

# By-Law No. 2018-167

*A by-law of the City of Ottawa to regulate the municipal water supply and to repeal By-law 2013-360*

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## BY-LAW NO. 2018 - 167

A By-law of the City of Ottawa to regulate the municipal water supply and to repeal By-law 2013-360.

WHEREAS Sections 8, 9 and 10 of the *Municipal Act, 2001*, authorize a municipality to pass by-laws that are necessary or desirable for municipal purposes and, in particular, respecting economic, social and environmental well-being of the municipality; health, well-being and safety of Persons; services and things that the municipality is authorized to provide; and protection of Persons and property, including consumer protection;

AND WHEREAS Section 391 of the *Municipal Act, 2001* provides that a municipality may pass by-laws imposing fees or charges on Persons for services or activities provided or done by or on behalf of it;

THEREFORE the Council of the City of Ottawa enacts as follows:

### DEFINITIONS

1. In this By-law:

“Approved” means having the approval of the General Manager of Public Works and Environmental Services or an authorized representative of the General Manager of Public Works and Environmental Services or the General Manager of Planning, Infrastructure and Economic Development or an authorized representative of the General Manager of Planning, Infrastructure and Economic Development or City Treasurer or an authorized representative of the City Treasurer.

“Backflow” means the flowing back or reversal of the normal direction of flow in either the City’s water distribution system or a private water service.

“By-law Officer” means a Person appointed by the Council of the City of Ottawa as a Municipal Law Enforcement officer to enforce the provisions of this By-law.

“Blank” means the temporary or permanent decommissioning of a pipe by means of plugging, capping or other method.

“Building Code Act” means the Ontario *Building Code Act, 1992*, S.O. 1992, c.23, as amended, and its regulations, as amended.

“Building Control Valve” has the same meaning as in the Building Code Act.

“Chief Building Official” means the Chief Building Official of the City of Ottawa, appointed in accordance with the Building Code Act.

“City” means the City of Ottawa and its employees.

“City Standards” means all applicable City design manuals, standards and guidelines as amended.

“City Treasurer” means the City Treasurer of the City of Ottawa or an authorized representative of the City Treasurer.

“City Water Meter” means a water meter supplied by the City or Owner (owned by the City) that is used to measure the amount of City supplied water to a premises and includes, as part of the water meter’s components, the City Water Meter Reading Device and the City Water Meter Reader Wire.

“City’s Water Distribution System” means the part of the City’s water system that is used in the distribution, storage or supply of water up to and including the service isolation valve, and is not part of a treatment system.

“City Water Meter Reading Device” means the unit that is installed at a premise that reads the City water meter.

“City Water Meter Reader Wire” means the communication wire that connects the City Water Meter to the City Water Meter Reading Device.

“Cross-Connection” means any actual or potential connection between a potable water system and a source of pollution or contamination.

“General Manager of Public Works and Environmental Services” means the General Manager of Public Works and Environmental Services or an authorized representative of the General Manager of Public Works and Environmental Services.

“General Manager of Planning, Infrastructure and Economic Development” means the General Manager of Planning, Infrastructure and Economic Development or an authorized representative of the General Manager of Planning, Infrastructure and Economic Development.

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

“Frontage Charge” means the charge payable for connecting a Water Service to an original Watermain, or to the replacement of an original Watermain, that is or was funded by the City.

“Inspection” includes an audit, examination, survey, test and inquiry.

“Land” includes all buildings or any part of any 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 City of Ottawa, all buildings or any part of any building erected or placed upon, in, over, under

or affixed to land but 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 to any easement or the right, use or occupation or other interest in land not owned by such utilities.

“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.

“Other Charges” means those charges related to repairs, installations, services rendered, or other expenses, payable by the Owner or Occupant as provided for in this By-law or as directed by City Council, and to those charges associated with water and sewer billing imposed pursuant to the applicable Fees By-law.

“Owner” means a Person who has any right, title, estate, or interest in Land or Premises, other than that of only an Occupier and, where that 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.

“Permit Holder” means the Person to whom the Water Connection Permit has been issued, or with whom an agreement has been signed, authorizing the installation, repair, renewal or removal of Waterworks or connection to a Watermain in accordance with the terms and conditions of the permit agreement.

“Person” means an individual, association, partnership, corporation, municipality, Provincial or Federal Agency or any agent or employee thereof.

“Plumbing” means a drainage system, a venting system and water system or parts thereof.

“Premises” means a separately assessed parcel of Land.

“Private Water Distribution System” includes but it is not limited to Private Watermains, Private Water Services, private water wells, private hydrants and fittings.

“Private Water Service” means the installed water pipe from the Service Isolation Valve or from a Private Watermain to the Building Control Valve.

“Private Watermain” means the installed water pipe from the Service Isolation Valve within the Owner’s Land from which Private Water Services can be taken.

“Service Isolation Valve” means a valve located on a Water Service, that is accessible for operation from the ground surface to control water flow through the Water Service.

“Sewage Works” has the same meaning as in the Sewer Use By-Law as amended.

“Sewer Rate” means the sewer consumption rate for properties connected to the municipal water supply and the assessment based sewer rate for properties not connected to the municipal water supply.

“Stormwater Rates” has the same meaning as the “stormwater service fees” in the Stormwater Service Fees By-Law, as amended.

“Temporary Water Service” means a pipe installed from a public waterworks by the City, for a City project, and for a specified temporary period of time.

“Water Connection Permit” means approval by the City authorizing the permit holder to connect to the public water supply in accordance with the terms and conditions set out in the permit.

“Water Rates” means the water consumption rate, and fire supply charges.

“Water Service” means a potable water pipe of any size, tapped or teed from a Watermain to a building.

“Watermain” means a City pipe that supplies potable water to Water Services and hydrants.

“Waterworks” means buildings, structures, plant, machinery, outlets, underground construction and installations and other works designed for the production, treatment, distribution, and storage of water and includes land appropriated for such purposes and uses.

“Wastewater” means the spent water of a community, which may be a combination of liquid and water-carried Wastes from residences, commercial buildings, industrial facilities and institutions, together with any groundwater or storm water that may be present.

## APPLICATION/INTERPRETATION

2. (1) This By-law shall apply to the Water Service areas as identified in the City’s Official Plan and supporting Infrastructure Master Plan as amended from time to time.

- (2) All schedules, forms, tables, and diagrams attached to this By-law shall form part of this By-law.
- (3) All legislation and regulations referenced herein are Ontario provincial laws, as amended, unless noted otherwise.
- (4) All other documents referenced herein such as By-laws, codes, and standards are as amended documents issued by the City.
- (5) Any headings, sub-headings, or table of contents in this By-law are included for guidance purposes and convenience only, and shall not form part of this By-law.
- (6) Every provision of this By-law is independent of all other provisions, if any provision of this By-law is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this By-law shall remain valid and enforceable.

## PART I - WATER SERVICE CONNECTIONS AND CHARGES

### DUTIES OF THE GENERAL MANAGER OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES

3. The General Manager of Public Works and Environmental Services shall supervise and administer the City's Drinking Water System, excluding the City Water Meter and shall be responsible for its operation, maintenance, repair and extension.
4. (1) Should conditions arise that imperil the municipal water supply or its distribution, the General Manager of Public Works and Environmental Services:
  - (a) may issue a Notice of Restriction identifying all remedial measures as may be necessary to protect the municipal water supply or its distribution system, which may include limiting or stopping the supply of water in any area and restricting the use of water for any specific purpose;
  - (b) shall expend money and employ workers as needed to restore the City's Drinking Water System, excluding the City Water Meter; and
  - (c) shall report to the Committee of Council mandated to review such matters as soon as practical after such measures have been taken.
- (2) Notice of Restriction under this Section may be given by posting on the City's webpage or by any means that, in the opinion of the General Manager

of Public Works and Environmental Services, are sufficient to provide reasonable notice of the restriction and this notice shall be deemed to have been given to the Person or Persons to which the notice is directed on the earliest date of any such posting.

- (3) No Person shall use, or cause or permit to be used, water in a manner contrary to any direction given by the General Manager of Public Works and Environmental Services during a period when the use of water has been prohibited or restricted pursuant to subsection (1).
- (4) In the event of an emergency or where any or all provisions of this Section have been violated, or where a Notice of Restriction issued pursuant to subsection (1) has been violated, the General Manager of Public Works and Environmental Services may shut off the water supply to any Person without prior notice.

5. The General Manager of Public Works and Environmental Services may enter into agreements authorizing the installation, repair, renewal or removal of a Water Distribution System excluding City Water Meters.

6. The General Manager of Public Works and Environmental Services may discontinue water supply and continue to refuse water supply as determined to be necessary subject to any provisions of this by-law.

7. Where a water supply is continued or initiated pursuant to this By-law, the General Manager of Public Works and Environmental Services shall supply water to a Private Water Service.

#### DUTIES OF THE GENERAL MANAGER OF PLANNING, INFRASTRUCTURE AND ECONOMIC DEVELOPMENT

8. The General Manager of Planning, Infrastructure and Economic Development may issue permits authorizing the installation, repair, renewal or removal of a Water Distribution System excluding the Water Meter.

9. The General Manager of Planning, Infrastructure and Economic Development shall establish and periodically update standards, guidelines and specifications governing the design and construction of the City's Drinking Water System.

#### DUTIES OF THE CITY TREASURER

10. The City Treasurer shall invoice and collect Water Rates, Sewer Rates, Stormwater Rates, Frontage Charges and all other applicable fees and charges.

11. The City Treasurer shall issue water certificates in conjunction with a final reading of the City Water Meter and final bill to the Owner of the property when a written request has been received and the water certificate fee has been paid.

12. The City Treasurer may authorize the installation, repair, renewal or removal of a water meter and accompanying meter reading devices. The City Treasurer shall authorize the specifications to be used for the installation, repair and renewal of a water meter and shall communicate these specifications to the General Manager of Planning, Infrastructure and Economic Development.

13. The City Treasurer may enter into agreements with non-city employees to supply and install City Water Meters and accompanying meter readings.

14. The City Treasurer may discontinue water supply and continue to refuse water supply as determined to be necessary, subject to any provisions of this by-law.

#### NO LIABILITY

15. The City shall not be liable for damages or loss suffered by anyone due to the operation of the Drinking Water System, unless shown to be directly due to the negligence of the City, and without limiting the generality of the foregoing, shall not be liable for damage or loss:

- (a) for the settlement of any excavation or trench made for the installation or repair of any part of the Drinking Water System, or any damage or loss resulting from such settlement;
- (b) caused by the break or failure of any component of Waterworks;
- (c) caused by the disruption of any supply of water from the Drinking Water System when such disruption is necessary in connection with the repair or maintenance of the Drinking Water System; or
- (d) caused by the disruption or shutting off the water supply in the event of an emergency.

#### RESPONSIBILITIES OF THE OWNER AND OCCUPANT – GENERAL

16. Despite any other provision of this By-law, where a Water Service is continued or initiated pursuant to this By-law, no Owner or Occupant shall fail, at the Owner or Occupant's sole expense, to:

- (a) provide a Private Water Service;



- (b) ensure that the Private Water Service, Building Control Valve, City Water Meter, and plumbing on the Owner's or Occupant's Land or Premises comply with the provisions of this By-law;
- (c) ensure that any permits, inspections or Approvals required pursuant to this By-law or other applicable legislation have been conducted or obtained and are valid and subsisting, prior to connection to the Drinking Water System;
- (d) ensure that the Private Water Service does not interfere with the operation of the Drinking Water System; and
- (e) provide access to the Land or Premises to the City when required under this By-law.

## INTERFERENCE

17. No Person, except those authorized by the General Manager of Public Works and Environmental Services, General Manager of Planning, Infrastructure and Economic Development or the City Treasurer shall:

- (a) tap off or make any connection with a Watermain;
- (b) turn off or on any Watermain valve;
- (c) turn off or on, damage, destroy, remove or interfere in any manner with any Water Service and/or the Service Isolation Valve;
- (d) interfere or tamper in any way with the operation of any City Water Meter;
- (e) Blank or cap any Watermains;
- (f) interfere in any way with or cause any interference with the use of the City's Drinking Water System by another Owner or Occupant;
- (g) attach any device to any water pipe which may create noise, a pressure surge, Backflow or contamination of the Drinking Water System;
- (h) use any device on any Water Service Connection, on the upstream side of a City Water Meter for the purposes of boosting or increasing water pressure; or

- (i) tamper with, break or remove any seal, lock-out device or lock-out tag installed by the City on any valves, City Water Meters, or flanged outlets on Waterworks.

## CONDITIONS OF SERVICE

18. The City shall perform all work having to do with the Drinking Water System and with the installation, repair, renewal, or removal of the City's Water Distribution System, excluding water Meters, except where approved by the General Manager of Public Works and Environmental Services.

