#### THE CORPORATION OF THE TOWNSHIP OF RAMARA

#### **BY-LAW NO. 2007.** 87

#### **CROSS CONNECTION BY-LAW**

#### The Corporation of the Township of Ramara hereby enacts as follows:

WHEREAS section 130 of the Municipal Act, 2001, c.25, as amended from time to time, authorizes a municipality to regulate matters for purposes related to the health, safety and well-being of the inhabitants of the municipality;

AND WHEREAS section 11 (2) 1 of the Municipal Act, 2001, S.O. 2001, c.25, as amended from time to time, authorizes a municipality to pass by-laws respecting matters relating to public utilities;

AND WHEREAS section 80 (3) of the Municipality Act, 2001, c.25, as amended from time to time, authorizes the municipality to enter on the land to shut off the supply of the public utility, to remove any property of the municipality or to determine whether the public utility has been or is being unlawfully used.

AND WHEREAS section 11 (1) of the Safe Drinking Water Act required that municipalities ensure that their respective drinking water system meets prescribed drinking water standards to the point where the system is connected to a users plumbing system;

AND WHEREAS section 80 (1) of the Municipal Act, S.O. 2001, c.25 as amended from time to time, authorizes a municipality, at reasonable times, to enter on land to which it supplies a public utility to inspect, repair, alter or disconnect the service pipe or wire, machinery, equipment and other works used to supply the public utility;

AND WHEREAS section 80 (2) of the Municipal Act, 2001, S.O. 2001, C.25, as amended from time to time, authorizes the municipality to shut off or reduce the supply of the public utility to the land;

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

Now THEREFORE BE IT ENACTED by council of the Corporation of the Township of Ramara as follows:

#### 1.0 **DEFINITIONS**

- 1.1 "Authorized Functions List" means the list of functions and the persons authorized to carry out such functions as set out in Appendix A of this By-law;
- 1.2 "Authorized Person" means a person who is authorized to carry out a function as set out in the Authorized Functions List, Appendix A of this By-law;

- 1.3 "auxiliary water supply" means any water source or system other than the Township's direct water supply that may be available in a building or on any property, including any recycled water or cistern;
- 1.4 "backflow" means the flowing back of or reversal of the normal direction of flow of water;
- 1.5 "backflow prevention device" means a device that prevents backflow and includes a reduced pressure principle assembly, dual check valve, double check valve and the like;
- 1.6 "building" shall have the same meaning as set out in the *Building Code Act, S.O. 1997, chap 23, as amended,* or any successor thereof and shall include a sprinkler system;
- 1.7 "Building By-law" means the Corporation of the Township of Ramara's Building Bylaw passed under the provisions of the Building Code Act;
- 1.8 "Chief Building Official" or "CBO" means a chief building official or his or her designate appointed or constituted under sections 3 or 4 of the *Ontario Building Code Act* for the Corporation of the Township of Ramara;
- 1.9 "cross connection" means any actual or potential connection between a potable water supply or system and any source of pollution or contamination and 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;
- 1.10 "Cross Connection Survey Form" means the form set out in Appendix B of this Bylaw;
- 1.11 "CSA Standard" means the document entitled Manual for the Selection and Installation of Backflow Prevention Devices/Manual for the Maintenance and Field Testing of Backflow Prevention Devices (Reaffirmed 2006), B64.10-01/B64.10.1-01, by the Canadian Standards Association or any successor thereof;
- 1.12 "Good repair" means:
  - Free from health hazard,
  - Free from fire hazard,
  - In good working order,
  - Not in poor condition by reason of deterioration, neglect, damage or defacement,
  - Able to perform its intended function, and,;
  - Protected from freezing.
- 1.13 "Inspector" means the Chief Building Official, Provincial Offences Officer, By-law Enforcement Officer and any other person designated by Council be and are hereby authorized to enforce the provisions of this By-law;

