

**CORPORATION OF THE TOWN OF LAKESHORE**

**BY-LAW NUMBER 11-2001**

**CROSS CONNECTION CONTROL BY-LAW**

**WHEREAS** the Public Utilities Act, R.S.O. 1990, Chapter P.52 gives the Town authority to pass by-laws to govern and regulate the supply of water; and

**WHEREAS** the Town controls, manages, and maintains the water works distribution system in the Town of Lakeshore and deems it expedient to enact this by-law to govern the supply of all water in the Town of Lakeshore; and

**WHEREAS** the by-law shall take precedence over all existing by-laws and regulations.

**NOW THEREFORE, THE TOWN OF LAKESHORE ENACTS AS FOLLOWS:**

**(D) DEFINITIONS:**

In this by-law and in the schedules attached hereto, unless the context otherwise requires, the following words shall have the following meanings:

**D1 APPROVED AUTHORITY** means an authority approved by the Town, to act on behalf of the Town.

**D2 APPROVED DEVICES** means devices designed to protect a potable water system from contamination as indicated in Part 7 of the Ontario Building Code.

**D3 CONSUMER** means the owner or occupant of property, which is serviced by, connected to and takes water from the water works distribution system.

**D4 CROSS CONNECTION** means any temporary, permanent, or potential water connection that may allow backflow of contaminants, pollutants, infectious agents, other material or substance that will change the water quality in the water works distribution system and includes swivel or changeover devices, removable sections, jumper connections and bypass arrangements.

**D5 CURB BOX** means the vertical pipe installed over the shut-off valve on the water service connection.

**D6 METER** means the water meter supplied and owner by the Town to measure the quantity of water used by the consumer.

**D7 OWNER** means the owner of any land or building served by or connected by a water service pipe from the water works distribution system.

**D8 PREMISES** means any house, tenement, building, lot, or part of a lots, or both, in, through, or past which water service pipes run.

**D9 PRIVATE METER** means the meter purchased and installed by the owner or occupant for secondary measurement of water consumption at various units on the premises.

- D10 SHUT-OFF VALVE** means the valve on the water service connection owned and used by the Town to shut-off or turn on the water supply from the Town's water works distribution system to any premises.
- D11 STREET LINE** means a boundary of a property adjoining a road allowance.
- D12 TESTER** means any person who has an active Ontario Plumbing Licence called a Certificate of Qualification, plus the AWWA Back Flow Prevention Certificate or equivalent.
- D13 TOWN** means the Corporation of the Town of Lakeshore.
- D14 VALVE BOX** means the vertical pipe installed over an underground valve in the water works distribution system, which allows the said valve to be operated from ground level.
- D15 VALVE CHAMBER** means the underground structure housing a valve in the water works distribution system, which permits access to, and operation of the said valve from ground level.
- D16 WATER** means potable water that is fit for human consumption.
- D17 WATER SERVICE CONNECTION** means that part of a water service pipe from the municipal water main to the street line, including the shut-off valve, which supplies water from the water works distribution system to any premises.
- D18 WATER SERVICE PIPE** means the pipe and fittings, which convey water from the Town's water service connection to the water meter or, if for fire protection purposes only, then to a point where it terminates outside the building or at a point where it enters the building.
- D19 WATER WORKS DISTRIBUTION SYSTEM** means the watermains and appurtenances, the works, and the equipment under the jurisdiction of the Town for the supply or distribution of water of any part of such system.

**(1) CROSS CONNECTIONS AND BACKFLOW PREVENTION:**

- 1.1 No consumer or other person shall connect, cause to be connected, or allow to remain connected to the water works distribution system any piping, fixture, fitting, container, or appliance, in a manner which under any circumstances may allow water, waste, or any other liquid, chemical or substance to enter the water works distribution system. No connection shall be made between a potable water system supplied with water from a water works approved under the Ontario Water Resources Act and any other potable water system without the consent of the water purveyor. Every potable water system that supplies a fixture or tank that is not subject to pressures above atmospheric shall be protected against back-siphonage by a backflow preventer. Where a potable water supply is connected to a boiler, tank, cooling jacket, lawn sprinkler system or other device where a non-potable fluid may be under pressure that is above atmospheric or the water outlet may be submerged in the non-potable fluid, the potable water supply shall be

protected against backflow by a backflow preventer.

