

**THE CORPORATION OF THE TOWN OF PETROLIA**

**BY-LAW NUMBER 17-2014**

**BEING A BY-LAW TO AMMEND 27-2013 TO REGULATE AND CONTROL  
MUNICIPAL WATER AND WASTE WATER SYSTEMS**

**WHEREAS** The Town of Petrolia operates municipal water and waste water systems; and

**WHEREAS** To ensure the protection of the municipal systems, the Municipality is implementing a program to regulate all forms of water main cross connections within the Municipality, require a backflow prevention program for all service connections, water and wastewater;

**THAT** devices to be field tested, the frequency and reporting of back flow protection be referred to in Schedule "A" attached hereto and forming part of this By-Law;

**AND THAT** all By-Laws and motions of Council found to be inconsistent with the Provisions found in this By-Law shall be and are Hereby Repealed;

**AND THAT** this By-law shall become effective and take force on the 7<sup>th</sup> day of April, 2014.

**NOW THEREFORE** The Council of the Corporation of the Town of Petrolia enacts as follows;

**INTERPRETATION – DEFINITIONS**

For the purposes of this by-law, the following terminology and words are defined:

**"Backflow"** means the flowing back of or reversal of the normal direction of flow of water.

**"Backflow preventer or prevention device"** means a device that prevents backflow, as further defined in Article 1.1.3.2 of the Ontario Building Code (O. Reg 403/97) and CAN/CSA references therein, or any successor thereof.

**"Building"** shall have the same meaning as set out in the Building Code Act, S.O. 1992, c23, as amended, or any successor thereof.

**"Cross-connection"** means any actual or potential connection between a potable water supply or system and any source of pollution or contamination. This includes any by-pass, jumper connection, removable section of pipe, swivel or changeover device and any other temporary or permanent connection arrangement through which backflow may occur;

**"Cross-connection control program"** is a program initiated by the Municipality to administer and regulate the selection, installation, testing, and maintenance of backflow prevention devices.

**"Hazard"** means three levels of hazard: minor, moderate, and high (or severe) as defined by CAN/CSA B64.10 or any successor thereof.

**"Municipality"** means The Corporation of the Town of Petrolia and includes its employees and agents.

**"Person"** means any person, firm or corporation having control over property to which this regulation applies and includes the owner registered on the title of the property and any occupant of any building located on such property.

**"Potable water"** means water that is safe for human consumption.

**"Premises"** shall mean any house, tenement, building, lot, or part of a lot, or both, in, through, or past which water service pipes run.

**“Premises isolation”** means prevention of backflow into a public water system from a user’s premises by the installation of a suitable backflow preventer at the entrance to the building or property;

**“Water service connection”** means a piping connection that conveys water from the municipal potable water main or private water source to the inside of a building.

## **2. PROTECTION FROM CONTAMINATION AND BACKFLOW PREVENTION**

### **2.1 Unauthorized connections - prohibited**

No person shall connect, cause to be connected, or allow to remain connected to the water supply and distribution system any pipe, fixture, fitting, container or appliance, which under any circumstances, may allow untreated water, waste water, any source of pollution or any other liquid, chemical or substance to enter the water supply and distribution system except as may be expressly permitted by this By-law.

### **2.2 Backflow – requirements**

No person shall connect, cause to be connected, or allow to remain connected to the water supply and distribution system a backflow prevention device that does not conform to the CAN/CSA B64.10 standard (CSA, 2001a or any successor thereof). All approved backflow preventers shall be certified by the CSA or a certification body recognized by the Standards Council of Canada and the Ontario Building Code.

Back check valves are required for Storm Water and Waste Water on new construction buildings and also buildings undergoing large renovations.

## **3. CROSS-CONNECTION INSPECTION REPORTS**

### **3.1 Report – details – date**

The initial Cross-Connection Inspection Report shall include a detailed drawing of the piping system, existing backflow prevention devices, a summary, including dates, of any backflow prevention device inspection and testing over the previous six (6) years, cross-connections discovered, corrective measures, recommendations and a schedule of work to be completed. The inspection report must also assess a health “hazard level” designation according to CAN/CSA B64.10 Section 4.2, Categories of Hazards or any successor thereof. The method of cross-connection control and/or selection and installation of backflow prevention devices shall conform to 2.2.

