Drinking Water System, unless expressly permitted in accordance with this By-law.

18. Connection to a Hydrant

18.1. A connection to a Hydrant shall only be permitted upon approval of a Permit and payment all necessary fees, as set out in the Water Rates and Charges By-law.

18.2. 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 a Temporary Connection to a Hydrant by a Consumer upon such terms and conditions and for a period to be determined by the Commissioner provided they have applied to the Region for a Permit and paid all necessary fees, as set out in the Water Rates and Charges By-law. Every Person shall comply with the conditions of the Permit.

18.3. In all cases the Hydrant shall have a Hydrant Meter installed thereon and be protected by an approved Backflow Prevention Device, which shall be the responsibility of the Consumer at their sole expense.

18.4. At no time shall a Consumer or any Person other than the Commissioner remove or relocate a Hydrant Meter.
19. **Installation, Maintenance and Relocation of Hydrants**


19.2. The **Commissioner** shall have the authority, through the **Development Process**, to establish standards for and to secure the provision of adequate **Hydrant** placement.

19.3. The **Commissioner** may require a **Hydrant** be relocated or replaced if found to not be in accordance with current **Regional Standards** or if it may cause an adverse effect to the **Drinking Water System**, at the sole cost of the **Owner**.

19.4. At the request of an **Owner**, the **Commissioner** may permit a **Hydrant** relocation in accordance with current **Regional Standards**, at the sole cost of the **Owner**.

19.5. Where a **Hydrant** has caused damage to the **Drinking Water System**, the cost of repair or replacement shall be at the sole cost of the **Owner**.

20. **Fire Protection and Municipal Use of Hydrants**

20.1. Each local municipality shall obtain a **Permit** for the use of a **Hydrant** connected to the **Drinking Water System** for fire protection, sewer flushing, street cleaning, and maintenance and shall use a **Hydrant Meter** for the purposes of recording consumption.

20.2. A local municipality shall only use a **Hydrant** specified by the **Commissioner**, and the locations may be amended from time to time at the discretion of the **Commissioner**. The **Commissioner** has the authority to revoke the use of the **Hydrant** at any time.

**WATER METERS**

21. **Water Meters**

21.1. Every **Private Service** connected to the **Drinking Water System** shall have a **Regional Water Meter** installed on each individual **Private Service**, except in the case of bulk metering as approved by the **Commissioner**.
21.2. The **Commissioner** shall determine the size of any **Regional Water Meter**, the manner of its installation, and any and all matters relating to the required piping and other appurtenances associated there with in accordance with current **Regional Standards**.

21.3. Unless otherwise specified by the **Commissioner**, all **Regional Water Meters** shall be owned and maintained by the **Region**.

21.4. No **Person**, except for an **Officer**, shall break, permit or cause to be broken a **Meter Seal** placed upon a **Regional Water Meter**.

21.5. In the event that a **Meter Seal** on a **Regional Water Meter** is discovered to have been broken by someone other than an **Officer** or a **Regional Employee** as authorized by the **Commissioner**, an **Officer** may cause an investigation to be made to determine whether there has been a contravention of this By-law.

21.6. A permanent connection to the **Drinking Water System** shall not be permitted until a **Regional Water Meter** is installed and is deemed operational to the satisfaction of the **Commissioner**.

21.7. A **Control Valve** shall be installed before the **Regional Water Meter** on the **Private Service** within each unit at the sole expense of the **Owner**. Where the **Region** provides for an upgrade of the **Regional Water Meter** through a program as approved by **Regional Council**, the **Control Valve** may be supplied or repaired as part of the installation, repair or maintenance of the **Regional Water Meter** as approved by the **Commissioner**. **Owner** responsibilities for maintenance, replacement and repair of the **Control Valve** shall be in accordance with section 22.6 and the **Region** shall not be liable for any damages which may arise as a result of a **Control Valve** failure or damage.