19. The City shall perform all work having to do with the Drinking Water System and with the installation, repair, renewal, or removal of the City's Water Meters, except where approved by the City Treasurer.

20. The City may temporarily interrupt the water supply without notice.

21. (1) Water shall not be supplied from the City's Water Distribution System unless a Water Service is laid and equipped in accordance with the provisions of this By-law and all necessary permits have been obtained from the City.

(2) A Temporary Water Service may be installed with the permission of the City Treasurer or the General Manager of Public Works and Environmental Services or the General Manager of Planning, Infrastructure and Economic Development for the purpose and on the conditions specified by the City Treasurer or the General Manager of Public Works and Environmental Services or the General Manager of Planning, Infrastructure and Economic Development.

22. The City does not guarantee:

- (a) any pre-determined water pressure or flow from the Drinking Water System or from any temporary Water Service;
- (b) any level of service of water pressure or flow that may be used for private fire suppression systems or any other systems; or
- (c) that water supplied be free of colour or turbidity.

## WATER CONNECTION PERMITS

23. No Person shall fail to obtain a Water Connection Permit prior to the installation, repair, renewal, removal, Blanking or capping of a Watermain or Water

Service or City Water Meter unless otherwise authorized by the General Manager of Planning, Infrastructure and Economic Development.

24. The General Manager of Planning, Infrastructure and Economic Development shall inspect plans and specifications for any drinking water system or water service to ensure compliance with City Standards.

25. A Water Connection Permit shall not be issued until:

- (a) the applicant for a Water Connection Permit has completed and submitted the appropriate forms and provided all required drawings and information to the satisfaction of the City;
- (b) the Water Service connection charge set in Schedule "B" has been paid;
- (c) any applicable Frontage Charge, as set in Schedule "B" and Schedule "C" has been paid;
- (d) all other required permits have been obtained; and
- (e) the General Manager of Planning, Infrastructure and Economic Development is satisfied that the proposed works meet City standards and do not contravene any other municipal By-law.

26. Extensions of and connections to the City's Water Distribution System shall only be permitted where they conform to the Official Plan of the City.

27. New Water Service connections and Water Service installations made in association with a capital works project of the City shall be subject to the entire permit requirements of this By-law and to the charges and fees set in Schedule "B".

28. There shall be no charge for the replacement of a public Water Service as part of a Watermain rehabilitation project provided that the replaced public Water Service is the same diameter or meets the City minimum service standards.

29. The fee for changing the diameter of a Water Service shall be equivalent to the full cost of a Water Service connection set in Schedule "B".

30. (1) Work performed by the City on behalf of an Owner shall comply with this By-law and with the terms and conditions of the Water Connection Permit and applicable laws.
- (2) Work shall commence only upon issuance of the Water Connection Permit and payment of the fees and charges set in Schedule "B".

31. (1) A Water Connection 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-month period, the permit may be cancelled by the City.
- (2) If cancelled, all funds paid on application for the Water Connection Permit shall be refunded without interest to the payor, less an administration fee set in Schedule "B".

#### FRONTAGE CHARGE

32. (a) Every Person applying for a Water Connection Permit shall be required to pay a Frontage Charge, where applicable, prior to installation of the Water Service, and the charge shall be:
  - i) in accordance with the rate in Schedule "B" and based on the assessable frontage of the property fronting on the Watermain from which the connection is made, and the calculation shall be in accordance with Schedule "C" when such land sets apply, or
  - ii) where so identified in Schedule "B", on the basis of an area specific charge set forth in Schedule "B".
- (b) Approval to sever Land or Premises shall be conditional upon all outstanding Frontage Charges being paid on the severed portion.
- (c) In the event that a Water Connection Permit is no longer valid in accordance with Section 31 of this By-law, then any monies paid for the Frontage Charge shall be returned to the Owner, as per Section 31, without interest, provided that in any new application for a Water Connection Permit, the applicant shall be required to pay the applicable Frontage Charge

#### DESIGN AND INSTALLATION OF DRINKING WATER SYSTEMS

##### New Drinking Water Systems

33. (1) All Drinking Water Systems shall be designed and constructed in conformance with City Standards unless Approved by the General Manager of Public Works and Environmental Services.
- (2) A registered easement shall be obtained prior to the installation of a Water Service to any Premise in, or over, or across the property of another Premise.
- (3) The City shall install the Water Service according to City Construction Specifications.

- (4) The City shall remain the owner of the portion of the Water Service as described in subsection (3).
- (5) The Water Service as described in subsection (3) shall remain in the off position, accessible, and in good working order until it is extended and connected to a City Water Meter.
- (6) All private Watermains and Private Water Services shall be of the same size and material and meet the same City Standards and specifications as the public Water Services installed by or on behalf of the City to the property line, unless otherwise required or Approved by the General Manager of Public Works and Environmental Services.
- (7) Every Owner shall be responsible for all excavation and backfilling and all required support including but not limited to equipment, tool, permit required for the installation apart from the parts and labour to perform the actual installation of the new Water Service from the Watermain to the property line.
- (8) Any Private Water Distribution System shall be installed by the Owner, at the Owner's sole expense, in accordance with all applicable law including, but not limited to, the Building Code Act, City Standards and this By-law.
- (9) Upon request or when deemed necessary by the General Manager of Public Works and Environmental Services, the City may require flushing of a new Drinking Water System to maintain water quality and the Owner shall pay based on water consumption or estimate as outlined in Section 85 (4). The Owner shall install flushing infrastructure and follow procedures and standards to the satisfaction of the General Manager of Public Works and Environmental Services at the Owner's sole costs.

#### Existing Drinking Water Services

34. (1) Any Owner wishing to relocate, replace, alter, disconnect or reuse an existing Water Service must make an application and receive Approval of the General Manager of Infrastructure and Economic Development prior to commencing the work.
- (2) Where a change referred to in subsection (1) is Approved by the Deputy City Manager of Planning and Infrastructure, the Owner, at the Owner's sole expense, may have the work performed on the City-owned portion of the Water Service by either an indemnified contractor or the City.
- (3) An existing Water Service shall not be connected to a new building unless it meets current City Standards and the Water Service is inspected and

Approved for reuse by the Deputy City Manager of Planning and Infrastructure in advance of any connection being made.

- (4) 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.

#### General Provisions for the Installation of Drinking Water Systems

- 35. (1) An applicant applying for the installation, relocation, replacement, alteration or disconnection of a Drinking Water System shall pay an inspection fee in accordance with Schedule "B".
- (2) In the event that a connection to the Waterworks or a Water Service is installed in a manner other than provided for in this By-law, the General Manager of Public Works and Environmental Services may, at the sole expense of the Owner:
  - (a) re-excavate the connection or Water Service for the purpose of inspection and testing and, if necessary, require the Owner to re-install the work in accordance with this By-law; and
  - (b) disconnect the Water Service, which shall not be reinstalled or reconnected except with the prior written permission of the General Manager of Public Works and Environmental Services and full compliance with the requirements of this By-law.

#### BACKFLOW PREVENTION

36. No Person shall connect, cause to be connected, or allow to remain connected to the Waterworks, or construct, install or maintain any piping, fixture, fitting, container, appliance, equipment or any other connection which may or could enable any substance to enter the Waterworks.

- 37. (1) The General Manager of Public Works and Environmental Services may require the installation of an Approved Backflow prevention mechanism on a Private Watermain or Private Water Service in accordance with Schedule "I"; and
- (2) Every Person required to install an Approved Backflow prevention mechanism on a Private Watermain or Private Water Service shall comply with the Backflow Prevention Program Requirements as set out in Schedule "I".

38. In the event that any or all provisions of Section 36 have been violated, or where a requirement mandated by Section 37 has been violated, the General Manager of Public Works and Environmental Services may shut off the water supply to a Private Water Main or Private Water Service without prior notice to any Person.

#### INSPECTION OF WATER DISTRIBUTION SYSTEMS

39. No Waterworks shall be connected to any Watermain until it is inspected, tested and disinfected to the satisfaction of the General Manager of Planning, Infrastructure and Economic Development.

40. City staff shall inspect Waterworks during construction, and upon approval of a Water Connection Permit, the applicant shall pay to the City the inspection fee in accordance with Schedule "B".

41. Issuance of the Water Connection Permit entitles the Permit Holder to an inspection under Section 39 of that portion of the Waterworks for which a Water Connection Permit was Approved to ensure that the service is installed in accordance with City Standards.

42. Where the General Manager of Planning, Infrastructure and Economic Development does not deem necessary, the inspection pursuant to Section 39 shall not include:

- (a) examination of the elevation of the Water Service when laid in advance of the Watermain;
- (b) examination of unexposed materials; or
- (c) inspection of the backfill of the trench.

43. Water supply shall not be provided until the Private Water Service or Private Watermain has been inspected, tested and disinfected to the satisfaction of the General Manager of Planning, Infrastructure and Economic Development.

44. (1) Prior to backfilling of the trench, the Permit Holder shall inform the General Manager of Planning, Infrastructure and Economic Development when a Private Water Service has been installed and the General Manager of Planning, Infrastructure and Economic Development shall have the Private Water Service inspected.

- (2) Backfilling shall only occur upon approval of the General Manager of Planning, Infrastructure and Economic Development.
- (3) Approval to backfill a Private Watermain or Private Water Service is not a guarantee or warranty that the structures will perform trouble free.

45. The City may require the Permit Holder to undertake tests to the satisfaction of the General Manager of Planning, Infrastructure and Economic Development to demonstrate proper Water Service installation prior to issuing authorization to backfill.

46. A Private Watermain or Private Water Service shall not be put into service until the City has completed its final acceptance, and final acceptance by the City shall not occur until a final inspection has been carried out to the satisfaction of the General Manager of Planning, Infrastructure and Economic Development.

47. For the purposes of Section 46, the City may require written confirmation from a Registered Professional Engineer in the Province of Ontario that a Private Water Distribution System was installed and inspected in accordance with City Standards.

#### MAINTENANCE OF PRIVATE WATER DISTRIBUTION SYSTEMS

48. Every Owner shall maintain and ensure proper functioning of Private Water Distribution Systems at the Owner's sole expense.

49. The General Manager of Public Works and Environmental Services has the right to inspect, disinfect, and test a Private Water Distribution System, at the Owner's sole expense.

50. The City shall give notice to the Owner and Occupant of Premises determined to have a defective or leaking Water Service, Watermain, hydrant or Plumbing whenever an inspection indicates the existence of a problem.

51. The City shall turn off the water supply to a Private Water Distribution System and isolate it from the Drinking Water System by means of turning off the Service Isolation Valve if remedial action is not taken with respect to a notice issued pursuant to Section 50.



52. Every Owner shall pay to the City the fee in accordance with Schedule "B" for any turning off or on of the Service Isolation Valve to shut off or restore Water Service to Premises.

53. The General Manager of Public Works and Environmental Services shall thaw Private Water Distribution Systems to the City Water Meter or the first tap in the basement only at the request of an Owner, at the risk of the Owner and at the Owner's sole expense, according to fees set out in Schedule "B".

54. Thawing operations shall not be undertaken where, in the opinion of the General Manager of Public Works and Environmental Services, such action may present a hazard.

## ACCESS

55. (1) As a condition of Water Service and as operational needs dictate, the City shall have, at all reasonable times, free access, to all parts of Land or Premises in which water is delivered and consumed or Water Service located, for the purposes of:
- (a) installation, inspection, testing, maintenance, repair, altering, replacement, disconnecting and removal of the Drinking Water System, Water Service connections, City Water Meters, and other parts of the Drinking Water System;
  - (b) inspection of Backflow prevention devices or other equipment and works associated with the Drinking Water system and the Private Water Service;
  - (c) reading of City Water Meters;
  - (d) verifying water leaks; or
  - (e) inspections for compliance with this By-law, a Notice of Violation or a condition to any permit.
- (2) No Person shall deny access to the City to any Land or Premises or any part of the Drinking Water System, City Water Meter, Water Service Connections and other parts of the Drinking Water System for any purpose provided for in this By-law.

## ACCESS TO DWELLINGS

56. (1) The City shall not enter a place being used as a dwelling unless:
- (a) the consent of the Owner or Occupant is first obtained, ensuring the Owner or Occupant is first advised that entry may be denied;
  - (b) a warrant issued under Section 158 of the *Provincial Offences Act*, as amended, is obtained;
  - (c) a warrant issued under Section 439 of the *Municipal Act, 2001*, as amended, is obtained;
  - (d) a warrant issued under subsection 386.3 of the *Municipal Act, 2001*, as amended, is obtained;
  - (e) an order issued under Section 438 of the *Municipal Act, 2001*, as amended, is obtained; or
  - (f) the delay necessary to obtain a warrant or the consent of the Owner or Occupant would result in the immediate danger to the health or safety of any Person.

