

BY- LAW NUMBER 65-2015

FOR

THE CORPORATION OF THE MUNICIPALITY OF CHATHAM-KENT

Being a By-law to regulate *Backflow Prevention* on plumbing systems as required for the protection from contamination of the municipal water supply

WHEREAS Section 10 of the *Municipal Act, 2001*, S.O. 2001, CHAPTER 25, as amended, authorizes a municipality to regulate matters for purposes related to the health, safety and well-being of the residents of the Municipality, public assets of the municipality, and services that the municipality provides that are necessary or desirable for the public;

WHEREAS Section 80 (2) of the *Municipal Act, 2001*, S.O. 2001, CHAPTER 25, as amended, authorizes the Municipality to shut off the supply of the public utility to the land;

WHEREAS Section 11 (1) of the *Safe Drinking Water Act, 2002*, S.O. 2002, CHAPTER 32, as amended, requires municipalities to ensure that all municipal water supplied to a user's plumbing system meets the requirements of the prescribed drinking water quality standards;

WHEREAS pursuant to Section 20 (1) of the *Safe Drinking Water Act, 2002*, S.O. 2002, CHAPTER 32, as amended, it is an offence to cause or permit anything to enter a drinking water system if it could result in a drinking water health hazard, a contravention of a prescribed standard or the interference with the normal operation of the system;

WHEREAS Section 15.9 (1) of the *Building Code Act, 1992*, S. O. 1992, CHAPTER 23, as amended, allows an inspector to enter upon land and into *Buildings* at any reasonable time to determine whether a *Building* is unsafe;

WHEREAS Section 15.10 (1) of the *Building Code Act, 1992*, S.O. 1992, CHAPTER 23, as amended, allows the *Chief Building Official* to take any measures necessary to terminate a dangerous condition within a *Building* where in the opinion of the *Chief Building Official* the *Building* poses an immediate danger to the health or safety of any person;

WHEREAS it is the intention of Council that the requirements of this Bylaw have the effect of terms of service for *Property Owners* serviced by *CK PUC* outside of the geographic Municipality of Chatham-Kent;

AND WHEREAS, Municipal Council is desirous to pass a By-law to put mechanisms in place so as not to permit the discharging of a prohibited substance into the drinking water system for which *CK PUC* is responsible.

NOW THEREFORE, the Council of the Municipality of Chatham-Kent hereby enacts as follows:

1.0 DEFINITIONS

In this By-law:

"ASSE" means American Society of Sanitary Engineering;

"*Authorized Functions List*" means the list of functions and the persons authorized to carry out such functions as set out in Schedule A;

"*Auxiliary Water Supply*" means any water source or system, other than the Potable Water supplied by the *CK PUC* Water Distribution System, that may be available in a *Building* or *Structure*, or on any *Property*;

"AWWA" means American Water Works Association;

"*Backflow*" means a flowing back or reversal of the normal direction of flow;

"*Backflow Prevention*" means the prevention of the flow of water, other liquids, chemicals or substances back into the water being supplied by the *CK PUC* Water Distribution System;

"Backflow Prevention Device" means a device that prevents *Backflow* into the *CK PUC Water Distribution System* and includes all valves and test ports approved by the *CSA Standard*;

"Building" has the same meaning as set out in the *Building Code Act, S.O. 1992, CHAPTER 23, 1.(1)* as amended;

"Building Code" has the same meaning as set out in the *Building Code Act, S.O. 1992, CHAPTER 23, 1.(1)* as amended;

"CK PUC" means the Public Utilities Commission for the Municipality of Chatham-Kent;

"Cross Connection" means any actual or potential connection between a potable water system and any source of pollution or contamination;

"Cross Connection Control Manual" means the "AWWA" Canadian Cross Connection Control Manual, as amended;

"Cross Connection Survey Form" means the document to be completed by a person listed on the *Authorized Functions List*, in the form prescribed by the *General Manager* from time to time;