- 1.14 "Ontario Building Code" means the 2006 Building Code (Ontario Regulation 350/06) as amended;
- 1.15 "owner" means any person, firm or corporation having control over property to which the By-law applies and includes the owner registered on the title of the property and any occupant of any building or structure located on such property;
- 1.16 "potable water" means water that is fit for human consumption;
- 1.17 "premise isolation" means isolation of the water located within the building or structure from the Township's water supply;
- 1.18 "source isolation" means isolation of the water located within the building or structure from the Township's water system;
- 1.19 "structure" means a structure as defined in the Building Code;
- 1.20 "survey" means a complete review of the potable water system or systems located within a building or structure to determine the presence of any existing backflow prevention systems and/or any cross connections;
- 1.21 "testable" means the ability to conduct tests to determine if a device is functioning properly;
- 1.22 "tester" means a person who is a certified backflow prevention device tester who has successfully completed a cross connection course in backflow prevention device testing at an accredited school or college as defined in the CAN/CSA B64.10-01/B64.10.1-01;
- 1.23 "Test Report" means a report in the form set out as Appendix C of this Schedule;
- 1.24 "Test Tag" means a tag in the form set out as Appendix "E" of this Schedule;
- 1.25 "Township" means The Corporation of the Township of Ramara and includes its employees, servants and agents;
- 1.26 "water meter" means the water meter installed within a premises to record the amount of water supplied to such premises by the Township;
- 1.27 "water purveyor" means any Township owned and operated water supply and distribution system;
- 1.28 "zone isolation" means the isolation of the water located within an area of a building or structure from any potable water system located within such building or structure.

#### 2.0 APPLICATION

- 2.1 This By-law applies to existing industrial, commercial, institutional, agricultural and multi-residential buildings and structures, except buildings of residential occupancies within the scope of Division B, Part 9 of the Ontario Building Code.
- 2.2 Notwithstanding Section 2.1 of this By-law, this By-law applies to lawn sprinkler systems and also applies where a condition exists in any building or structure that may be hazardous or detrimental to the potable water supply as determined by the Township.

#### 3.0 CROSS CONNECTION PROHIBITED

- 3.1 No person or owner shall connect, cause to be connected or allow to remain connected to the water purveyor or any other potable water system any piping, fixture, fitting, container, appliance, vehicle, machine or the like in a manner which may under any circumstances allow water, waste water, any source of pollution or any other liquid, chemical or substance to enter such supply or system except in compliance with the provisions of this By-law.
- 3.2 Where the water purveyor or other potable water supply that exists, every owner of an industrial, commercial, institutional, agricultural and multi-residential building shall ensure that a backflow prevention device is installed at the point of entry into the building giving premise isolation and source isolation on every internal individual cross connection or zone protection where no potable water is supplied within the zone.
- 3.3 Temporary connections to any potable water system including via fire hydrants must have a backflow prevention device installed or an air gap, except for connections for fire fighting proposes or an air gap.
- 3.4 No person shall allow a permanent or temporary connection to the water purveyor without an approved backflow prevention device.
- 3.5 No person shall allow an auxiliary water supply to be connected to the water purveyor.
- 3.6 No person shall allow a cross connection as defined in this By-law.

#### 4.0 PERSONS PERMITTED TO CARRY OUT WORK

- 4.1 No person other than the persons listed in the Authorized Functions List, Appendix A, shall carry out the corresponding functions set out in such list.
- 4.2 Any person permitted to carry out work, as outlined in Authorized Functions List, Appendix A, shall produce upon request of the Township, a current tester's certificate.

#### 5.0 BACKFLOW PREVENTION DEVICE REGULATIONS

- 5.1 No person shall install a backflow prevention device, except in accordance with the By-law and the Building Code.
- 5.2 Backflow prevention devices for premise, source, or zone isolation shall be determined:
  - 5.2.1 By using the Selection Guide, Appendix B in the CSA Standard or
  - 5.2.2 When the type of cross connection is not identified in the Selection Guide, by a professional engineer using the CSA standard.
- 5.3 Notwithstanding section 5.2, the Chief Building Official, may in his or her discretion, prescribe the type of backflow prevention device to be used in respect of any cross connection.
- 5.4 Notwithstanding Section 5.2 of this By-law, where the manufacturer of equipment has installed a source isolation backflow prevention device, the cross connection is required to be reviewed to determine if the backflow prevention device meets the requirements of the Selection Guide. These cross connections are to be indicated on the Cross Connection Survey when the Survey is required.
- 5.5 Except as otherwise set out in this By-law, the installation, selection, maintenance and field testing of backflow prevention devices shall be in accordance with the CSA standard.
- 5.6 Wherever the CSA standard and this By-law are in conflict, the pro the provisions of this By-law shall prevail.