### **3.2 Report – not provided – water – shut-off**

If the cross-connection inspection report is not completed and submitted as required, the Municipality may, at its discretion, shut off the supply of water to the premises until such time as the report is provided.

### **3.3 Access – reasonable notice**

Notwithstanding the obligations for persons to undertake a “Cross-Connection Inspection Report”, the Municipality shall be allowed access, with reasonable notice, to any premise that is connected to the water distribution system, regardless of service size, for the purpose of performing inspections to locate possible cross-connections. The Municipality may also require a cross-connection inspection of the premises to be performed at the owner’s expense by a “Qualified Person”.

### **3.4 Access – not provided – water – shut-off**

Where the access is not provided as required, a written notice by the Municipality may be issued providing the time frame to allow access. If access is not provided within this time frame, the Municipality may, at its discretion, shut off the supply of water to the premises until such time as the access is provided.

## **4. CROSS-CONNECTION COMPLIANCE**

### **4.1 Municipal review - compliance notice**

The Municipality will review the submitted report and if a condition is found to exist that contravenes this by-law, the Municipality will issue a “Compliance Notice” to the person, requiring him/her to comply with the recommendations contained in the Cross-Connection Inspection Report, and may also contain additional or alternative requirements deemed by the Municipality as necessary under this By-law or other regulations.

### **4.2 Immediate threat to water system**

If determined by the Municipality that an immediate threat of contamination to the water system exists that may endanger public safety, the Municipality may shut off the water service immediately without notice.

### **4.3 Compliance notice – qualified person – 30 days**

The person receiving the “Compliance Notice” outlined in Section 4.1 undertake and correct the stated works within 30 days of receipt of written notification and shall advise the Municipality in writing, on the required “Corrective Action” form, of completion of the work.

### **4.4 Compliance notice – failure to comply**

If the person to whom the Municipality has issued a notice fails to comply with the “Compliance Notice” within the stated time frames, the Municipality, at its discretion, may:

- (a) Give notice to the person to correct the fault at his/her expense within 5 days and advise that if the notice is not complied with, the Municipality may shut off the water service or services; or
- (b) Without notice to the person, shut off water service, where the Municipality has determined, in its sole discretion that an immediate threat of contamination to the water system exists that may endanger public safety or health.

## **5. PREMISES ISOLATION**

### **5.1 Contamination – Risk**

Where, in the opinion of the Municipality, a risk of possible contamination of the municipal water distribution system exists, upon notice from the Municipality, a person shall immediately install premise isolation within the building in addition to any other source of protection devices on the premise.

### **5.2 Specification**

Premises isolation shall be installed as per Municipal requirements.

### **5.3 Failure to Install**

If a person fails to install premise isolation within the specified time of the notice, the Municipality may shut off the water service or water services until the isolation has been completed, or at its discretion, the Municipality may undertake the required work and charge the costs of the repairs back to the property owner.

## **6. MAINTENANCE AND FIELD-TESTING OF BACKFLOW PREVENTION DEVICES**

This section applies to all water services over 25mm (1 inch) for which a Moderate or Severe Hazard has been identified, through an annual inspection.

### **6.1 Annual Inspection and Testing**

All water services backflow prevention devices over 25mm must be tested annually by a qualified person using equipment verified or calibrated for accuracy as described in CAN/CSA B64.10 or its successor.

### **6.2 Qualified person – inspection - test**

The person responsible for a building with a water service over 25 mm for which a moderate or severe hazards has been identified shall retain at his/her own expense a “Pre-Qualified Contractor” approved by the Municipality to inspect, test and demonstrate that the backflow prevention device is in good working condition. Such inspection and testing shall be completed prior to or in conjunction with the initial Cross-Connection Inspection Report. All equipment used to test backflow preventers shall be verified or calibrated for accuracy, as described in CAN/CSA B64.10 or its successor.

### **6.3 5 days – repair—replace – report**

When the results of a test show that a backflow prevention device is not in good working condition, the person shall make repairs or replace the device within 5 days. A “Corrective Action” form shall be submitted by the qualified person detailing the necessary repairs and the anticipated completion date immediately after the inspection.

### **6.4 5 days – water shut-off**

If a person does not make the appropriate repairs or replace the defective device within the 5 days, the Municipality may shut the water service or services off.

### **6.5 Backflow prevention device tested**

If a person fails to have a backflow prevention device tested, the Municipality will notify the person that the backflow prevention device must be tested within a specified time.

