

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW NO. 24-092

BEING a By-law to enact rules and regulations for the maintenance and operations of, and connection to, a system of water works in the Town of Almonte and providing penalties for violations thereof;

WHEREAS the Municipal Act, s.o. 2001, c. 25, Section 11(1), provides that a Municipality may provide any service or thing that the Municipality considers necessary or desirable for the public;

AND WHEREAS Section 11(2) of the Municipal Act, s.o. 2001, c. 25, states that a Municipality may pass By-laws, respecting services and things that the Municipality is authorized to provide under subsection (1);

AND WHEREAS Section 11(3) of said act states that a Municipality may pass By-laws, respecting matters within the following spheres of jurisdiction: public utilities, highways, and drainage and flood control;

AND WHEREAS Section 83 of said act states that a Municipality may, as a condition of supplying or continuing to supply a public utility, require reasonable security be given for the payment of fees and charges for the supply of the public utility or for extending the public utility to land;

AND WHEREAS Section 391 of said act states that a Municipality is authorized under sections 9,10, and 11 to impose fees or charges on persons for services or activities provided or done by or on behalf of it, and for the use of its property including property under its control.

Now the Council of the Municipality of Mississippi Mills enacts as follows:

SHORT TITLE OF BY-LAW

This By-law may be referred to or cited as the "Water Works By-law".

1. Definitions

1.1. “Attached Additional Residential Unit” means a separate residential unit within a building or structure attached to or made as an addition to a detached house, semi-detached house or Row Dwelling.

1.2. ‘Emergency Work’ is any maintenance, repair, shut off, excavation, exposing or removal of any part of the water distribution system, including both publicly and privately owned portions, where the Director believes it is necessary to ensure the safety of the public and the continued operation of the water distribution system.

1.3. “Building Code Act” shall mean the Ontario Building Code Act, 1992, S.O. 1992, c. 23, as amended, and its regulations, as amended.

1.4. “Building Control Valve” shall have the same meaning as in the Ontario Building Code.

1.5. “Bulk Water” is potable water sold to Bulk Water Haulers registered with the Municipality to receive water from designated Bulk Water valves which are part of the Municipal Water Distribution system.

1.6. “Bulk Water Hauler” shall mean a Person or company employed in the transport or use of Bulk Water.

1.7. “Curb Stop Valve” or “Service Isolation Valve” shall mean the valve located on a Water Service used for the purpose of controlling the flow of water supplied from the Municipal Water Distribution System to the Premises served by the Municipal Water Distribution System.

1.8. “Detached Additional Residential Unit” means a residential unit in a building or structure ancillary to a detached dwelling, Semi-detached Dwelling or Row Dwelling.

1.9. “Approved Service Provider” shall mean a Person or company whose qualifications and experience have been validated by the Municipality and who has been approved by the Director.

1.10. “Director” shall mean the Director of Roads and Public Works, the person designated by the Municipality to perform the tasks of the Director of Roads and Public Works or an authorized representative of the Director of Roads and Public Works.

1.11. “Drinking Water System” has the same meaning as in the Safe Drinking Water Act, 2002, as amended, and includes the Water Meter.

1.12. “Flushing” shall mean the periodic release of water from a point within the water distribution system from a valve.

1.13. “Inspection” shall mean,

1.13.1. An audit,

1.13.2. Physical, visual or other examination,

1.13.3. Survey,

1.13.4. Test,

1.13.5. Inquiry, or

1.13.6. Any other examination deemed necessary by the Director in his or her sole discretion.

1.14. “Land” includes all buildings or any part of any existing building and all structures, machinery and fixtures erected or placed upon, in, over, under or affixed to land, and in the case of utility service providers and the Municipality, shall not include machinery, whether fixed or not, nor the foundation on which it rests, work structures other than buildings, substructures, poles, towers, lines, nor any of the things exempted from taxation, nor any Easement or the right, use or occupation or other interest in land not owned by such utilities.

1.15. “Meter Pit” shall mean a cavity in the ground which is protected from frost and all weather conditions where a Water Meter may be safely placed. The cavity must be accessible from the grounds surface via a lid or cover which shall be easily removed for the purposes of meter reading and Inspection.

1.16. “Municipality” shall mean the Corporation of the Municipality of Mississippi Mills.

1.17. “Municipal Water Distribution System” shall mean the part of the Municipal Drinking Water System that is used in the distribution and supply of water up to the Property Limit of Premises in the Town of Almonte.

1.18. “Occupant” includes an Owner of Land or Premises where that Owner resides or carries on a business within the Land or Premises, and includes any Person or corporation residing or carrying on a business within the Land or Premises either as a lessee or licensee.

1.19. “Ontario Building Code” means the in-effect version of the Ontario Building Code enacted under the Building Code Act, 1992, S.O. 1992, c. 23, as amended, and its regulations, as amended.

1.20. “Order” shall mean an order issued by the Municipality under the authority of section(s) 444, 445, and 446 of the Municipal Act, 2001, S.O. 2001, c.25, as amended from time to time.

1.21. “Owner” shall mean a Person who has any right, title, estate, or interest in Land or Premises, other than that of only an Occupier and, where the Person is a corporation, shall include the officers, Directors and shareholders of that corporation, and shall include any Person with authority or power over or control of that Land or Premises on behalf of an Owner, and an Owner includes a developer.

1.22. “Permit Holder” shall mean the Person to whom a Water Works Permit has been issued, or with whom an agreement has been signed, authorising the installation, repair, renewal, or removal of water works or connection to a Watermain in accordance with the terms and conditions of the permit or agreement.

1.23. “Person” shall mean an individual, association, partnership, corporation, Municipality, provincial or federal agency or any agent or employee thereof.

1.24. “Plumbing” shall mean a drainage system, a venting system, and a water system or parts thereof.

1.25. “Premises” or “Premise” means a separately assessed parcel of land.

- 1.26.** “Private Water Service” shall mean the pipes and fixtures used for the purpose of supplying any Premises in the Municipality with water from the Municipal Water Distribution System established by the Municipality and situated between Property Limit and the Building Control Valve located on said Premises.
- 1.27.** “Private Water Supply” includes but it is not limited to Private Watermains, Private Water Services, private water wells, private hydrants and fittings.
- 1.28.** “Private Watermain” means the installed water pipe, including the connection to the Municipally operated Watermain, which Private Water Services can be taken and which are used to distribute water within a Private Water Supply.
- 1.29.** “Property Limit” shall mean the location where a Water Service Connection ends and a Private Water Service starts. The location of the Property Limit shall be the lesser of the following two distances. The distance between the Watermain and the Curb Stop Valve or the distance between the Watermain and the legal property line as determined by the Municipality.
- 1.30.** “Registered Easement” or “Easement” shall mean an agreement where an Owner provides the legal right to another Person to use the Owners property in some way.
- 1.31.** “Semi-detached Dwelling” means one of a pair of attached single dwelling units constructed for permanent use with a party wall or fire wall dividing the pair of dwelling units vertically, each of which has an independent entrance either directly from the outside or through a common vestibule.
- 1.32.** “Row Dwelling” means a building that is divided vertically by party or fire walls into three or more dwelling units each of which has independent entrances to a front or rear yard immediately abutting the front and rear walls of each dwelling unit.
- 1.33.** “Water Works Permit” shall mean approval by the Municipality authorizing the Permit Holder to connect to the Municipal Water Distribution System in accordance with the terms and conditions set out in the permit and this By-law.
- 1.34.** “Watermain” shall mean every water pipe, except Water Services and portions of Private Watermains as herein defined, owned and operated by the Municipality.
- 1.35.** “Water Meter” shall mean a Water Meter supplied by the Municipality that is used to measure the amount of Municipally supplied water to a Premise.
- 1.36.** “Water Service Connection” shall mean the pipes and fixtures used for the purpose of supplying any Premises in the Municipality with water from the Municipal Water Distribution System and situated between the watermain and the Property Limit.
- 1.37.** “Water Service” shall mean a potable water pipe of any size, tapped or teed from a Watermain to a building.
- 1.38.** “Water Trickling” shall mean the practice of opening a valve such as a faucet within a building or Premise to continuously release a small volume of water to prevent the freezing of water within the Water Service supplying water to the building or Premise.

