

## **UTILITIES - SERVICES**

### **Chapter 1019 DRINKING WATER SYSTEM**

#### **CHAPTER INDEX**

#### **Article 1 INTERPRETATION**

- 1019.1.1 Application for service - defined
- 1019.1.2 Automated meter reading program - defined
- 1019.1.3 Backflow - defined
- 1019.1.4 Backflow prevention device - defined
- 1019.1.5 City - defined
- 1019.1.6 Commercial property - defined
- 1019.1.7 Commercial rate - defined
- 1019.1.8 Curb stop - defined
- 1019.1.9 Drinking Water System - defined
- 1019.1.10 Drinking Water Works Permit - defined
- 1019.1.11 Fire service - defined
- 1019.1.12 Municipal Drinking Water Licence - defined
- 1019.1.13 Municipal water - defined
- 1019.1.14 Municipal water service connection - defined
- 1019.1.15 MXU device - defined
- 1019.1.16 Officer - defined
- 1019.1.17 Person - defined
- 1019.1.18 Premises - defined
- 1019.1.19 Premises isolation - defined
- 1019.1.20 Private water meter - defined
- 1019.1.21 Private water service connection - defined
- 1019.1.22 Private water supply - defined
- 1019.1.23 Residential premises - defined
- 1019.1.24 Residential rate - defined

- 1019.1.25 Schedule "A" - defined
- 1019.1.26 Temporary water meter
- 1019.1.27 Temporary water service connection
- 1019.1.28 Water meter - defined

**Article 2  
MANAGEMENT OF DRINKING WATER SYSTEM**

- 1019.2.1 General authority
- 1019.2.2 Annual Report
- 1019.2.3 Administration

**Article 3  
USE AND RECEIPT OF WATER**

- 1019.3.1 Water use
- 1019.3.2 Applicable charges and fees

**Article 4  
CONSTRUCTION OF DRINKING WATER SYSTEM**

- 1019.4.1 Drinking water system pipe replacement
- 1019.4.2 Installation of municipal water service connection
- 1019.4.3 Installation of private water service connection
- 1019.4.4 City curb stop/shut-off valve
- 1019.4.5 Illegal water connections
- 1019.4.6 Protection from frost
- 1019.4.7 Municipal water service connection costs

**Article 5  
WATER METERS INCLUDED IN DRINKING WATER SYSTEM**

- 1019.5.1 Water meters - property of the City
- 1019.5.2 Private water meters
- 1019.5.3 Standard installation of water meters
- 1019.5.4 Location of water meters
- 1019.5.5 New water meters

- 1019.5.6 Size of water meters
- 1019.5.7 Protection of water meters

**Article 6**  
**MAINTENANCE AND SERVICING OF DRINKING WATER SYSTEM**

- 1019.6.1 Access to Drinking Water System
- 1019.6.2 Maintenance and testing
- 1019.6.3 Failure of meter to register
- 1019.6.4 Testing and malfunction of water meters
- 1019.6.5 Relocation of water metering facilities and water service connections

**Article 7**  
**ESTABLISHING AND DISCONTINUING WATER SERVICE**

- 1019.7.1 Establishing the water service
- 1019.7.2 Water service accounts
- 1019.7.3 Temporary water service connection
- 1019.7.4 Seasonal water service
- 1019.7.5 Water accounts in arrears
- 1019.7.6 Discontinuing or decommissioning of water service
- 1019.7.7 Disconnection of water service by the City
- 1019.7.8 Disconnection of the water service for repairs
- 1019.7.9 Building demolition requiring water service disconnection

**Article 8**  
**BACK-FLOW PREVENTION AND FROZEN WATER SERVICE SUPPLY**

- 1019.8.1 System contamination
- 1019.8.2 Back-flow prevention
- 1019.8.3 Frozen water service supply responsibility
- 1019.8.4 Accessibility for thawing services
- 1019.8.5 Prioritization of thawing services
- 1019.8.6 Water Service - unavailable - temporary measures
- 1019.8.7 Donor water service supply

- 1019.8.8 Billing - water and sewer usage
- 1019.8.9 City not liable

**Article 9  
WATER USE**

- 1019.9.1 Address - odd - even - alternating
- 1019.9.2 General - prohibited - exemptions
- 1019.9.3 Outdoor water use ban - notice
- 1019.9.4 Outdoor water use ban - prohibition

**Article 10  
REQUIREMENT TO CONNECT**

- 1019.10.1 Properties required to connect
- 1019.10.2 Failure to connect

**Article 11  
GENERAL**

- 1019.11.1 Private water supply
- 1019.11.2 Exemptions
- 1019.11.3 General prohibitions

**Article 12  
ENFORCEMENT**

- 1019.12.1 Enforcement
  - 1019.12.2 Obstruction
  - 1019.12.3 Penalties
  - 1019.12.4 Validity and Severability
-

## Article 1 INTERPRETATION

### **1019.1.1 Application for service - defined**

“application for service” means an application required to initiate a procedure whereby the City provides an appropriate sized water pipe to the property line curb stop and all associated appurtenances pertaining to the provision of water.