22. **Location and Maintenance Standards for Regional Water Meters**

22.1. At any **Property** where a **Regional Water Meter** is to be installed, the **Owner** shall provide space without any obstructions for such **Regional Water Meter** and **Remote Reader** in a location approved by the **Commissioner**, and the location shall be as close as practicable to the point where the Regional 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 **Building Code Act**.
22.2. When a **Regional Water Meter** or **Remote Reader** is deemed to be inaccessible, the cost to provide access, and any associated restoration is the responsibility of the **Owner**.

22.3. When a location for a **Regional Water Meter** or **Remote Reader** cannot be provided by an **Owner** to the satisfaction of the **Commissioner**, or conditions or circumstances change with respect to a **Regional Water Meter** installation within a building, the **Owner** shall at their complete and sole expense, have a **Meter Chamber** or above ground **Enclosure** constructed according to the current **Regional Standards**.

22.4. The **Owner** shall have a **Regional Water Meter** installed for use in accordance with the **Water Rates and Charges By-Law**, and located in a common area, or an area accessible at all times for reading, repairing, testing and replacing by the **Region**.

22.5. Every **Owner** shall ensure that **Valves** are fitted with proper handles and shall provide, install and properly maintain all **Valves** to, from and around the **Regional Water Meter**.

22.6. Every **Owner** shall maintain, replace and repair all plumbing including the **Control Valve**, **By-pass Valve**, piping, fittings, **Valves** and appurtenances to and from and around a **Regional Water Meter** in good working order and shall take all precautions necessary to prevent damage by frost, freezing, hot water, blows, injury or damage from any cause to the **Regional Water Meter**, unauthorized removal from the **Property** whether by theft or otherwise, at the **Owner's** expense. The **Region** shall not be liable for any damages which may arise from the thawing of a frozen **Regional Water Meter**.

22.7. Any **Private Water Meter** shall be installed on the **Private Service** after the **Regional Water Meter**.

22.8. The **Owner** shall be liable for all costs related to the repair, replacement, damage, freezing or leaking of any **Control Valve**, plumbing, piping, fittings, **Valves** or appurtenances thereto located on the **Private Service** and connected to the **Regional Water Meter**.

23. **Regional Water Meter Relocation**

23.1. Where a request is made by an **Owner** to relocate a **Regional Water Meter**, the location shall be approved by the **Commissioner** and no **Person** shall relocate the **Regional Water Meter** before such approval is granted by the **Commissioner**.
23.2. The **Regional Water Meter** shall be inspected and sealed by the **Region** to ensure conformance to **Regional Standards**.

23.3. Any costs related to the relocation of the **Regional Water Meter** shall be at the sole expense of the **Owner**.

24. **Regional Water Meter Reading**

24.1. The reading of the register of the **Regional Water Meter** shall be the sole evidence of the quantity of water supplied to a **Property** unless the **Regional Water Meter** is proven to be defective, following a proper calibration testing as authorized by the **Commissioner**.

**CROSS CONNECTION CONTROL AND BACKFLOW PREVENTION**

25. **Cross Connection Control & Backflow Prevention**

25.1. No **Person** shall connect, cause to be connected, or allow to remain connected to the **Drinking Water System** any piping, fixture, fitting, container or appliance, in a manner which under any circumstance, may permit **Backflow** into the aforementioned system.

25.2. The **Commissioner** shall provide evaluation, review and/or inspection of plans of all **Permits** and shall determine, when necessary, the type of **Backflow Prevention Device**, if any, to be required as a condition of the issuing of a **Permit** or for any connection to the **Drinking Water System**.

25.3. No **Person** shall remove, permit to remove or by-pass a **Backflow Prevention Device** or any part thereof after it has been installed.

25.4. If a **Backflow Prevention Device** must be removed to facilitate the repair of the device or **Private Service**, the **Service Valve** shall be in closed position, or the system shall be disconnected from the **Drinking Water System** to prevent backflow.

25.5. The **Region** shall not be liable for any damages which may arise as a result of failure, freezing or defective condition of a **Backflow Prevention Device**.

