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Consolidated Version

Last revised on September 23, 2025

Revision History:	Passed On:	Description of Amendment
2025-090	June 21, 2025	Original

Consolidated for Convenience Only

This is a consolidation copy of a City of Owen Sound By-law for convenience and information. While every effort is made to ensure the accuracy of this by-law, it is not an official version or a legal document. The original by-law should be consulted for all interpretations and applications on this subject. For more information or to view by-laws please contact the Clerks Department.

The Corporation of the City of Owen Sound

By-law No. 2025-090

A By-law to regulate, control and manage the municipal drinking water system within the City of Owen Sound and to repeal By-law Nos. 1998-106 and 2022-003

WHEREAS section 11 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that The Corporation of the City of Owen Sound (the "City") may pass by-laws relating to public utilities, including matters affecting water distribution, and for the purposes related to health, safety and well-being of persons; and

WHEREAS subsection 80(1) of the Municipal Act, 2001, provides that a municipality may at reasonable times, 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 subsection 11(1) of the Safe Drinking Water Act, 2002, S.O. 2002, c. 32, as amended, requires every owner of a municipal drinking water system to ensure that all water provided by the system meets the requirements of drinking water quality standards and that the drinking water system is operated in accordance with the Safe Drinking Water Act, 2002; and

WHEREAS section 19 of the Safe Drinking Water Act, 2002, S.O. 2002, c. 32, as amended, requires every person who oversees or has decision-making authority over a municipal drinking water system to exercise the level of care diligence and skill that a reasonable prudent person would be expected to exercise in a similar situation and act honestly competently and with integrity with a view to ensuring the protection and safety of the users of the municipal drinking water system; and

WHEREAS Part 7 (Plumbing) of Ontario Regulation 332/12: Building Code requires potable water systems to be protected from contamination; and

WHEREAS contamination of the City's drinking-water system can arise as a result of a backflow incident from a private plumbing system that is attached to the City's municipal drinking water system and such contamination of the municipal drinking water system can have an adverse impact on the health, safety and well-being of the users of the City's drinking water; and

WHEREAS the City desires to put mechanisms in place so as not to permit the discharging of a contaminating substance into the municipal drinking water system; and

WHEREAS on July 21, 2025, the Council of The Corporation of Owen Sound passed a resolution directing staff to bring forward the subject by-law for approval and to repeal By-law Nos. 1998-106 respecting water supply and 2022-003 respecting backflow prevention, in consideration of staff report OP-25-033;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF OWEN SOUND HEREBY ENACTS AS FOLLOWS:

Part I. Short Title, Purpose and Scope

Short Title

- 1. This by-law may be referred to as the “Water Management By-law” and when so referenced includes all future amendments, unless otherwise specified.

Purpose

- 2. This by-law has been enacted to regulate, control and manage the municipal drinking water system within the City of Owen Sound.

Scope

- 3. This by-law applies to all waterworks under the jurisdiction of the City, inside or outside the municipal boundary.

Part II. Interpretation

Headings

- 4. The division of this by-law into parts and the insertion of headings are for convenient reference only and do not affect the interpretation of the by-law.

Gender and Number

- 5. In this by-law, unless the contrary intention is indicated, words used in the singular include the plural and words imparting a gender include all genders, where applicable.

References to Applicable Law

- 6. All references to applicable law are ambulatory and apply as amended, extended or re-enacted from time to time.

Severability

- 7. In the event any provisions of this by-law are deemed invalid or void, in whole or in part, by any court of competent jurisdiction, the remaining terms and provisions will remain in full force and effect.