## ENTRY ON LAND OR PREMISES – NOTICE REQUIREMENTS

57. Whenever the City exercises a power of entry pursuant to this By-law, the City shall:
- (a) provide reasonable notice of the proposed entry to the Owner or Occupant of the Land or Premises by personal service or prepaid mail or interactive online tools or by posting the notice on the land in a conspicuous place for three consecutive days prior to entry;
  - (b) in so far as is practicable, restore the Land or Premises to its original condition where any damage is caused.

## SERVICE FEE FOR ADDITIONAL VISITS

58. The additional visit fee set out in Schedule “B”, shall be charged to the Owner or Occupant where the City is required to make an additional visit at Premises for any of the following reasons:

- (a) the Owner or Occupant, after receiving notice from the City of a failed attempt to enter the Premises to install, maintain, repair, replace, alter, disconnect, inspect, test or read a City Water Meter or any other equipment or part of the Drinking Water System, its appurtenances or Plumbing, continues to refuse the City access to Land or Premises;
- (b) the City attends at a Premises for a scheduled appointment to perform any of the functions set out in subsection (a), and the Owner or Occupant is not present at the scheduled time to provide access to the Premises; or
- (c) the City attends at a Premises to perform any of the functions set out in subsection (a) and is unable to proceed based on dangerous circumstances or the inadequacy of access to the Premises or Drinking Water System.

#### SHUTTING OFF/RESTRICTING WATER SUPPLY

59. (1) Despite any other provision of this By-law, the City may shut off or restrict the supply of water to a Private Water Distribution System if the provisions under subsection 73(1) and (2) are not met or if the City is denied access to Land, Premises or a dwelling to install, replace, repair, downsize, read or inspect a City Water Meter.
- (2) Before shutting-off or restricting the supply of water under this Section, the City shall:
- (a) by personal service or by registered mail, serve the Owners and Occupants of the Land, Premises or a dwelling with a notice of the date upon which the City intends to shut off or restrict the supply of water; or
  - (b) ensure that a copy of the notice described in subsection (2)(a) is securely attached to the Land, Premises or a dwelling in a conspicuous place.
- (3) The City shall not shut off or restrict the supply of water under subsection (1) unless it has made reasonable efforts as determined by the City Treasurer to get access to the Land, Premises or a dwelling and has been unable to get access within fourteen days after one of the following methods of customer notice:
- (a) the day the last notice under subsection (2)(a) of this By-law was Personally served; or
  - (b) the day the last notice under subsection (2)(a) of this By-law was mailed.

- (4) If the City has shut off or restricted supply of water under subsection (1), the City shall restore the supply of water as soon as practicable.
- (5) The Owner or Occupant shall pay all applicable fees as prescribed in Schedule "B".

## INTERRUPTION AND BLANKING

60. Any Person requiring the turn-off of a Water Service and removal of the City Water Meter for the purpose of demolition, private water well decommissioning or other reasons shall excavate, backfill, and reinstate the pipe at their own cost so that the City may Blank the Water Service at the Watermain in the street, and all work must be inspected by the City, and the owner or applicant shall pay the fee for the inspection in accordance with Schedule "B".

61. Every Owner shall pay a fee for each Water Service to be Blanked in accordance with Schedule "B" where the City determines it is necessary to Blank a Water Service or Watermain.

62. Every Owner of a Water Service shall provide written notification to the General Manager of Public Works and Environmental Services when use of the Water Service is discontinued, and the Owner shall pay to the City a disconnection fee in accordance with Schedule "B".

63. The General Manager of Public Works and Environmental Services may Blank a Water Service and charge the Owner of the Water Service the disconnection fee in accordance with Schedule "B" where the Water Service has been unused for a period of one year or more. The City will invoice the cost over to the Owner or/and refund the difference if less than deposit.

64. Disconnected Private Water Distribution Systems shall not be reconnected without advance written consent of the General Manager of Public Works and Environmental Services and payment of applicable fees in accordance with Schedule "B".

65. Without limiting the generality of Section 63, in the event that a new Water Service is to be installed, the Owner shall ensure any existing disconnected Water Service is Blanked at their sole cost prior to the installation of a new Water Service.

## USE AND CARE OF HYDRANTS

### Permission to Use Water from Fire Hydrants

66. No Person shall operate a fire hydrant, except:
- (a) the General Manager of Public Works and Environmental Services;

- (b) a member of the fire department; or
- (c) a Person with a permit to take water from flusher hydrants for the purpose of flushing streets, construction and maintenance, flushing sewers or other uses Approved by the General Manager of Public Works and Environmental Services for which a permit has been issued.

#### Flusher Hydrant Permits

67. (1) The General Manager of Public Works and Environmental Services may require that any Person wishing to use a fire hydrant or draw water from a fire hydrant pursuant to subsection 66(c) shall:
- (a) obtain a flusher hydrant permit from the City;
  - (b) connect to the hydrant in the manner required by the flusher hydrant permit and comply with the flusher hydrant Use Guidelines and Operational Procedures while drawing water from a fire hydrant or while connected to a fire hydrant;
  - (c) report all water usage within 24 hours of taking the water as stipulated in the flusher hydrant Use Guidelines and Operational Procedures; and
  - (d) affix a copy of the flusher hydrant permit to the vehicle it was issued for, as follows:
    - (i) for single unit vehicles, to the front windshield, lower corner, passenger side; or
    - (ii) for trailer units, to the tanker trailer or water container itself, not the towing vehicle.
- (2) A flusher hydrant permit shall not be transferred.

#### Fire Hydrants Flow Test

68. (1) Fire flow tests will not be conducted by the City on private Land or Premises or using private fire hydrants.
- (2) (a) A fire hydrant flow test shall be conducted by the Owner or Occupant with the assistance of City staff and on such other terms and conditions, including indemnification of the City, as may be required by the General Manager of Public Works and Environmental Services.

- (b) Only City staff may operate the hydrants to conduct the flow test and the applicable fees set out in Schedule "B" apply.
  - (c) The Owner or Occupant is responsible for selecting the appropriate pair of hydrants to test to obtain the specific flow data they require, supplying a Person(s) qualified to conduct the flow measurements and to document the flow test data, and supplying all equipment needed to conduct the test.
- (3) Fire flow tests shall only be carried out between April 1 and October 31; or as indicated by the General Manager of Public Works and Environmental Services Department.
- (4) (a) The City reserves the final decision on whether a scheduled flow test may proceed.
- (b) A test may be cancelled if there is potential for adverse operational impacts to the waterworks and customer service concerns at the time of the scheduled test.
- (c) The test fee will be reimbursed to the Owner or Occupant if the City cancels the test.

#### Fire Hydrants – General

69. (1) Unless authorized by the General Manager of Public Works and Environmental Services, no Person shall:
- (a) open or close any fire hydrant or fire hydrant valve;
  - (b) connect any device of any kind to a fire hydrant, including a pipe, hose, fixture, or appliance; or
  - (c) use water from any fire hydrant, regardless of whether that fire hydrant is located on private or public property, for any purpose other than fire protection.
- (2) No Person shall paint fire hydrants or tamper with the colour scheme of fire hydrants except with the permission of the General Manager of Public Works and Environmental Services.
- (3) Any Person who wishes to have a City owned fire hydrant relocated may request in writing to the General Manager of Public Works and Environmental Services that the fire hydrant be relocated, and if Approved,

the Person making the request shall pay the estimated cost determined by the General Manager of Public Works and Environmental Services, subject to a refund or additional payment, depending upon the actual cost when the work has been completed.

#### Obstruction of a Hydrant

70. (1) The Owner or Occupant of Premises adjacent to a fire hydrant or on which a fire hydrant is located shall ensure that there is access to the fire hydrant at all times and that access is not obstructed in any manner whatsoever.
- (2) No Owner or Occupant of Premises shall allow anything on the Premises to interfere with the operation of a fire hydrant or private fire hydrant located on or adjacent to the or Premises.
- (3) Any Person who owns Premises on which a fire hydrant is located or own property adjacent to City owned property on which a fire hydrant is located:
- (a) shall ensure there is a three metre corridor free of vegetation and other objects between the hydrant and the curb and shall ensure there is a 1.5 metre radius clearance free of vegetation and other objects beside or behind a hydrant unless authorized in writing by the General Manager of Public Works and Environmental Services; and
- (b) shall ensure that nothing is constructed, erected, or placed within the clearance provided in subsection 3(a).
- (4) If an Owner fails to provide the proper clearances on or around the fire hydrant within 48 hours of being notified to do so by the General Manager of Public Works and Environmental Services, the General Manager of Public Works and Environmental Services may remove any and all obstructions or encroachments and the Owner shall pay the City all costs associated with the removal of those obstructions or encroachments.

#### CITY WATER METERS

71. (1) All Water Services shall be metered unless otherwise permitted by the City Treasurer.
- (2) All new City Water Meters twenty-five (25) mm and over or special City Water Meter sets shall be supplied and installed by the City Treasurer at the Owner's expense unless otherwise directed by the City Treasurer.
- (3) The City Water Meter to be supplied and installed in a Premises must be Approved by the City Treasurer.

- (4) Only one City Water Meter per Water Service shall be installed for Water Service billing purposes.
- (5) The City Water Meter shall be owned by the City and its installation shall meet City Standards.
- (6) All City Water Meters shall have a City Water Meter Reading Device (endpoint) installed. The City Water Meter Reading Device (endpoint) shall be owned by the City and its installation shall meet City Standards.

#### Costs Associated with City Water Meters

72. The Owner or Occupant of the Land or Premises on which a City Water Meter is to be located shall:

- (a) pay the fee in accordance with Schedule "B" for the supply and installation of the City Water Meter, prior to its installation;
- (b) pay the cost of altering, repairing, relocating, downsizing or replacing a City Water Meter;
- (c) pay the cost of plumbing required as a result of downsizing the City Water Meter;
- (d) pay the cost of installing, replacing or repairing any damaged, missing or stolen component of a City Water Meter;

#### Location, Installation and Maintenance of City Water Meters

73. (1) As a condition of service, and despite any other provision of this By-law, the City Treasurer may:
- (a) determine the location that a City Water Meter is to be installed;
  - (b) drill holes and install new hardware for the purpose of installation, relocation and maintenance of the City Water Meter;
  - (c) upon prior notice, enter upon a Premises for the purpose of installing, relocating, replacing, repairing or inspecting the City 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;
  - (d) require a City Water Meter either to be tested on site or removed for testing by a Person authorized by the City Treasurer at the discretion of the City;



- (e) require a City Water Meter to be replaced or relocated;
  - (f) inspect Land or Premises prior to supplying water to determine if a site is suitable for the installation, reading, maintenance and repair of a City Water Meter and related works; and
  - (g) inspect an installation at any time to ensure it meets approved or modified drawings and require an Owner to remedy any deficiencies.
- (2) Despite any other provision of this By-law, every Owner and Occupant shall:
- (a) provide a suitable site for installation of the City Water Meter near the Building Control Valve, to the satisfaction of the City Treasurer and in accordance with City Standards;
  - (b) provide a properly valved and sealed bypass around the City Water Meter, at the Owner or Occupant's sole expense, only when required by the City Treasurer;
  - (c) when required by the General Manager of Public Works and Environmental Services, provide at the Owner or Occupant's sole expense and to the satisfaction of the City Treasurer a meter/backflow building, vault, or chamber on the property and near the property line in accordance with City Standards;
  - (d) ensure the maintenance and repair of any building, vault or chamber referred to in subsection (c), and, upon failure to do so the City Treasurer may have such work performed by the City at the Owner or Occupant's sole expense;
  - (e) ensure that the City has clear access at all times to meter areas and City Water Meters;
  - (f) ensure the safe-keeping of any City Water Meter, that is installed on the Land or Premises;
  - (g) protect the City Water Meter, valves and pipes located on the Premises;
  - (h) make repairs to facilitate the removal or testing of the meter if, in the opinion of the City, the condition of the Water Service pipe or valves and of the Plumbing system on such piping is such that the City Water Meter cannot be safely removed for the purpose of testing, replacing, repairing or testing without fear of damage to the Water Service pipe valves or City Water Meter; and

- (i) notify the City Treasurer within 24 hours if the seal on a by-pass valve or a City Water Meter is broken.
- (3) An Owner or Occupant may request that a City Water Meter be tested for accuracy, and the cost of any such test shall be at expense of the City if the City Water Meter is found to be not accurate within the standards established by the American Water Works Association or substitute therefore and at the Owner's sole expense if the City Water Meter is found to be accurate within the standards established by the American Water Works Association or substitute therefore.