26. **Authorized Testers**

26.1. The **Commissioner** shall define and approve the duties of an **Authorized Tester** for the installation and testing of **Backflow**
Prevention Devices and the Cross Connection Control Program in the Authorized Functions List, and shall require an Authorized Tester to register with the Region on a basis as determined by the Commissioner.

26.2. All Authorized Testers shall obtain certification through an accredited school or college, in accordance with CSA B64 and shall maintain current certification and licensing with the appropriate certification association.

26.3. The Commissioner may suspend or revoke the Authorized Tester registration with the Cross Connection Control Program, if the Authorized Tester:

   i) fails to renew, submit or maintain the annual registration and the required annual documentation with the Region;

   ii) submits any false or misleading information; or

   iii) submits incorrect reports or installations of Backflow Prevention Devices.

26.4. The Commissioner may upon suspension, request the Authorized Tester successfully complete a testers refresher course as approved by the Commissioner, prior to any re-instatement to the Cross Connection Control Program as an Authorized Tester.

26.5. The Commissioner may, at their sole discretion forward all non-compliant Cross Connection Control Program registrations to the appropriate governing body.

27. Cross Connection Survey

27.1. Every Owner shall, at their complete and sole expense, have a Cross Connection Survey of the plumbing system of all existing Mixed-Use, I/C/I, and Multi-Residential buildings and structures, except buildings of Residential occupancies, conducted in accordance with the Building Code Act, by an Authorized Tester as described in the Authorized Functions List at the time of the Test Tag replacement, change of use, change of ownership or at any time as determined by the Commissioner.

27.2. The Cross Connection survey shall be completed with a report sent to the Commissioner within sixty (60) days of the date of the request by the Commissioner. The Cross Connection Survey report shall include existing Backflow Prevention
Devices and Cross Connections, corrective measures, recommendations, and a schedule of work to be completed.

27.3. If a deficiency or condition is found to exist which is contrary to this By-law, the Owner or other Person, shall, without delay take the action(s) required to meet the requirements of this By-law.

28. Backflow Prevention Devices

28.1. All I/C/I units shall be equipped with a Backflow Prevention Device installed on each individual service as determined and approved by the Commissioner.

28.2. All Multi-Residential bulk metered units, including stacked townhouse units, shall be equipped with approved Backflow Prevention Devices installed on each individual service.

28.3. In the case of a Mixed-Use unit with only one Private Service, a Backflow Prevention Device shall be installed on the Private Service.

28.4. In the case of Mixed-Use with more than one Private Service, the I/C/I portion of the unit shall be equipped with a Backflow Prevention Device as determined and approved by the Commissioner.

28.5. All lawn Irrigation Systems require the installation of a Backflow Prevention Device in accordance with the Building Code Act and CSA B64.

28.6. The requirements set out in sections 28.1 to 28.5 shall be the responsibility of the Owner of the Property at their complete and sole expense.

28.7. Backflow Prevention Devices shall be utilised by all vehicles that connect to Hydrants and these Backflow Prevention Devices shall be inspected on an annual basis.

28.8. All Backflow Prevention Devices and piping shall be tested, owned and maintained by the Owner and their sole expense.

28.9. The Owner shall take all precautions necessary to prevent:

i) damage by frost, freezing, hot water, blows, injury or damage from any cause to the Backflow Prevention Device and any appurtenances thereto; and
ii) the loss of the Backflow Prevention Device, where the same is removed from its premises without the consent of the Region, whether by theft or otherwise.

29. Backflow Prevention Device Installation and Testing

29.1. Every Owner shall ensure that all Backflow Prevention Devices be installed and tested annually in conformance with CSA B64 and the Building Code Act by an Authorized Tester and a copy of the testing and inspection report and fees shall be submitted to the Region by the Owner before activating a water service.

29.2. Every Owner shall ensure that Backflow Prevention Devices shall be inspected and tested annually, by an Authorized Tester as defined by the Commissioner at the expense of the Owner, upon installation, and thereafter as required by the Commissioner and reported to the Commissioner within twenty-eight (28) days of the test.

