

Appendix C: Draft Amendments to Municipal Code Chapter 851 - Water Supply

Authority:

Enacted by Council:

CITY OF TORONTO

Bill No.

BY-LAW No.

To amend Municipal Code Chapter 851, Water Supply.

WHEREAS Council has the authority to pass this by-law pursuant to subsections 8(1), (2) and (3) and section 259 of the *City of Toronto Act, 2006*, S.O. 2006, Chapter 11, Schedule A (the “City of Toronto Act, 2006”);

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Chapter 851 of the City of Toronto Municipal Code is amended as follows:

A. By deleting § 851-4 F in its entirety and substituting it with the following:

"F. Separate Connections

- (1) No person shall install or cause the installation of, and no owner shall permit the installation of, a private water service connection to a municipal water service connection that services more than one building on a property unless otherwise permitted under the *Building Code* and this section.
- (2) No person shall install or cause the installation of, and no owner shall permit the installation of, a private water service connection to the municipal water service connection that services more than one property.
- (3) The General Manager may authorize a single water service connection to service a single property containing multiple buildings, parcels of tied land, condominiums, and/or freehold parcels, provided that:
 - (a) Such servicing complies with the *Building Code*; and
 - (b) The General Manager is satisfied that:
 - [1] The proposed servicing meets the Standards and Specifications;

- [2] The owner of the lands upon which the service connection is located is directly responsible for the payment of any fees and charges for the supply of municipal water services to the property;
 - [3] The owner of the lands upon which the service connection is located is directly responsible for any non-compliance with this Chapter and any enforcement measures and sanctions arising from non-compliance with this Chapter;
 - [4] The manner of ownership of the property will not impede the City's ability to collect fees or charges or enforce compliance with this Chapter or Chapters 441 and 849; and
 - [5] The general intent of this subsection has been met.
- (4) Where an authorization is provided by the General Manager under § 851-4 F(3), the General Manager may make such authorization conditional on such terms and conditions as the General Manager considers appropriate to meet the requirements of § 851-4 F(3) (b).
 - (5) For the purpose of § 851-4 F(3), a "parcel of tied land" shall be as defined under section 24(1) of Ontario Regulation 49/01, made under the *Condominium Act, 1998*, as amended from time to time."

B. By deleting § 851-5 S in its entirety and replaced with the following:

- “(1) A common element watermain for domestic water service shall be used to service a condominium corporation.
- (2) Every owner of a condominium unit serviced by a common element watermain shall be responsible for installing or cause to be installed a single water meter on that common element watermain. For the purpose of this subsection, a "condominium unit" shall include a "parcel of tied land" as defined under section 24(1) of Ontario Regulation 49/01, made under the *Condominium Act, 1998*, as amended from time to time. For the purpose of this subsection, a "condominium unit" shall include a "parcel of tied land" as defined under section 24(1) of Ontario Regulation 49/01, made under the *Condominium Act, 1998*, as amended from time to time.
- (3)
 - (a) Any water service connection, private water service pipe, water meter, conduit, remote readout unit and wire required under § 851-4 and § 851-5 shall be installed by, or be caused to be installed by the owner, before any condominium unit is occupied or upon substantial completion of construction of any condominium unit, whichever is sooner.
 - (b) The water service connection, private water service pipe, water meter, conduit, remote readout unit and wire required under § 851-

4 and § 851-5 shall be installed in accordance with this chapter and the standards and specifications.

(4) In the event that a water service connection, private water service pipe, water meter, a conduit, a remote readout unit, or a wire are not installed in accordance with § 851-5S(1) and (3), then the owner of the property shall pay for the water used by that condominium corporation in accordance with the water consumption estimated by the CFO for the property based on historical average consumption for the same or similar premises until the time that a water service connection, private water service pipe, water meter, conduit, remote readout unit and wire are all installed and functioning properly, all in accordance with the standards and specifications.”

C. By deleting § 851- 8 D (6) (a) in its entirety and substituting it with the following:

"Any owner, occupier or other person required to install or replace a premise isolation–backflow prevention device shall obtain a building permit for each premise isolation backflow prevention device to be installed or replaced"

D. By deleting § 851- 8 D (6) (d) in its entirety and substituting it with the following:

“Every owner required to install or replace a premise isolation backflow prevention device shall install the device downstream of the water meter and water meter by-pass prior to any tapping, or where circumstances require, in an alternate location authorized by the General Manager."

E. By adding as § 851-18. C the following:

“C. No person shall furnish any false or misleading information to the General Manager or any City personnel, agents or contractors in the exercise of an activity, power or performance of a duty or administrative function under this Chapter, including but not limited to any information provided or submitted on or with any application or in respect to any inspection or enforcement of this Chapter.”

F. By replacing Schedule 5 with the revised Schedule 5 attached

G. By replacing Schedule 6 with the revised Schedule 6 attached

3. This by-law comes into force upon enactment.

ENACTED AND PASSED this day of , 2013.