## WATER CONSERVATION

### Unmetered Service

74. No water shall be taken from an unmetered service provided for fire protection purposes except for the following purposes:
- (a) fire protection or the training of firefighters; or
  - (b) testing of the system by employees of an incorporated fire underwriter's association.

### Outdoor Water Use Restrictions

75. (1) In the event that the General Manager of Public Works and Environmental Services determines there to be the need for reduced water usage, the General Manager of Public Works and Environmental Services may declare outdoor water use restrictions.
- (2) No Person shall use, or cause or permit to be used, water during a period when the use of water has been suspended pursuant to subsection (1).
- (3) The declaration of an outdoor water use restriction by the General Manager of Public Works and Environmental Services may apply to:
- (a) the entire City;
  - (b) a specific zone or geographic area of the City; or
  - (c) other specific locations as directed by the General Manager of Public Works and Environmental Services.

- (4) In the event of an outdoor water use restriction, the General Manager of Public Works and Environmental Services may declare the restriction effective immediately.
- (5) In the event of a declaration of outdoor water use restrictions made pursuant to this Section, the General Manager of Public Works and Environmental Services shall:
  - (a) determine the severity of the outdoor water use restrictions and determine the restricted activities;
  - (b) cause public notice indicating outdoor watering restrictions and the effective date of such restrictions by any means that, in the opinion of the General Manager of Public Works and Environmental Services, are sufficient to provide reasonable notice of the subject matter of the notice of restriction or notice of suspension, as the case may be, and that any such method of notice shall be deemed to have been given to the Person or Persons to which the notice is directed, on the earliest date of any such posting;
  - (c) when changing the area or any other specific related to the restrictions in any area or lifting a declaration of outdoor water use restriction, cause a public notice of such declaration to be provided in the manner described in subsection 5(b); and
  - (d) after determining that the reason or reasons that required the reduced water usage has sufficiently abated, declare an end to outdoor water use restrictions and cause public notice of such declaration to be given in the manner described in subsection 5(b).
- (6) When an outdoor water use restriction is in effect, no Person shall use, or cause or permit to be used water, including water supplied through the Drinking Water System:
  - (a) for any activity or application, the General Manager of Public Works and Environmental Services has prohibited; or
  - (b) in any manner contrary to any direction given by the General Manager of Public Works and Environmental Services during a period when the use of water has been restricted.

## REFUSAL OF SERVICE

76. In the event that the Owner or Occupant does not provide the City access to the City Water Meter after the City has sent notice requesting access, whether the

Owner or Occupant has submitted meter reading figures or not, the Owner shall pay the Water Rate and Sewer rate in accordance with Schedule "A" applied to twice the water use estimated under Section 85.

77. In the event that the Owner or Occupant does not meet the requirements of subsections 73(1) and (2) or performs the necessary work for a City Water Meter to function properly after being notified of the requirement to perform this work by the City, the Owner shall pay the Water Rate and Sewer Rate in accordance with Schedule "A" applied to twice the water use estimated under Section 85.

78. The City may apply twice the previous water use estimate to every billing cycle thereafter.

## OFFENCES

### By-pass Valves

79. Any Owner or Occupant who benefits from an open by-pass valve on a City Water Meter or metering installation except in the case of emergency is guilty of an offence, and shall pay the Water Rate and Sewer Rate set in Schedule "A" applied to twice the water use estimated under Section 85.

### Hydrants and Unmetered Service

80. Any Person, Organization, Owner or Occupant who benefits from an open hydrant or an unmetered service, except in the case of emergency or unless properly authorized under the provisions of this by-law, is guilty of an offence, and shall pay the Water Rate and Sewer Rate set in Schedule "A" applied to twice the water use estimated under Section 85.

### City Water Meter

81. Any Owner or Occupant who benefits by wilfully impairing or permitting a City Water Meter to be altered or impaired, so that the City Water Meter indicates less than the actual amount of the water that passes through it, is guilty of an offence, and shall reimburse the City for any repairing or replacing expenses of the City Water Meter incurred by the City and the Water Rate and Sewer Rate as set in Schedule "A" applied to twice the water use estimated under Section 85.

82. Any person, Owner or Occupant who wilfully damages or causes damage to any City Water Meter is guilty of an offense, and shall reimburse the City for any expenses of repairing or replacing the City Water Meter.

## WATER SERVICE RATES AND CHARGES

83. The Owner of Premises that is connected to a Watermain and in which a City Water Meter has been installed shall pay the Water Rate set out in Schedule "A".

84. All Land in the City, vacant or occupied, that is served by a Watermain fitted with fire hydrants, shall be subject to Fire Supply Charges based on water meter size as set in Schedule "A", except the following:

- (1) vacant Premises certified to be unfit for building purposes or prohibited from building under any Act of the Province of Ontario, the Government of Canada or any By-law of the City;
- (2) any Premises designated as farm land and not shown on a registered plan of subdivision;
- (3) any park Land or Premises that does not have buildings or other improvements upon it;
- (4) any Premises designated as cemetery land; and
- (5) any Premises lying outside a serviced Village or the Urban Area as defined by the Official Plan of the City.

## ESTIMATION OF CONSUMPTION

85. (1) Where for any reason the consumption of water on Land or Premises has not been recorded or where in the opinion of the City Treasurer the consumption of water has been wrongly recorded, the City shall estimate the quantity of water consumed and the Owner shall be liable to pay the water and sewer rates applicable to the consumption on the basis of such estimate.
- (2) When estimating the usage of water at a Premises, the City shall consider any relevant factors including but not limited to:
- (a) any records of water use at the Premises;
  - (b) water use at Premises that could be expected to have similar usage patterns;
  - (c) whether water use may have been under-recorded before a meter stopped functioning;

- (d) the likely use that would occur if a leak developed at the Premises;
  - (e) the length of time since use has been accurately measured; and  
use of water at the Premises and water service size.
- (3) The City may estimate consumption based upon use and water service size during the provision of unmetered Temporary Water Supply and the Owner or Occupant shall be liable to pay the City Water Meter rate applicable to the consumption on the basis of such estimate.
  - (4) In situations where flushing occurs pursuant to Subsection 33(9), the City may estimate consumption based on use and flow rate for the duration of the flushing and the Owner shall be liable to pay the water and sewer rate as set out in Schedule "A".

86. Where because of frost penetration on the street it may be expedient to allow an Owner or Occupant to run water at a continuous low rate to prevent freezing of a Private Water Distribution System, the General Manager of Public Works and Environmental Services shall authorize such usage and shall advise the City Treasurer to adjust the billing to conform to normal consumption of the Land or Premises.

#### SEWAGE SERVICE RATE

87. (1) The Owner or Occupant of each Premises that uses or is connected to Sewage Works shall pay a Sewer Service Rate set in Schedule "A":
- (2) The Owner or Occupant of each Premises that receives sewage service but does not receive water supply service from the City, shall pay a sewer service rate set in Schedule "A".
  - (3) The Owner or Occupant of each Premises that introduces water into the Plumbing of said Premises that comes from a source other than the City Water Distribution System that is subsequently disposed of and treated by Sewage Works shall:
    - (a) provide the City Treasurer with notice, in a manner satisfactory to the City Treasurer, that said water is being introduced into the Plumbing of said Premises;
    - (b) ensure that said water is measured in a manner satisfactory to the City Treasurer prior to the introduction of any amount of said water into the Plumbing of said Premises; and
    - (c) pay a sewer service rate set in Schedule "A" on the said water.

- (4) The General Manager of Public Works and Environmental Services may request access to Premises from the Owner or Occupant to conduct an inspection to verify that public Sewage Works are not being used in a manner described in subsection (3), and if the General Manager of Public Works and Environmental Services is not provided with the requested access within ninety (90) days of the request, the Premises will be deemed to be using public Sewage Works and subject to the sewer service rate set in Schedule "A".
- (5) The sewage service rate shall be levied and billed as surcharge on Water Service.

#### SEWAGE SERVICE RATE EXEMPTION

88. (1) In this Section, the following additional definitions apply:

"Comprehensive Water Audit" means the detailed analysis of water usage within a facility and the calculation of Wastewater discharged to the Public Wastewater Sewage Works in order to determine how and where water is being used, and the City Treasurer shall establish the minimum requirements for such an audit.

"Flow Differential" means the difference between the volume of water purchased and the volume of Wastewater discharged to Public Wastewater Sewage Works, divided by the volume of water purchased

"Limited Water Audit" means the analysis of water usage within a facility and the calculation of Wastewater discharged to the Public Wastewater Sewage Works in order to determine how and where water is being used, and the City Treasurer shall establish the minimum requirements for such an audit.

- (2) An Owner or Occupant may apply for an exemption from the payment of a portion of the City's sewer service rate provided the Owner or Occupant meets the conditions for exemption set out in this Section to the satisfaction of the City Treasurer and that such application is made in the form prescribed by the City Treasurer.
- (3) One application under subsection (2) shall be made for each Water Service for which the Owner or Occupant wishes an exemption.
- (4) The sewage service rate exemption to which an applicant under this Section may be entitled shall be the sewer service rate in Schedule "A" prorated by the Flow Differential approved by the City Treasurer, that is based on the

wastewater discharged to a Public Wastewater Sewage Works, as determined by the Comprehensive Water Audit or the Limited Water Audit, as the case may be. The prorated rate shall apply to all water consumed.

- (5) In addition to the rate approved in subsection (4), the applicant shall also pay 20% of the sewer service rate in Schedule "A" on all water consumed.
- (6) In order for an Owner or Occupant to qualify for the sewage service rate exemption, the following conditions must be satisfied:
  - (a) the Owner or Occupant must consume through the subject Water Service at least 12,000 cubic meters of water annually;
  - (b) a minimum 20 percent of the potable water consumed must be diverted from Sewage Works; and
  - (c) a Limited Water Audit, at the Owner's or Occupant's sole expense, must be performed and a report certified by a Professional Engineer submitted to the City Treasurer.
- (7) If the Owner or Occupant uses water primarily for irrigation or other outdoor uses, in lieu of a Limited Water Audit, a comprehensive Water audit, at the Owner's or Occupant's sole expense, must be completed.
- (8) An Owner or Occupant shall not be eligible for a sewage service rate exemption under this Section if the Premises are not connected to City Sewage Works.
- (9) A sewage service rate exemption, if approved, shall be effective from the date the Limited or Comprehensive Water Audit is complete and has been received to the satisfaction of the City Treasurer.
- (10) Prior to receiving a sewage service rate exemption, the Owner or Occupant shall at the Owner's or Occupant's sole expense, install or replace flow metering equipment of a standard Approved by the City Treasurer on all process lines designated by the City Treasurer.
- (11) The Owner or Occupant shall own metering equipment installed pursuant to this Section.
- (12) All metering equipment shall, at the Owner's or Occupant's sole expense, be properly tested and calibrated to the satisfaction of the City Treasurer and in proper working order at all times.



- (13) An exemption from the payment of a portion of the sewage service rate may be Approved by the City Treasurer based on the following conditions including but not limited to:
  - (a) monitoring and measuring discharges of wastewater to Public sewage works;
  - (b) the intervals at which the exemption shall be applied against the sewage service rate;
  - (c) provision of access to the subject Premises by the City for the purpose of monitoring and measuring discharges; or
  - (d) provision of information that, in the opinion of the City Treasurer, is necessary and reasonable for the proper administration of the sewage service rate exemption, including, but not limited to, process operations, changes to process operations affecting water consumption or Flow Differential.
- (14) A sewage service rate exemption amount shall be an estimated amount and the City shall recalculate the actual amount of the exemption annually.
- (15) The actual exemption may be greater or less than the estimated amount, and if the actual amount exempt from payment is greater than the estimated amount, then the difference between the actual amount and the estimated amount shall be payable by the City to the Owner or Occupant and, if the actual amount is less than the estimated amount, the difference shall be payable by the Owner or Occupant to the City.
- (16) A sewage service rate exemption is not transferable or assignable.
- (17) The City must be notified thirty (30) days prior to any change in occupancy or ownership of the subject Premises.
- (18) Where the City incurs expenses to ensure that the Owner or Occupant is in compliance with this Section or any other requirement for the exemption, the Owner or Occupant may be charged, and shall pay, the fees in accordance with Schedule "B".
- (19) The City Treasurer may refuse to grant or revoke a sewage service rate exemption in the event that the Owner or Occupant fails to comply with; any of the conditions to qualify for the exemption, any of the conditions of the approval of the exemption, this By-law, or any other City By-law.

## PAYMENTS

89. All fees and charges, including water rates, sewer rates, stormwater rates and fire supply charges which are in arrears, levied under this By-law and which are added to the water accounts, shall be subject to a penalty and monthly interest charge as set out in Schedule "A".

90. All fees and charges, including water rates, sewer rates, stormwater rates, fire supply charges, frontage charges, and other charges and fees under this By-law shall be a priority lien and charge upon the land of the Owner.