2. Power of entry and property access

2.1. Inspection Powers

The Director or any Person designated by them may, at all reasonable times, enter onto any Land on which the Municipality supplies drinking water for the following purposes:

2.1.1. To install, inspect, repair, alter, or disconnect any pipe, wire, machinery, equipment or other work used to supply drinking water to the building, Premises or Land;

2.1.2. To inspect, install, repair, replace or alter a Water Meter; or

2.1.3. To determine if this By-law, an Order, or condition of a Water Works Permit is being complied with.

2.2. Reduce supply of water

For the purpose of carrying out an installation, Inspection, repair, disconnection or other work the Municipality may shut off or reduce the supply of water to any building, Premises or Land.

2.2.1. Where the Municipality has shut off or restricted the supply of water under the provisions of this By-law, the Municipality shall restore the supply of water as soon as practicable upon the completion of the required work.

2.3. Entry on Land – discontinue supply

If an Owner discontinues the use of a water supply, or the Municipality decides to cease the supply of water to any building, Premises or Land, the Municipality may enter onto the Premises:

2.3.1. To determine whether the supply of water is being used lawfully;

2.3.2. To remove any property of the Municipality; and

2.3.3. To shut off the supply of water.

2.4. Access to dwellings

The Municipality shall not enter a place being used as a dwelling unless:

2.4.1. The consent of the Owner or Occupant is first obtained, ensuring the Owner or Occupant is first advised that entry may be denied;

2.4.2. A warrant issued under Section 158 of the Provincial Offences Act, as amended, is obtained;

2.4.3. A warrant issued under Section 439 of the Municipal Act, 2001 as amended, is obtained;

2.4.4. A warrant issued under subsection 386.3 of the Municipal Act, 2001 as amended, is obtained;

2.4.5. An Order issued under Section 438 of the Municipal Act, 2001, as amended, is obtained;

2.4.6. The delay necessary to obtain a warrant or the consent of the Owner or Occupant would result in the immediate danger to the health and safety of any Person; or

2.4.7. The Municipality has given appropriate notice pursuant to section 435 of the Municipal Act and entry is authorized under section 446.

2.5. Entry on Land – notice requirements

Whenever a Person designated by the Director exercises a power of entry pursuant to this By-law, the designated Person shall:

2.5.1. Provide reasonable notice of the proposed entry to the occupier of the Land by personal or prepaid mail or by posting the notice on the Land in a conspicuous place for three consecutive days prior to entry;

2.5.2. Where the proposed entry is an Inspection authorized by Sections 2.1 or 2.3, the designated person must provide notice by means of personal service only;

2.5.3. Where the proposed entry is for the purpose of reading a water meter which has a read out device which is located on the exterior of a building the inspector is exempt from section 2.5.1.

2.5.4. In so far as practicable, restore the Land to its original condition where any damage is caused by the Inspection except where damages are caused during the reading of an exterior Water Meter.

2.6. Entry on Land – denied access – water shut off

Where a Person designated by the Director is denied entry to any building or Land, pursuant to this By-law, and the Director has reason to suspect that a provision or provisions of this By-law, an Order, or a condition of a Water Works Permit is being contravened on a Premise, the Director may:

2.6.1. Post a notice on the Premise where access was denied stating that access must be provided within 14 days of the posting of the notice, and if access is not provided the water supply to the Premise will be shut off, and

2.6.2. Shut off the water to the building or Land if access is not provided within 14 days of the notice being posted.

3. Water Meters and billing

3.1. Metering Requirements:

3.1.1. All Water Services shall be metered unless otherwise permitted by the Director and Municipal Treasurer.

3.1.2. All water drawn from the Municipal Water Distribution System, except water used for fire fighting purposes, shall pass through a Water Meter supplied by the Municipality for use upon such Premises that the Water Meter is installed.

3.1.3. All Water Meters shall be supplied and installed by Persons authorized by the Municipality.

3.1.4. Where a Water Meter cannot conveniently be placed inside a building, it shall be placed in a Meter Pit, the location and construction of which shall be approved by the Director.

3.1.5. Only one (1) Water Meter shall be installed on any Premises unless the following applies:

- a. Where an existing or proposed building on a Premise is a Semi-detached Dwelling or Row Dwelling, the number of Water Meters that may be installed shall be equal to the number of Water Services installed on the Premise; or
- b. Where Detached Additional Residential Units are located on a Premise, one additional Water Meter may be installed for each Detached Additional Residential Unit on the Premise; or
- c. Where Attached Additional Residential Units are located on a Premise, one additional Water Meter may be installed for each Attached Additional Residential Unit on the Premise; or
- d. Where Written permission from the Director is obtained which states the number of Water Meters which may be installed over the set limit; or
- e. Where the installation of any Water Meters, which exceeds the allowed amount, was completed prior to the date of passing of this By-law.

3.2. Responsibility for costs – Installation and resizing

The Owner of the Land or Premises on which a Municipal Water Meter is to be located shall:

- 3.2.1. Pay the fee in accordance with the Municipal Fees and Charges By-law for the supply and installation of the Water Meter, prior to its installation;
- 3.2.2. Pay the cost of altering, relocating, resizing or replacing a Water Meter upon voluntary request;
- 3.2.3. Pay the cost of Plumbing required as a result of resizing the Water Meter;
- 3.2.4. Pay the cost of installing, replacing, or repairing any damaged, missing or stolen component of a Water Meter.

3.3. Conditions on supply of water – Meter

As a condition of receiving water supply from the Municipality the Director may:

- 3.3.1. Determine the location that a Water Meter is to be installed;
- 3.3.2. Drill holes and install new hardware for the purpose of installation, relocation and maintenance of the Water Meter;
- 3.3.3. Upon prior notice, enter upon a Premises for the purpose of installing, relocating, replacing, repairing or inspecting the Water Meter, without the Owner being present at the time of the visit if there is an adult eighteen years or older present to provide access;
- 3.3.4. Require a Water Meter either to be tested on site or removed for testing by a Person authorized by the Director at the discretion of the Municipality;
- 3.3.5. Require a Water Meter to be replaced or relocated;

3.3.6. Inspect Land or Premises prior to supplying water to determine if a site is suitable for the installation, reading, maintenance and repair of a Water Meter and related works; and

3.3.7. Inspect an installation at any time to ensure it meets approved or modified drawings and require an Owner to remedy any deficiencies.

3.4. Responsibilities of Owner

Despite any other provision of this By-law, every Owner and Occupant shall:

3.4.1. Provide a suitable site for the installation of the Water Meter near the Building Control Valve, to the satisfaction of the Director and in accordance with Municipal Standards;

3.4.2. Provide a properly valved and sealed bypass around the Municipal Water Meter, at the Owner or Occupant's sole expense, only when required by the Director;

3.4.3. Ensure that the Municipality has clear and ready access at all times to meter areas and Water Meters;

3.4.4. Ensure the safe keeping of any Water Meter that is installed on the Land or Premises;

3.4.5. Protect the Water Meter, valves, pipes, and any other related appurtenances located on the Premises;

3.4.6. Make repairs to facilitate the removal or testing of the meter if, in the opinion of the Municipality, the condition of the Water Service pipe, valves or of the Plumbing system on such piping is in such condition that the Water Meter cannot be safely removed for the purpose of replacing, repairing or testing without fear of damage to the Water Service pipe, valves or Water Meter;

3.4.7. Notify the Director within 24 hours if the seal on a by-pass valve or Water Meter is broken; and

3.4.8. Notify the Municipality immediately if any leaks develop at the Water Meter or its couplings. The Municipality is not liable for damage caused by such leaks.