"CSA Standard" means the CAN/CSA B64 Series published by the Canadian Standards Association, in effect at the time of the enactment of this By-law, and as amended;

"Fire Protection System" means any system within a *Building* or a *Structure* for the suppression of a fire, including but not limited to any system consisting of a water sprinkler or dry foam, or a system described in the *CSA Standard*;

"General Manager" means the General Manager of the *CK PUC* or his/her authorized representative/designate;

"High or Severe Hazard" means any cross-connection involving any substance that could be a danger to health and includes, but is not limited to, cross-connections for establishments involving chemical usage, or "high or severe hazard" as defined in the *CSA Standard Definitions Section 3.1* and any use where *Backflow Prevention* is deemed required by the *General Manager*;

"Irrigation System" means artificially supplying land with water for agriculture or landscaping, usually by means such as pipes and sprinklers;

"Minor Hazard" means any type of *Cross Connection* or potential *Cross Connection* that involves a substance that constitutes only a nuisance and that results in a reduction in only the aesthetic qualities of the water. This category includes all connections described in *CSA Standards Clause 5.1.3.2* involving water that might have been heated or cooled, and connections that cannot create a danger to health;

"Moderate Hazard" means any *Minor Hazard* connection that has a low probability of becoming a *Severe Hazard*. This category includes, but is not limited to, connections involving water where the aesthetic qualities of the water have been reduced and, under certain conditions, can create a danger to health;

"Municipal Service" means the portion of the water service pipe located on municipal owned property up to and including the curb stop;

"Municipality" means the Corporation of the Municipality of Chatham-Kent;

"Municipal By-law Enforcement Officer" means any person appointed by the *Municipality's Council* to administer or enforce this By-law and includes a person employed by the *Municipality* whose duties are to enforce this By-law, and also includes a police officer;

"Owner" means the registered *Owner* or *Owners* of a *Property* or their authorized agent, but does not include a mortgagee unless the mortgagee is in possession of the *Property*;

"Potable water" means water that is safe for human consumption;

"Premise Isolation" means the prevention of *Backflow* into the *Municipality's Water Distribution System* from an owner's *Building, Structure* or *Property* by the installation of a suitable *Backflow Prevention Device* at the entrance of such *Building, Structure* or *Property*;

"Private Service" means the portion of the water service pipe located on private property, not including the service valve;

"Property" includes both public and private lands, including but not limited to facilities where a boat or mobile home can connect to a private service or municipal service, and which are located within the geographic area of the *Municipality*;

"Structure" means anything constructed or built, either permanently or temporarily, which is provided with a source of potable water, including but not limited to a boat or mobile home;

"Test Report" means the document to be completed by a person listed on the *Authorized Functions List*, in the form prescribed by the *General Manager* from time to time;

"Water Meter" means a device or mechanism which is the property of the *CK PUC* for the purpose of measuring the flow and quantity of water consumed;

"Water Distribution System" means the *Buildings, Structures*, plants, machinery, equipment, appurtenances, devices, conduits, intakes, outlets, underground pipelines and installations, and other works designed for the production, treatment, transmission, distribution and storage of *Potable Water* by *CK PUC*, and includes lands appropriated for such purposes and uses.

