

The Corporation of the Town of The Blue Mountains

By-Law Number 2023 – _____

Being a By-law to amend By-law 2013-31 being a By-law to regulate cross connection and backflow prevention on plumbing systems.

WHEREAS pursuant to *Municipal Act 2001*, SO2001, c. 25 as amended (the “Act”), provides that lower-tier municipalities may pass by-laws respecting matters within the public utilities sphere of jurisdiction;

AND WHEREAS Part III of the Act under the heading “Public Utilities” provides for specific municipal powers within the public utilities sphere of jurisdiction;

AND WHEREAS Section 11 of the *Safe Drinking Water Act* requires that municipalities ensure that their respective drinking water system meets prescribed drinking water standards to the point where the system is connected to a user’s plumbing system;

AND WHEREAS Part 7 of the *Ontario Building Code* requires potable water systems to be protected from contamination, but limited to specific building uses;

AND WHEREAS the Act further authorizes the Town of the Blue Mountains, amongst other things, to delegate its authority, to impose fees and charges on persons for services or activities provided or done by or on behalf of it, to provide for inspections and inspection orders, and to make orders to discontinue activity or to do work;

AND WHEREAS the Town of the Blue Mountains has developed regulations for Cross Connection and Backflow Prevention on plumbing systems as required to protect the Town of the Blue Mountains’ Drinking Water Supply and Distribution System from contamination;

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 2013-31 being a By-law to regulate cross connection and backflow prevention on plumbing system (the “By-law”) is hereby amended as follows:

a. The following Section 16.1 is added to the By-law:

16.1 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 A 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 A 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 A

This Schedule forms a part of By-law 2013-31 being a By-law to regulate cross connection and backflow prevention on plumbing system.

Pursuant to Section 11.1 of By-law 2013-31, the administrative penalties are as follows:

Infraction	Penalty	By-Law	Section	Reference
Failure to provide cross connection inspection survey report to Town as required	\$250	2013-31	4.1, 4.2,9.1(a)	1
Failure to submit backflow device inspection report as required	\$150	2013-31	7.1, 9.1(a)(iv),	2

1. The requirements under this regulation shall be undertaken as follows;
(a) Municipal Water Service Accounts (Institutional, Commercial, Industrial and Multi-Residential Buildings) (i) Submission of Cross Connection Inspection Report; within six months of the date of contact by the Director. (2013-31 9.1(a)).
2. Testing of Back Flow Prevention Devices with test reports submitted to the Town: annually or as required by the Director. (9.1 (a)(iv))