Definitions

- 8. For the purposes of this by-law:
“appurtenance” or “appurtenances” means and includes electronic communication register, touch pad, remote read device and any new equipment or technology replacing the same;
“backflow” means the flowing backward or reversal of the normal direction of the flow of water; ;
“backflow preventor” means a device that prevents the backflow of water into the waterworks and/or private water system and is designed to prevent contamination of potable water;
“building” means building as defined in the Building Code;
“Building Code” means the *Building Code Act*, 1992, S.O. 1992, c.23, as amended, and any regulations made under that Act;
“City” means The Corporation of the City of Owen Sound or the geographical location as the context requires and where an authority or

discretion is conferred upon a City official under this By-law, means the appropriate official or representative of the City as designated or appointed under its governing by-laws, resolutions or policies from time to time;

"Council" means the Council of The Corporation of the City of Owen Sound;

"contractor" means a person, partnership, or corporation who contracts to undertake the execution of work commissioned by the owner or the City to install or maintain water mains, water services, hydrants and other appurtenances or devices;

"County" means The Corporation of the County of Grey;

"Director" means the department head responsible for Public Works and Engineering at the City, or that person's designate, or any person duly authorized to act in that person's place;

"Fire Chief" means the Director of Fire and Emergency Services of the City of Owen Sound, or that person's designate, or any person duly authorized to act in that person's place;

"good working condition" means:

- a. free from health hazard;
- b. free from fire hazard;
- c. not in poor condition by reason of deterioration, neglect, damage or defacement;
- d. able to perform its intended function; and
- e. protected from freezing;

"inspection" means an examination and includes any of the following:

- a. an audit;
- b. physical, visual or other examination;
- c. survey;
- d. test or inquiry;

"inspector" means a person appointed a qualified person by the the City to undertake inspections within a specified scope;

"master meter" means a Water Meter supplied and owned by the City, at the owner's expense, to measure the quantity or rate of potable water flowing through a pipe that is used to supply more than one building or parcel of land, typically installed at the limit of the City's jurisdiction, whether that limit is at a political boundary or a property line.

"meter" means the water meter installed for the purpose of measuring water supplied by the waterworks system of the City;

"municipal drinking water system" means a drinking water system, within the meaning of subsection 2(1) of the Safe Drinking Water Act, 2002, supplied by the City;

"non-potable water" means water that is not meant or approved for human consumption;

"occupier" means any person or persons of the age of 18 years or older in possession of a property;

“officer” means a person appointed by Council as a Municipal Law Enforcement Officer, or a Police Officer, or other individual duly appointed to enforce this by-law;

“owner” means the registered owner or owners of a premises or their authorized agents;

“person” means a legal entity and includes individuals and corporations;

“potable water” means water that is safe for human consumption;

“private water system” means the portion of the water service pipe located on private property;

“private water service” means the pipes, fittings and appurtenances used for the purpose of supplying water from the water service to any premises located on private property and shall include the water service pipe as defined by the Ontario Building Code, S.O. 1992, c.23, as amended;

“Treasurer” means the Treasurer of the Corporation of the City of Owen Sound;

“stop and waste valve” means a valve installed within the premises to allow the isolation of the building from the municipal water supply independent from the operation of the Curb Stop. Also referred to as the Premises Isolation Valve;

“water meter” means a device supplied and owned by the City, at the owner’s expense, to measure the quantity or rate of potable water flowing through a pipe that is used to supply a building or parcel of land;

“water service” means the pipes and fittings used for the purposes of supply and delivery of water to a private water service at a street line or limit of a road allowance and shall include a corporation cock, service pipe, curb stop, post and service box and any and all other appurtenances thereto;

“watertaker” means any person, corporation or other entity that draws, purchases, or otherwise consumes water from or is connected to the City’s water system, directly or indirectly; and

“waterworks” means any mechanisms used for the collection, production, treatment, storage, supply, transmission and distribution of potable water by the City, up to the water service connection, but does not include plumbing to which the Building Code applies.

Part III. General Provisions

Applicable law

9. The City shall manage and maintain the waterworks in accordance with the provisions of the *Municipal Act, 2001*, S.O. 2001, c.25, *Public Utilities Act*, R.S.O. 1990, c.P.52, *Ontario Water Resources Act*, R.S.O. 1990, c.O.40, and the *Building Code Act*, S.O. 1992, c.23, this by-law and any other applicable law in force from time to time.

Director's rights and responsibilities

10. The Director shall be responsible for:
 - a. the maintenance and repair of the waterworks;
 - b. the direction and supervision of:
 - i. the use of the waterworks;

ii. the supply of water from the waterworks.