29.3. The Authorized Tester shall ensure that all equipment used to test a Backflow Prevention Device is in good working order, verified and calibrated for accuracy by the Authorized Tester.

29.4. The Authorized Tester shall ensure that all licencing required to perform the functions, as set out in the Authorized Functions List, on a Backflow Prevention Device are in good standing.

29.5. A Test Tag shall be displayed on or adjacent to the Backflow Prevention Device by the Authorized Tester whom shall record the address of the premises, the location, type, manufacturer, serial number and size of the device, the test date, the name, initials and license number of the Authorized Tester.

29.6. When the results of testing show that a Backflow Prevention Device is not in proper working condition or requires updating to meet Regional Standards, the Building Code Act or CSA B64, the Owner shall notify the Commissioner and shall make all necessary repairs or replace the device within ninety-six (96) hours, at the Owner's complete and sole expense.

30. Premises Isolation

30.2. Where, in the opinion of the Commissioner, a risk of possible contamination of the Drinking Water System exists, the Owner, on notice from the Commissioner, will be required to install a Backflow
Prevention Device for Premises Isolation and at the source of potential contamination at the sole expense of the Owner.

30.3. Any required Premises Isolation Backflow Prevention Devices and Zone/Area Protection shall be installed in accordance with Regional Standards, the Building Code Act and CSA B64.

31. Fire Systems

31.2. Any private fire system must incorporate a Backflow Prevention Device as determined and approved by the Commissioner and in accordance with all Regional Standards, Design Requirements, the Building Code Act and CSA B64.

31.3. All high rise buildings or any buildings which require the use of a booster pump shall incorporate a Double Check Valve Assembly located before the pump in order to protect the Drinking Water System.

AUXILIARY SOURCE OF WATER

32. Auxiliary Source of Water

32.2. The Commissioner may authorize the use of an Auxiliary Source of Water subject to such terms and conditions deemed necessary, and notwithstanding the generality of the foregoing may set a limit on the period of time for which an Auxiliary Source of Water may be used.

32.3. No Private Service is permitted to be connected inside a Property that is also connected to an Auxiliary Source of Water unless specifically approved by the Commissioner for purposes other than human consumption such as bona fide agricultural purposes, site remediation, site de-watering, irrigation, cooling, or manufacturing, or an emergency water supply for sensitive water users.

32.4. No Person who has been granted permission by the Commissioner to use an Auxiliary Source of Water shall allow that source of water, or any pipes or devices connected to said water source, to be connected to the Region's Drinking Water System.

32.5. Any Person who has been granted permission by the Commissioner to use an Auxiliary Source of Water shall install a Backflow Prevention Device in accordance with the Building Code Act and CSA B64.
33. Well Disconnection and Decommissioning

33.2. Any well that is not being used or maintained shall be decommissioned in accordance with O. Reg. 903 of the Ontario Water Resources Act, and any future amendments thereto. Furthermore, the piping from the private well is to be disconnected.

34. Bulk Water Stations

34.2. The Region may provide for the bulk sale of water from its metered bulk water stations to approved bulk water users as determined by the Commissioner.

34.3. Owners, Consumers and operators, as applicable, of a water hauling truck shall take appropriate measures to protect the water, the water tank, and any equipment and connections from contamination during filling, storage, transportation, and delivery of the bulk water.

34.4. Owners, Consumers and operators shall pay all fees related to bulk water in accordance with the Water Rates and Charges By-law.