2.0 APPLICATION AND INTERPRETATION OF BY-LAW:

- 2.1 This By-law applies to all industrial *Buildings* and *Structures*; commercial *Buildings* and *Structures*; institutional *Buildings* and *Structures*; and multi-residential *Buildings* and *Structures* four stories or higher; whether existing or proposed.
- 2.2 Despite subsection 2.1, this By-law also applies where the *General Manager* determines that a condition exists in any *Building* or *Structure* which may be hazardous or detrimental to the *CK PUC Water Distribution System*.
- 2.3 In the event of a conflict between the provisions of this By-law and the provisions of any other statute, regulation or by-law, the provisions that are the most restrictive prevail.
- 2.4 The necessary grammatical changes required to make the provisions of this By-law applicable to corporations, partnerships, trusts and individuals, male or female, and to include the singular or plural meaning where the context so requires, shall in all cases be assumed as though fully expressed.
- 2.5 The following Schedules are attached to and form part of this By-law:
Schedule A – *Authorized Functions List*.
Schedule B – *CK PUC* Registration Requirements for persons on the *Authorized Functions List*.
- 2.6 The insertion of headings and the division of this By-law into sections and subsections are for convenience of reference only and shall not affect the interpretation thereof.
- 2.7 Any reference in this By-law to any statutes, regulations or by-laws shall be deemed to be a reference to such statutes, regulations or by-laws, as amended, restated or replaced from time to time.
- 2.8 Where a court of completed jurisdiction declares any section or part of a section of this By-law invalid, the remainder of this By-law shall continue in force unless the court makes an order to the contrary.
- 2.9 Where *CK PUC* provides service to *Properties* outside of the geographic Municipality of Chatham-Kent, the terms of this by-law shall have the force of, and be construed as, terms of service for those *Properties*.

3.0 BACKFLOW PREVENTION

- 3.1 No person shall connect, permit to be connected, or allow to remain connected to the *CK PUC Water Distribution System*, any piping, fixture, fitting, container, appliance, vehicle, machine or the like in a manner which may under any circumstance allow water, waste water, pollutant, or any other liquid, chemical or

substance to enter such *Water Distribution System*, except in compliance with the provisions of this By-law.

- 3.2 Every *Owner* of a *Property* to which this By-law applies, shall ensure that a *Backflow Prevention Device* is installed in respect of *Premise Isolation* in every *Building* or *Structure* supplied by the *CK PUC Water Distribution System*, and in accordance with the timetable set out in Section 14.2.
- 3.3 Every *Owner* of a *Property* to which this By-law applies and on which an *Irrigation System* is located, shall ensure that such *Irrigation System* is protected against *Backflow* in accordance with the *CSA Standard*.
- 3.4 Where there is a *Fire Protection System* within a *Building* or *Structure*, the *Owner* of the *Property* shall ensure that such *Building* or *Structure* is protected against *Backflow* in accordance with the *CSA Standard*.
- 3.5 No person shall connect, permit to be connected, or allow to remain connected to the *CK PUC Water Distribution System* any *Auxiliary Water Supply* unless adequate *Backflow Prevention Devices* are installed and the prior written approval of the *General Manager* is provided.

4.0 PERSONS PERMITTED TO CARRY OUT WORK

- 4.1 No person, other than those persons described on the *Authorized Functions List*, may carry out any of the authorized functions set out on the *Authorized Functions List*.
- 4.2 No person listed on the *Authorized Functions List* shall carry out any of the corresponding authorized functions unless the person has registered with the *CK PUC*, provided all requested documentation to *CK PUC*, paid the applicable fee and received a *CK PUC* registration number, all in accordance with the Table set out in Schedule B.
- 4.3 The registration with the *CK PUC* referred to in subsection 4.2 is an annual requirement.
- 4.4 No person shall submit any documentation to the *CK PUC* as part of the registration process that contains inaccurate or false information.

5.0 APPLICATION OF CSA STANDARD

- 5.1 Except as otherwise set out in this By-law, the installation, maintenance and testing of a *Backflow Prevention Device* shall be in accordance with the *CSA Standard*.
- 5.2 In the event of a conflict between the provisions of this By-law and the *CSA Standard*, the provisions of this By-law shall prevail.

6.0 ADMINISTRATION, ENFORCEMENT AND PENALTIES

Administration and Enforcement

- 6.1 The *General Manager* is responsible for the administration of this By-law, including prescribing the content of any forms or other documents required under this By-law from time to time.
- 6.2 All *Municipal By-law Enforcement Officers* are authorized to enforce this By-law.
- 6.3 The *General Manager* is authorized to delegate the responsibility for the administration of this By-law to any employee or agent of the *CK PUC*.
- 6.4 Fees under this By-law shall be as set out in the *CK PUC Water and Wastewater Fees and Charges By-law*.