91. Water, sewer and stormwater accounts that are past due shall be deemed to be in arrears and shall be transferred to the collector's roll of the City to be collected in the same manner as municipal taxes.

92. Partial payments on water, sewer and stormwater accounts that are in arrears shall be applied.

- (1) First against any late payment and interest charges owing according to the length of time they have been owing, with the oldest first;
- (2) Then against the any Revenue Services user fees or fees defined in Schedule "B" according to the length of time they have been owing, with the oldest first;
- (3) Then against any water rates, sewer rates, stormwater rates, fire supply charges, frontage charges owing according to the length of time they have been owing, with the oldest first.

93. In case of payment received by mail, the date the payment is received shall be taken as the date of payment.

94. In addition to any other provision of this By-law, the City may shut off or restrict the supply of water to a Private Water Distribution System for failure to make payments on water rates, sewer rates, stormwater rates, fire supply charges, frontage charges, and other charges and fees under this By-law.

## PART II - FORCED WATER SERVICE CONNECTIONS

### DEFINITIONS

95. In this Part, the following additional definitions apply:

“Gross Floor Area” means, with respect to non-residential use buildings, the total area of all building floors above or below grade between the outside surfaces of exterior walls, or between the outside surfaces of exterior walls and the centre line of party walls dividing a non-residential use and a residential use except those areas used exclusively for parking garages or structures.

“Non-Residential Use” means buildings or structures, or part thereof, used for other than a residential use.

“Residential Use Buildings” means buildings or structures, or part thereof, of any kind whatsoever used, designed or intended to be used as living accommodations for one or more Persons.

### FORCED CONNECTION RESIDENTIAL

96. All Residential Use Buildings located within the described areas in Schedule “D” Mandatory Connection and Capping Area – Manotick, Schedule “E” Mandatory Connection and Capping Area – Vars, and Schedule “F” Mandatory Connection and Capping Area – Carp to this By-law shall connect, either directly or indirectly, to a watermain serving the areas in Schedule “D” Mandatory Connection and Capping Area – Manotick, Schedule “E” Mandatory Connection and Capping Area – Vars, and Schedule “F” – Mandatory Connection and Capping Area – Carp, as the case may be.

### FORCED CONNECTION NON-RESIDENTIAL

97. With respect to the areas described in Schedule “D” Mandatory Connection and Capping Area – Manotick, Schedule “E” Mandatory Connection and Capping Area – Vars, Schedule “F” Mandatory Connection and Capping Area – Carp, to this By-law, all non-residential use buildings over 10m<sup>2</sup> in Gross Floor Area and all Non-Residential Use Buildings in which plumbing is located shall connect, either directly or indirectly, to a Watermain serving the areas in Schedule “D” Mandatory Connection and Capping Area – Manotick, Schedule “E” Mandatory Connection and Capping Area – Vars, Schedule “F” Mandatory Connection and Capping Area – Carp” to this By-law, as the case may be.

### INSTALLATION BY CITY

98. If the Owner of any class of building affected by this Part fails to make a connection required by this Part within nine (9) months after the General Manager of Public Works and Environmental Services has sent notice to the Owner by registered mail to the Owner’s last known address requiring the connection to be made, the General

Manager of Public Works and Environmental Services may direct that the connection be made by the City at the Owner's sole expense, and for this purpose may authorize the entering in and upon the Land or Premises of the Owner.

#### CONTENTS OF NOTICE

99. A notice sent under Section 98 shall advise the Owner that if the Owner fails to make the connection as required, the City has the right to make the connection at the Owner's sole expense and to recover the expense by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes.

#### EXTENSIONS OF TIME

100. Upon application by the Owner, the General Manager of Public Works and Environmental Services may grant an extension of not more than two (2) years from the end of the nine (9) month period provided for in Section 99 within which the connection is to be made, but not more than two (2) extensions may be granted in respect of any building of any class.

#### OPINION OF COUNCIL

101. (1) City Council is of the opinion that the continuance of wells within the areas described in Schedule "D" Mandatory Connection and Capping Area – Manotick, Schedule "E" Mandatory Connection and Capping Area – Vars, Schedule "F" Mandatory Connection and Capping Area – Carp to this By-law may be dangerous to health.
- (2) City Council is of the opinion that the continuance of wells within the areas described in Schedule "G" Optional Connection Area – Carp to this By-law may be dangerous to health if satisfactory annual tests are not submitted.

#### PLUGGING OF WELL

102. Every Owner, or Occupant of Land or Premises located in the areas described in Schedule "D" Mandatory Connection and Capping Area – Manotick, Schedule "E" Mandatory Connection and Capping Area – Vars, Schedule "F" – Mandatory Connection and Capping Area – Carp to this Part and which has a connection to a piped water supply, shall forthwith after the connection has been made abandon and plug every existing well situated on the Land or Premises in accordance with Ontario Regulation 903 made under the *Ontario Water Resources Act*, as amended.

## GROUND SOURCE HEAT PUMP SYSTEM

103. Notwithstanding Section 102 the Owner or Occupant of a Premises with a well which is supplying and existing ground source heat pump system, does not have to abandon and plug the well, so long as:

- (a) its use is restricted to supplying the ground source heat pump system only;
- (b) a Backflow prevention device Approved by the General Manager of Public Works and Environmental Services is installed; and
- (c) the Ministry of the Environment of Ontario has not ordered or recommended that the well be abandoned and plugged.

104. Where a residential use or non-residential use building in the land areas described in Schedule "E" Mandatory Connection and Capping Area – Vars and Schedule "F" optional Connection Area – Carp is connected, either directly or indirectly to a Watermain, Section 102 applies unless:

- (a) a Backflow prevention device Approved by the General Manager of Public Works and Environmental Services is installed; and
- (b) there is no connection of pipes from any well to the plumbing provided with water from a watermain.

## PART III - GENERAL

## GENERAL PROVISIONS

105. No Person shall provide false information in any report or returns required under this By-law or wilfully withhold information required under this By-law.

106. No Person shall hinder, interrupt or cause to be hindered the City, its contractors, servants, agents or workers, in the exercise of any of the powers or duties under this By-law or related to the Drinking Water System as authorized or required in this By-law.

## ENFORCEMENT, OFFENCES and PENALTIES

107. This By-law shall be enforced by a By-law Officer.

(1) In addition to any other provision of this By-law, any Person who contravenes any provision of this By-law or any schedules attached hereto is guilty of an offence and on conviction is liable to a minimum fine of \$500.00 and a maximum fine of \$100,000.00 as provided for in subsection 429(3)(1) of the *Municipal Act, 2001*.

(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 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*.

108. When a Person has been convicted of an offence under this By-law,

(a) the Ontario Court of Justice; or

(b) any court of competent jurisdiction thereafter,

may, in addition to any penalty imposed on the Person convicted, issue an Order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the Person convicted directed toward the continuation or repetition of the offence.

## REPEAL AND TRANSITIONAL PROVISIONS

109. By-law No. 2013-360 of the City of Ottawa entitled "Water By-law", as amended, is hereby repealed.

110. (1) All permits issued pursuant to said By-law 2013-360, as amended, shall be deemed to be issued under this by-law, during the period for which they have been issued.
- (2) The repeal of said By-law 2013-360, as amended, shall not affect any offence committed against the provisions of the said By-law or any penalty incurred in respect thereof or any investigative proceedings or prosecutions thereunder.

EFFECTIVE DATE

111. This by-law is deemed to have come into force and taken effect on May 1, 2018.

SHORT TITLE

112. This by-law may be referred to as the "Water By-law".

ENACTED AND PASSED this 23<sup>rd</sup> day of May, 2018.

CITY CLERK

DEPUTY MAYOR

## SCHEDULE "A"

**WATER RATES, SEWER RATES AND CHARGES**

The Annual Water, Sewer, Fire Supply Charges, and Interest Charge, provided below come into force on January 1, 2018.

**Water Rates**

## 1. Annual Fire Supply Charge

<b>Meter Size</b>	<b>Fire Supply</b>
15 mm	46.28
20 mm	82.28
25 mm	128.58
40 mm	329.14
50 mm	514.29
75 mm	1,157.15
100 mm	2,057.14
150 mm	4,628.57
200 mm	8,228.57
250 mm	12,857.15

## 2. Water Consumption Rate

\$1.953 Per Cubic Metre

**Sewer Rates**

## 1. Properties connected to the municipal water supply.

120% of Water  
Consumption rate

## 2. Properties not connected to the municipal water supply.

0.105757% of property  
assessment.



**Interest Charge**

The monthly interest charge on all overdue amounts on the water bill.

1.25%

## SCHEDULE "B"

**WATER SYSTEM CHARGES**

The Annual Water System Charges, provided below come into force on January 1, 2018.

<b>User Fees</b>	
<b>Service Installation Charges</b>	
<b>1. Water Services Connection</b>	
<u>Size of Service Pipe</u>	
All sizes and all types of service connections (Cost plus 15%, hourly)	141.00
Additional visit (service connection 20 mm-50 mm) (Cost plus 15%, hourly)	141.00
Additional visit (service connection >50 mm) (Cost plus 15%, hourly)	203.00
Private service connection (Cost plus 15%, hourly)	141.00
<b>2. Services</b>	
<b>Thawing of Services</b>	
All thawing services (Cost plus 15%, hourly)	169.00
Fire Flow Tests	256.00
<b>3. New Water Meters (installation cost included)</b>	
<u>Size of Service Pipe</u>	
15 x 20 mm Pos. Disp.	360.00
15 x 20 mm Pos. Disp.(Carlsbad only)	549.00
20 mm Pos. Disp.	403.00
25 mm Pos. Disp.	474.00
40 mm Pos. Disp.	883.00
50 mm Pos. Disp.	985.00
50 mm Turbine	1,955.00
50 mm Compound	2,814.00
75 mm Turbine	2,417.00
75 mm Compound	3,540.00
100 mm Turbine	2,956.00
100 mm Compound	4,649.00

150 mm Turbine	5,043.00
150 mm Compound	7,919.00
Fire Assembly, all sizes (Cost plus 15%, hourly)	202.00
<b>4. Replacement Water Meters (installation cost included)</b>	
<u>Size of Service Pipe</u>	
15 x 20 mm Pos. Disp.	261.00
15 x 20 mm Pos. Disp.(Carlsbad only)	265.00
20 mm Pos. Disp.	304.00
25 mm Pos. Disp.	375.00
40 mm Pos. Disp.	751.00
50 mm Pos. Disp.	854.00
50 mm Turbine	1,731.00
50 mm Compound	2,613.00
75 mm Turbine	2,287.00
75 mm Compound	3,338.00
100 mm Turbine	2,824.00
100 mm Compound	4,448.00
150 mm Turbine	4,885.00
150 mm Compound	7,691.00
Temporary removal and installation of meter	135.00
City water meter reading device (new or damaged) replacement	206.00
City water meter reading device and/or water meter reader wire re-location	162.00
<b>5. Service Charges</b>	
Permit for Flusher Hydrant Usage	271.00
Inspection for New Water Meters (less than 20mm)	96.00
Meter Maintenance Service Call	164.00
Call for Plumbing Repairs	26.00
Water Meter Accuracy Test (less than 25mm)	135.00
Additional visits (25mm meter)	64.00
Additional visits (large meter greater than 25mm)	85.00
Additional visits (fire line meters)	200.00
Manual Meter Reading Fee	30.00

Turn off water services for non payment or turn on following receipt of payment (per operation)	92.00
Turn off water services (per operation)	92.00
<b>6. Blanking of Water Services</b>	
All sizes	Cost plus 15% 3,000.00 deposit
<b>7. Inspection Fees</b> (Inspection of activities connected to the water distribution system)	
All new watermains and services that don't require full disinfection	200.00
All new watermains and services up to 50m long that require full disinfection	594.00
All new watermains and services over 50m long that require full disinfection	Cost plus 15%
<b>8. Frontage Charge</b>	\$190.00/m
<b>9. Area-Specific Water Charges (exclusive of other applicable charges in this table)</b>	
(a) Carlsbad Trickle-Feed System Area  in respect of the area identified in Figure 1 of Schedule "H" (except for the locations identified in Table 1 and Figure 2 of Schedule "H") and subject to annual indexing each April 1 commencing April 1, 2016 in accordance with the increase in the Statistics Canada Non-Residential Building Construction Price Index for the preceding January 1 to December 31 period.	\$3,765.00 per new water service

## SCHEDULE "C"

**FRONTAGE CHARGES**

## Special cases

- (1) Large residential frontage lots – frontage charges shall be calculated and applied up to a maximum of thirty meters (30 m). The rate applicable to the frontage exceeding thirty meters (30 m) shall be collected at the prevailing rate when, and if, the lot is severed.
- (2) Unbuildable residential property – frontage charges shall be calculated, upon evidence of utilization, as directed by the General Manager Planning Infrastructure and Economic Development. Should the property subsequently be severed for the purpose of building construction, the City shall collect the remaining frontage charge at the prevailing rate when the lot is severed.
- (3) Corner residential lots – frontage charges shall be calculated on the side dimension from which the service is taken, up to a maximum of thirty meters (30 m). If the property is severed in the future, frontage charges on the credited difference shall become applicable at the prevailing rate.
- (4) Irregular residential lots – where the frontage is greater than the rear dimensions, the applicant shall pay full frontage less one-third (1/3) of the difference between front and rear dimensions up to a maximum of thirty meters (30 m).
- (5) Rural residential lands – frontage charges shall be calculated and applied up to a maximum of thirty metres (30 m) or for such distance exceeding thirty metres (30 m) based on the evidence of residential utilization as directed by the Deputy City Manager; for example, a farm house with nursery. For severed lots, frontage charges shall apply to the full frontage distance up to a maximum of thirty meters (30 m).
- (6) Block lands – for block lands including but not limited to condominiums, townhouses, industrial, commercial and institutional uses, with water supply in more than one roadway, the applicant shall pay full frontage on each roadway from which the services are taken.
- (7) Cemeteries – frontage charges shall be calculated on the full frontage from which the service is taken.