### **1019.1.2 Automated meter reading program - defined**

“automated meter reading program” means the programs or projects, as may be adopted by the City, for the supply and installation of water meters and a communications network capable of reading, transmitting and collecting water meter readings throughout the City and includes all related equipment, software and hardware. The Automated Meter Reading Program includes the water meter replacement and automated meter reading system currently undertaken by the City.

### **1019.1.3 Backflow - defined**

“backflow” means the flowing back or reversal of the normal direction of the flow of water.

### **1019.1.4 Backflow prevention device - defined**

“backflow prevention device” means a device or system that prevents backflow or back-siphonage into the water works and is designed to prevent contamination of the drinking water system.

### **1019.1.5 City - defined**

“City” means The Corporation of the City of Orillia and includes its employees, servants and agents.

### **1019.1.6 Commercial property - defined**

“commercial property” as applies to this by-law includes only land and improvements:

- (a) used or intended to be used for business purposes, including land and improvements for office, wholesale, retail, service, hotel, motel, industrial and manufacturing activities, transportation, communications and utilities;
- (b) used or intended to be used for institutional, government, recreational or cultural purposes;
- (c) any multi-unit building occupied by two or more units with a single service and one water meter;
- (d) not specifically included in another class of property where rental income is generated;

- (e) or at the discretion of the property owner, in writing and upon approval by the City.

**1019.1.7 Commercial rate - defined**

“commercial rate” means the rates, charges, levies and costs imposed pursuant to Schedule ‘A’ of Municipal Code Chapter 459, for the supply of water and to a commercial property for the use of business, industry or activity carried on therein.

**1019.1.8 Curb stop - defined**

“curb stop” means the City’s water shut-off valve, typically located at the property line, to the property.

**1019.1.9 Drinking Water System - defined**

“drinking water system” means any works for the production, treatment, storage, supply, transmission, distribution and metering of water by the City, or any part of any of those works including the water service connection, but does not include plumbing to which the *Building Code Act*, 1992 or any amendments thereto apply.

**1019.1.10 Drinking Water Works Permit - defined**

“Drinking Water Works Permit” means the permit issued under Part V of the *Safe Drinking Water Act*, 2002, S.O. 2002, c. 32 by the City.

**1019.1.11 Fire service - defined**

“fire service” means a pipe that is intended solely for the purpose of providing a standby supply of water for fire protection purposes.

**1019.1.12 Municipal Drinking Water Licence - defined**

“Municipal Drinking Water Licence” means the licence issued under Part V of the *Safe Drinking Water Act*, 2002, S.O 2002, c. 32 by the City.

**1019.1.13 Municipal water - defined**

“municipal water” means water supplied through the City of Orillia water distribution system.

**1019.1.14 Municipal water service connection - defined**

“municipal water service connection” means the physical connection of the private water service connection with the City’s watermain which includes that part of the waterworks, consisting of pipes, fittings and appurtenances which supplies water to a property, and which is located between the City watermain and the street line or between the City watermain and the boundary line between a City easement or other City land containing the watermain and private land.

**1019.1.15 MXU device - defined**

“MXU device” means a reading device(s) typically installed on the exterior of a building for radio frequency reading capabilities.

**1019.1.16 Officer - defined**

“Officer” means a Municipal By-law Enforcement Officer or Police Officer.

**1019.1.17 Person - defined**

“person” means any person, persons, firm or corporation having control over private property to which this regulation applies and includes the owner registered on the title of the property and any occupant or user of any building located on such property.

**1019.1.18 Premises - defined**

“premises” shall mean any complex, house, tenement, building, or like structure in which private water service connections enter.

**1019.1.19 Premises isolation - defined**

“premises isolation” means prevention of backflow into a municipal water system from a person’s premises or property by the installation of a suitable backflow preventer at the entrance to the building or property.

**1019.1.20 Private water meter - defined**

“private water meter” means a water meter purchased from the City by a person and installed downstream of the City owned meter by the person, at their own expense, and is read, serviced and maintained by the property owner for the purpose of a sewage rebate or otherwise.