- 6.5 A *Municipal By-law Enforcement Officer* may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
- 6.5.1 this By-law;
 - 6.5.2 any direction, requirement or order of the *CK PUC* or a *Municipal Bylaw Enforcement Officer* made under this By-law; or
 - 6.5.3 an order made under section 431 of the *Municipal Act, 2001* in respect of a contravention of this By-law.
- 6.6 For the purposes of an inspection under subsection 6.5, a *Municipal By-law Enforcement Officer* may:
- 6.6.1 require the production for inspection of documents or things relevant to an inspection under this By-law;
 - 6.6.2 inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - 6.6.3 require information in writing or otherwise as required by the *Municipal By-law Enforcement Officer* from any person concerning a matter related to the inspection; and
 - 6.6.4 alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purpose of the inspection, provided that a sample taken under this section shall be divided into two parts, and one part shall be delivered to the person from whom the sample is taken, if the person so requests at the time the sample is taken and provides the necessary facilities, or if the sample has not been divided into two parts, a copy of any report on the sample shall be given to the person from whom the sample was taken.
- 6.7 A *Municipal By-law Enforcement Officer* may undertake an inspection pursuant to an order issued by a provincial judge or justice of the peace under section 438 of the *Municipal Act, 2001* where he or she has been prevented or is likely to be prevented from carrying out an inspection under subsections 6.5 and 6.6.
- 6.8 If a *Municipal By-law Enforcement Officer* is satisfied that a contravention of this By-law has occurred, he or she may make an order requiring the person who contravened this By-law or who caused or permitted the contravention, or the *Owner* or occupier of the *Property* on which the contravention occurred, to discontinue the contravening activity.
- 6.9 An order under subsection 6.8 shall set out:
- 6.9.1 reasonable particulars of the contravention adequate to identify the contravention and the location of the *Property* on which the contravention occurred; and
 - 6.9.2 the date and time by which there must be compliance with the order, which may be of immediate effect should the *Municipal By-law Enforcement Officer* determine that the circumstances warrant.
- 6.10 If a *Municipal By-law Enforcement Officer* is satisfied that a contravention of this By-law has occurred, he or she may make an order requiring the person who contravened this By-law or who caused or permitted the contravention, or the *Owner* or occupier of the *Property* on which the contravention occurred to do the work to correct the contravention.
- 6.11 An order under subsection 6.10 shall set out:
- 6.11.1 reasonable particulars of the contravention adequate to identify the contravention and the location of the *Property* on which the contravention occurred; and

6.11.2 the work to be completed which may include but is not limited to requiring that:

- (a) prior to performing any work, all necessary permits or other approvals be applied for and obtained;
- (b) a *Cross Connection Survey Form* be completed;
- (c) a *Backflow Prevention Device* be installed;
- (d) a *Backflow Prevention Device* be tested;
- (e) a *Backflow Prevention Device* be repaired;
- (f) a *Backflow Prevention Device* be replaced;
- (g) a legible *Test Report* be submitted to the *CK PUC* for approval;
- (h) a test tag be applied to a *Backflow Prevention Device*;
- (i) arrangements be made for the shutting off of the supply of water from the *CK PUC Water Distribution System* until the work ordered to be done is completed; and

6.11.3 the date and time by which the work must be completed, which may be of immediate effect should the *Municipal By-law Enforcement Officer* determine that the circumstances warrant.

6.12 An order to discontinue a contravening activity made under subsection 6.9 or an order to do work made under subsection 6.11 may be served personally or by registered mail to the last known address of:

6.12.1 the *Owner* or occupier of the *Property* where the contravention occurred; and

6.12.2 such other persons affected by the order as the *Municipal By-law Enforcement Officer* making the order determines.