3.5. Testing

3.5.1. A Water Meter will be removed and tested upon request by an Owner. If the Water Meter is found to register correctly or not in excess of 3% in favour of the Municipality, a fee for removing and testing of the meter and all costs incurred by the Municipality for testing the meter will be paid by the Owner who requested such test. Said fee shall be of the amount stated in the Municipal Fees and Charges By-law.

3.5.2. If a Municipal Water Meter, when tested, is found to register in excess of 3% in favour of the Municipality, a refund will be made to the Owner of an amount equal to such excess percentage of the water rates paid for the two months prior to the testing of said meter. Provided, however, that no reduction shall be made which will reduce the water rates for the two months prior to testing of such meter below the minimum water rates fixed by Council.

3.6. Replacement

3.6.1. Where a Water Meter fails to correctly register the amount of water passing through it or if the meter is defective, becomes defective, leaks, or generally fails to operate as intended, and it has not been tampered with or damaged in any way by the Owner or Occupant then the Municipality shall replace the Water Meter and cover the cost of such replacement.

3.7. Reading meter - Access

The Municipality and Persons authorized by the Municipality shall be allowed access to the Premises and be provided free and clear access to the Water Meter at all reasonable times for the purpose of meter reading, at the discretion of the Municipality.

3.8. Interference with meter – Reclamation of costs

No Person, other than Persons authorized by the Municipality for that purpose shall be permitted to open, or in any way whatsoever to tamper with any Water Meter, or with the seals placed thereon, or do any manner of thing which may interfere with the proper registration of the quantity of water passing through such Water Meter, and should any Person change, tamper with or otherwise interfere, in any way whatsoever, with any Water Meter placed in any building or Premises, the Municipality may shut off the water to such building or Premises, and the water shall not be again turned on to such building or Premises without the express consent of the Director.

3.8.1. Where a Person has tampered with a Water Meter such that it registers less water than what is being supplied by the Municipality, then the Owner of the Premise where the Water Meter is located shall pay an amount equal to that of the estimated actual water usage as determined by the Director.

3.9. Unauthorized by-pass of meter – Prohibition

No person shall install any plumbing which could allow water to by-pass the Water Meter and if a condition is found to exist where a by-pass is possible the Director may issue an order to the Owner of the premise to correct the Plumbing such that it is compliant with this By-law.

3.10. Non-functioning meter – Amount of water estimated

If, for any cause, a Water Meter fails to register the amount of water used, then the amount of water used, and the associated fees and charges will be determined as per the Municipal Water and Sewer Rates By-law.

3.11. Reading on meter is paramount

Where the Water Meter is equipped with a remote read-out unit of any type and a discrepancy occurs between the reading at the register of the Water Meter itself and the reading on the readout device, the Municipality will consider the reading at the Water Meter to be correct and will adjust and correct the Owner's account accordingly.

3.12. Billing interval

Billings for all metered connections shall be set by Council in the Water and Sewer Rates By-law.

3.13. Collection of charges for service – Water supply shut off

All sums charged for water supplied, or for expenses incurred, by the repair of Private Water

Services, meters, fixtures and all other appliances connected with the Water Service or for damage to the same shall be charged to the Owner of the Premises. If for any reason charges for water rates cannot be collected from the Owner, of the Premises, for a continuous period of 6 months, the water supply shall be shut off by the Municipality. No application for water supply for such Premises shall be approved by the Municipality, notwithstanding that the ownership of the said Premises shall have changed, until such sums and other charges have been paid in full to the Municipality.

3.14. Responsibility for costs – Water used

3.14.1. All water passing through a Water Meter will be charged for whether used or wasted.

3.14.2. The Owner of Premises is liable for all water charges for water used regardless of whether they are responsible for the water used.

3.14.3. Where charges for water rates cannot be collected from the Owner, of a Premises the Municipality shall collect the water charges in a like manner as taxes.

3.15. Private Water Meters

The Municipality will not supply, install, inspect or read Private Water Meters, nor will the Municipality bill consumption on Private Water Meters. Water supply pipes to Private Water Meters shall only be connected to the Owner's Plumbing on the outlet side of the Municipal Water Meter.

3.16. Water rates

3.16.1. The water rates charged by the Municipality for water supplied through the Water Services and Private Water Services shall be those set by Council in the Water and Sewer Rates By-law.

3.16.2. A service charge shall be levied for turning on or shutting off any Water Service and such charge shall be set by Council from time to time in the Municipal Fees and Charges By-law.

3.16.3. A consumer, for the purpose of payment and the supply of water, shall be deemed to be the Owner of the Premises and in the event of a tenant or other Occupant, the registered Owner shall be liable for the water rates and charges.

3.17. Replacement of Water Meter – Opt out conditions

Where the Director has notified an Owner that their Water Meter is scheduled to be replaced with a remote read meter the Owner may choose to opt out of the replacement of the Water Meter under the following conditions:

3.17.1. The Owner fills out and submits a form to the Municipality and receives approval to opt out of the water meter replacement; and

3.17.2. The Owner agrees to pay an annual fee for the use of a non remote read water meter as defined in the Municipal Fees and Charges By-law; and

3.17.3. The Owner agrees to provide a report on the last day of each month to the Municipality by means of a phone call, mail, electronic mail, or survey of the read out on the water meter; and

3.17.4. The Owner acknowledges and agrees that if they fail to provide the Municipality with reports of the meter reading for two consecutive months then the Municipality will complete the reading of the meter and charge the Owner a fee in accordance with the Municipal fees and charges By-law; and

3.17.5. The Owner acknowledges and agrees that if the Water Meter reading reports provided to the Municipality are incorrect then the Municipality will determine the difference between the reports provided and the actual water usage and charge the Owner for the unreported water usage.

4. General Water Service regulations and prohibitions

4.1. Number of connections

Only one (1) Water Service shall be installed on any Premise except where one of the following applies:

4.1.1. Where an existing or proposed building on a Premise is a Semi-detached Dwelling, two (2) Water Services may be installed such that each half of the Semi-detached Dwelling receive one (1) water service.

4.1.2. Where an existing or proposed building on a Premise is a Row Dwelling, the number of Water Services permitted shall be equal to the number of units contained within the Row Dwelling and the services shall be run such that each unit receives one Water Service.

4.2. Water Services through multiple Premises - Easements

4.2.1. A Registered Easement shall be obtained prior to the installation of a Water Service to any Premise in, or over, or across another Premise or Land which is under separate Ownership.

4.2.2. At the sole discretion of the Municipality a proposal for a service which runs across multiple Premises may be denied.

4.2.3. Where a Premise is supplied with water through a water service which runs across multiple Premises with different Owners the Municipality may at the sole discretion of the Municipality require that an easement be obtained from the Owners of the Premises in which the water service crosses.

4.3. Water use restrictions – Emergency

The Director may require that every water user limit their use of water to as little as reasonably practicable or to discontinue the use of water entirely during an emergency situation where in the opinion of the Director there is a direct threat to the safety or operation of the Municipal Drinking Water Supply or Municipal Drinking Water System.

4.4. Water use restrictions – Removal – Sale

4.4.1. Water supplied to a Premise shall not be removed from the Premise by any Owner or Occupant and used at any location other than the Owner or Occupant's Premise or for any use or benefit other than to the Owner or Occupant.