#### 6.0 INSTALLATION OF BACKFLOW PREVENTION DEVICES

- 6.1 Every person installing a backflow prevention device shall ensure that:
  - 6.1.1 Such device is installed with acceptable engineering practices; the requirements of the Ontario Building Code, as amended; this By-law; and the CSA Standard;
  - 6.1.2 Such device is installed in an accessible location in a building or structure, not a manhole or a pit;
  - 6.1.3 Such device is located in such a manner as that in the event of backflow the device prevents contamination of the water purveyor and any other potable water system;
  - 6.1.4 Where such device is installed in respect of premise isolation, such device is located within a maximum 3.0 metres downstream of the water meter, except where circumstances require the device to be installed upstream of the water meter and such location is to the satisfaction of the Chief Building Official;

- 6.1.5 Where such device is installed in respect of premise isolation, all piping between the water meter and such device is clearly labeled "no connection permitted";
- 6.1.6 Where such device is installed in respect of source or zone isolation, all piping between the point of contamination or potential contamination and the point at which the device is located is labeled "non-potable water"; or colour coded with a coding chart posted in a prominent location;
- 6.1.7 Where such device is installed in a public pool as defined in the Ontario Building Code, all exposed water piping and chlorine piping within the water treatment service room shall be colour coded by means of;
  - a) Painting the entire outer surface of the piping, or
  - b) Coloured bands at least 25mm in width that are spaced along the piping at intervals of not more than 1,200 mm;
  - c) Colour coding referred to in (a) and (b) shall be yellow for chlorine and green for potable water;
  - d) Piping for any other water treatment chemicals shall be colour coded and a chart of the colour coding shall be posted in a conspicuous location in close proximity to the pool and/or any building or structure containing the pool's mechanical systems.
- 6.2 Installations of a backflow prevention device require a building permit and inspections as required by the *Ontario Building Code* and the Township's Building By-law.

#### 7.0 TESTING OF BACKFLOW PREVENTION DEVICES

- 7.1 Every owner of an existing industrial, commercial, institutional, agricultural and multi residential building except buildings of residential occupancies within the scope of Division B, Part 9 of the Ontario Building Code, who has a testable backflow prevention device located on his or her property shall ensure that:
  - 7.1.1 A tester tests the device when it is first installed and annually thereafter or as required by the CSA Standard or earlier if requested by the Township and also when it is cleaned, repaired, overhauled, or relocated;
  - 7.1.2 When the device is first installed and tested, that a Test Report, Appendix C, of such test be submitted to the Township within 14 days of the test being conducted;
  - 7.1.3 When the device is tested annually thereafter, a Test Report, Appendix C, of such test shall be submitted to the Township within 14 days of the test being conducted;
  - 7.1.4 When the device is tested as a requirement for maintenance or as required by the CSA Standard, that a Test Report, Appendix C, of such test shall be submitted and be available on site for review as required by the Township;

- 7.1.5 When the device is tested as requested by the Township, that a Test Report, Appendix C, of such test be submitted to the Township within 14 days of the test being conducted;
- 7.1.6 When a device is tested and a Test Report, Appendix C, of such test has been completed, said report is retained on site for a period of not less than seven years.
- 7.1.7 Upon completing such test, complete and affix a "*Test Tag*", Appendix E, to the device or immediately adjacent to the device on the piping connected thereto.
- 7.1.8 In the event that such device is malfunctioning or otherwise not in proper order, the connection to the potable water system must be terminated, until the device is repaired or replaced. A Test Report, Appendix C, must be submitted to the Township within 5 days of replacement or repair and a building permit obtained if the device is replaced.
- 7.2 Every person who tests a backflow prevention device shall carry out such testing in accordance with this By-law and the CSA Standard.
- 7.3 Notwithstanding Section 3.1.3.1 of the CSA Standard or its successor, every person who tests a backflow prevention device shall enter the results of such test on a Test Report, Appendix C.
- 7.4 Every person who tests a backflow prevention device shall:
  - 7.4.1 Upon finding that such device is malfunctioning or otherwise not in proper working order, immediately notify the owner of the premises and the Township of such condition.

#### 8.0 INSPECTIONS AND SURVEYS

- 8.1 Every owner of an industrial, commercial, institutional, agricultural or multiresidential building or structure, except buildings of residential occupancies within the scope of Division B, Part 9 of the Ontario Building Code, shall carry out a Survey, Appendix B, within one year of the date of the passing of this by-law and every 5 years thereafter at the owner's expense of each of his or her buildings and structures with respect to all existing cross connections and all existing and required backflow prevention methods and devices; and,
  - 8.1.1 Shall ensure such survey is carried out by a person permitted to do so pursuant to the Authorized Functions List, Appendix A; and,
  - 8.1.2 Shall ensure that the Cross Connection Survey Form, Appendix B, is complete and includes the current testers certificate number; and,
  - 8.1.3 Shall ensure that the completed Cross Connection Survey Form, Appendix B, is provided to the Township within 14 days of the completion of the survey.

