

ATTACHMENT #2

Recommended Change and Associated Impact

NO	CURRENT STATE	RECOMMENDED CHANGE	IMPACT
1	The Water By-law has three amendments, so all four by-laws must be reviewed for comprehension.	To enact a consolidated Water By-law, which includes the proposed amendments associated with this Report which are approved by City Council, and to repeal the existing by-laws.	This will provide the public with one document to review for easier review of the Water By-law.
2	The Water By-law stipulates that City permission and/or approval is required for seven different activities, which are spread throughout the Water By-law.	<p>To add a list at the beginning of the Water By-law, which explains that City permission is required for the following activities, with their section reference, as follows:</p> <p>No Person shall perform the following activities without a permit or approval from the City:</p> <ul style="list-style-type: none"> (a) New or altered Service Connections, as per section 5; (b) New water supply, as per section 8.0(2); (c) Fire Hydrant Flow test, as per section 9.0(1); (d) Discontinuation of services, as per section 12. (e) Enter into any Chamber, structure or building associated with the Water Distribution System, as per section 13(3). (f) Operate any valve, fire hydrant or Appurtenance that is connected to the Water Distribution System, as per section 13(4). (g) Perform any kind of tap to the Water Distribution System, as per section 13(5). 	This will enable the public to more easily navigate to the permissions and/or approvals that are applicable to them.
3	The Water By-law has a range of useful definitions, which could be updated in line with new proposed provisions.	<p>To add the following definitions:</p> <ul style="list-style-type: none"> - Adverse Effect - Auxiliary Water Supply - Backflow 	To provide greater clarity with respect to provisions that being suggested.

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		<ul style="list-style-type: none"> - Backflow By-law - Backflow Preventer - City Boulevard - Director of Environmental Services - Enforcement Officer - Fire Protection System - Multi-Unit Building - Municipal Drinking-Water System - Residential Use or Residential - Water Service Connection - York Region <p>To revise the definitions of "Owner" and "Occupant" to better explain who is responsible for different activities.</p>	
4	The Water By-law states that water may be used for air conditioning, refrigeration or cooling, only if it is recirculated internally beyond the water meter, however, excludes apartment buildings.	To remove the exclusion for apartment buildings so that all buildings are using water in a uniform way.	This will create greater uniformity in how water is used in different types of buildings.
5	Staff have noted that there are other non-municipal water systems that are in use within and near the City, such as geothermal systems, which use ground water for cooling. The Water By-law prohibits a number of these system from connecting to the Municipal Drinking-Water System, however staff believe it would be useful to expand the list.	To add to the existing provision that, "There shall be no connection between the Water Distribution System and any cisterns, wells, privies, privy vaults, cesspools, private pressure pumps", adding, "geothermal systems or Auxiliary Water Supply".	To provide greater clarity to residents that new auxiliary water systems will not be able to connect to the Municipal Drinking Water System.
6	The Backflow Prevention By-law was enacted in 2020, after the Water By-law, and as such, there is no reference to it.	To add that, "Every Owner shall install a Backflow Preventer, as required by the Backflow Prevention By-law."	To ensure residents are aware of newer requirements under the Backflow Prevention By-law.
7	Some developers have agreements with the City with respect to water usage on-site for a City-approved project,	To add a provision that explains this, i.e., that "Construction Water supplied to a Property may not	To provide greater clarity with respect to water usage.

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	such as water used for drinking water, onsite facilities, concrete batching, grouting, hydro-demolition, drilling and piling, landscaping and pond filling, chlorination, soak-away testing and dust suppression; in some cases, water is not required to pass through a water meter.	require a water meter if specified in an agreement with the City".	
8	Water meters may be located in places that are enclosed and require a property owner or building manager to provide access, who may not be available 24 hours a day, 7 days a week. The Water By-law currently advises that, "Every Person shall make all water meters <u>immediately</u> accessible for repairs, maintenance, change outs and readings", which may be unrealistic.	Suggestion to amend that sentence to, "Every Person shall make all water meters accessible for repairs, maintenance, change outs and readings <u>upon request</u> ".	This change would align the Water By-law with inspection processes.
9	The Water By-law currently states, "All non-residential Properties that have submitted a request for a water meter are responsible for having the necessary private plumbing for the installation of the water meter prior to pick up of the water meter."	To remove "non-residential", so that all properties have the necessary private plumbing for the installation of the water meter prior to pick up of the water meter.	This will help to ensure water meters are being installed in a timely manner.
10	The Water By-law currently states, "Owners shall install the water meter within seven days of receiving it". Staff have noted occurrences when the meter is not properly installed within that time, and/or the City is not notified, and thus cannot begin meter monitoring.	Suggestion to replace this provision with the following: "Owners shall: (a) install the Water Meter, with the meter wire between the Water Meter and the remote, within seven (7) days of receiving it or after the connection commissioning process has been completed; and (b) notify the City of Water Meter installation within 48 hours of the installation."	To provide clearer instructions related to the expectations of Owners, such as connecting the meter wire and notifying the City.

