

The Corporation of the Town of The Blue Mountains

By-Law Number 2023 – _____

Being a By-law to amend By-law 2008-02 being a By-law to provide for the Regulation of Water Supply in The Town of The Blue Mountains.

WHEREAS pursuant to Section 11 of the *Municipal Act 2001*, SO 2001, c. 25 as amended, a lower-tier municipality may pass by-laws respecting matters within the public utilities sphere of jurisdiction;

AND WHEREAS the Corporation of the Town of The Blue Mountains has passed By-law 2008-02 to regulate the supply of water within the Town.

AND WHEREAS pursuant to Section 434.1 of the Act a municipality may require a person to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality passed under this Act;

NOW THEREFORE Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

1. That By-law 2008-02 being a By-law to provide for the Regulation of Water Supply in The Town of The Blue Mountains. (the "By-law") is hereby amended as follows:

a. The following Section 10.07 is added to the By-law:

10.07 Administrative Monetary Penalties

(1) By-law 2021-71, being the Administrative Monetary Penalties By-law applies to each administrative penalty issue pursuant to this By-law.

(2) Each Person who contravenes any provision of this By-law shall, upon issuance of a penalty notice in accordance with By-law 2021-71 the Administrative Monetary Penalties By-law, be liable to pay to the Town an administrative penalty as set out in Schedule 'B' of this By-law.

(3) The Provincial Offences Act, R.S.O. 1990, c. P.33, as amended, does not apply to a penalty notice issued in accordance with By-law 2021-71 the Administrative Monetary Penalties By-law.

b. Schedule A, as attached hereto, is incorporated and included in the By-law as Schedule 'B' thereto.

And Further that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this ____ day of _____, 2023

Andrea Matrosovs, Mayor

Corrina Giles, Town Clerk

SCHEDULE 'B'

This Schedule forms a part of By-law 2008-02 being a By-law to provide for the Regulation of Water Supply in The Town of The Blue Mountains.

Pursuant to Section 10.07 of By-law 2008-02, the administrative penalties are as follows:

Infraction	Penalty	By-Law	Section	Reference
Unauthorized operation of a fire hydrant	\$2500	2008-02	4.02	1
Unauthorized operation or interference with a valve	\$500	2008-02	4.03	2
Tampering with water meter	\$500	2008-02	4.03	2
Installation of water service without Town's Approval	\$2500	2008-02	5.04	3
Operation of a shut-off valve	\$500	2008-02	5.10	4
Inaccessible shut-off valves	\$150	2008-02	5.11	5
Unauthorized Water Usage	\$2500	2008-02	6.01	6
Water meter by-passed	\$500	2008-02	6.14	7
Cross connection with another source	\$2500	2008-02	7.01	8
Failure to install cross connection control device (backflow preventer)	\$2500	2008-02	7.06	9
Failure to inspect, test and maintain a cross connection control device (backflow preventer)	\$2500	2008-02	7.08	10
Removal of cross-connection control device	\$2500	2008-02	7.11	11
Connection between water distribution system and well, cistern, privies, privy vaults or cesspools	\$2500	2008-02	7.12	12
Connection between water distribution system and sump pump device	\$500	2008-02	7.13	13
Use of water during restricted/prohibited times <ul style="list-style-type: none"> • First instance • Second Instance • Subsequent instance 	\$150 \$300 \$500	2008-02	8.03	14
Allowing water to run to waste	\$500	2008-02	9.01	15

Reference:

1. No person other than a person authorized by the Director shall open or otherwise interfere with or operate or take water from any fire hydrant. (4.02)
2. No person other than a person authorized by the Director shall open or close a valve, open or close a shut-off valve, or tamper with or in any way interfere with the water system, or water meter. (4.03)
3. For any new water service pipe installation, private water main lateral installation, or private water main installation, or alteration of existing water service pipes or private water mains, the owner must apply for approval from the Town for such work as specified in the Town's Engineering Standards and to the Town's specifications. (5.04)
4. No person other than persons authorized by the Director shall be permitted to operate the shut-off valve to any property. (5.10)
5. All shut-off valves must be left clear, visible, and accessible at all times so that the water service pipe and private water mains may operated or maintained as may be found necessary by the Director. (5.11)

6. All water supplied to a property within the Town, except water used for fire fighting purposes or water authorized by the Director for construction or other purposes shall pass through a water meter. (6.01)
7. No person shall install a piped water meter by-pass except with the written consent of the Director. The isolation valve on all water meter bypasses approved by the Director shall be to the Town Specifications and shall include a Town supplied lock device. (6.14)
8. No person shall connect, cause to be connected, or allow to remain connected to the water distribution system any well, piping, fixture, fitting, container, or appliance, in a manner which under any circumstances, may allow water, wastewater, non-potable water, or any other liquid, chemical or substance to enter the water distribution system. The means for “protection from contamination” shall be in accordance with the requirements of the Building Code Act, as amended from time to time. (7.01)
9. Notwithstanding sections 7.01, 7.04, and 7.05, where a risk of possible contamination of the water distribution system exists in the opinion of the Director (or an approved authority), an owner shall, on notice from the Town, install on the owner’s water service pipe a cross connection control device, approved by the Town in addition to any cross-connection control devices installed in the Owner’s water system at the source of potential contamination. (7.06)
10. All cross-connection control devices shall be inspected, tested and maintained at the expense of the owner, upon installation, and thereafter annually, or more often if required by the Town by personnel approved by the Town to carry out such tests to demonstrate that the device is in good working condition. The Owner shall submit a report on a form approved by the Director for any or all tests performed on a cross-connection control device within fourteen (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 property, 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 the tester’s employer and the tester’s licence number. (7.08)
11. No person shall without the written permission of the Director remove any cross-connection control or backflow prevention devices. (7.11)
12. There shall be no connection between the water distribution system and cisterns, wells, privies, privy vaults, or cesspools. There shall be no connection between the water distribution system and a private pressure pump that is connected to the plumbing. There is a requirement for a backflow preventor. (7.12)
13. No sump pump or pump device designed to extract water from a basement, building drain and foundation drain shall be connected to the water distribution system. (7.13)
14. A property owner who uses water from the water system, or permits the use of water from the water system contrary to 8.01 of this By-law, within a calendar year, shall be subject to warnings and pay charges in accordance with the following:
 - a. Use of water during restricted/prohibited time
 - i. First Instance- \$150
 - ii. Second Instance - \$300
 - iii. Third Instance – \$500.

For the purpose of this By-law, the written warning referred to in section 8.03 (a) shall be given by personal service to an occupier of the property who is of the age of eighteen years or given by prepaid mail to the owner. (8.03)

15. No person shall willfully let off or discharge water so that the water runs waste or useless out of the works. (9.01)