**1019.1.21 Private water service connection - defined**

"private water service connection" includes any water pipe line downstream of the curb stop/property line (1019.4.4(b)) on the private side of the property through which water is conveyed from the City drinking water system.

**1019.1.22 Private water supply - defined**

“private water supply” means a supply line that is connected to the municipal water supply and is assumed privately and not by the municipality, that provides good quality potable water under satisfactory pressure for applicable uses, as well as adequate pressure for firefighting purposes.

**1019.1.23 Residential premises - defined**

“residential premises” includes only land and improvements used for or intended to be used for or in conjunction with a residential purpose, but does not include a building containing two or more units serviced by a single service with one water meter.

**1019.1.24 Residential rate - defined**

“residential rate” means the rates, charges, levies and costs imposed pursuant to Schedule ‘A’ of Municipal Code Chapter 459, for the supply of water to a residential

property for the domestic use of the person thereof.

**1019.1.25 Schedule “A” - defined**

“Schedule ‘A’ means Chapter 459 of the Municipal Code - Water and Wastewater, Schedule “A”, Water and Sewer Rates and Fees.

**1019.1.26 Temporary water meter - defined**

A water meter which measures the quantity of water consumed at, in or upon a property during the construction of a structure, or during any other temporary purpose, intended to be temporary and removed upon completion of the structure or other temporary purpose and is read, serviced, maintained or supplied by the City.

**1019.1.27 Temporary water service connection**

A water service connection to the waterworks for the purpose of the construction of a structure, testing of new water main or any other temporary purpose, intended to be temporary and removed upon completion of the structure, testing of the new watermain or other temporary purpose and may also include a temporary connection to a fire hydrant.

**1019.1.28 Water meter - defined**

“water meter” means a measuring device(s) at a property which measures and records the quantity of water delivered to all premises and is read, serviced, maintained or supplied by the City.

**Article 2  
MANAGEMENT OF DRINKING WATER SYSTEM**

**1019.2.1 General authority**

The Drinking Water System shall be operated according to the Drinking Water Works Permit and Municipal Drinking Water Licence and shall be under the control of the City.

**1019.2.2 Annual report**

The City, through the Environmental Services and Operations Department must report annually to the Mayor and Council (Owner), concerning its operation of the drinking water system.

**1019.2.3 Administration**

- (a) The administration of the drinking water system including water metering shall be under the jurisdiction of the City.
- (b) The administration of the installation of new, renovated or altered private water service pipes, private fire service mains, private water systems and appurtenances, with exception of the water meter and premises isolation backflow devices on private property shall be the responsibility of the Chief Building Official under the *Building Code Act*.



- (c) The City shall be authorized to prescribe any form under this Chapter and to amend or revise those forms from time to time.
- (d) The City shall be authorized to amend or revise standards and specifications relating to this Chapter as may be required from time to time.
- (e) The City may authorize programs or projects which may exempt persons or properties from a provision or provisions of this Chapter.

### **Article 3 USE AND RECEIPT OF WATER**

#### **1019.3.1 Water use**

No person shall use, cause or permit water to be used otherwise than in connection with the property at which it is supplied nor shall water be sold or otherwise similarly disposed of without the prior written permission of the City, other than authorized Orillia Fire Services personnel or other City personnel, acting in the course of their duties.

#### **1019.3.2 Applicable charges and fees**

No person shall obtain water without paying the applicable charges, fees or rates for that water, as provided in Schedule 'A' of Municipal Code Chapter 459, except with the prior written approval of the City, other than authorized Orillia Fire Services personnel or other City staff, acting in the course of their duties.

### **Article 4 CONSTRUCTION OF DRINKING WATER SYSTEM**

#### **1019.4.1 Drinking water system pipe replacement**

The replacement of watermains in the distribution system balances upon many factors. Replacement will broadly follow these four factors:

- (a) Undersized pipes.
- (b) Critical pipes.
- (c) High failure rate pipes.
- (d) Aging pipes.

#### **1019.4.2 Installation of municipal water service connections**

Municipal water service connection installation, service and repair are under the discretion of the City. Only Environmental Services and Operations staff, or a designated contractor, shall install, service, maintain or operate municipal services.

#### **1019.4.3 Installation of private water service connections**

- (a) Private water service connections are the property of the person and shall

be installed to the satisfaction of the Building Department at the person's expense.