- 1.2 If a condition is found to exist which is contrary to Section 1.1 of this by-law, the Town or an approved authority shall immediately carry out an inspection and shall issue such order or orders to the consumer or other person, as the case may be, as may be required to obtain compliance with Section 1 of the by-law.
- 1.3 If the consumer or other persons to whom the Town or approved authority has issued an order fails to comply with that order, the Town, at their discretion, may:
  - a) Give notice to the consumer or other person to correct the fault, at his expense, within a specified time period and, if the notice is not complied with, the Town may then shut off the water service or services, or
  - b) Without prior notice, shut off the water service or services.
- 1.4 Notwithstanding Sections 1.1, 1.2 and 1.3 of the by-law where a risk of possible contamination of the water works distribution system exists, in the opinion of the Town or an approved authority, a consumer shall, on notice from the Town or approved authority, install on his water service a premise isolation cross connection control device, approved by the Town or approved authority, in addition to any cross connection control devices installed in the consumer's water system at the source of potential contamination. See Ontario Building Code.
- 1.5 Cross connection control or backflow prevention devices, when required by the Town or approved authority, shall be installed, maintained and tested in accordance with the CSA B64,10.94 Manual for the Selection, Installation, Maintenance and Field Testing of Backflow Prevention Devices.
- 1.6 All cross connection control devices shall be inspected and tested at the expense of the consumer, upon installation, when cleaned, repaired or overhauled, when relocated and thereafter annually, or more often if required by the Town or approved authority, by personnel approved by the Town to carry out such tests to demonstrate that the device is in good working condition. The consumer shall submit a report to the Town on a form approved by the Engineer on any tests performed on a cross connecting control device within 14 days of a test and a record card shall be displayed on or adjacent to the cross connection control device on which the tester shall record the address of the premises, the location, type, manufacturer, serial number and size of the device, and the test date, the tester's initials, the tester's name (if self employed) or the name of his employer and the tester's licence number.
- 1.7 When the results of a test referred to in Section 1.6 of the by-law show that a cross connection control device is not in good working condition, the consumer shall make repairs or replace the device within ninety-six (96) hours.

- 1.8 If a consumer fails to have a cross connection control device tested, the Town or approved authority may notify the consumer that the cross connection control device must be tested within 14 days of the consumer receiving the notice.
- 1.9 If a consumer fails to have a cross connection control device tested within 14 days when requested by the Town or approved authority, the Town may shut off the water service or water services until the cross connection control device has been tested and approved as required by Section 1.6 of this by-law.
- 1.10 The Town or approved authority at their discretion, may also require the consumer to install zone or area protection as required by CSA Standard B64.10 M88 within his plumbing system.
- 1.11 The Town or approved authority shall be allowed access, with reasonable notice, to any premises that are connected to the water works distribution system for the purpose of performing an inspection to locate possible cross connections.
- 1.12 Where the access referred to in Section 1.11 is not provided, a written notice by the Town or approved authority will be issued allowing fourteen (14) days to provide access. If access is not provided within this time frame, the Town may, at their discretion, shut off the supply of water to the premises until such time as the access is provided.
- 1.13 Cross connection control or backflow prevention devices installed at the requirement of provincial legislation shall not be removed if the applicable provincial regulation is rescinded without permission of the Town or approved authority.

**(2) REGULATIONS, PENALTIES FOR OFFENSES, CHARGES:**

- 2.1 The following section of the Public Utilities Act shall be incorporated in and form an integral part of this article:

Every person who,

- (a) willfully hinders or interrupts, or causes procedures to be hindered or interrupted, the Town or any of its officers, contractors, agents, servants, or workmen, in the exercise of any of the power conferred by this Act;
- (b) willfully lets off or discharges water so that the water runs waste or useless out of the works;
- (c) being a tenant, occupant, or inmate of any house, building or other place supplied with water from the waterworks, improperly wastes the water or, without the consent of the Town, lends, sells, or disposes of the water, gives it away, permits it to be taken or carried away, uses or applies it to the use or benefit or another, or to any use and benefit other than his own or increases the supply of water agreed for;

- (d) without lawful authority willfully opens or closes any valve or hydrant, or obstructs the free access to any hydrant, stopcock, valve, chamber or pipe by placing on it any building material, rubbish or other obstruction;
- (e) throws or deposits any injurious, noisome or offensive matter into the water or waterworks, or upon the ice if the water is frozen, or in any way fouls the water or commits any willful damage or injury to the works, pipes or water, or encourages the same to be done;
- (f) willfully alters any meter placed upon any service pipe or connected therewith, within or without any building or other place, so as to less or alter the amount of water registered or;
- (g) lays or causes to be laid any pipe or main to communicate with any pipe or main of the water works, or in any way obtains or uses the water without the consent of the Corporation, is guilty of an offence.

2.2 Every person who contravenes any of the provisions of this by-law shall, upon conviction thereof, forfeit and pay at the discretion of the Provincial Court Judge, Magistrate, or Justice of the Peace, a penalty not exceeding exclusive of costs, the sum of two thousand dollars (\$2,000.00) and not less than three hundred dollars (\$300.00) for each offence recoverable under the Provincial Offences Act for the Province of Ontario.

2.3 In addition to all other sanctions and remedies provided in the by-law, the Engineer may turn off or restrict the supply of water to any consumer where each consumer has violated any of the provisions of this by-law and may refuse to restore normal service until the violation complained of has been terminated or remedied. The Town will not be liable for any damages to property or injury to person by reason of shut off of water supply or malfunction of a cross connection control or backflow prevention device.

2.4 The Town may establish rates and charges for the purposes of this by-law, which shall be due, and payable in the same manner as any charge levied within the Public Utilities Act.

This by-law shall come into force and effect upon the final passing thereof.

**READ** a first, second and third time, and **FINALLY PASSED** this 13 day of February, 2001.

  
PAT HAYES, MAYOR

  
ANDREA RIVEST, CLERK