4.4.2. No Person shall, without the consent of the Municipality rent, sell or dispose of any water supplied by the Municipality or give away or permit the same to be carried away or used or apply such water to the use or benefit of any other Person.

4.5. Water use restrictions – External use of water

4.5.1. The following restrictions on the use of water outside of any building shall apply to all Premises which receive water from the Municipal Water Distribution System:

- a. Between the first day of May and the last day of September in any year, the external use of Municipally supplied water is permitted:
 - i. on even calendar dates at Premises with Municipal addresses ending with the numbers 0, 2, 4, 6, 8;
 - ii. on odd calendar dates at Premises with Municipal addresses ending with numbers 1, 3, 5, 7, 9;
 - iii. only during the time periods of 5:00am to 9:00am and 7:00pm to 11:00pm on the day permitted for the external use of water.
- b. When deemed appropriate by the Director, further restrictions on, or a complete ban prohibiting the external use of water shall be put into effect and shall remain in effect until the Director lifts the ban. Notice of further restrictions or a complete ban prohibiting the external use of water will be provided via a post on the Municipal website and social media and other methods as determined by the Director.
- c. No Person shall engage in the external use of Municipally supplied water during a watering ban, or increased restrictions as imposed by the Director.

4.5.2. Exemptions

Notwithstanding section 4.5.1 the following shall apply:

- a. Any Person installing new grass, sod, or landscaping for the purpose of establishing a new lawn or garden shall be entitled to use water for the newly installed grass and/or sod each calendar day during any part of the day for a period of one week from the initial date of installation of the new grass and/or sod.
- b. Municipal staff, or a contractor directed by Municipal staff shall be exempt from Section 4.5.1 of this By-law while watering Municipal property.

4.5.3. No Municipal Address

Each dwelling unit, building or other place not designated by a Municipal address which is supplied with water from the Municipal Water Distribution System, shall receive a designation of either an even-numbered or odd-numbered Municipal address from the Roads and Public Works Department.

4.6. Multiple buildings

Provided that where a building occupies the frontage of a lot and additional buildings are located in the rear or to the side of the said front building, all such buildings may be supplied from one Water Service provided that all said buildings belong to one Owner and such Owner pays the water rates for all water supplied to such buildings.

4.7. Suites

Shut-off valves shall be installed in accordance with the Ontario Building Code, such that every suite within a building of residential occupancy shall have an independent water shut off valve.

4.8. Design requirements

All Water Service Connections, Private Watermains, Private Water Service Connections, and Private Water Supplies shall be designed and installed as per the Ontario Building Code and Municipal Standards. All requests for new or revised service connections shall include the reasonable specifics for sizing and material of such service connections.

4.9. Leaks

If a leak is detected by the Municipality an Order to repair the leak may be issued to the Owner of the Premises where such leak has been identified, and where the Owner does not comply with the Order, the Director may authorize the shut off of water supply to such Premises.

4.10. Existing Water Services

4.10.1. Any Owner wishing to relocate, replace, repair, alter, disconnect or reuse an existing Water Service must make an application and receive approval of the Director prior to commencing the work.

4.10.2. An existing Water Service shall not be connected to a new building unless it meets current Municipal Standards, and the Water Service is:

- a. inspected and approved for reuse by the Municipality and an inspection fee is paid as per the Municipal Fees and Charges By-law, or
- b. inspected by a qualified professional hired by the property Owner and said professional deems the service safe for reuse and provides a report which is reviewed and approved by the Municipality.

4.10.3. If an existing Water Service to a Premise has any portion located within another Premise it shall not be reused unless a Registered Easement is obtained for the portion of the Water Service in, or over, or across the property of another Premise.

4.10.4. When deemed necessary by the Director, the Director may require Flushing of a Drinking Water Supply to maintain water quality.

4.11. Private Water Supply – Private Watermains – Private Water Services

4.11.1. All Private Watermains and Private Water Services shall meet Municipal standards and specifications for material type and pipe size and shall be approved by the Director prior to installation.

4.11.2. Any work on a Private Water Supply must be completed by a contractor authorized by the Municipality.

4.11.3. An Owner which intends to connect a new Private Water Supply to a Watermain shall be responsible for all excavation and backfilling and all required support including but not limited to equipment, tools, and permits required for the installation including the parts and labour to perform the actual installation of the new Water Service Connection from the Watermain to the Property Limit.

4.11.4. Any Private Water Supply shall be installed by the Owner, at the Owner's expense, in accordance with all applicable law including, but not limited to, the Ontario Building Code, Municipal standards and this By-law.

4.11.5. Upon request or when deemed necessary by the Director, the Municipality may require Flushing of a new Private Water Supply and the Owner shall pay for water used based on water consumption. The Owner shall install Flushing infrastructure and follow the necessary procedures and standards to the satisfaction of the Director at the Owners' sole cost.

4.11.6. The Municipality may, if deemed necessary by the Director for the purpose of protecting the Municipal Water Distribution System from damage or contamination, complete any and all work on a Private Water Supply required to protect the Municipal Water Distribution system.

4.12. Municipal expenses

4.12.1. All costs incurred by the Municipality to perform work required by this By-law shall be charged to the Owner of the Premise where such work is performed and shall be collected according to law, and until paid, such cost shall remain a lien on such property, and may also be collected in the like manner as taxes. The Municipality shall not be held responsible for the cost of restoration.

4.12.2. All costs incurred by the Municipality for Work on any Private Water Supply shall be charged to the Owner(s) of the Private Water Supply which such work has been completed on.

4.13. Temporary water supply for construction – Application – Cost

Persons requiring water for building/construction purposes shall make a separate application on a form prescribed by the Municipality for each Premise on which construction is taking place and shall furnish the Director with all information required by them and shall pay to the Municipality such water rates as set by Council. A permit for the use of water for building/construction purposes shall be in force for six months from the date of issue.

4.13.1. The Director, at their sole discretion, may revoke a permit for the use of water for building/construction purposes without warning and without providing a refund to the Permit Holder for the following reasons:

- a. The Permit Holder fails to follow the conditions specified in the permit; or
- b. A provision of this by-law has been broken on the Premise which the permit is issued; or
- c. The director believes that the use of water on the permitted Premise poses a risk to the safety or operation of the Municipal Water Distribution System.

5. Connection to Water Distribution System – Requirements

5.1. Building – Definition

For the purposes of this Section, the term Building means and includes any building, trailer, or other covering or structure with a pressurized water supply which:

- 5.1.1. Contains any sleeping, eating or food preparation facilities; or
- 5.1.2. Contains any washing or toilet or cleaning facilities; or
- 5.1.3. Is connected to a well or septic system; or
- 5.1.4. Is a source of sewage, other than a barn used for agricultural purposes and which contains no sleeping accommodation for persons.

5.2. Connection requirements

Every Owner of a Premise which has one (1) or more buildings on it shall connect the building(s) to the Municipal Water Distribution System if the Premise is abutting on a Municipal right of way in which a Watermain is located, and sufficient supply is available as determined by the Municipality.

5.3. Notice to connect – Timeline

- 5.3.1. Any connection required to be made by an Owner under this By-law shall be made:
 - a. within eighteen (18) Months of the mailing of a notice to the Owner requiring the connection to be made; and
 - b. in accordance with the requirements of the notice and any By-law, regulation, or statutes governing such connection.

5.4. Exemption

- 5.4.1. The Owner of a Premise affected by this By-law may be exempted from the provisions of section 5.2 upon a request for exemption application having been received by the Municipality and approved by Council.