11. The Director may enter any premises of any watertaker at all reasonable hours upon reasonable notice to examine the pipes, meters, remote readers, fittings, fixtures, appliances and appurtenances to ascertain the quantity of water used, the manner of its use and to determine compliance with this by-law.

No connection

12. No person shall in any way connect, cause or permit the connection of any non-potable water source, private well or other water works not owned and operated by the City, into City waterworks or water service pipes.

Buildings

13. Every owner of a building shall connect and keep the building connected to the waterworks.
14. If the owner of a building fails to make the connection of a building, the City may, after notifying the owner in writing of its intention to do so, enter upon the property of the owner to make the connection at the owner's expense.
15. If the owner fails to pay the City for the cost of the connection when requested to do so, the City may recover the expense by court action, or in like manner as municipal taxes.

General prohibitions

16. No person shall:
- a. willfully hinder or interrupt, or cause or procure to hinder or interrupt the City, or any of its officers, contractors, agents, servants or workers, in the exercise of any of the powers conferred by this by-law and the legislation referred to in section 9;
 - b. willfully let off or discharge water so that the water is wasted or leaks out of the waterworks;
 - c. being an owner, tenant, lessee, occupant or inmate of any house, building or other place supplied with water from the waterworks, without the consent of the City do the following:
 - i. improperly run the water
 - ii. lend sell, or dispose of the water;
 - iii. give it away or permit it to be taken away;
 - iv. use or provide for the use or benefit of another
 - v. increase the supply of water provided to any person or property;
 - d. cause or permit temporarily or otherwise, the connection or turning on of the supply of water for the purpose of testing and installation or repair or any other purpose;
 - e. without lawful authority, interfere with, obstruct or conceal any portion of the waterworks, which include but are not limited to hydrants, valves, curbstops, stopcocks, chambers, pipes, hydrant-chambers, meters, and remote readers;
 - f. throw or deposit any injurious, foul or offensive matter into the water or waterworks, or upon the ice if the water is frozen, or in any

- way foul the water or commit any willful damage, or injury to the waterworks, pipes, or water, or encourage the same to be done;
- g. lay, or cause to be laid, any pipe or main to connect to any pipe or main of the waterworks, or in any way obtain or use the water without the consent of the City;
 - h. fail to provide adequate heat or insulation to prevent freezing of the private water service entering a building and for the location of the water meter.
 - i. willfully alter any meter placed upon any service pipe or connected therewith, within or without any other property so as to less or alter in any manner the amount of water consumption registered;
 - j. use water during a period when the use of water has been prohibited or restricted by City Council in any manner inconsistent with the prohibition or restriction;
 - k. fail to run or fail to adequately run water during a period when directed to do so by the City;
 - l. operate a curb box without authorization and in a way which contradicts section 42;
 - m. use a hydrant for water supply purposes without a separate accepted backflow prevention device; or
 - n. operate an industrial, commercial or domestic private fire system which uses chemicals or non-potable water, without an approved backflow preventer.

Access for inspection and repair

17. No owner shall prevent access to the Director to any premises of any watertaker at all reasonable hours upon reasonable notice for the purpose of:
- a. inspecting or repairing any service pipe, meter, remote reader or appurtenances;
 - b. altering or disconnecting of any service pipe, meter, remote reader or appurtenances; or
 - c. placing of meters, remote readers or appurtenances on any service pipe served by the waterworks.

Leakage on private property

18. Where a leakage occurs between the water service and the premises supplied by water, the owner shall repair the leakage at their own expense, within seven (7) days of being notified by the Director. If the leakage is not repaired by the owner within the time allowed, the City may enter the owner's lands and premises for the purpose of repairing the leakage, and the costs shall be charged to the owner. The Director is hereby empowered to turn off the water supply until the necessary repairs have been made by the Owner or the City. The City shall not be held liable to any owner or other person for damages, either directly, indirectly or consequential as a result of repairing the leak.

Water not guaranteed

19. The City does not guarantee the supply or quality of water and failure to supply water shall not be construed as neglect on the part of the City. The

City shall at no time be held liable by reason of inadequate supply of water or by reason of the City restricting the supply of water or for refusing the supply of water.