Service by registered mail shall be deemed to have taken place five business days after the date of mailing.

6.13 In addition to service given in accordance with subsection 6.12, an order to discontinue a contravening activity made under subsection 6.9 or an order to do work made under subsection 6.11 may be served by a *Municipal By-law Enforcement Officer* placing a placard containing the order in a conspicuous place on the *Property* where the contravention occurred.

6.14 Where service cannot be given in accordance with subsection 6.12, sufficient service is deemed to have taken place when given in accordance with subsection 6.13.

6.15 No person shall remove an order, notice, direction or placard posted on a *Property* indicating that it was posted under this By-law, except a *Municipal By-law Enforcement Officer*.

6.16 Where a time frame is set out in an order for carrying out any action, the *Municipal By-law Enforcement Officer* may extend the time for compliance beyond the established time frame, provided such extension is required and is acceptable to the *Municipal By-law Enforcement Officer*.

6.17 Where a person does not comply with a direction or a requirement, including an order, under this By-law to do a matter or thing, the *General Manager*, with such assistance by others as may be required, may carry out such direction, requirement or order at the person's expense.

6.18 The *CK PUC* may recover the costs of doing a matter or thing under subsection 6.17 by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes.

- 6.19 The *General Manager* is authorized to give immediate effect to any direction, or requirements where the costs of carrying out the direction or requirement do not exceed \$15,000 and, where the costs do exceed \$15,000, as the *CK PUC* Commission may authorize.
- 6.20 The amount of the *CK PUC* costs, including interest to the date payment is made in full, constitutes a lien upon the land, upon the registration of a notice of lien upon the land.
- 6.21 Without limiting the generality of subsections 6.5 to 6.20, where the *General Manager* has determined, in his or her sole discretion, that an immediate threat of contamination in the *CK PUC Water Distribution System* exists that can endanger public health and safety, the *General Manager* may, but is not required to, shut off the water supply to the *Property* or any *Building* or *Structure* thereon, until the threat of contamination has been eliminated.

Penalties

- 6.22 Every person who contravenes any provision of this By-law is, upon conviction, guilty of an offence and is liable:
- 6.22.1 on a first conviction, for each day or part of a day on which the offence occurs or continues, to a fine of not more than \$10,000; and
- 6.22.2 on any subsequent conviction, for each day or part of a day on which the offence occurs or continues, to a fine of not more than \$25,000.
- 6.23 Despite subsection 6.22, where the person convicted is a corporation,
- 6.23.1 the maximum fine in paragraph 6.22.1 is \$50,000; and
- 6.23.2 the maximum fine in paragraph 6.22.2 is \$100,000.
- 6.24 Any person who contravenes an order made under this By-law, or an officer or director of a corporation who knowingly concurs in such a contravention by the corporation, is guilty of a continuing offence and upon conviction is liable to a daily fine or penalty of a maximum of \$10,000 for each day or part of a day that the offence continues, and despite subsections 6.22 and 6.23, the total of all the daily fines imposed for an offence is not limited by the fine amounts listed in those subsections.
- 6.25 Where a person has been convicted of an offence, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty imposed by this By-law, make an order prohibiting the continuation or repetition of the offence by the person convicted.