6. Operation and Maintenance of Water Distribution System

6.1. Maintenance of Water Service Connection

The Water Service Connection will be maintained by the Municipality at the Municipality's expense.

6.2. Maintenance of Private Water Service or Private Watermain

Maintenance of Private Water Services or Private Watermains shall be the responsibility of the Owner including any and all repairs and replacements and the costs of such repairs and replacements.

6.3. Frozen Water Service on Municipal side of Property Limit

In the event that a Water Service, as determined by the Municipality, is frozen between the Watermain and the Property Limit, the Municipality will be responsible for thawing the frozen Water Service up to the Property Limit and the costs associated with the thawing repairs.

6.4. Frozen Water Service on the Owner's side of Property Limit

In the event that a Water Service, as determined by the Municipality, is frozen on the Owner's side of the Property Limit, the Owner will be responsible for all costs associated with the exploratory work and thawing repairs.

6.5. Operation – Curb Stop Valve

No Person, other than Persons authorized by the Municipality for that purpose shall be permitted to operate the Curb Stop Valve to any Premises.

6.6. Required Access – Curb Stop Valve

All Curb Stop Valves must be left clear and accessible at all times. The Director may issue an order to an Owner to make a Curb Stop Valve accessible if it is deemed that the Curb Stop Valve cannot be easily accessed.

6.7. Water Trickling

6.7.1. If an Owner of a Premise is required by the Municipality to do Water Trickling to prevent their Water Service from freezing, the Owner shall be charged for water use based upon the Municipal water and sewer rates By-law.

6.7.2. If, in the opinion of the Director, a Private Water Service is at risk of freezing due to an issue on the Owner's side of the property limit, then the Director may issue an order to the Owner of the Premise stating the reasonable particulars of the required repairs and the date in which the Owner is required to comply with the order.

6.8. Responsibility - Vacant Premises

When any Premises is left vacant or without heat it is the Owner or Occupants responsibility to shut off the water supply from within the Premises and to drain the piping therein and it is also the responsibility of the Owner or Occupant to request that the Municipality shut off the supply of water to the Premises.

6.9. Responsibility – Water damage

When any Premises is left vacant, unattended or without heat and it suffers damage from a leaking or burst water pipe, the Owner or Occupant shall have no claim against the Municipality.

6.10. Unauthorized operation or interference – Offence

No Person, other than Persons authorized by the Municipality for that purpose shall open or close a water valve in the Municipal Water Distribution System, or remove, tamper with or in any way interfere with any component of the Municipal Water Distribution System including but not limited to Curb Stop Valves, Water Meters, structures, Watermains, Water Services, Private Watermains, and Private Water Services nor tap off or make any connection to any Watermain.

6.11. Work on the system

The Municipality shall perform all work having to do with the Municipality's Water Distribution System and with the installation, repair, renewal, or removal of the Municipality's Water Distribution System. The Municipality may delegate to any Person the authority to perform work on the Municipal Water Distribution System, on conditions acceptable to the Municipality.

6.12. Water shut off

The Municipality shall have the right to at any time and without notice shut off the supply of water to any Premise if, in the opinion of the Municipality, the Water Service located on the property is not being properly maintained, develops a significant leak, or in any way compromises the integrity of the Municipal Water Distribution System, and not to restore service until such condition has been rectified to the satisfaction of the Municipality.

6.13. Damage to water distribution system – Offence

No Person shall break, damage, destroy, deface or tamper with, or cause or permit the breaking, damaging, destroying defacing or tampering with any part of the water distribution system.

7. Cross Connections

7.1. Prohibition

Every Person shall comply with the Municipality of Mississippi Mills Cross Connections Policy as shown in Schedule A of this By-law.

7.2. Orders

The Director may issue Orders with respect to the provisions of the Mississippi Mills Cross Connection Policy in the same manner as this By-law.

8. Installation of Water Services and permits

8.1. Water Works Permit

The Owner of a Premise shall obtain a Water Works Permit prior to the installation, repair, renewal, removal, capping, connection or disconnection of a Private Watermain or Water Service except where such work has been specifically provided for and approved a Plan of Subdivision or Site Plan Control Process or Municipal Watermain rehabilitation project.

8.2. Restrictions

8.2.1. Unless the Director otherwise approves in writing, no Water Service Connection shall be installed between the first day of November in any year and the first day of April in the following year.

8.2.2. Where the Director is of the opinion that a Water Service Connection may be installed between the first day of November in any year and the first day of April of the following year, they may permit such Water Service Connection to be installed upon such terms and conditions as they may deem necessary.

8.3. Installation work – Requirements – Cost

8.3.1. All Water Services or Private Watermains that are to be connected to the Municipal Drinking Water System shall only be installed by the Municipality or by an Approved Service Provider under the supervision of Municipal Staff.

8.3.2. All costs associated with the installation of a Water Service Connection from the Watermain up to the Property Limit shall be the responsibility of the Owner of the Premise to which the connection is being made.

8.3.3. The installation and cost of Private Water Services and any other Plumbing on the Owner's side of the Property Limit shall be the responsibility of the Owner.

8.4. Application for a permit

All applications for a Water Works Permit shall be made on the prescribed form provided by the Municipality. The completed application form and all required drawings and information are to be submitted to the Municipality along with the required permit fee as stipulated in the Municipal fees and charges By-law.

8.5. Permit issuance – Requirements

A Water Works Permit shall not be issued until:

8.5.1. The applicant for a Water Works Permit has completed and submitted the appropriate forms and provided all required drawings and information to the satisfaction of the Municipality;

8.5.2. The Water Works Permit fee has been paid;

8.5.3. All other conditions and requirements have been met;

8.5.4. The Director is satisfied that the proposed works meet Municipal Standards and do not contravene any other Municipal By-law.

8.6. Inspection and testing

8.6.1. No Water Service or Private Watermain shall be connected to any watermain or supplied with water until it is inspected, tested and disinfected to the satisfaction of the Municipality.

8.6.2. Backfilling shall not be completed until all required Inspections are completed to the satisfaction of the Municipality.

8.6.3. All requests for Inspection of any component of a Water Service or Private Watermain shall be submitted a minimum of three (3) working days in advance of the requested Inspection time.

8.7. Permit fees

The fee for a Water Works Permit shall be as per the Municipal fees and charges By-law.

8.8. Direction by Municipal staff

8.8.1. All persons completing work as part of a Water Works Permit shall allow Municipal staff at all times to access the work site for the purposes of Inspection and shall comply with any and all direction from staff including but not limited to the following requests:

- a. stop work,
- b. produce for Inspection an approved permit form,
- c. produce for Inspection the approved permit drawings,
- d. rectify any and all deficiencies on site.

8.9. Responsibility – Posting of permit – Drawings

8.9.1. All Permit Holders shall post in a conspicuous location on the Premise identified on the permit, their approved permit form. If the approved permit form cannot be located the Permit Holder or contractor shall do the following:

- a. Immediately stop all works being done on and around the Municipal Water Distribution System; and
- b. Immediately produce a copy of the approved permit form and if there is no active permit, immediately report the situation to the Director.

8.9.2. Permit Holders must have a copy of all drawings relevant to their permit available on site for viewing by Municipal staff at all times and shall immediately present said drawings to Municipal staff upon request.

8.9.3. The Owner of the Premise for which a Water Works permit has been obtained must inform all staff, Contractors, site personnel, or other persons responsible for the management of the permitted work that they are required to review and to have a copy of the approved permit form posted and that a copy of the form and related drawings must be present on site and available for presentation to Municipal staff upon request.

8.10. Permit expiry – Renewal – Forfeit – Revocation

8.10.1. A Water Works Permit shall be valid for a period of six months from the date of the issuance of the permit, and in the event that a Water Service Connection is not made within the six (6) month period, the permit shall expire automatically.