- (8) Public institutions – schools, churches, hospitals, police and fire stations and other public institutions shall pay full frontage on the roadway from which the services are taken.
- (9) Government offices and other municipal, provincial or federal lands – the applicant shall pay full frontage on each roadway from which the services are taken.

## SCHEDULE "D"

**Mandatory Connection and Capping Area – Manotick**

ALL THOSE LANDS in the Township of Rideau, in the Regional Municipality of Ottawa-Carleton, and Province of Ontario being parts of Lots 1, 2 and 3, in Concession A (Broken Front) formerly in the Township of North Gower, now in the Township of Rideau.

COMMENCING at a point in the water's edge of the west bank of the West Branch of the Rideau River where it is intersected by the production northeasterly of the southeastern limit of Eastman Avenue as shown on Registered Plan 4M-430;

THENCE southwesterly to and along the southeast limit of Eastman Avenue to the east limit of Potter Drive as shown on Registered Plan 4M-430;

THENCE southwesterly along the east and southeast limit of Potter Drive to a point opposite the western limit of Doctor Leach Drive as shown on Registered Plan 4M-430;

THENCE northerly to and along the western limit of Doctor Leach Drive to the northern limit of Clothier Drive as shown on Registered Plan 4M-430;

THENCE westerly along the northern limit of Clothier Drive and Whitewood Avenue as shown on Registered Plan 4M-495 to the southwest angle of Lot 1, Registered Plan 4M-430;

THENCE northerly along the western limit of Lot 1, Registered Plan 4M-430 to the northwest angle of Lot 1;

THENCE northerly to a point in the northern limit of John Street as shown on Registered Plan 771 the said point being the southwest angle of Lot 8, Registered Plan 771;

THENCE easterly along the northern limit of John Street to the west limit of Meadow Lane Road;

THENCE northerly along the western limit of Meadow Lane Road to the southeast angle of Part 3 on Reference Plan 5R-3519;

THENCE westerly along the southern limit of Part 3 and Part 4 on Reference Plan 5R-3519 to the eastern limit of Lot 8 as shown on Registered Plan 771;

THENCE northerly along the eastern limit of Lot 8, Registered Plan 771 to the southeastern limit of Lot 13 Registered Plan 771;

THENCE northeasterly along the southeastern limit of Lot 13, to the easterly angle of Lot 13;

THENCE northerly along the northeastern limit of Lot 13 to the southerly angle of Lot 14, Registered Plan 771;

THENCE easterly along the southern limit of Lot 14 to the western limit of Meadow Lane Road as shown on Registered Plan 771;

THENCE northerly along the western limit of Meadow Lane Road to its intersection with the southeastern limit of Maple Avenue as shown on Registered Plan 771;

THENCE northerly to the easterly angle of Block B, Registered Plan 771;

THENCE northwesterly along the northeastern limit of Block B to the line between Lots 1 and 2 in Concession A (B.F.), Township of North Gower;

THENCE easterly along the line between Lots 1 and 2 to the southwest angle of the land described in Instrument CT 172067;

THENCE northerly along the western limit of Instrument CT 172067 to the northwest angle of Instrument CT 172067;

THENCE easterly along the northern limit of the lands described in Instrument CT 172067 to the southeasterly angle of the lands described in Instrument NS 43713 distant 47.85 metres measured southwesterly from the southwest limit of Main Street and 60.96 metres measured southeasterly from the southeast limit of Highcroft Drive;

THENCE northwesterly parallel to the southwest limit of Main Street to the southeast limit of Highcroft Drive;

THENCE northeasterly along the southeast limit of Highcroft Drive and its production northeasterly to the northeastern limit of Main Street;

THENCE northwesterly along the northeast limit of Main Street to a point distant 6.10 metres measured northwesterly from the westerly angle of Lot 2 as shown on Registered Plan 547;

THENCE northeasterly parallel to the line between Lots 2 and 3, Registered Plan 547 to the water's edge of the west bank of the West Branch of the Rideau River;

THENCE easterly, northerly, easterly, and southeasterly, following the water's edge of the west bank of the West Branch of the Rideau River to the point of commencement.



## SCHEDULE "E"

**Mandatory Connection and Capping Area – Vars**

ALL THOSE LANDS in the Township of Cumberland, in the Regional Municipality of Ottawa-Carleton and Province of Ontario being parts of Lots 24, 25, and 26, in Concession 6, and parts of Lots 24, 25, and 26, in Concession 7, of the Township of Cumberland, described as follows:

COMMENCING at the intersection of the western limit of Regional Road 33, as widened, and the southern limit of Regional Road 8, as widened, in Lot 26, Concession 7, Township of Cumberland;

THENCE westerly along the southern limit of Regional Road 8 as widened to the northeast angle of Part 1 on Reference Plan 50R-2809;

THENCE southerly along the eastern limit of Part 1, Plan 50R-2809 to the southeast angle of the said Part 1;

THENCE westerly along the southern limit of the said Part 1 to the southwest angle of the said Part 1;

THENCE northerly along the western limit of the said Part 1 to the southern limit of Regional Road 8, as widened;

THENCE westerly along the southern limit of Regional Road 8, as widened to its intersection with the line between the east and west halves of Lot 26, Concession 7;

THENCE northerly along the line between the east and west halves of Lots 26 and 25, Concession 7, to a point distant 106 metres measured northerly thereon from the northwest angle of Reference Plan 50R-4520;

THENCE easterly to a point in the northwesterly production of the southwestern limit of Reference Plan 50R-910, the said point being distant 52 metres measured northwesterly thereon from the westerly angle of Part 2 on Plan 50R-910;

THENCE southeasterly along the last mentioned limit 52 metres to the westerly angle of the said Part 2, Plan 50R-910 which is also an angle in the eastern limit of Part 1 on Reference Plan 50R-4414;

THENCE northeasterly and northerly along the said eastern limit of Part 1, Plan 50R-4414 to a point which is the northern angle of Part 1 on Reference Plan 50R-4241;

THENCE northerly to the southwest angle of the land described in Registered Instrument Number 56193 which is also an angle in the eastern limit of Part 1, Plan 50R-4414;

THENCE northerly, easterly, and northerly, along the limits of Part 1, Plan 50R-4414, to the southern limit of the Canadian National Railway;

THENCE westerly along the southern limit of the Canadian National Railway to the southerly production of the western limit of Lot 36 as shown on a plan of the Village of Vars dated February 20, 1888, prepared by H.O. Wood, P.L.S.;

THENCE northerly to and along the western limit of Lot 36 to the southern limit of Division Street (now known as Rue St. Marie Street);

THENCE westerly along the southern limit of Division Street to the production southerly of the western limit of Lot 69 as shown on the said plan of the Village of Vars;

THENCE northerly to and along the western limits of Lots 69 and 76 as shown on the said plan of the Village of Vars to the southern limit of Albert Street (now known as Rue St. Catherine Street);

THENCE easterly along the southern limit of Albert Street to the eastern limit of St. Joseph Street;

THENCE northerly along the eastern limit of St. Joseph Street to the northwestern limit of the said plan of the Village of Vars;

THENCE northerly to the southwest angle of Part 1 on Reference Plan 50R-4897;

THENCE northerly along the western limits of Parts 1 and 2 on Plan 50R-4897 to the northwest angle of the said Part 2;

THENCE easterly along the northern limit of the said Part 2, 57.0 metres to the southwest angle of the land described in Registered Instrument Number 27443;

THENCE northerly parallel to the western limit of Regional Road 33 to the southern limit of Part 2 on Reference Plan 50R-2430;

THENCE westerly along the southern limit of the said Part 2, Plan 50R-2430 to the southwest angle of the said Part 2;

THENCE northerly along the western limit of Parts 2 and 1 on Plan 50R-2430 to the northwest angle of the said Part 1, Plan 50R-2430;

THENCE easterly along the northern limit of the said Part 1, Plan 50R-2430 and its production easterly to a point distant 65 metres from the eastern limit of Regional Road 33;

THENCE southerly parallel to the eastern limit of Regional Road 33 to the northern limit of Registered Plan 50M-102;

THENCE easterly along the northern limit of Registered Plan 50M-102 to the northeast angle of the said Plan 50M-102;

THENCE southerly along the eastern limit of the said Plan 50M-102 to the northern limit of Registered Plan 50M-103;

THENCE easterly along the northern limit of the said Plan 50M-103 to the northeast angle of the said Plan 50M-103;

THENCE southerly along the eastern limit of the said Plan 50M-103 to an angle therein in Lot 12 as shown on the said plan 50M-103;

THENCE continuing southerly along the eastern limit of the said Plan 50M-103 to the southeast angle of the said Plan 50M-103;

THENCE westerly along the southern limit of the said Plan 50M-103 to the eastern limit of Block C as shown on Registered Plan M-26;

THENCE southerly along the eastern limit of the said Block C to the southeast angle of the said Block C;

THENCE westerly along the southern limit of the said Block C to the eastern limit of Lot 3 as shown on the said Plan M-26;

THENCE southerly along the eastern limit of the said Lot 3 to the southeast angle of the said Lot 3;

THENCE westerly along the southern limits of Lots 3, 2, and 1, as shown on the said Plan M-26 to the southwest angle of the said Lot 1 on Plan M-26;

THENCE southerly along the southerly production of the western limit of the said Lot 1 on Plan M-26 to where it is intersected by the westerly production of the northern limit of Reference Plan 50R-558;

THENCE easterly to and along the said northern limit of Plan 50R-558 and its production easterly to a point distant 55 metres measured easterly thereon from the northeast angle of the land described in Registered Instrument Number 70464 which said northeast angle is an angle in the southern limit of Reference Plan 50R-5209;

THENCE southerly to a point on a line drawn parallel to the southern limit of Devine Road distant 75 metres measured southerly therefrom and perpendicular thereto, the said point being distant 130 metres measured easterly along the above described parallel line from its intersection with the centreline of the right-of-way of the Canadian National Railway;

THENCE westerly along the above described parallel line 130 metres to the centreline of the right-of-way of the Canadian National Railway;

THENCE northwesterly along the said centreline to its intersection with the easterly production of the southern limit of Reference Plan 50R-638;

THENCE westerly to and along the southern limit of Reference Plan 50R-638 to the eastern limit of Reference Plan 50R-424;

THENCE southerly along the eastern limit of the said Plan 50R-424 to the southeast angle of the said Plan 50R-424;

THENCE westerly along the southern limit of the said Plan 50R-424 and its production westerly to the western limit of Regional Road 33 as widened;

THENCE northerly along the said western limit of Regional Road 33 as widened to the point of commencement.