Speaker

City Clerk

**SCHEDULE 5 TO CHAPTER 851
BACKFLOW PREVENTION DEVICE FOR PREMISE ISOLATION
INSTALLATION DATES BASED ON INDUSTRY SECTOR**

**[Amended 2008-12-03 by By-law No. 1250-2008;
2010-07-08 by By-law No. 869-2010]**

Industry Sector	Hazard Level	Installed By
Aircraft Manufacturing	Severe	December 31, 2008
All Printing Industry (excluding dry digital printing)	Severe	December 31, 2008
Automobile Manufacturing	Severe	December 31, 2008
Beverage Manufacturing	Severe	December 31, 2008
Breweries	Severe	December 31, 2008
Car Washes	Severe	December 31, 2008
Chemical Manufacturing	Severe	December 31, 2008
Cosmetic Product Manufacturing	Severe	December 31, 2008
Distilleries	Severe	December 31, 2008
Dry Cleaners	Severe	December 31, 2008
Dye & Pigment Manufacturing	Severe	December 31, 2008
Electroplating, Plating, Polishing, Anodizing, & Colouring	Severe	December 31, 2008
Food Processing	Severe	December 31, 2008
Industrial Laundries	Severe	December 31, 2008
Lubricating Oil & Grease Manufacturing	Severe	December 31, 2008
Machine Tool Manufacturing	Severe	December 31, 2008
Machine Tool Operations	Severe	December 31, 2008
Meat Processing & Packaging	Severe	December 31, 2008
Medical Laboratories	Severe	December 31, 2008
Metal Can Manufacturing	Severe	December 31, 2008
Metal Coating, Engraving	Severe	December 31, 2008
Metal Fabrication	Moderate to Severe	December 31, 2008
Metal Window & Door Manufacturing	Severe	December 31, 2008
Mortuary or Morgue	Severe	December 31, 2008
Nonferrous Metal Manufacturing	Severe	December 31, 2008
Other Metal Container Manufacturing	Severe	December 31, 2008
Paint & Coating Manufacturing	Severe	December 31, 2008
Paper & Pulp Processing Plants	Severe	December 31, 2008
Personal Care Products Manufacturing	Severe	December 31, 2008
Petrochemical Manufacturing	Severe	December 31, 2008
Petroleum Bulk Storage Facilities	Severe	December 31, 2008
Petroleum Refining	Severe	December 31, 2008
Pharmaceutical Manufacturing	Severe	December 31, 2008
Photographic Film Manufacturing	Severe	December 31, 2008
Photographic Plate / Paper Manufacturing	Severe	December 31, 2008

Industry Sector	Hazard Level	Installed By
Plastic Manufacturing	Severe	December 31, 2008
Plastic Material & Resin Manufacturing	Severe	December 31, 2008
Printed Circuit Board Manufacturing	Severe	December 31, 2008
Rubber Manufacturing	Severe	December 31, 2008
Soap & Detergent Manufacturing	Severe	December 31, 2008
Textile Manufacturing/ Processing	Severe	December 31, 2008
Veterinary Hospital	Severe	December 31, 2008
Wastewater Treatment Plants & Facilities	Severe	December 31, 2008
Water Treatment Plants	Severe	December 31, 2008

Industry Sector	Hazard Level	Installed By
Agricultural/Landscaping Applications	Severe	March 31, 2009
Allied Services to Manufacturing	Severe	March 31, 2009
Analytical Laboratories	Severe	March 31, 2009
Asphalt Paving Mixture & Block Manufacturing	Severe	March 31, 2009
Autobody Refinishing	Severe	March 31, 2009
Automotive Repairs & Maintenance	Severe	March 31, 2009
Carpet Cleaners	Severe	March 31, 2009
Clinical Laboratories	Severe	March 31, 2009
Death Care Services	Severe	March 31, 2009
Dental Surgery Facility	Severe	March 31, 2009
Gas Stations with Automotive Repairs	Severe	March 31, 2009
Greenhouses	Severe	March 31, 2009
Hospitals	Severe	March 31, 2009
Milk/Dairy Product Processing	Severe	March 31, 2009
Photo Finishing	Severe	March 31, 2009
Research Buildings & Laboratories	Severe	March 31, 2009
Wineries	Severe	March 31, 2009

Industry Sector	Hazard Level	Installed By
Blood Clinic	Severe	June 30, 2009
Commercial Laundry (without dry cleaning)	Severe	June 30, 2009
Dock & Marine Facility	Severe	June 30, 2009
Exhibition Grounds	Severe	June 30, 2009
Fire Protection Systems with antifreeze, foam injection, and/or other chemical additives	Severe	June 30, 2009
Fire Protection Systems with auxiliary water supply	Severe	June 30, 2009
Irrigation Systems (with chemical addition)	Severe	June 30, 2009
Medical Clinic (surgical)	Severe	June 30, 2009
Motorcycle Repairs & Maintenance	Severe	June 30, 2009
Plant Using Radioactive Materials	Severe	June 30, 2009
Power Generating Facility	Severe	June 30, 2009