OFFENCES, ENFORCEMENT AND PENALTIES

35. Offences

35.1. No Person shall:

i) hinder, obstruct, refuse entry or interrupt, or cause or permit to be hindered or interrupted, the Region, Regional Employee or any of its authorized officers, contractors, agents, servants or workers in the exercise of any of the powers conferred by this By-law;

ii) let off or discharge water so that water runs waste or useless from the Region’s Drinking Water System;

iii) alter, remove or bypass, or cause or permit to be altered, removed or by-passed any Backflow Prevention Device or Regional Water Meter;

iv) transfer a Permit or agreement for any works related to the connection to, or supply of, water from the Drinking Water System without the approval of the Commissioner;
v) without lawful authority, open or close any **Hydrant**, **Valve** or chamber connected to the **Drinking Water System**, or obstruct the free access to any **Hydrant**, 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;

vi) obstruct access by **Regional Employee** to any part of the **Region’s Drinking Water System**;

vii) deposit any injurious, noxious, noisome or offensive matter and substances that are considered to be toxic as defined in Section 64 of the **Canadian Environmental Protection Act, 1999 (CEPA 1999)** into the water or **Drinking Water 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 **Drinking Water System**, the pipes or water, or encourage the same to be done;

viii) alter, cause or permit to be altered any **Regional 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;

ix) lay or cause or permit to be laid any pipe or main to connect with any pipe or **Watermain** of the **Drinking Water System**, or in any way tap into or obtain the use of the water without the written consent of the **Commissioner**;

x) place or cause to be placed any material including snow, ice, trees, shrubs, plants, fences, berms, or other obstruction or vehicle of any kind whatsoever that obstructs access to a **Hydrant**;

xi) 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**;

xii) fail to notify the **Commissioner** immediately of any damage caused to the **Drinking Water System**.

36. **Orders**

36.1. If an **Officer** is satisfied that a contravention of this By-law has occurred, they may make an Order requiring the **Person** who contravened this By-law or who caused or permitted the contravention,
or the Owner of the Property on which the contravention occurred to discontinue the contravening activity.

36.2. An Order under subsection 36.1 shall set out:

i) reasonable particulars of the contravention adequate to identify the contravention and the location of the Property on which the contravention occurred; and

ii) the date by which there must be compliance with the Order, which may be of immediate effect should the Officer determine that the circumstances warrant.

36.3. If an Officer is satisfied that a contravention of this By-law has occurred, they may make an Order requiring the Person who contravened this By-law or who caused or permitted the contravention or the Owner of the Property on which the contravention occurred to do the work to correct the contravention.

36.4. An Order under subsection 36.3 shall set out:

i) reasonable particulars of the contravention adequate to identify the contravention and the location of the Property on which the contravention occurred; and

ii) the date by which there must be compliance with the Order, which may be of immediate effect should the Officer determine that the circumstances warrant; and

iii) the work to be completed which may include but is not limited to requiring that:

a. prior to performing any work, all necessary permits or other approvals be applied for and obtained;

b. a Cross Connection Survey Form be completed;

c. a Backflow Prevention Device be installed;

d. a Backflow Prevention Device be tested;

e. a Backflow Prevention Device be repaired;

f. a Backflow Prevention Device be replaced;
g. a legible test report be submitted to the Region for approval;

h. a Test Tag be applied to a Backflow Prevention Device;

i. arrangements be made for the shutting off of the supply of water from the Drinking Water System until the work ordered to be done is completed;

j. an Illegal Connection or by-pass be removed; and

k. a disconnection of Private Service that is dormant or extraneous.

36.5. An Order to discontinue a contravening activity made under subsection 36.1 or an Order to do work made under subsection 36.3 may be served personally or by registered mail to the last known address of:

i) the Person the Officer believes contravened this By-law; and

ii) such other Persons affected by the Order as the Officer making the Order determines.

36.6. Service by registered mail shall be deemed to have taken place five (5) business days after the date of mailing or on the date of personal delivery.

36.7. An Officer who is unable to effect service of an Order pursuant to this By-law shall place a placard containing the Order in a conspicuous place on the Property and the placing of the placard shall be deemed to be sufficient service.

36.8. Where service cannot be given in accordance with subsections 36.5 and 36.6, sufficient service is deemed to have taken place when given in accordance with subsection 36.7.

36.9. No Person shall remove an Order, notice, direction or placard posted on a Property indicating that it was posted under this By-law, except an Officer.