- 8.2 Every owner of a building or structure which has carried out the Cross Connection Survey as required by the Township shall submit to the Township a Certificate of Compliance Form, Appendix D, annually thereafter, within 14 days of the anniversary date of the completed Cross Connection Survey, advising of compliance with the By-law.
- 8.3 The Township, or an inspector under the direction of the Township shall be allowed access, with reasonable notice, to any premises that are connected to the water distribution system for the purpose of performing inspections to locate possible cross connections. The Township may require a routine cross connection inspection of the premises, at the owner's expense, to be performed by an approved company or person as described in the Authorized Functions List (Appendix A).
- 8.4 No person shall hinder or obstruct, or attempt to hinder or obstruct, the Township or inspector in the exercise of a power of duty under this by-law.

#### 9.0 CONTRAVENTIONS AND ORDERS TO CORRECT

- 9.1 Where the Township finds that a condition exists on any property that may allow contamination of the Township's water supply or the contamination of any other potable water system on such property, including any residential building or structure, the Chief Building Official may;
  - 9.1.1 order the owner to eliminate the condition and in so doing, prescribe the time period for compliance with such Order; or
  - 9.1.2 if, in the Township's sole discretion, the condition is deemed to be hazardous to the health or safety of person in the normal use of the building, or hazardous to the health or safety of persons outside of the building, or hazardous to the health and safety to persons whose access to the building has not been reasonable prevented, immediately shut off the water supply to the property or any portion thereof until the condition is eliminated.
- 9.2 Where the time period for compliance set out in subsection 9.1.1. has expired without compliance, the Township may shut off the water supply to the property or any portion thereof until the condition is eliminated.

#### 10.0 GENERAL PROVISIONS

- 10.1 A building permit is required to be obtained pursuant to the Building Code Act to install a backflow prevention device. The provisions of the Act and the regulations pertaining to such building permit continue to apply to each installation in addition to the provisions of this By-law.
- 10.2 Every owner of property upon which a backflow prevention device is installed shall ensure that such device is in good repair at all times.

- 10.3 In addition to any other provision of the By-law, the Township may at any time order an owner, at the owner's expense, to conduct tests, provide reports and undertake any other measures required for the prevention of backflow or protection of a cross connection.
- 10.4 Where a time frame is set out in this By-law for carrying out any action, the Township may upon the application of the owner in writing, extend the time for compliance.

#### 11.0 REMOVAL OF BACKFLOW PREVENTION DEVICES PROHIBITED

11.1 No person shall remove a backflow prevention device or part thereof after it has been installed unless such removal is in accordance with this By-law and/or the Building Code

#### 12.0 ENFORCEMENT

- 12.1 Every person who contravenes any provision of this By-law is guilty of an offence and, upon conviction, is liable under any of the provisions of the *Provincial Offences Act, R.S.O. 1990, Chapter P.33, Section 61.*
- 12.2 Short form wording and set fines are listed in Appendix F attached to and forming part of this By-law.
- 12.3 Where a conviction is entered under Section 13 of this By-law, in addition to any other remedy or penalty provided by law, 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.
- 12.4 The Chief Building Official, Provincial Offences Officer, By-law Enforcement Officer and any other person designated by Council be and are hereby authorized to enforce the provisions of this By-law.
- 12.5 The Chief Building Official, Provincial Offences Officer, By-law Enforcement Officer and any other person designated by Council may at all reasonable times and upon producing proper identification enter and inspect any property that is connected or appears to be connected to the municipal water distribution system.

#### 13.0 BACKFLOW PREVENTION DEVICE FEES

13.1 All fees for permits for the installation of backflow prevention devices shall be in conformance with the Township of Ramara Building By-law.

#### 14.0 LATE FILING FEE

14.1 Every person who does not submit a Test Report, Cross Connection Survey or Compliance Certificate within the specified time period as required in this By-law, will be subject to a late filing fee.

#### 15.0 APPENDICES FORM PART OF BY-LAW

15.1 Appendices A through F inclusive and the CSA Standard shall form part of this Bylaw.

BYLAW READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 15<sup>TH</sup> DAY OF OCTOBER, 2007.

WILLIAM DUFFY

**RICHARD P. BATES, CLERK** 



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#### AUTHORIZED FUNCTIONS LIST

"Proud History - Progressive Future"

ITEM	FUNCTION	Professional Engineer with Tester's License	*Certified Engineering Technologist with Tester's License	**Journeyman Plumber with Testers License	***Apprentice Plumber with Tester's License	Fire system Sprinkler Fitter with a Tester's License	Lawn Irrigation System Installer with Tester's License
1	Carry out Cross Connection Survey	✓	✓	✓			
2	Install, Relocate or Replace Backflow Prevention Device			*	1		
3	Repair of Backflow Prevention Device	~	✓	~	$\checkmark$		
4	Test Backflow Prevention Device	~	$\checkmark$	$\checkmark$	$\checkmark$		
5	Items 1,2,3 & 4 above in Respect of Fire Protection Systems					~	
6	Items 3 & 4 above in Respect of Lawn Sprinkler Systems						<b>√</b>

\* Required to be under the direction of a Professional Engineer

\*\* Required to be employed by a Plumbing Contractor.