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11	The Water By-law does not address water that would be used in fire protection systems, such as systems intended to prevent fires from occurring or spreading, and may include fire suppression tools, sprinklers, smoke detectors, and other fire protection equipment.	To explain that water that is used by a fire protection system is not required to pass through a water meter, however, must only be used for the purposes of fire protection, worded as follows: (a) Section 6(12) does not apply to Water supplied for explicit use in a Fire Protection System. (b) No Person shall use Water supplied to a Fire Protection System except for the use in an emergency to extinguish a fire.	To remove any barriers to using sufficient water to protect against fire.
12	The Water By-law has prohibitions on the installation or permitting the installation of a "bypass" (plumbing that is installed to allow water to flow to the Property without passing through the water meter) but does not have prohibitions on the operation of a bypass.	To add a provision that clearly prohibits operation of a bypass as well, "No Person shall operate the Bypass valve or tamper with the seal unless authorized by the City."	To expressly explain that operation of a bypass is prohibited.
13	The City implemented an Accidental Water Leak Adjustment Policy, in which the City may decide to approve a one-time adjustment for high water consumption charges caused by an accidental water leak; at present this is not addressed in the Water By-law.	To add a provision to address this Policy, i.e., that, "Despite provisions requiring payment according to a water meter, the City may consider a one-time billing adjustment in accordance with the Accidental Water Leak Adjustment Policy."	To enable the City to make exceptions as deemed appropriate.
14	In practice, testing and procedures used for water meters are done in accordance with the American Water Works Association Standards. This is not currently addressed in the Water By-law.	To add the provision, "Pursuant to this By-law, the testing, flow rates and procedures used to determine Water Meter (all types and sizes) accuracy will be in accordance with the current American Water Works Association Standards."	To provide clarity on the standards and evaluation criteria used for testing.
15	The Water By-law does not expressly explain the procedure for water meter testing.	To add the provision, "An Owner, upon written application to the City, on the prescribed form, may make a request to have the Water Meter at their Property tested by the City to determine if the Water Meter is over-registering. The	To provide greater clarity on the process for requesting meter testing.

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		Owner shall pay to the City the fee as set out in Schedule "A", as amended, for such testing."	
16	The Water By-law is ambiguous regarding the responsibility of Property Owners to clear obstructions from hydrants that are on adjacent City boulevards.	To eliminate ambiguity in the Water By-law by changing "Owners shall ensure that all fire hydrants" to "Owners shall ensure that all fire hydrants within their property or adjacent City Boulevard" under Section 9(2).	To provide greater clarity regarding the responsibility for clearing hydrant obstructions.
17	Water is vital to health and a necessity to life and a lack of water or clean water has far reaching consequences. The Water By-law has standard penalty provisions with respect to water, however no provisions which specifically speak to the extent of damage that may need to be addressed during water issues.	To add the provision, "Any Person who has an Adverse Effect on the Municipal Drinking-Water System shall be liable for all costs associated with related work undertaken by the City or its agents. Such costs may include, but are not limited to, the cost of investigation, disinfection, repairing or replacing any part of the system, to restore the Municipal Drinking Water System."	To enable the public to better understand the extent of damage that may need to be addressed during a water-related issue, and the responsibility a person will have if they cause it.
18	The Water By-law currently allows for provincial penalties, which are intended to be punitive, ranging from \$25,000 to \$100,000; however, the Water By-law does not account for non-punitive municipal penalties, such as Administrative Monetary Penalties.	To add Administrative Monetary Penalties in the amounts of \$150 to \$375, to the Water By-law listed in a new Schedule "B", with the following by-law provisions: <ol style="list-style-type: none"> 1. Instead of laying a charge under the Provincial Offences Act, R.S.O. 1990, c. P.33 for a breach of any provisions of this By-law, an Enforcement Officer may issue an administrative monetary penalty to the Person who has contravened this By-law. 2. If a Person is required to pay an administrative monetary penalty under section 17(1), no charge shall be laid against that same Person for the same violation. 3. The amount of the administrative monetary penalty for a breach under this Bylaw is listed in Schedule "B". 	This provides an additional enforcement tool for officers, such as to address minor infractions.

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		<p>4. A Person who is issued an administrative monetary penalty shall be subject to the procedures provided for in the Administrative Monetary Penalties By-law.</p> <p>5. An administrative monetary penalty imposed on a Person that becomes a debt to the City under the Administrative Monetary Penalties By-law may be added to the municipal tax roll and collected in the same manner as municipal taxes.</p>	
19	The Water By-law does not currently address serving of notices and orders.	<p>To add the provisions:</p> <p>1. A Notice or Order shall be served Personally or by registered mail sent to the last known address of the Person to whom notice is to be given or that Person's agent for service.</p> <p>2. A Notice or Order served by Registered Mail shall be deemed to have been served on the 5th day after the date of mailing.</p>	To provide greater clarity to residents with respect to procedures and expectations from enforcement.
20	The Water By-law has several acronyms, and terms that are similar but not the same as those in other by-laws.	<p>To make various administrative changes in wording, such as:</p> <ul style="list-style-type: none"> - expanding "ICI" to "Industrial, Commercial and Institutional"; - changing "cost" to "expense"; 	To provide greater clarity within the Water By-law and across by-laws.