## SCHEDULE "F"

**Mandatory Connection and Capping Area – Carp**

ALL THOSE LANDS in the Township of West Carleton, in the Regional Municipality of Ottawa-Carleton, and Province of Ontario, and being parts of Lots 17 and 18 in Concession 2, and parts of Lots 17 and 18 in Concession 3, formerly in the Township of Huntley, now in the Township of West Carleton;

COMMENCING at the intersection of the line between Lots 16 and 17 in Concession 2, formerly the Township of Huntley, and the water's edge of the northern bank of the Carp River;

THENCE easterly along the line between Lots 16 and 17 to a point distant 270 metres measured easterly from the northeastern limit of Donald B. Munro Drive;

THENCE northerly to a point in the division line between the north and south halves of Lot 17 in Concession 2, Township of Huntley, which is distant 180 metres measured easterly from the intersection of the line between the north and south halves of Lot 17 and the northeasterly production of the northeastern limit of Lot 40 as shown on Registered Plan 852;

THENCE northerly to a point in the line between Lots 17 and 18 which is distant 160 metres measured easterly from the northerly angle of Lot 31 as shown on Registered Plan 852;

THENCE westerly along the line between Lots 17 and 18 to the southwestern limit of Robertlee Drive as shown on Registered Plan 4M-466;

THENCE northwesterly along the southwestern limits of Robertlee Drive and Lot 9, Registered Plan 4M-466 to the westerly angle of Lot 9;

THENCE southwesterly along the southeastern limits of Lots 7, 5, 4, 3, 2, 1, Block 37, and Langstaff Drive to the southwestern limit of Langstaff Drive;

THENCE northwesterly along the southwestern limit of Langstaff Drive and its production northwesterly being the southwestern limit of Part 1 on plan 5R-8209 to an angle therein;

THENCE northwesterly continuing along the southwestern limit of Part 1 on plan 5R-8209 to the easterly angle of Part 1 on plan 5R-5016;

THENCE southwesterly along the southeastern limit of Part 1 on plan 5R-5016 and its production southwesterly to its intersection with the southeasterly production of the northeastern limit of Lot 136 as shown on Registered Plan 218;

THENCE northwesterly to the easterly angle of Lot 136 Registered Plan 218;

THENCE southwesterly along the southeastern limit of Lot 136, Registered Plan 218, to the northeastern limit of Church Street;

THENCE northwesterly along the northeastern limit of Church Street to its intersection with the northeasterly production of the southeastern limit of the land described in Registered Instrument NS 261115;

THENCE southwesterly to and along the southeastern limit of Instrument NS 261115 to the southwestern limit of Lot 133 as shown on Registered Plan 218;

THENCE northwesterly along the southwestern limit of Lot 133, Registered Plan 218 to the line between Lots 18 and 19, in Concession 3, formerly the Township of Huntley;

THENCE southwesterly along the line between Lots 18 and 19 to the water's edge of the northern bank of the Carp River;

THENCE easterly along the water's edge of the Carp River to the point of commencement.

## SCHEDULE "G"

**Optional Connection Area – Carp**

ALL THOSE LANDS in the Township of West Carleton, in the Regional Municipality of Ottawa Carleton, and Province of Ontario, and being parts of Lots 17, 18, 19, and 20 in Concession 2, and parts of Lots 17, 18, and 19, in Concession 3, formerly in the Township of Huntley, now in the Township of West Carleton.

COMMENCING at the intersection of the line between the north and south halves of Lot 17 in Concession 2, formerly the Township of Huntley and the water's edge of the northeast bank of the Carp River;

THENCE easterly along the said line between the north and south halves of Lot 17 to the northeastern limit of the right of way of the Canadian National Railway;

THENCE northwesterly along the said northeastern limit of the Canadian National Railway right of way to the southwest angle of Part 3 on Reference Plan 5R 6694;

THENCE easterly along the southern limit of Reference Plan 5R 6694 and its production easterly to the southwest angle of Lot 59 as shown on Registered Plan 148;

THENCE southerly to a point in the line between the north and south halves of the said Lot 17, the said point being the most southerly angle of the land described in Registered Instrument Number HU 11864;

THENCE easterly along the line between the north and south halves of Lot 17 to its intersection with the production southeasterly of the northeastern limit of Lot 40 as shown on Registered Plan 852;

THENCE northwesterly along the northeastern limits of Lot 40, 39, and 38, Registered Plan 852 to the southeastern limit of Lot 36, Registered Plan 852;

THENCE northeasterly along the southeastern limit of Lots 36, 35, and 34, Registered Plan 852, to the easterly angle of the said Lot 34;

THENCE northwesterly along the northeastern limit of Lots 34, 33, 32, and 31, Registered Plan 852, to the northerly angle of the said Lot 31, being on the line between Lots 17 and 18, Concession 2;

THENCE northeasterly along the line between Lots 17 and 18, Concession 2, to the production southeasterly of the northeastern limit of Lot 18 as shown on Registered Plan 4M 466;

THENCE northwesterly along the northeastern limits of Lots 18 and 19 as shown on Registered Plan 4M 466, to the northerly angle of the said Lot 19, the said point being the most easterly angle of Part 5 on Reference Plan 4R 6930;

THENCE northwesterly along the northeastern limit of Reference Plan 4R 6930 to the northerly angle of Part 1 on Reference Plan 4R 6930;

THENCE southwesterly along the northwestern limit of Part 1 on Reference Plan 4R 6930 to the outer limit of Part 9, plan 4R 6930;

THENCE westerly and southerly along the outer limits of Parts 9 and 7, plan 4R 6930 to the most westerly angle of Block 35 as shown on Registered Plan 4M 466;

THENCE southeasterly along the southwestern limit of Block 35 to the northerly angle of Lot 20, Registered Plan 4M 466;

THENCE southwesterly along the northwestern limit of Lot 20 to the northeastern limit of Lot 21, Registered Plan 4M 466;

THENCE northwesterly along the northeastern limit of Lot 21 to the northerly angle of Lot 21;

THENCE southwesterly along the northwestern limits of Lots 21 and 22 to the easterly angle of Lot 23, Registered Plan 4M 466;

THENCE northwesterly along the northeastern limits of Lots 23, 24, 25, and 26, Registered Plan 4M 466 to the most northerly angle of the said Lot 26;

THENCE southwesterly along the northwestern limits of Lots 26 to 33 inclusive, Block 36, and Block 34, Registered Plan 4M 466 to the southwestern limit of Langstaff Drive;

THENCE southeasterly along the southwestern limit of Langstaff Drive to the northerly corner of Part 1 on Reference Plan 5R 825;

THENCE southwesterly along the northwestern boundary of Part 1 plan 5R 825 to the westerly angle of Part 1 plan 5R 825;

THENCE southeasterly along the southwestern limit of Part 1 plan 5R 825 and the southwestern limits of Parts 1, 2, and 3, on Reference Plan 5R 483 to the southerly angle of Part 3 plan 5R 483;

THENCE northeasterly along the southeastern limits of Parts 3, 2, and 1, plan 5R 483 to the easterly angle of Part 1 plan 5R 483;

THENCE southeasterly along the northeastern limits of Parts 4 and 5, plan 5R 483 to the most easterly angle of Part 5 plan 5R 483;



THENCE westerly along the southern limit of Part 5 plan 5R 483 to the northeast angle of Lot 43 as shown on Registered Plan 218;

THENCE southerly along the eastern limit of Lot 43, Registered Plan 218 to the southeast angle of Lot 43;

THENCE westerly along the southern limits of Lots 43 to 51 inclusive, Registered Plan 218 to the southwest angle of Lot 51;

THENCE westerly to a point in the western limit of Vida Street as shown on Registered Plan 218, the said point being the northeast angle of the land described in Registered Instrument Number 8953;

THENCE westerly along the northern limit of Instrument 8953 to the northwest angle of Instrument 8953;

THENCE westerly along the northern limit of the land described in Registered Instrument 8914 to the northwest angle of instrument 8914;

THENCE southerly along the western limit of instrument 8914 to the production easterly of the northern limit of Lots 28, 29, and 30, Registered Plan 218;

THENCE westerly to and along the northern limits of Lots 30 to 26 inclusive to the intersection of the southeastern limit of Lot 22, Registered Plan 218;

THENCE northeasterly along the southeastern limit of Lot 22 to the easterly angle of Lot 22;

THENCE northwesterly along the northeastern limits of Lots 22 and 5, Registered Plan 218, and the production northwesterly thereof to the northerly angle of the land described in Registered Instrument No. 8196;

THENCE southwesterly along the northwestern limit of Instrument 8196 to the eastern limit of Lot 144, Registered Plan 218;

THENCE northerly along the eastern limits of Lots 144 and 142, Registered Plan 218 to the division line between Lots 18 and 19 in Concession 2, Township of Huntley;

THENCE easterly along the line between Lots 18 and 19, Concession 2, to the westerly angle of Part 1 on Reference Plan 5R 5016;

THENCE southeasterly along the southwestern limit of Part 1 plan 5R 5016 to the southerly angle of Part 1 plan 5R 5016;

THENCE northeasterly along the southeastern limit of Part 1 plan 5R 5016 to the easterly angle of Part 1 plan 5R 5016;

THENCE northwesterly along the northeastern limit of Part 1 plan 5R 5016 to the production westerly of the southern limit of Part 1 on Reference Plan 4R 6257;

THENCE easterly to and along the southern limit of Part 1 on plan 4R 6257 to the southeast angle of Part 1 plan 4R 6257;

THENCE northerly along the eastern limit of Part 1 plan 4R 6257 to the line between Lots 18 and 19, Concession 2, Township of Huntley;

THENCE easterly along the line between Lots 18 and 19 to the southeast angle of Lot 17 as shown on Registered Plan 4M 410;

THENCE northerly along the eastern limit of Lot 17, plan 4M 410 to the northeast angle of Lot 17, plan 4M 410;

THENCE westerly along the northern limit of Lot 17, plan 4M 410 to the southeast angle of Lot 16, plan 4M 410;

THENCE northerly along the eastern limits of Lots 16, 15, and 14, plan 4M 410 to the southeast angle of Lot 10 as shown on Registered Plan M 299;

THENCE northwesterly, southwesterly, and southeasterly following the boundaries of Lot 10, plan M 299 to the northwestern limit of Inniskillin Drive as shown on Registered Plan M 299;

THENCE southwesterly along the northwestern limit of Inniskillin Drive to the easterly angle of Lot 9, plan M 299;

THENCE northwesterly along the northeastern limit of Lot 9 to the northerly angle of Lot 9;

THENCE southwesterly along the northwestern limits of Lots 9, 8, 7, 6, 5, 4, 3, and 1 to the southeasterly production of the northeast limit of Lot 11 as shown on Registered Plan M 245;

THENCE northwesterly to and along the northeastern limits of Lots 11, 12, 13, 14, 16, 17, 18, and Charlies Lane, on plan M 245, to the most northerly angle of Registered Plan M 245;

THENCE southwesterly along the northwestern limit of Charlies Lane to the easterly angle of Lot 19 as shown on Registered Plan 894;

THENCE northwesterly along the northeastern limits of Lots 19 to 27 inclusive, Registered Plan 894 to the northerly angle of Lot 27;

THENCE southwesterly along the northwestern limits of Lots 27, 28, and Block B, Registered Plan 894 and the production southwesterly to the southwestern limit of Regional Road 5;

THENCE southeasterly along the southwestern limit of Regional Road 5 to the line between Lots 19 and 20 in Concession 3, Township of Huntley;

THENCE southwesterly along the line between Lots 19 and 20 to the westerly angle of the lands described in Registered Instrument NS 137116;

THENCE southeasterly along the southwestern limit of Instrument NS 137116 to the northwestern limit of the lands described in Registered Instrument CT 159818;

THENCE southwesterly, southeasterly, southwesterly and southeasterly following the limits of Instrument CT 159818 to the northwestern limit of Registered Instrument N285208;

THENCE southwesterly along the northwestern limit of Instrument N285208 to the westerly angle of Instrument N285208;

THENCE southeasterly along the southwestern limit of Instrument N285208 to the westerly angle of Part 2 on Reference Plan 5R 12090;

THENCE southeasterly along the southwestern limit of Part 2 plan 5R 12090 to the southerly angle of Part 2 plan 5R 12090;

THENCE southeasterly to the westerly angle of Part 1 on Reference Plan 5R 2717;

THENCE southeasterly along the southwestern limit of Part 1 plan 5R 2717 to the southerly angle of Part 1 plan 5R 2717;

THENCE northeasterly along the southeastern limit of Part 1 plan 5R 2717 to the westerly angle of the land described in Registered Instrument N359905;

THENCE southeasterly along the southwestern limits of Instrument N359905 and Registered Instrument HU 8374 to the southerly angle of Instrument HU 8374;

THENCE northeasterly along the southeastern limit of Instrument HU 8374 to the westerly angle of the land described in Registered Instrument CT 177529;

THENCE southeasterly along the southwestern limits of Instrument CT 177529 and Registered Instrument HU 12745 to the southerly angle of Instrument HU 12745;

THENCE southeasterly to the westerly angle of Part 1 on Reference Plan 5R 13680;

THENCE southeasterly along the southwestern limit of Part 1 plan 5R 13680 to the southerly angle of Part 1, plan 5R 13680;

THENCE northeasterly along the southeastern limit of Part 1, plan 5R 13680 to the northwesterly production of the southwestern limit of Part 1, plan 5R 10910;

THENCE southeasterly to and along the southwestern limit of Part 1, plan 5R 10910 to the southerly angle of Part 1, plan 5R 10910;