Industry Sector	Hazard Level	Installed By
Premises Where Access Is Prohibited	Severe	June 30, 2009
Radiator Shop	Severe	June 30, 2009
Recycling Facility	Severe	June 30, 2009
Rendering Facility	Severe	June 30, 2009
Single Residential Dwelling with auxiliary water supply	Severe	June 30, 2009
Slaughter House	Severe	June 30, 2009
Waste/Garbage Transfer Station & Disposal Plant	Severe	June 30, 2009
Wastewater Pumping Stations	Severe	June 30, 2009
Water Filling Station	Severe	June 30, 2009
Water Pumping Stations	Severe	June 30, 2009
Zoo	Severe	June 30, 2009

Industry Sector	Hazard Level	Installed By
Apartment Buildings (five units or more, with shared single- service connection)	Moderate	June 30, 2009
Commercial Premises (excluding dry retail operations)	Moderate	June 30, 2009
Fire Stations	Moderate to Severe	June 30, 2009
Funeral Homes/Cemetery	Moderate to Severe	June 30, 2009
Golf Courses	Moderate to Severe	June 30, 2009
Hotel & Motel	Moderate	June 30, 2009
Schools (elementary, junior high, senior high)	Moderate	June 30, 2009
Swimming Pools (private with direct connection)	Moderate	June 30, 2009
Swimming Pools (public)	Moderate	June 30, 2009
Technical Institutes	Moderate	June 30, 2009
Universities & Colleges	Moderate	June 30, 2009
Veterinary Clinic	Moderate	June 30, 2009

Industry Sector	Hazard Level	Installed By
Airports	Moderate	December 31, 2009
Animal Shelter	Moderate	December 31, 2009
Auto Dealership	Moderate	December 31, 2009
Campsite	Moderate	December 31, 2009
Commercial Coin Operated Laundry	Moderate	December 31, 2009
Dental Office (Non-surgical)	Moderate	December 31, 2009
Grocery Store	Moderate	December 31, 2009
Hair Salon	Moderate	December 31, 2009
Irrigation System (without chemical addition)	Moderate	December 31, 2009

Industry Sector	Hazard Level	Installed By
Kennel	Moderate	December 31, 2009
Marina & Yacht Club (pleasure-boat)	Moderate	December 31, 2009
Medical Clinic (non-surgical)	Moderate	December 31, 2009
Mobile Home Park	Moderate	December 31, 2009
Nursing Home	Moderate	December 31, 2009
Penitentiary	Moderate	December 31, 2009
Restaurant (including bar, coffee shop, food courts, lounge, etc.)	Moderate	December 31, 2009
Sauna & Massage Centre	Moderate	December 31, 2009
Townhouse (five units or more, with shared single-service connection)	Moderate	December 31, 2009
Water Park	Moderate	December 31, 2009
Industrial and Institutional Premises	Moderate to Severe	December 31, 2010
Fuel Dispensing Facility (Gas Bar)	Moderate	December 31, 2010
Concrete Plants	Severe	December 31, 2010
Multi-Residential Buildings (five units or more, with shared single-service connection)	Moderate	December 31, 2010

**SCHEDULE 6 TO CHAPTER 851
AUTHORIZED FUNCTIONS LIST**

Item	Function	Professional Engineer with CCCS Certification	Certified Engineering Technologist with CCCS Certification *	Licensed Master Plumber with a City of Toronto plumbing contractor's licence and CCCS Certification	Journeyman Plumber with CCCS Certification †	Apprentice plumber with CCCS Certification ‡	Fire system sprinkler fitter with CCCS Certification	Industrial Millwright with CCCS Certification
1	Carry out cross-connection / backflow prevention device survey	v	v	v	v			
2	Install, relocate, or replace backflow prevention device			v	v	v		
3	Repair backflow prevention device	v	v	v	v	v		
4	Test backflow prevention device	v	v	v	v	v	v	v
5	Complete Items 1, 2, 3 and 4 in relation to fire protection systems	v	v	v	v	v	v	

v	<i>Authorized to perform function</i>
*	<i>Required to be under the direction of a Professional Engineer</i>
†	<i>Required to be employed by a City of Toronto licensed plumbing contractor</i>
‡	<i>required to be employed by a licensed plumbing contractor and under the direct supervision of a journeyman with CCCS Certification or master plumber with CCCS Certification</i>
Note:	<i>if a plumber or a Industrial Millwright is employed by an organization or institution for whom the work is performed, then a City of Toronto plumbing contractor licence is not required..</i>
CCCS	Cross Connection Control Specialist Note: Please refer to § 851-8F for the criteria for acceptable CCCS