Water shut off

20. The City may cause the water services to any building or premises to be shut off when the Director believes, on reasonable grounds, that there has been a contravention of any of the provisions in the relevant legislation referred to in section 9, or a contravention of any of the provisions of this by-law, or where the owner of such building or premises refuses or prevents entry thereto by any officer, employee, servant, or agent of the City for any purpose authorized by this by-law.
21. Where the City has caused a water service believed to be defective to be shut off, such water service shall not be restored until the City has been satisfied that no such defect exists, or that any defect therein has been properly rectified.
22. Where a new or replacement water service or private water service has been shut off for any reason, the water service will not be restored until payment has been received of the requisite fees in accordance with the City's Fees and Charges By-law.
23. Where the City has been requested to shut off or turn on the supply of water to a private water service, the City shall not shut off or turn on such supply of water until the applicant has paid the fee prescribed in the City's Fees and Charges By-law.
24. No person shall shut off the supply of water to a private water service without written authority of the Director, and without further paying all fees, including shut-off and turn-on fees, in accordance with the City's Fees and Charges By-law.
25. Where the owner of a property wishes the water service to be shut off to a tenant-occupied property, in addition to paying the requisite fees, the owner shall provide documentation to the satisfaction of the City of one or more of the following, prior to the City granting the request:
 - a. the property is vacant;
 - b. a safety hazard requires the water to be turned off;
 - c. the water is required to be shut off for the purpose of a repair;
 - d. where the water is shut off under subsections b or c, the water service will be restored as soon as practicable, once the repair is made.

Water use restrictions

26. Whether due to influences within or outside of the City's control, the Director may:
 - a. issue restrictions or limits on the use of water to certain designated uses;
 - b. designate or limit the times during which water may be used for any purposes, or for any designated purpose;
 - c. designate certain properties from time to time to be required to continuously run water as directed to prevent freezing;

- d. interrupt or reduce the water supply for construction, maintenance or repair purposes; or
 - e. prohibit or suspend the use of water for any purposes whatsoever.
27. As much as practicable, restrictions shall be advertised in the local media prior to implementation. In no case shall the City be liable to any owner or other person for damages, either directly, indirectly or consequential.
28. Every owner of a building or premises connected to the municipal water system shall ensure the building or premises are equipped with a stop and waste valve in good working condition.
29. No person shall use water supplied by the City in any water-cooled air-conditioning equipment or other cooling or freezing equipment or process unless such equipment or process is provided with an evaporative condenser or other device which efficiently conserves, cools and recirculates the water so used.

Municipal fire hydrant use

30. The design, location, installation, separation and maintenance of all fire hydrants within the City shall be in accordance with current City standards.
31. No person shall open, close, draw from or tamper in any manner with a fire hydrant connected to City mains unless written permission is obtained from the Director. However, this does not apply to employees of a Fire Department engaged in the pursuit of regular duties.
32. The Director shall be notified of the use of any hydrant by the Fire Department.
33. Every person operating a fire hydrant shall use a regulation hydrant wrench. In addition to a fine, using any other type of wrench may result in the cancellation of any permit issued and the imposition of an assessment equivalent to the actual cost of repairs or replacement.
34. No person shall use hydrants for construction purposes without express written permission from the Director.
35. Every person shall comply with all instructions provided by the City Water Division staff.
36. The relocation of a municipal fire hydrant shall be undertaken only where the owner has prepaid the estimated cost of the work, and the owner shall pay the balance of the actual cost forthwith after completion of the work and receipt of an invoice therefore.
37. The Director and Fire Chief shall have the authority, through the statutory development process, to establish standards for and to secure the provision of adequate municipal fire hydrants and private fire hydrants.

Part IV. Fire Systems and Private Hydrants

38. No industrial, commercial or domestic private fire system which uses chemicals or non-potable water in the system shall be in operation without a reduced-pressure backflow preventer as determined and approved by the Director and Fire Chief.
39. All fire lines and domestic services for industrial and commercial buildings shall be installed and operated as separate services from the property line of the building unless otherwise approved in writing by the Director and Fire Chief.