THENCE southwesterly along the northwestern limit of Part 1 on Reference Plan 5R 13584 to the westerly angle of Part 1, plan 5R 13584;

THENCE southeasterly along the southwestern limit of Part 1, plan 5R 13584 and its production southeasterly to the most easterly angle of Part 1 on Reference Plan 5R 2558;

THENCE southwesterly along the southeastern limit of Part 1, plan 5R 2558 to the northeastern limit of the Canadian National Railway;

THENCE southeasterly along the northeastern limit of the Canadian National Railway to the northwestern limit of Donald B. Munro Drive (formerly Main Street);

THENCE southwesterly along the northwestern limit of Donald B. Munro Drive to the northeast angle of Reference Plan 5R 10100;

THENCE westerly along the northern limit of plan 5R 10100 to the northwest angle of plan 5R 10100;

THENCE southerly along the western limit of plan 5R 10100 to the southwest angle of plan 5R 10100;

THENCE easterly along the southern limit of plan 5R 10100 and its production easterly to the water's edge of the northerly bank of the Carp River;

THENCE easterly and southeasterly following the water's edge of the Carp River to the point of commencement

WITH THE EXCEPTION OF THOSE LANDS DESCRIBED IN SCHEDULE "F" TO THIS BY-LAW

SCHEDULE "H"

Figure 1 – Carlsbad Trickle Feed System Extents subject to Area Specific Charge identified in Schedule "B", User Fees Table, 9 (a)

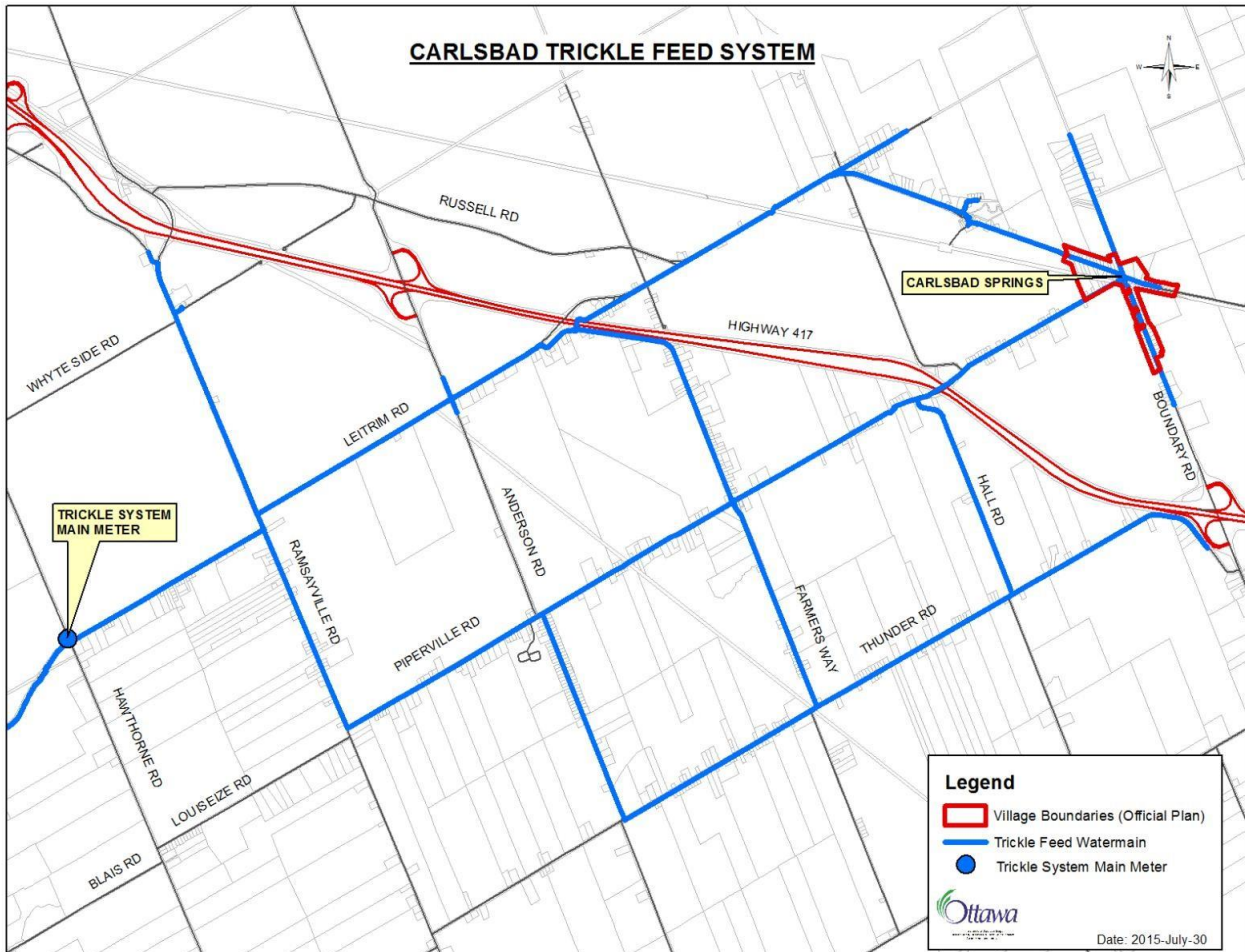


Figure 2 – Location of Exempt Carlsbad Properties (refer also to Table 1 of Schedule “H”)



Table 1 – Location Description of Carlsbad Properties Exempt from Area Specific Charge identified in Schedule “B”, User Fees Table, 9(a)

<b>PROPERTY ADDRESS</b>	<b>PIN</b>	<b>DESCRIPTION</b>	<b>EXEMPTION REASON</b> (previously charged under)
4620 Farmers Way	043250215	PT LT 11 CON 8 OF GLOUCESTER PTS 1 & 2, 4R-10529	Municipal Act
4628 Farmers Way	043250221	PT LT 11 CON 8 OF GLOUCESTER PTS 6 & 7, 5R-10011, EXCEPT PTS 1 & 2, 4R-10529	Municipal Act
4670 Farmers Way	043250222	PT LT 11 CON 8 OF GLOUCESTER	Municipal Act
4725 Farmers Way	043240003	PT LT 10 CON 8 OF GLOUCESTER PT 1, 4R-9361	Municipal Act
4800 Farmers Way	043250216	CON 8 OF S 1/2 PT LOT 11 RP 5R- 12245 PART 3	Local Improvement Act
4808 Farmers Way	043250230	CON 8 OF PT E PT LOT 11 N 100;S OF E 178 LOT 11	Local Improvement Act
4815 Farmers Way	043240358	RP 4R-26718 PART 1	Local Improvement Act
4875 Farmers Way	043240359	RP 5R-10467 PART 1, EXCEPT RP 4R-26718 PT 1	Local Improvement Act
4860 Farmers Way	043250231	CON 8 OF PT LOT 11	Local Improvement Act
4866 Farmers Way	043250232	CON 8 OF PT LOT 11	Local Improvement Act
4872 Farmers Way	043250233	CON 8 OF PT LOT 11	Local Improvement Act
4878 Farmers Way	043250234	CON 8 OF PT LOT 11	Local Improvement Act
4884 Farmers Way	043250235	CON 8 OF PT LOT 11	Local Improvement Act
4890 Farmers Way	043250236	CON 8 OF PT LOT 11	Local Improvement Act
4896 Farmers Way	043250237	CON 8 PT LOT 11	Local Improvement Act
4902 Farmers Way	043250238	CON 8 OF PT LOT 11	Local Improvement Act
4903 Farmers Way	043240008	CON 8 OF PT LOT 10	Local Improvement Act
4907 Farmers Way	043240009	CON 8 OF PT LOT 10	Local Improvement Act
4908 Farmers Way	043250239	CON 8 OF PT LOT 11 W FA N 100 S OF E 150 LOT 11	Local Improvement Act
4914 Farmers Way	043250240	CON 8 OF PT LOT 11	Local Improvement Act

## SCHEDULE "I"

## Backflow Prevention Program Requirements

## DEFINITIONS

## 1. In this Schedule:

"Hazard" has the same meaning as in the Canadian Standards Association Manual for the Selection and Installation of Backflow Preventers/Maintenance and Field Testing of Backflow Preventers, as amended.

"Moderate" has the same meaning as in the Canadian Standards Association Manual for the Selection and Installation of Backflow Preventers/Maintenance and Field Testing of Backflow Preventers, as amended.

"Severe" same meaning as in the Canadian Standards Association Manual for the Selection and Installation of Backflow Preventers/Maintenance and Field Testing of Backflow Preventers, as amended,

"Work" means the installation of Approved Backflow prevention device and any maintenance thereof.

## BACKFLOW PREVENTION DEVICE REQUIRED

2. Where in the opinion of the General Manager or designate a Backflow prevention device is required, every Owner of an industrial, commercial, or institutional property or of any other building, structure or property that contains a Moderate or Severe Hazard, shall install, at the Owner's sole expense, Approved Premise isolation Backflow prevention device(s) by the installation date identified by the General Manager or designate.

3. Where a Backflow prevention device is required, every Owner shall ensure:

- (1) Approved Backflow prevention device is installed and maintained by a Qualified Person as set out in Table 1 and in accordance with the Canadian Standards Association Manual for the Selection and Installation of Backflow Preventers/Maintenance and Field Testing



of Backflow Preventers, as amended, and the Building Code Act, as amended.

- (2) Approved Backflow prevention device is registered with the City and tested upon installation and annually thereafter by a Qualified Person as set out in Table 1.
- (3) A site survey is completed and submitted to the City by a Qualified Person as set out in Table 1, for Premise isolation, every five (5) years from the date of the completion of the first survey; or within thirty (30) days of any Hazard level increase, unless otherwise required by the General Manager.
- (4) All required program fees are paid in accordance with Schedule "A".

4. Every Owner shall install or cause to be installed in accordance with the Building Code Act, a Backflow prevention device on all building fire protection systems that contain anti-freeze, foam injection, or other chemical additives, connected to a private water supply or where in the opinion of the General Manager, the Fire Protection System is a Hazard to the municipal water supply.

#### TESTING

5. Every Person who performs a test on a Backflow prevention device shall:
- (1) be a Qualified Person as set out in Table 1 and shall have the following qualifications:
    - (a) Cross Connection Control Specialist as per the Ontario Water Works Association;
    - (b) Current National Calibration Certification by the National Institute for Standardization Technology;
    - (c) maintain a current tester's certificate; and
    - (d) submit an annual calibration test data for testing equipment
  - (2) collect tester and administration fees and submit administration fees to the City.
  - (3) immediately notify the Owner of the premises and the City in writing upon discovering that a Backflow prevention device is malfunctioning or otherwise not maintained in proper working order.

- (4) ensure that all reports on all tests performed on a Backflow prevention device are submitted to the City in a manner and format approved by the General Manager.

6. No Person shall submit a test report to the City that contains inaccurate or false information in regards to any Work performed or to be performed.

## INSTALLATION

7. Every Person installing or repairing a Backflow prevention device shall ensure that:

- (1) such device is located in such a manner so that in the event of backflow the device prevents contamination of the municipal drinking water system; and
- (2) the selection, installation and maintenance of devices will comply with the Canadian Standards Association Manual for the Selection and Installation of Backflow Preventers/Maintenance and Field Testing of Backflow Preventers, as amended, and the Building Code Act, as amended.

8. No person shall remove a Backflow prevention device, or any part thereof after it has been installed and registered with the City unless such removal is:

- (1) to facilitate the repair of the device, with the device replaced immediately after the repair is carried out; or
- (2) to replace the device with another device in accordance with the provisions of this Schedule.

## GENERAL

9. Notwithstanding any provision of this Schedule or By-law, the General Manager may at any time order an Owner to conduct tests, provide reports and undertake any other measures required for the prevention of Backflow.

10. In the event of non-compliance with the provisions of this Schedule, the General Manager, at its sole discretion may:

- (1) provide notice to the Owner, requiring the Owner to comply with the provisions of this Schedule and the notice shall specify the time allowed for compliance; or
- (2) where the General Manager has determined that an immediate Severe Hazard exists that may result in the contamination of

municipal water supply, shut off the water supply to a Private Water Main or Private Water Service.

**Table 1. Backflow Prevention Program Qualified Persons**

<b>Qualifications</b>	<b>Conduct a Site Survey</b>	<b>Install or Replace a Backflow device</b>	<b>Test or Repair a Backflow Device</b>
Professional Engineer	✓		
Engineering Technologist	✓		
Licensed Master Plumber	✓	✓	✓
Journeyman Plumber	✓	✓	✓
Apprentice Plumber	✓	✓	✓
Industrial Millwright			✓
Industrial Millwright: Water/Wastewater		✓	✓
Irrigation System Installer			✓
Fire System Sprinkler Fitter			✓