7.0 PROPERTY SURVEYS

- 7.1 Every *Owner* of a *Property* to which this Bylaw applies shall, within 90 days of the notification date and within every five years thereafter;
- 7.1.1 cause to be carried out a survey of the *Owner's Property* and of each of the *Owner's Buildings* and *Structures* on the *Property* with respect to all *Cross-Connections* and all existing and required *Backflow Prevention Devices*;
- 7.1.2 ensure that such survey is carried out on a *Cross Connection Survey Form* by a person permitted to do so pursuant to the *Authorized Functions List*; and
- 7.1.3 ensure that the completed *Cross Connection Survey Form* and the applicable fee are received by the *CK PUC*.
- 7.2 In addition to the obligations set out in subsection 7.1, each time that one or more of the following events occur, the *Owner* of a *Property* to which this By-law applies

shall also comply with the requirements of paragraphs 7.1.1, 7.1.2 and 7.1.3 within 30 days of the date on which such event occurred;

7.2.1 the hazard level of a *Building* or *Structure* on the *Property* has changed;

7.2.2 the ownership of the *Property* has changed;

7.2.3 the circumstances at the *Property* or the equipment has changed and such change either alters or has the potential to alter the information contained in the most recent *Cross Connection Survey Form* provided to the *CK PUC*.

7.3 No person shall submit a *Cross Connection Survey Form* to *CK PUC* that contains inaccurate or false information.

8.0 SELECTION OF BACKFLOW PREVENTION DEVICES

8.1 Every owner of a *Building* or *Structure* located on a *Property* to which this By-law applies and is deemed as a *High or Severe Hazard*, a *Moderate or Minor Hazard*, shall ensure that every *Backflow Prevention Device* for *Premise Isolation* on their *Property*:

8.1.1 is selected in accordance with the *CSA Standard*;

8.1.2 is a testable device; and

8.1.3 is installed in accordance with the provisions of the *Cross Connection Control Manual* and the *CSA Standard*.

8.2 In the event of a conflict between the *Cross Connection Control Manual* and the *CSA Standard*, the provisions of the *CSA Standard* shall prevail.

8.3 Despite subsection 8.1, the *General Manager* may require that a particular *Backflow Prevention Device* be used in respect of any *Cross Connection*.

9.0 INSTALLATION ETC. OF BACKFLOW PREVENTION DEVICES

9.1 Every person who installs, replaces, relocates or repairs a *Backflow Prevention Device* required under this By-law shall ensure that:

9.1.1 such device is installed in accordance with acceptable engineering practices, the requirements of the *CSA Standard* and the manufacturer's specifications;

9.1.2 such device is installed in a *Building*, or *Structure* and is protected from freezing;

9.1.3 where such device is installed in a *Building* or *Structure*, the device is installed in accordance with the conditions of a building permit required to be obtained from the *Municipality* for such device in accordance with the *Building Code*;

9.1.4 such device is located in such a manner so that in the event of *Backflow*, the device prevents contamination of the *CK PUC Water Distribution System*;

9.1.5 No connection will be permitted on all piping between the water meter and such device.

9.2 The *Owner* of a *Building* or *Structure* located on a *Property* to which this By-law applies shall protect each *Backflow Prevention Device* from freezing at all times.

9.3 The *Owner* shall, at all times, maintain a *Backflow Prevention Device* required under this By-law in proper working order and otherwise in accordance with this By-law.