40. Any premises served with a private fire protection service shall make provision for testing such lines from time to time to ensure they are in good working condition. Each hydrant on the fire ring shall be separately valved. The type and manufacture of the hydrants installed are, upon sound engineering principles, to be approved by the Director. Private fire hydrants shall not be operated except in the case of fire, for fire protection purposes, unless special permission of the Director is obtained.
41. Any high-rise building or any buildings which are determined by the Director and Fire Chief to be a high-risk building which requires the use of a booster pump shall incorporate a check valve device located before the pump in order to protect the City's waterworks system.

Part V. Applicable Fees

42. No installation of water service or private water service shall be undertaken for the purpose of providing service to an infilling lot, or a replacement lot, or a lot for new development, until the owner shall first have paid to the City the fee or charge for installation of the water service, meter and any other appurtenances thereto, in accordance with the City's Fees and Charges By-law.
43. No building permit shall be issued for the construction of a building or building extension, where a metered water service is required by the provisions of this by-law, until the owner has first completed an application for such service and paid the applicable fee required, in accordance with the City's Fees and Charges by-law.
44. The rates, charges and penalties, if any, for the use of water supplied from the waterworks and any other costs or charges for the management, maintenance, installation or otherwise, in connection with the supplying of water to any watertaker, shall be charged in accordance with the City's Fees and Charges by-law and billed in accordance with the City's Utility Billing Policy.

Part VI. Installation

45. The pipes, fittings, attachments, method of installation, maintenance, use, renovations to and removal of any water service or private water service shall be pursuant to, as required by, and in compliance with the Building Code.
46. Every water service and private water service shall have a minimum depth of cover of 1.7 metres or an equivalent amount of insulation acceptable to the City's inspector.
47. A "Master Meter" shall be installed for all multi-family developments on a per water service basis (lateral from the municipal water line to the property line) as determined and approved by the City.
48. The Director shall have the final determination on the number and size of water service(s) in accordance with good engineering practice:
 - a. where only one of several buildings, owned by the same person, fronts on a street with the other building(s) being located in the rear of the firstly mentioned building;
 - b. where a building is or becomes a multiple or semi-detached dwelling, apartment building or buildings divided into separate dwelling units; and

- c. in multi-residential complexes with multiple buildings and/or phases.
49. All private water services shall be inspected by a City inspector before backfilling commences.
 50. All materials used in the supply and installation of water services and private water services shall be in accordance with the Building Code.
 51. The size of water service shall be determined by the Director, provided that in no case shall such water service have an inside diameter of less than the appropriate standard determined by the Director.
 52. The City shall endeavour, where possible, to allow the installation of a water service and private water service as requested by the owner, but in every case, the City shall have the right to determine the nature of the service connection required, the position, and location of such water service and private water service.
 53. All water services shall be installed by the City or an agent authorized by it upon payment of the fee or charges therefore prescribed in the Fees and Charges By-law in effect at the time of payment.
 54. The owner shall supply and install and connect private water service to the City's water service and thereupon the same shall be tested and inspected by the City, and if found to be defective in accordance with the City's standards, the City shall cause the services to be shut off until all defects are determined to be remedied.
 55. The charge to be paid to the City for the tapping of the main pipe shall be as set out in the Fees and Charges By-law and shall be paid by the owner at the time the installation of such work is sought.
 56. The private water service shall be maintained by and at the expense of the owner.
 57. No water service will be approved for any building or premises unless a minimum of 150 millimeters inside diameter watermain extends in the City's road allowance adjacent to the property on which such building or premises is located; provided that where the watermain's inside diameter is less than this diameter, a water service may be approved, if the Director deems it acceptable.