36.10. Where a time frame is set out in an Order for carrying out any action, the Officer may extend the time for compliance beyond the established time frame provided such extension is required and is acceptable to the Officer.
36.11. Where a Person does not comply with a direction or a requirement, including an Order, under this By-law to do a matter or thing, the Officer, with such assistance by others as may be required, may carry out such direction, requirement or Order at the Person’s expense.

36.12. The Region may recover the costs of doing a matter or thing under subsection 36.11 by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes and such costs shall include an interest rate of fifteen (15) percent commencing on the day the Region incurs the costs and ending on the day the costs, including the interest, are paid in full.

36.13. A Person who has been served with an Order and who is not satisfied with the terms and conditions of the Order may appeal to the Commissioner by sending a notice of appeal by registered mail or personal delivery to the Commissioner within fourteen (14) days after being served with the Order.


36.15. An Order under this By-law that is not appealed within the time referred to in section 36.13 shall be deemed to be final.

37. Enforcement

37.1. The enforcement of this By-law shall be conducted by an Officer.

37.2. An Officer may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the By-law is complied with.

37.3. No Person shall hinder or obstruct, or attempt to hinder or obstruct, any Officer exercising a power or performing a duty under this By-law.

37.4. Every Person who is alleged to have contravened any of the provisions of this By-law, shall identify themselves to an Officer upon request, failure to do so shall be deemed to have hindered or obstructed an Officer in the execution of their duties.

37.5. Without limiting the generality of subsections 36.1 to 37.4, where the Commissioner has determined, in their sole discretion, that an immediate threat of contamination in the Region’s Drinking Water System exists that can endanger public health and safety, the Commissioner may shut off the water supply to the Property or any
building or structure thereon, until the threat of contamination has been eliminated.

38. Penalties

38.1. Every Person who contravenes any provision of this By-law or an Order issued pursuant to this By-law or every director or officer of a corporation, who knowingly concurs in the contravention by a corporation is guilty of an offence and upon conviction is liable to:

i) on a first offence, to a fine not more than $50,000.00;

ii) on a second offence and each subsequent offence, to a fine of not more than $100,000.00; and

iii) in the case of continuing offence, for each day or part of a day that the offence continues, the maximum fine shall be $10,000.00 per day for every day in contravention and the total of all daily fines for the offence is not limited to $100,000.00.

38.2. Every Person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, c. P. 33, as amended.

38.3. If a Person is convicted of an offence under this By-law, the court in which the conviction has been entered and any court of competent jurisdiction may, in addition to any other remedy and to any penalty imposed, make an Order prohibiting the continuation or repetition of the offence by the Person convicted.

38.4. Each day that a Person contravenes any provision of this By-law constitutes a separate offence.

WATER RATES AND CHARGES


39.1. All Consumers of water shall be charged in accordance with the rates and charges fixed and set forth in the Water Rates and Charges By-law.

39.2. 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.
39.3. Any **Consumer** who fails to take all precautions necessary to prevent damage by frost, hot water, blows, injury or damage from any cause to the **Regional Water Meter** and any appurtenances shall be liable for any associated restoration costs.

39.4. Until such time as a **Consumer** provides written notice to the **Commissioner** of their desire to discontinue the use of the **Drinking Water System** and the **Drinking Water System** is in fact disconnected (service capped and water meter removed by the Region) at the Consumer's expense as set out in **Water Rates and Charges By-law**, the rates and charges as prescribed in the **Water Rates and Charges By-law** shall continue to be charged to the **Consumer** by the **Region**.

39.5. The reading of the register of the **Regional Water Meter** shall be the sole evidence of the quantity of water supplied to a **Property** unless the **Regional Water Meter** is proven to be defective, following a proper calibration testing as authorized by the **Commissioner**. If the **Regional Water Meter** is shown by the test to measure the flow of water above the American Water Works Association specifications, the fee will be refunded and the Consumer’s water bill will be adjusted by the amount determined by the Commissioner of Finance. If a water meter is shown by the test to measure the flow of water within or below the American Water Works Association specifications, the test fee will not be refunded to the **Consumer**.