- a. A Water Works Permit may be extended by the applicant by making an application in writing to the Municipality and an extension of 6 months may be granted subject to the approval of the Director.
- b. If an application for a permit extension is approved by the Director, the applicant must pay a permit extension fee in accordance with the Municipal Fees and Charges By-law.
- c. If cancelled, all funds paid on application for the Water Works Permit shall be forfeit to the Municipality.

8.10.2. The Director, at their sole discretion, may revoke a Water Works permit without warning and without providing a refund to the Permit Holder for the following reasons:

- a. The Permit Holder fails to follow the conditions specified in the permit; or
- b. A provision of this by-law has been broken on the Premise which the permit is issued; or
- c. The Director believes that the permitted work is being completed unsafely or in a manner which puts the Municipal Water Distribution System at risk for damage, contamination, or failure.

9. Fire hydrants and fire suppression

9.1. Fire hydrants – Use

9.1.1. No Person shall operate a fire hydrant, except:

- a. Persons authorized by the Director;
- b. a member of the fire department during an emergency situation and for the suppression of fire.

9.1.2. The Municipality will permit the use of fire hydrants to take water for purposes other than fire fighting only where Municipal staff are satisfied that the Municipal water supply is protected, and qualified individuals are undertaking the operations.

9.1.3. Any hydrant situated within the road allowance is the property of the Municipality and shall be maintained by it. Hydrants owned and paid for by any Persons other than the Municipality shall be maintained by such Persons.

9.1.4. Any hydrant situated on private property, may be used for Flushing at the discretion of the Director.

9.1.5. The Director may inspect and test any hydrant on private property and if a hydrant is found to be in a state of disrepair or non functioning the Director may Issue an order to the Owner of the hydrant to bring the device up to operational standards. If the Owner does not comply with the Order the Director may repair or replace the hydrant and any and all costs incurred by the Municipality for such repair or replacement shall be the responsibility of the Owner of the private hydrant and can be collected in a like manner as taxes.

9.1.6. No Person shall obstruct the free access to any fire hydrant or plant or place, or cause or permit to be planted or placed, vegetation or other objects within a 3-metre corridor between the hydrant and the edge of the road nor within a 1.5 metre radius beside or behind a hydrant except with the prior written authorization of the Municipality.

9.2. Automatic fire suppression equipment – Use

9.2.1. Equipment installed solely for the automatic suppression of fires in a building may be unmetered. There must be a back flow prevention device installed between the unmetered connection and the Municipal Water Distribution system and the arrangement of the piping and appurtenances shall be to the satisfaction of the Director.

9.2.2. No seal placed by the Municipality upon a valve situated at a hose opening in a standpipe shall be broken nor shall any water be used from equipment for fire suppression, or any purpose except the suppression of fire without the consent in writing of the Director.

10. Bulk Water

10.1. Requirement for taking Bulk Water

No Person shall take or cause to be taken any Bulk Water from the Municipal Water Distribution system without having a Permit to take Bulk Water.

10.2. Permits to take Bulk Water - Application

10.2.1. Permits to take Bulk Water shall be issued by the Department of Roads and Public works.

10.2.2. Persons who would like to apply for a permit to take Bulk Water shall fill out and submit the form prescribed by the Municipality to a Municipal Office.

10.2.3. Applications shall be complete and include all required information.

10.2.4. Applicants shall pay, at the time of application submission, an administration fee in accordance with the Municipal Fees and Charges By-law.

10.2.5. Applicants may submit an application form starting on December 1st of any year for the issuance of a permit which will become valid on January 1st of the following year.

10.3. Permits to take Bulk Water - Expiry

10.3.1. Permits to take Bulk Water are valid from the date of issue of the permit until December 31 of the same calendar year.

10.3.2. Bulk Water Haulers must apply for and obtain a permit during each calendar year.

10.4. Restrictions

10.4.1. Bulk Water Haulers with outstanding Bulk Water purchase invoices greater than 30 days will not be permitted to take Bulk Water or apply for a permit with the Municipality during the next calendar year until all invoices are paid.

10.4.2. Bulk Water Haulers who have been found to be in contravention of this By-law may, at the discretion of the Director, be prohibited from receiving a permit to take Bulk Water from Municipality and purchasing Bulk Water in the future.

10.4.3. If a Bulk Water Hauler fails to pay invoices within 30 days, fails to safely operate their water truck, fails to safely connect their water truck to a hydrant, or is unfriendly to Municipal Staff then the Director may, at their sole discretion, do the following:

- a. revoke a permit to take bulk water without warning,
- b. prohibit the sale of Bulk Water to the Bulk Water Hauler,

10.4.4. The Municipality reserves the right to limit the sale of Bulk Water in its sole discretion.

10.5. Costs

10.5.1. All costs associated with the provision of Bulk Water Service shall be recovered including, but not limited to the supply of treated water.

10.5.2. The connection fee and the cost of Bulk Water shall be as per the Municipal fees and charges By-law.

10.5.3. The Director, at their sole discretion, may reduce or waive the fees and costs associated with the taking of Bulk Water for Bulk Water Haulers who are employed by the Municipality or who are completing work on behalf of the Municipality.

11. Orders

11.1. Orders – Authority of Director

11.1.1. The Director may, at their sole discretion, issue Orders to Persons or property owners who have contravened or are believed to have contravened any provision of this by-law.

11.1.2. Orders issued by the Director shall be made in writing and be delivered either by personal service or by registered mail and if it is by registered mail the Order shall be deemed to be received 5 days following the mailing of the Order.

11.1.3. Orders issued by the director shall contain information regarding the reasonable particulars of the by-law contravention and a date by which there must be compliance with the Order. The Order shall also have the contact information of staff assigned to answer questions and manage appeals.

11.2. Orders – Appeal

11.2.1. If a Person receives an Order from the Director which they believe has been issued in error, the Person may appeal the Order by completing the following:

- a. Prepare in writing a letter to the Director which details the reasons for the appeal and why it is believed that the Order has been issued in error; and
- b. Send the appeal letter and a copy of the Directors order to the email address on the Order. Physical copies addressed to the Director may also be delivered to the Municipal office.

11.2.2. The Director and one other member of staff chosen by the Acting Chief Administrative Officer (CAO) shall review the letter of appeal and make a unanimous decision to either quash or confirm the Order. Decisions shall be made within 10 business days after the appeal is received by the Directors office.

11.2.3. If the Director and the staff member chosen by the CAO make a split decision where one chooses to quash the Order and the other chooses to confirm the Order, the CAO shall make the final decision to quash or confirm the Order.

11.2.4. All decisions to quash or confirm an Order shall be final.

12. Indemnification

12.1. If for any reason water supply to a Premise is shut off, interrupted, or otherwise disrupted the Municipality shall not be held liable for any damage resulting therefrom.

12.2. If for any reason fluctuations in the pressure of water supplied to a Premise occur the Municipality shall not be held liable for any damage resulting therefrom.

12.3. If for any reason the water supplied to a Premise has turbidity or smell the Municipality shall not be held liable for any damage resulting therefrom.

13. Prohibitions

No Person shall:

13.1. Contravene any provision of this By-law or any order or notice issued pursuant to this By-law; or

13.2. Hinder or interrupt, or cause or procure to be hindered or interrupted, the Municipality or any of its officers, contractors, agents, servants or workers, in the exercise of any of the power conferred by this By-law; or

13.3. Have a frozen Private Water Service.

14. Penalties

14.1. Every Person who contravenes any provision of this By-law is guilty of an offence and is liable to a fine levied in accordance with this By-law upon conviction.