### **6.6 Backflow prevention device – water shut-off**

If a person fails to have a backflow prevention device tested within the specified time of the notice, the Municipality may shut off the water service or water services until the backflow prevention device has been tested and approved.

### **6.7 Documentation - maintained**

Documentation of inspection and testing shall be maintained on the premises for inspection by the Municipality for a minimum of 2 years.

## **7. REMOVAL OF BACKFLOW PREVENTION DEVICES PROHIBITED**

### **7.1 Backflow prevention device - removed**

No person shall remove a backflow prevention device or part thereof after it has been installed, and no owner of a building or structure in which a backflow prevention device is installed shall cause or permit the removal of such device, unless such removal is:

- (a) To facilitate the repair of the device and such device is replaced immediately after such repair is carried out, or
- (b) To replace the device with another device that meets or exceeds the provisions of this By-law,

In either case written approval from the Municipality must be received prior to removal of the device.

## **8. INSPECTION REPORT, IMPLEMENTATION AND RETESTING SCHEDULE**

### **8.1 Requirements**

The requirements under this By-law shall be undertaken as follows;

## **Water services over 25mm Billing Accounts (Institutional, Commercial, Industrial, Agricultural and Large Volume Consumers)**

Submission of Initial Cross-Connection Inspection Report prior to December 30, 2013.  
Implementation of Report Recommendations prior to March 31, 2008.

For new / renovated buildings a Cross-Connection Inspection Report shall be submitted prior to the issuance of an Occupancy Permit.

### **Residential Water Billing Accounts**

All new dwelling units must have a backflow prevention device installed prior to connection to the Municipality's water system. This device will be part of the water meter package that must be purchased through the Municipality. Inspection and approval will be undertaken at the same time the water meter is tested and sealed.

Inspection reports and scheduled testing of backflow prevention devices shall not be required for low volume residential units. The Municipality shall install backflow prevention devices in existing residential units where practical and in conjunction with water meter replacements. The backflow prevention devices installed shall become the responsibility of the owner of the dwelling unit.

### **8.2 Reports - submission**

All cross-connection inspection reports are to be submitted to:

**The Corporation of the Town of Petrolia  
Water Department  
411 Greenfield Street, Box 1270 Petrolia, ON N0N 1R0  
Attn: Director of Operations**

## **9. HYDRANTS**

### **9.1 Hydrant use permit**

No person shall use or connect to a municipally owned fire hydrant without first acquiring a Hydrant Use Permit from the Municipality, and shall be required to have a Backflow Metering Assembly unit in their possession and connect it to the hydrant prior to using the hydrant.

### **9.2 Hydrant – connection to**

No person shall connect, cause to be connected, or allow to remain connected, to a Municipally owned fire hydrant, any piping, fixture, fitting, container or appliance in a manner which, under any circumstances, may allow water, wastewater or any liquid or substance of any kind to enter the Municipality's water supply system.

### **9.3 Use of hydrant - payment**

Prior to the issuance of a "Hydrant Use Permit, the applicant shall pay to the municipality, the appropriate fee as listed in the Municipal fee by-law:

- a) a damage deposit and hydrant inspection fee;
- b) a deposit for the backflow meter assembly unit and the rental fee for the backflow meter assembly unit;
- c) a deposit against the cost of the water as will be recorded by the meter; and
- d) any other costs incurred by the Municipality, resulting from the use of the hydrant,

### **9.4 Hydrants maintained**

All Municipally owned hydrants, regardless of location, shall be maintained by the Municipality;

## **10. LAWN SPRINKLER SYSTEMS**

### **10.1 Sprinkler system – backflow prevention**

All sprinkler systems require a Plumbing Permit, and are to be in compliance with the Plumbing Code. If the system is to be connected downstream of the properties' water meter, the water supply must include backflow prevention.

High Hazard:

In the case of a sprinkler system being connected before the main meter, it must be equipped with a complete meter assembly, including a high hazard backflow preventer, which will be billed separately and will not include the normal sanitary sewer charge.

### **10.2 Compliance - date**

By December 30, 2013 all sprinkler systems installed must be compliant with the requirements of 10.1.

### **10.3 Failure to Install**

If a person fails to install the required backflow prevention and if required, meter assembly, the Municipality may shut off the water service or water services until the required backflow prevention or meter assembly is installed, or at its discretion, the Municipality may undertake the required work and charge the costs back to the property owner.