Part VII. Water Service Operation

58. Where the City has caused the water service to be shut off because of waste, a leak, or defect in a pipe or appurtenance, the Director shall not cause or permit the water service to be turned on again until satisfactory evidence has been received by the Director that all repairs which the Director considers necessary have been made.
59. Where an Owner of a residential property requests that a service connection be installed of a larger size than that prescribed by current city standards of a residential property, any and all costs associated with the installation of a larger size shall be borne by the owner.
60. At the request of an application and where a demolition permit has been secured from the City, a minimum of seventy-two (72) hours' notice shall be required for the turning off of the water supply at the property line of the municipal service and for the removal of the water meter.
61. Where an applicant requests the continuance of the use of an existing water service notwithstanding the demolition of a building, the exposure of

the water service at the property line is required. The water service shall be provided at the applicant's expense to ensure that the water service is in accordance with the current City's standards. If the water service is not in accordance with the City's current standards, the water service shall be updated to such standards, at the sole expense of the applicant. The cost of such work and the work to be done shall include the discontinuation of the existing municipal service at the water main.

62. Unless previously authorized by the Director, no service located on private property shall be used to supply water for more than one property.
63. Materials used in the construction of a water service on private property shall correspond in all particulars with the City's standards, and all private water services shall be inspected by authorized City personnel prior to backfilling.
64. No person shall tap or make any improper connection or contact whatsoever with any of the pipes or mains in the City's streets or lanes, or on any premises or private property whereby water can be diverted for improper or unauthorized use.

Part VIII. Meters

65. All development, both new and existing, shall have mandatory water meters installed and all water meters shall be read and billed.
66. Every multi-family residence, save and except semi-detached residences and street townhouses, shall be serviced with one domestic water service as approved and authorized by the City, to which shall be installed a master meter as authorized by the City.
67. The City or its contractor may, from time to time, request access to a premises to inspect, repair, retrofit or replace a water meter. The owner shall provide free and clear access to the meter at all reasonable times for the purpose of reading or maintenance, as determined by the Director. Where such access to the premises or free and clear access to a water meter is not provided by the owner within fourteen (14) days upon written notification by the City, the Director may shut off or restrict the supply of water to the premises until such time as free and clear access to the meter is provided.
68. Where an owner fails to provide free and clear access to the water meter by the final deadline provided by the Director, in addition to any repercussions listed in section 67 above, all applicable curb stop operation, service, installation and administration costs will be charged to the owner.
69. All meters and related appurtenances shall be provided, controlled and maintained by the City, except as otherwise provided herein.
70. All fees for new and existing multi-family residences, commercial, industrial and institutional uses shall be charged in accordance with the Fees and Charges By-law. Where a meter or any appurtenance thereto has been installed without full compliance with the provisions of this by-law, the City may cause the water service to be shut off until the installation has been remedied to the satisfaction of the Director.
71. Where a meter or any appurtenance thereto has been damaged due to the negligence or willful act of the owner, the City shall repair or replace the same, as necessary, at the owner's expense.

72. The owner of any building or premises serviced by water service shall provide proper, adequately heated and sufficient space in such building for the installation of the water meter, electronic communications register and remote read-out device, as the Director deems necessary and shall keep such space easily accessible to the City at all times for reading and maintenance purposes.
73. Any meter or appurtenance thereto found to be defective, where such defect is not due to negligence or willful act of the owner, shall be repaired or replaced, as necessary, by the City at its expense.
74. The Corporation shall have the right to seal any meter, electronic communication and remote read-out device, at any time, and no person shall break or damage any seal attached to the same. If any such seal has been broken or damaged for any cause, the owner shall immediately report the breakage or damage to the Director, who shall cause the same to be resealed.
75. During the installation or removal of a meter, or any paraphernalia connected therewith, where pipe is damaged as a consequence of a defective condition of the pipe, new pipe shall be installed at the owner's sole expense, in accordance with the current City's standards.
76. The cost of downsizing or upsizing a meter, and the cost of all work incurred in connection therewith, shall be paid in full by the owner, and the estimated cost of such work shall be paid in advance of the work being undertaken. The balance payable, if any, shall be due forthwith thereafter.
77. Seals shall be placed on all meters and all bypass valves and appurtenances as may be appropriate to prevent unauthorized interference with the said meters and bypass valves. Where tampering with meters or bypass valves is found, the owner shall be charged in accordance with the by-law, and the water consumption shall be charged in accordance with City's Utility Billing Policy.
78. For the purposes of this section and the by-law, the minimum size of the meter shall be one size smaller than the service pipe, except where the Director permits another size, based on sound engineering practice.
79. The reading of the water meter shall be deemed for all purposes to be the sole sufficient and accurate measurement of the quantity of water supplied to a property unless the meter is proven to be defective after proper testing by the manufacturer.