10.0 TESTING OF DEVICES

- 10.1 Every person who tests a *Backflow Prevention Device* required under this By-law shall carry out such testing in accordance with this By-law and the *CSA Standard*.
- 10.2 In addition to the testing methods set out in the *CSA Standard*, test procedures established by the *ASSE* or *AWWA* for testing *Backflow Prevention Devices* may be employed. However, in the event of a conflict between the testing methods set out in the *CSA Standard* and the testing procedures established by the *ASSE* or *AWWA*, the testing methods set out in the *CSA Standard* shall prevail.
- 10.3 Despite any provision in the *CSA Standard* to the contrary, every person who tests a *Backflow Prevention Device* required under this By-law shall enter the results of such test on a *Test Report*.
- 10.4 Every person who tests a *Backflow Prevention Device* required under this By-law shall:
- 10.4.1 within 14 days of completing such test:
- (a) provide a legible *Test Report* to the *CK PUC* in respect of such test; and
 - (b) pay the applicable fee to the *CK PUC*;
- 10.4.2 upon completing such test, affix a completed test tag in the form approved by the *General Manager*, to the device or immediately adjacent to the device on the piping connected thereto; and
- 10.4.3 upon finding that such device is malfunctioning or otherwise not in proper working order, immediately notify the *Owner* of the *Property* and the *CK PUC* of such condition.
- 10.5 Every *Owner* who has a *Backflow Prevention Device* required under this By-law which is located on their *Property* shall ensure that:
- 10.5.1 such device is tested by the appropriate person on the *Authorized Functions List* when it is first installed and annually thereafter, or when requested by the *CK PUC*, and also each time when the device is replaced, relocated or repaired.
- 10.5.2 within 14 days of completing a test of such device in accordance with paragraph 10.5.1:
- (a) a legible *Test Report* is provided to the *CK PUC* in respect of such test; and
 - (b) the applicable fee is paid to the *CK PUC*; and
- 10.5.3 in the event that such device is malfunctioning or otherwise not in proper working order, the device is immediately repaired or replaced.
- 10.6 No person shall submit a *Test Report* to the *CK PUC* that contains inaccurate or false information.

11.0 REMOVAL OF BACKFLOW PREVENTION DEVICE

- 11.1 No person shall remove a *Backflow Prevention Device* required under this By-law, or any part thereof, after it has been installed, and no *Owner* of a *Property* where such a *Backflow Prevention Device* is installed shall cause or permit the removal of such a device, unless such removal is:
- 11.1.1 to facilitate the repair of the device, with the device replaced immediately after the repair is carried out;
- 11.1.2 to replace the device with another one that meets or exceeds the provisions of this By-law; or

11.1.3 to facilitate the disconnection of the private service from the *Water Distribution System* in accordance with the written approval of the *General Manager*,

or any combination of the foregoing.

11.2 Whenever a *Backflow Prevention Device* required under this By-law has been permanently removed or the type of device has been changed, the *Owner* of the *Property* must notify the *General Manager* in writing immediately of such change.

12.0 AUTHORITY OF THE GENERAL MANAGER

12.1 The *General Manager* has the authority to:

12.1.1 require an *Owner* of a *Property* to which this By-law applies to conduct additional tests, provide additional reports and undertake any other measures required for the prevention of *Backflow* or protection of a *Cross Connection*; and

12.1.2 permit exceptions to provisions of this By-law where the *General Manager* is satisfied that such an exception does not create an unreasonable risk of *Backflow*

13.0 SHORT TITLE

13.1 This By-law may be referred to as the *Backflow Prevention By-law*.

14.0 EFFECTIVE DATE

14.1 This By-law shall come into force on the date it is passed.

14.2 Despite subsection 14.1, installation of *Backflow Prevention Devices* shall occur within the timeframes below, for the degree of hazard;

Degree of Hazard for Building or Structure located on Property

Compliance Date


High or Severe Hazard

To install and initially test the *Backflow Prevention Device*, or to test the *Backflow Prevention Device*, no later than 90 -calendar days from the date of notification by *CK PUC* of the identification of the hazard as a *High or Severe Hazard*;

Moderate or Minor Hazard

To install and initially test the *Backflow Prevention Device*, or to test the *Backflow Prevention Device*, no later than 90 calendar days from the date of notification by *CK PUC* of the identification of the hazard as a *Moderate or Minor Hazard*.