## **11. ENFORCEMENT**

### **11.1 Obstruction**

No person shall hinder or obstruct any person lawfully carrying out the enforcement of this By-law.

### **11.2 Offence**

Any person who hinders or obstructs a person lawfully carrying out the enforcement of this By-law, or who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine or penalty as provided for in the Provincial Offences Act.

### **11.3 Continuing Offence**

The Court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted and such order shall be in addition to any other penalty imposed on the person convicted.

By-Law Read a First, Second and Third time and finally passed this 7<sup>th</sup> day of April 2014

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Mayor  
John McCharles

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CAO/Clerk  
Manny Baron

## **4 Devices to be field tested, frequency, and reporting**

### **4.1 Devices to be field tested**

#### **4.1.1**

To ensure that continuing backflow protection is available, the following backflow preventers shall be checked and field tested in accordance with Clauses 4.2 and 4.3 by a backflow preventer tester (see Clause 5.2.1):

- (a) DCVA and DCVAF backflow preventers;
- (b) RP and RPF backflow preventers;
- (c) PVB and SRPVB devices; and
- (d) SCVAF backflow preventers.

#### **4.1.2**

Air gaps on severe hazard applications shall be inspected in accordance with Clause 4.2. Other backflow preventers shall be visually checked periodically.

### **4.2 Frequency of field testing**

The backflow preventers specified in Clause 4.1 shall be field tested in accordance with the applicable requirements specified for each device in Clauses 8.1, 8.2, and 8.3 at the following times:

- (a) upon installation;
- (b) when cleaned, repaired, or overhauled;
- (c) when relocated;
- (d) annually; and
- (e) as required by the regulatory authority.

**Note:** *Recommended field testing procedures are provided in Annex A.*

### **4.3 Reporting**

#### **4.3.1**

Test results shall be reported on the form appropriate for the type of backflow preventer and procedure. Sample reporting forms are shown in Figures 1(a), 1(b), and 1(c).

#### **4.3.2**

Fire departments and fire alarm companies shall be notified when a fire protection service is to be shut down for field testing.





**MAINTENANCE AND FIELD-TESTING OF BACKFLOW PREVENTION DEVICES**

**Water services over 25mm (1 inch) – moderate – severe hazard**

Date:
Customer Name:
Customer Address:
Customer Address:
Inspection Date:
Size of Backflow Device:
Location of Backflow in Building:
Inspection Company:
Inspection Company Address:
Inspector Name:
Inspection Reports to be submitted to Petrolia Water Department – Director of Operations within five (5) days of the inspection.
If Backflow Device passes inspection – no further action required for one year
If Backflow Device fails inspection the device must be repaired or replaced within five (5) working days.



### Hydrant Use Permit

Permit Fee \$85.00

Permit Fee includes \$65.00 for Inspection and \$20.00 for Administration
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Date Use Requested For:
Purpose of intended Use:
Job Name:
Attach copy of Backflow Prevention Device calibration in last 12 months:
Starting Meter Reading:
Ending Meter Reading:
Total Water Used in cu m:
Name of Company:
Address:
Address:
Name of Responsible Person:
Contact Phone Number:
Note: Town of Petrolia – Water Department must be scheduled to inspect and install the Backflow device.
Contact the Water Department at 519-882-2350

**THE CORPORATION OF THE TOWN OF PETROLIA**

**BY-LAW NUMBER 27-2013**

**Part I Provincial Offences Act**

**Title: A By-law to Prohibit and Control Municipal Water and Waste Water Systems**

<b>ITEM</b>	<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
	<b>Short Form Wording</b>	<b>Offence Creating Provision or Defining Offence</b>	<b>Set Fine</b>
1.	Unauthorized connection to a municipal water supply Section 2.1		\$ 200.00
2.	Use of an unauthorized backflow prevention device Section 2.2		\$ 200.00
3.	Unauthorized removal of a Backflow prevention device Section 7.1		\$ 200.00
4.	Unauthorized use of Section 9.1 A municipal hydrant		\$ 200.00
5.	Unauthorized connection to Section 9.2 A municipal hydrant		\$ 200.00

**The penalty provision for the offence indicated above is Section 11.2 of By-law 27 of 2013, as amended, a certified copy of which has been filed**