Part IX. Investigations

Inspection

80. An 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:
 - a. this by-law; or
 - b. an order made under section 431 of the Municipal Act.
81. For the purposes of conducting an inspection pursuant to section 80 of this by-law, the officer may, in accordance with the provisions of s. 436 of the Municipal Act:
 - a. require the production for inspection of documents or things relevant to the inspection;

- b. inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - c. require information from any person concerning a matter related to the inspection; and
 - d. along with 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.
82. Every person who is required by an officer to provide identification must identify themselves to the officer by giving their full and correct name, date of birth and address.

Order to discontinue activity

83. Where an officer has reasonable grounds to believe that a contravention of this by-law has occurred, the officer 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 land on which the contravention occurred, to discontinue the contravening activity.
84. An order under section 83 of this by-law must set out:
- a. reasonable particulars of the contravention adequate to identify the contravention and the location of the land in which the contravention occurred; and
 - b. the date by which there must be compliance with the order.
85. Any person who contravenes an order under section 83 of this by-law is guilty of an offence.

Work Order

86. Where an Officer has reasonable grounds to believe that a contravention of this by-law has occurred, the Officer 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 land on which the contravention occurred, to do work to correct the contravention.
87. An order under section 86 of this by-law must set out:
- a. reasonable particulars of the contravention adequate to identify the contravention and the location of the land in which the contravention occurred;
 - b. the work to be done; and
 - c. the date by which the work must be done.
88. An order under section 86 of this by-law may require work to be done even though the facts which constitute the contravention of this by-law were present before this by-law came into force.
89. Any person who contravenes an order under section 86 of this by-law is guilty of an offence.

Notice

90. Any order issued pursuant to this by-law may be given in writing in any of the following ways and is effective:
- a. on the date on which a copy is delivered to the person to whom it is addressed;

- b. on the fifth day after a copy is sent by mail to the person's last known address;
 - c. upon the sending of a copy by e-mail transmission to the person's last known email address; or
 - d. posting on the premises, on the date of posting.
91. For the purpose of section 90, a person's last known address and last known email address are deemed to include information on the last revised assessment roll and on a permit application submitted pursuant to this by-law.

Remedial action

92. If a person fails to do a matter or thing, including comply with an order under by-law, as directed or required by this by-law, the City may, in default of it being done by the person directed or required to do it, do the matter or thing at the person's expense. The City may recover the costs of doing a matter or thing from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as municipal taxes.
93. The costs outlined in section 92 of this by-law shall include interest calculated at a rate of 15 per cent (15%) per annum, calculated for the period commencing on the day the City incurs the costs and ending on the day the costs, including the interest, are paid in full.
94. The amount of the costs, including interest, constitutes a lien on the land upon the registration in the proper land registry office of a notice of lien. The lien is in respect of all costs that are payable at the time the notice is registered plus interest accrued to the date the payment is made. Upon receiving payment, the City will register a discharge of the lien in the proper registry office.

Part X. Offence

95. Every person who contravenes any of the provisions of this by-law is guilty of an offence and, upon conviction, is liable to the penalties contained in the *Provincial Offences Act*, R.S.O. 1990, c.P.34, as amended.

By-law continues on next page....

Part XI. Repeal and Effective Date

Repeal

96. By-law Nos. 1988-106 and 2022-003 are repealed.

Effective date

97. This by-law will come into full force and effect on the date that it is passed at which time all by-laws, policies, and resolutions that are inconsistent with the provisions of this by-law are hereby repealed, revoked or rescinded, as the case may be, insofar as it is necessary to give effect to the provisions of this by-law.

FINALLY PASSED AND ENACTED this 21st day of July, 2025.

Mayor Ian C. Boddy

Briana M. Bloomfield, City Clerk