14.2. A Person who is convicted of an offence under this By-law is liable, for each day or part of a day that the offence continues, to a minimum fine of \$500.00 and a maximum fine of \$10,000.00 and the total of all of the daily fines for the offence is not limited to \$100,000.00 as provided for in subsection 429(3)2 of the Municipal Act, 2001, S.O. 2001, c.25, as amended.

15. Severability

15.1. If any section, subsection or part or parts thereof be declared by and Court of Law to be bad, illegal or ultra-vires, such section, sub section or part or parts shall be deemed to be severable and all parts shall be deemed to be separate and independent and enacted as such.

16. Conflicts

That By-laws No. 04-14, 04-41, 04-52, and Schedules C, E, and F of By-law 02-102, and all previous By-laws and resolutions and parts of By-laws and resolutions relating to the regulation of water works in the Municipality of Mississippi Mills inconsistent with the provisions of this By-law, are hereby repealed.

THAT this By-law shall come into force and take effect on the day of its passing.

BY-LAW READ passed, signed, and sealed in open Council this 10th day of December 2024.



Christa Lowry, Mayor



Jeanne Harfield, Clerk



SCHEDULE A TO BY-LAW 24-092

MUNICIPALITY OF MISSISSIPPI MILLS CROSS CONNECTIONS POLICY

SCHEDULE A TO BY-LAW 24-092

MUNICIPALITY OF MISSISSIPPI MILLS CROSS CONNECTIONS POLICY

1. Definitions

- 1.1. "Backflow" means the flowing back of, or reversal of the normal direction of flow of water or any other substance, into the Municipal Drinking Water System.
- 1.2. "Backflow Prevention Device" means a testable device approved by the Municipality that is connected to a Drinking Water System or to Plumbing for the purpose of Backflow Prevention.
- 1.3. "Backflow Prevention Device Report" means a report completed by a Qualified Person containing details and findings of quality control and assurance tests performed on a Backflow Prevention Device;
- 1.4. "Building" Shall have the same meaning as in the Building Code Act.
- 1.5. "Building Code Act" means the Building Code Act, 1992, S.O. 1992. C23, as amended, and any successor thereto, and all current Ontario Regulations made under the authority of such Act;
- 1.6. "Cross Connection" means any actual or potential connection between a Potable Water Supply or system and any source of pollution or contamination and includes any by-pass, jumper connection, removeable suction pipe, swivel or changeover device and any other temporary or permanent connecting arrangement through which Backflow can occur;
- 1.7. "Cross-Connection Survey" means an investigation of a Drinking Water System or of Plumbing to determine the presence or absence of any existing or potential Cross-Connections and to evaluate the need for a Backflow Prevention Device.
- 1.8. "Cross-Connection Survey Report" means a report completed by a Qualified Person on a form as approved by the Director, containing the details and findings of a Cross-Connection Survey.
- 1.9. "CSA Standards" means the CSA International Standards B64.10, Manual for the selection and installation of Backflow preventers, as amended and B64.10.1, Manual for the Maintenance and Field Testing of Backflow preventers, as amended or equivalent standards as published by the CSA.
- 1.10. "Director" Shall mean the Director of Roads and Public Works or their designate.
- 1.11. "Low Risk Land" means real property:
 - a. that contains no Buildings other than residential Buildings of three or fewer storeys in building height and having a building area not exceeding 600m²; and
 - b. that is not subject to any condition or circumstance which, in the opinion of the Director, may be hazardous or detrimental to the Municipal Drinking Water System.

1.12. “Minor Hazard” means any type of Cross-Connection or potential Cross-Connection that involves a substance that constitutes only a nuisance and that results, or could result, in a reduction in only the aesthetic qualities of the water. This category includes those connections listed as Minor Hazards in the CSA Standards and any other connections as determined from time to time by the Director their sole discretion.

1.13. “Moderate Hazard” means any type of Cross-Connection or potential Cross-Connection that has a low probability of becoming a Severe Hazard. This category includes, but is not limited to, connections involving water where the aesthetic qualities of water have been, or could be, reduced and, under certain conditions, can create a danger to health. This category includes those connections listed as Moderate Hazards in the CSA Standards and any other connections as determined from time to time by the Director in their sole discretion.

1.14. “Ontario Building Code” means the in-effect version of the Ontario Building Code enacted under the Building Code Act, 1992, S.O. 1992, c. 23, as amended, and its regulations, as amended.

1.15. “Owner” means the registered owner of any real property situated in the Municipality of Mississippi Mills that is connected to the Municipal Drinking Water System, save and except for Low Risk Land.

1.16. “Premise Isolation” means the isolation of water located within Land from the Municipal Drinking Water System.

1.17. “Severe Hazard” means any type of Cross-Connection or potential Cross-Connection involving water that has additives or substances that, under any concentration, can create a danger to health. This Category included those connections listed as Severe Hazards in the CSA Standards and any other connections as determined by the Director in their sole discretion.

1.18. “Qualified Person” means a Person authorized to undertake a task or duty pursuant to Section 13 - Table 1 of this Policy.

2. Premise Isolation Program Administration – delegation

The Director may designate an external agency as a Premise Isolation program administrator which will, on behalf of the Municipality, administer a program which manages parts of this policy as delegated by the Director. If the Director has designated an external agency for this purpose, references herein to the Municipality may also mean the external agency administering the program.

3. Prohibition of cross connection

3.1. No person shall connect, cause to be connected or allow to remain connected to the plumbing system within a building or Municipal Water Distribution System any piping, fixture, fitting, container or appliance in a manner which may, under any circumstances, allow water, wastewater, non potable water or any other liquid, chemical or other substance to enter the plumbing system within a building or Municipal Water Distribution System.

3.2. If a condition is found to exist which is contrary to Section 3.1 of this Policy, the Municipality may issue such order or orders to the Owner as may be required to obtain compliance with Section 3.1 of this Policy.

4. Failure to comply – notice – water shut-off

4.1. If the Owner to whom the Municipality has issued an order or notice pursuant to Section 3.2 fails to comply with that order or notice, the Director, at their discretion, may:

- a. give notice to the Owner to correct the fault, at their expense, within a specified time period and, if the notice is not complied with, the Director may then cause the shut-off of the water service or services to the premise; or
- b. shut off the water service or services to the premise where the Director believes there is a condition which presents an immediate threat of contamination to the Municipal Drinking Water System that may endanger public health and safety.

5. Cross-connection surveys

5.1. Every Owner shall, at the Owner's expense, ensure that:

- a. a Cross-Connection Survey is undertaken by a Qualified Person, whenever required by this Policy;
- b. a Cross-Connection Survey Report is completed and submitted to the satisfaction of the Director in respect of each such Cross-Connection Survey; and
- c. the completed Cross-Connection Survey Report is submitted to the Director within fourteen (14) days after the survey is carried out.

5.2. An Owner shall, at the Owners expense, ensure the completion of an initial Cross-Connection Survey in respect of the Owner's Land within the time limit specified by the Director in a notice delivered to the Owner.

5.3. Where a Severe Hazard is present, the Owner shall, at the Owner's expense, ensure the completion of a subsequent Cross-Connection Survey in respect of the Severe hazard within every three years of the previous Cross-Connection Survey or at such greater frequency as required by the Director.

5.4. Where either a Moderate hazard or Minor Hazard is present, the Owner shall, at the Owner's expense, ensure the completion of a subsequent Cross-Connection Survey in respect of the Moderate or Minor Hazard within every five years of the previous Cross-Connection Survey or at such greater frequency as required by the Director.

5.5. Every Owner shall notify the Municipality within fourteen (14) days of any change in circumstances that would create or revive a pre-existing Minor Hazard, Moderate Hazard, or Severe Hazard.