PASSED THIS 4th day of May, 2015


Randy Hope,
Mayor


Judy Smith,
Clerk

Schedule A AUTHORIZED FUNCTIONS LIST

Item	Authorized Function	Professional Engineer with tester's certificate	Certified Engineering Technologist with tester's certificate*	Licensed Master Plumber with tester's certificate	Journeyman Plumber with tester's certificate**	Apprentice Plumber with tester's certificate***	Licensed Master Sprinkler and Fire Protection Installer with a tester's certificate	Journeyman Sprinkler and Fire Protection installer with a tester's certificate**	Apprentice Sprinkler and Fire Protection Installer with a tester's certificate****
1	Carry out Cross Connection control survey required under this By-law	YES	YES	YES	YES	YES	NO	NO	NO
2	Install, relocate, or replace Backflow Prevention Device required under this By-law	NO	NO	YES	YES	YES	YES In regards to a Fire Protection System only	YES In regards to a Fire Protection System only	YES In regards to a Fire Protection System only
3	Repair Backflow Prevention Device required under this By-law	NO	NO	YES	YES	YES	NO	NO	NO
4	Test Backflow Prevention Device required under this By-law	YES	YES	YES	YES	YES	YES	YES	YES

*Required to be under the direction of a Professional Engineer

**Required to be under the direction of a Licensed Master Plumber except if working in-house.

***Required to be under the direct supervision of a Journeyman Plumber (in-house) or a licensed Master Plumber.

****Required to be under the direct supervision of a Sprinkler and Fire Protection Installer Journeyman (in-house) or a licensed Master Sprinkler and Fire Protection Installer.

For the purposes of Schedule A

"tester's certificate" means an OWWA Cross Connection Control Specialist Certificate or an ASSE Cross Connection Control/Backflow Certificate or equivalent acceptable to the General Manager.

This Authorized Functions List does not include the completion of the Self-Assessed Cross Connection Survey Form.

Schedule B

MUNICIPAL REGISTRATION REQUIREMENTS FOR PERSONS ON AUTHORIZED FUNCTIONS LIST

Person Described on Authorized Functions List	Required to Register with the Municipality?	Required to provide documentation to the Municipality?	Required to pay the applicable registration fee?	Receives a Registration Number?
Professional Engineer with tester's certificate	Yes. Required to register self and all certified engineering technologists with a tester's certificate who are under his/her direction.	Yes, for both self and all certified engineering technologists with a tester's certificate who are under his/her direction.	Yes, pay one fee for all persons registered.	Yes, one registration for all persons registered.
Licensed Master Plumber with tester's certificate	Yes. Required to register self as well as all journeyman plumbers with a tester's certificate and all apprentice plumbers with a tester's certificate who are under his/her direction or direct supervision.	Yes, for self as well as all journeyman plumbers with a tester's certificate and all apprentice plumbers with a tester's certificate who are under his/her direction or direct supervision.	Yes, pay one fee for all persons registered.	Yes, one registration number for all persons registered.
Licensed Master Sprinkler and Fire Protection Installer with a tester's certificate	Yes. Required to register self as well as all journeyman sprinkler and fire protection installers with a tester's certificate and all apprentice sprinkler and fire protection installers with a tester's certificate who are under his/her direction or direct supervision.	Yes, for self as well as all journeyman sprinkler and fire protection installers with a tester's certificate and all apprentice sprinkler and fire protection installers with a tester's certificate who are under his/her direction or direct supervision.	Yes, pay one fee for all persons registered.	Yes, one registration number for all persons registered.
Persons in-house engaged in or occupied in any one of the trades governed by this By-law as a Journeyman or	Yes. Journeyman plumber with tester's certificate is required to register self as well as all apprentice plumbers with a tester's certificate who are	Yes. For journeyman plumber with a tester's certificate and for all apprentice plumbers with a tester's certificate who are under his/her direct supervision.	Yes, pay one fee for all persons registered.	Yes, one registration number for all persons registered.

<p>Apprentice performing in-house work for a single institution, business or other organization.</p>	<p>under his/her direct supervision. Journeyman sprinkler and fire protection installer with a tester's certificate is required to register self as well as all apprentice sprinkler and fire protection installers with a tester's certificate who are under his/her direct supervision.</p>	<p>For journeyman sprinkler and fire protection installer with a tester's certificate and for all apprentice sprinkler and fire protection installers with a tester's certificate who are under his/her direct supervision.</p>		
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