\*\*\* Required to be employed by a Plumbing Contractor and under the direct supervision of a Journeyman Plumber



#### APPENDIX "B" TO BY-LAW NUMBER 2007.87 CROSS CONNECTION SURVEY DATE :( MM/DD/YY)

"Proud History - Progressive Future"

#### Facility: Address: Owner: Report Given To: Surveyor: Certificate #: Phone #: Location of Existing Serial # Date of Acceptable Required Selection Remarks **Cross Connection** Protection Last Test Protection Upgrade From Type (If applicable) Yes/No 1. 2. 3. 4. 5. 6. Selection from: Device Type: Device Type: S-CAN/CSA B64 Selection Guide AG – Air Gap \*LACV-Listed Alarm Check Valve P-Professional \*AVB-Atmosphere Type Vacuum Engineer (Attach selection LFVB-Laboratory Faucet Type Vacuum Breaker documentation) Breaker N-None \*DCAP-Dual Check Valve Type with M-Manufactured Supplied Device \*PVB-Pressure Type Vacuum Breaker Atmospheric Port \*RSCV-Resilient Sealed Check Valve \*DCVA-Double \*RP-Reduced Pressure Principle Type Check Valve Assembly Type \* Building permits are required for installation or \*DUC-Double Check Valve Type \*DUCV-Dual Check Valve Type with replacement of these devices Intermediate Vent **HCVB-Hose** Connection Type Vacuum Breaker All selections shall be made in accordance with the Township of Ramara Backflow Prevention By-law requirements - The Township has jurisdiction over all selections. Note: Surveyor required to submit copies of this report to the Chief Building Official of the Township of Ramara and owner of property within the specified time period.

APPENDIX "C" TO BYLAW NUMBER 2007.87



## TOWNSHIP OF RAMARA BUILDING INSPECTION DEPARTMENT REPORT OF INSPECTION

P.O. BOX 130 BRECHIN, ONTARIO LOK 1B0 Phone (705) 484-5374 Fax (705) 484-0441

Second History	Progressive Future

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ADDITIONAL NOTES:

TOWNSHIP OF	APPENDIX "D"
	TO BY-LAW NUMBER 2007.87
	CERTIFICATE OF COMPLIANCE
RAMARA "Proud History Progressive Fulure"	
Building Address:	
Date:	
Owner Name:	
Occupant Name:	
Contact Person:	
Phone #:	
Authorized Person (	Please Print):
Testers' Certificate	lumber:

This is to certify that all existing cross connections and required backflow prevention methods And devices at the above noted address are in compliance with the Township of Ramara Cross Connection By-law #.

Signature of Owner: \_\_\_\_\_

Signature of Authorized Person: \_\_\_\_\_

## APPENDIX "E" TO BY-LAW NUMBER 2007.87

## TEST TAG

Front of tag							
TOWNSHIP OF RAMARA Building Division – Inspection Services (705)-484-5374	TOWNSHIP OF						
	Proud History - Progressive Fature	DATE INSTALL	ED				
BACKFLOW PREVENTION ASSEMBLY TAG	3	YY	ММ		DD		
ADDRESS							
TYPE OF ASSEMBLY	MANUFACTURE	R:		SIZE:			
MODEL NUMBER:		SERIAL NUMBER:					
LOCATION:							
DO NOT REMOVE							

Reverse side of tag

TEST DATE YY DD		MM	TESTER'S COMPANY	TESTER'S NO.	TESTER'S INITIALS			
DO NOT RE	DO NOT REMOVE							

### APPENDIX "F" TO BY-LAW NUMBER 2007.87



Description of Offence	Section	Set Fine
1. Allow a source of pollution to enter the water supply	3.1	\$500
2. Allow a connection to the water purveyor without an approved backflow prevention device	3.4	\$500
3. Allow an auxiliary water supply to be connected to the water purveyor	3.5	\$500
4. Allows a cross-connection	3.6	\$500
5. Unauthorized person carrying out work	4.1	\$500
6. Hinder or obstruct an inspector	9.4	\$500
7. Remove a backflow prevention device	12.1	\$500