39.6. Where a **Regional 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 Finance and the **Consumer** shall be liable for any and all charges based on this estimate.

39.7. In making any such estimate, the **Region's** Commissioner of Finance shall give due consideration to consumption records for the **Property** made prior to the failure or removal of the **Regional Water Meter** and shall in addition, give due consideration to consumption records for the **Property** made following the installation of an accurate **Regional Water Meter**.

39.8. Any **Consumer** who fails to report to the **Region** that a **Regional Water Meter** has not been installed or has been altered, tampered with, or by-passed, shall be retroactively charged for the estimated quantity of water consumed to the date of installation of the hydroelectric meter at the water rate then in effect.
39.9. Where any consumption of water supplied to a Property by the Region is not properly recorded, the Region’s Commissioner of Finance 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 and Charges By-law, as the basis for any such estimate.

39.10. 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 Finance or their 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.

39.11. The Region shall not accept an Application for a connection to the Drinking Water System 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.

39.12. In the event that:

i) 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 mail and/or electronic mail advising that the amount has been added to the tax roll and may be collected in the same manner as taxes; If the amount has been added to the tax roll the Consumer may be subject to additional administrative fees levied by their local municipality.

ii) 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 Commissioner of Finance by mail and/or electronic 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.

39.13. 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 and Charges By-law and such fees shall be added to any outstanding account for metered water rates.

GENERAL

40. Appendices

40.1. Appendix “A” shall form part of this By-law.

41. Severability Clause

41.1. Should any provision, or any part of a provision, of this bylaw be declared invalid, or declared to be of no force and effect by a court of competent jurisdiction, it is the intent of Council that such a provision, or any part of a provision, shall be severed from this bylaw, and every other provision of this bylaw shall be applied and enforced in accordance with its terms to the extent possible according to law.

42. Legislation

42.1. Any reference in this By-law to any statutes, regulations or by-laws shall be deemed to be a reference to such statutes, regulations or by-laws, as amended, restated or replaced from time to time.

43. Authorization

43.1. Where an individual is authorized to do any act pursuant to this By-law, such act may be done by such individual’s authorized designate.
44. Repeal, Short Title and Effective Date

44.1. By-laws No. 131-10, as amended, and 61-11, are hereby repealed.

44.2. The short title of this By-law is the “Drinking Water System By-law”.

44.3. This By-law comes into force on the day it is passed.

READ and PASSED this 10th day of July, 2019.

________________________________________
REGIONAL CHAIR

________________________________________
REGIONAL CLERK

Report No. PW-27-19
# Appendix "A"

## Cross Connection Control Program

### Authorized Functions List

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<th>Certified Engineering Technologist with Tester's License</th>
<th>Licensed Master Plumber with Contractor's and with Tester's License</th>
<th>Journeyman Plumber or Pipe Fitter with Tester's License</th>
<th>Apprentice Plumber or Pipe Fitter with Tester's License</th>
<th>Licensed Halton Staff with Tester's License</th>
<th>Fire System Sprinkler Fitter with Tester's License</th>
<th>Lawn Irrigation System Installer with Tester's License</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Perform Cross-Connection Survey</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>B</td>
<td>Install relocate or replace a backflow prevention device</td>
<td></td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C</td>
<td>Repair of backflow prevention device4</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D</td>
<td>Test backflow prevention device5</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
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<tr>
<td>E</td>
<td>Items A, B, C and D above in relation to fire protection systems</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>F</td>
<td>Items B, C and D above in relation to lawn sprinkler systems</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

1. Required to be under the direction of a professional engineer
2. Required to be employed by a licensed plumbing contractor.
3. Required to be employed by a licensed plumbing contractor and under direct supervision of a journeyman plumber or a master plumber.
4. Water Distribution Operator or In-house maintenance staff is permitted to perform repairs, if they have a tester's licence.
5. Anyone with a tester's licence as per CAN/CSA-864-10, as amended, is permitted.