6. Backflow prevention device required

6.1. Every Owner shall, at the Owner's Expense, ensure that a Backflow Prevention Device is installed whenever required by this Policy, the Building Code, or other applicable regulation.

6.2. Where, in the sole discretion of the Director, a risk of contamination to the Municipal Drinking Water Systems exists, the Director may issue a notice to an Owner to install a Backflow Prevention Device and take such other action, within the times stipulated in the

notice. Upon receiving notice from the Director, the Owner shall follow the direction contained in the notice and ensure the installation of the Backflow Prevention Devices as prescribed.

6.3. Without limiting subsection 6.2, where either a Severe Hazard or a Moderate Hazard is identified a Backflow Prevention Device must be installed.

7. Backflow Prevention Devices

7.1. The appropriate model of Backflow Prevention Device shall be selected by a Qualified Person in accordance with:

- a. the CSA Standards; or
- b. when the type of Cross-Connection is not identified in the *CSA Standards*, by a Qualified Person having regard for the principles for backflow prevention contained in the *CSA Standards*.

7.2. Notwithstanding subsection 7.1, the Director may dictate that a particular type of Backflow Prevention Device be used in respect of any particular Cross-Connection.

7.3. Every Qualified Person installing a Backflow Prevention Device shall ensure that:

- a. such device is installed in accordance with acceptable engineering practices and the requirements of the Ontario Building Code, the CSA Standards, and this Policy;
- b. such device is installed in such a way as to mitigate the potential for freezing;
- c. such device is located in such a manner that, in the event of Backflow, the device prevents contamination of the Municipal Drinking Water System and any other Drinking Water System; and
- d. where such device is installed in respect of Premises Isolation, such device is located downstream of the Water Meter, and any meter by-pass, no closer than four times the diameter of the pipe and no further than 3.0 metres from such meter or by-pass, except where circumstances require the device to be installed upstream of the Water Meter and such location is to the satisfaction of the Director;

7.4. Every Owner of Land upon which a Backflow Prevention Device is installed shall ensure that such device is maintained in good repair at all times.

7.5. Every Owner of Land upon which a Backflow Prevention Device is installed, the proper functioning of which is capable of being tested, shall ensure that:

- a. the device is tested by a Qualified Person when it is first installed and annually thereafter, within fourteen (14) days of the anniversary date of such installation, or as required by the *CSA Standards*, or earlier if requested by the Director, and also when the device is cleaned, repaired, overhauled or relocated;
- b. for each test of a Backflow Prevention Device, a Backflow Prevention Device Report of such test is submitted to the Municipality within fourteen (14) days of the test; and

- c. for the initial test and each subsequent test, a Backflow Prevention Device Report of such test is retained on the premises for inspection for a period of not less than five (5) years from the date of the test.

7.6. Every Qualified Person who tests a Backflow Prevention Device shall, upon finding that such device is malfunctioning or otherwise not in proper working order, immediately notify the Owner of the device and the Director by submitting the Backflow Prevention Device Report to each of them, whereupon the Owner shall immediately notify the Director in writing and by telephone of the Owner's response to the reported malfunction.

7.7. When testing demonstrates that a Backflow Prevention Device is malfunctioning or otherwise not in proper working order, the Owner of the device shall ensure that the device is repaired or replaced in accordance with the recommendations of a Qualified Person as needed within the time limit specified by the Director or as soon as practicable in the circumstances if no time limit is specified.

7.8. All equipment used to test Backflow Prevention Devices shall be verified or calibrated for accuracy, as required by the CSA Standards and the Ontario Building Code.

7.9. Where a Backflow Prevention Device is required pursuant to this By-law, no Person shall remove, or cause or permit the removal of the Backflow Prevention Device or any part thereof after it has been installed unless:

- a. the removed device is immediately replaced with a device that meets or exceeds the requirements of this Policy; and
- b. the water supply is turned off for as long as the device is removed.

8. Fire Suppression – Backflow Prevention Device Required

Every Owner of a Premise on which there is a building fire suppression system installed shall install a back flow prevention device in accordance with the Ontario Building Code and the Fire Protection and Prevention Act, as amended.

9. Prohibition – false information

No person shall submit a Backflow Prevention Device Report or Cross-Connection Survey Report to the Municipality that contains inaccurate or false information.

10. Requirements for survey and testing - Notice

The Director may send a notice to an Owner of a premise which is supplied with water by the Municipality and said notice may require that the Owner completes or causes to be completed tests, provide reports, and undertake any other measures required for Premise Isolation or Backflow Prevention.

11. Request for Installation – development applications

The Municipality may require that an Owner have a Cross-Connection Survey completed as a condition of receiving a building permit, site plan control application, subdivision application, or any other development application or permit as may be implemented by the Municipality. Specifically premises with an industrial, commercial, or institutional use should be aware that a Cross-Connection Survey is required as a part of any development application.

12. Powers of Entry

12.1. Any person authorized by the Director may, at reasonable times, enter on Land, either alone or accompanied by a Person possessing special or expert knowledge or skills, for the purpose of performing inspections to locate existing or potential Cross-Connections.

12.2. A person authorized by the Director may enter on Land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:

- a. This Policy;
- b. a direction or order of the Municipality made under the *Municipal Act, 2001*, S.O. 2001, c. 25;
- c. an order made under section 431 of the *Municipal Act, 2001*, S.O. 2001, c. 25; or
- d. a notice issued under this Policy.

12.3. For the purposes of an inspection under this Policy, a person authorized by the Director may:

- a. require the production for inspection of documents or things relevant to the inspection;
- b. inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
- c. require information from any Person concerning a matter related to the inspection; and
- d. alone or in conjunction with a Person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

12.4. In addition to any other provision of this Policy, and subject to the provisions of the *Municipal Act, 2001*, S.O. 2001, c. 25, a provincial judge or justice of the peace may issue an order authorizing the Municipality to enter on Land, including a room or place actually being used as a dwelling, for the purpose of carrying out an inspection to determine whether or not the following are being complied with:

- a. this Policy;
- b. a direction or order of the Municipality made under the *Municipal Act, 2001*, S.O. 2001, c. 25;
- c. an order made under section 431 of the *Municipal Act, 2001*, S.O. 2001, c. 25; or
- d. a notice issued under this Policy.

12.5. Without limiting any other provision of this Policy, for the purposes of this section, the Municipality may shut off or reduce the supply of Drinking Water to the Land.

12.6. If the Municipality lawfully decides to cease the supply of Drinking Water to any Land, a Person authorized by the Director, either alone or accompanied by a Person possessing special or expert knowledge or skills, may enter on the Land:

- a. to shut off the supply of Drinking Water;

- b. to remove any property of the Municipality; or
- c. to determine whether the Municipal Drinking Water System has been or is being unlawfully used.

13. Tables

Table 1

Qualifications	Conduct a Site Survey	Install or Replace a Backflow Prevention Device	Test or Repair a Backflow Prevention Device
Professional Engineer (P.Eng. Designation)	Qualified	NA	NA
Engineering Technologist (C.E.T. designation)	Qualified	NA	NA
Licenced Master Plumber	Qualified	Qualified	Qualified
Journeyman Plumber	Qualified	Qualified	Qualified
Apprentice Plumber	NA	Qualified	Qualified
Industrial Millwright	NA	NA	Qualified
Industrial Millwright Water/ Wastewater	NA	Qualified	Qualified
Fire System Sprinkler Fitter	Qualified*	Qualified**	Qualified**
NOTE* for building fire protection systems only and in conjunction with either Professional Engineer, Engineering Technologist, Licenced Master Plumber or Journeyman Plumber			
NOTE** for building fire protection systems only			