- (b) All private water service connections require a service valve installed immediately upon entering the premises, that is operable, and it is the owner's responsibility and expense to ensure this is maintained.
- (c) Private water service connections and internal plumbing are the property of the person and is the responsibility of the person to maintain in good repair. Any requested investigation that determines leaks or substandard plumbing or piping of the private drinking water service connection or internal plumbing will cause an invoice to be generated by city staff as set out in Schedule 'A' of Municipal Code Chapter 459.
- (d) No person shall open, close or interfere with any hydrant, gate or valve connected with the water works, or interfere with any curb stop, pipe or other drinking water system appurtenance outside of the private property.

#### **1019.4.4 City curb stop/shut-off valve**

- (a) Every municipal water service connection shall have a shut-off valve at a location approved by the City.
- (b) Each property owner is responsible for the maintenance of their water service from the City's curb stop (shut-off valve), located approximately on the property line, to any buildings on the property. In the event that the curb stop is located more than 3m on either side of the property line, the property line will be used to determine responsibility.

#### **1019.4.5 Illegal water connections**

- (a) No branch water line shall be taken from that part of the private water service connection between the curb stop and the metering device or ball valve unless provided with a water meter, except as provided in subsection 1019.4.5 (b). All such branches shall be taken from beyond the downstream meter isolation valve unless as specified above.
- (b) A fire service branch is the only acceptable un-metered branch line and must be approved by the City.

#### **1019.4.6 Protection from frost**

Every owner of property which has a private water service connection shall keep them in good repair and protected from frost at the property owner's cost.

#### **1019.4.7 Municipal water service connection costs**

- (a) All expenses in connection with the construction and administration of a new municipal water service connection from the watermain to the curb stop will be the responsibility of the person.

- (b) An "Application for Service" and all requirements of this form must be completed prior to installation.
- (c) All work shall be done by the City or a private contractor, contracted by the City.
- (d) The installation is at the expense and risk of the person including payment by the person to the City of any rates, fees and costs prescribed or incurred by the City as a result of or related to the installation and inspection of the work.
- (e) The installation is in accordance with the City's standards and specifications.

### **Article 5**

## **WATER METERS INCLUDED IN DRINKING WATER SYSTEM**

### **1019.5.1 Water meters - property of the City**

- (a) All water meters and/or any associated appurtenances are the property of the City, although initially paid for by the person and shall be supplied and maintained by the City unless alternate arrangements are approved in writing by the City.
- (b) If an alternate arrangement is made, the person shall pay the additional costs for supplying.
- (c) In all cases, the payment of additional costs will be considered an added deposit, and all water meters shall remain the property of the City.

### **1019.5.2 Private water meters**

- (a) A person may, install and maintain an additional water meter that has been purchased from the City.
- (b) For the purpose of individual unit metering within a property, additional meters shall be installed on the downstream side of the City water meter for internal private billing purposes.
- (c) Consumption readings of the private water meters will not be recognized by the City for municipal billing purposes, but may be used for sewer rebate exemptions with prior authorization from the City.

### **1019.5.3 Standard installation of water meters**

- (a) All new residential water meter installations are provided a standard meter package including backflow device, expansion tank, and all associated appurtenances during the application for services process. The water meter

and MXU device are installed by City staff. Charges and fees applicable are set out in Schedule 'A' of Municipal Code Chapter 459.

- (b) All new commercial water meter installations are provided a meter package including water meter, MXU device and all associated appurtenances. A security device with lock shall be installed by the City on the meter by-pass line isolation valve. Charges and fees applicable are set out in Schedule 'A' of Municipal Code Chapter 459.

#### **1019.5.4 Location of water meters**

- (a) All municipal water service connections must be metered, unless written authorization from the City has been provided.
- (b) The person shall provide a suitable site for the water meter, at a horizontal setting near the point of entry of the private water service connection, inside the building.
- (c) The meter site shall be accessible with no permanent fixtures within 0.5 metres from the water meter. If the City considers any meter with restricted access of less than 0.5 metres, the municipal water service connection may be shut-off after a forty-eight (48) hour notice in writing is provided to the person, and shall remain shut-off until adequate access has been provided.
- (d) The City will not provide water to the private water service connection unless a suitable water meter location has been provided.

#### **1019.5.5 New water meters**

- (a) All municipal water services providing water to private water service lines entering a property require a water meter package purchased from the City in accordance with Schedule 'A' of Municipal Code Chapter 459 and it shall have a radio frequency MXU device at a location determined by the City and shall be accessible with no permanent fixtures or vegetation growth within 0.25 metres of the readout device.
- (b) Where access is restricted to the remote readout due to an obstruction, an MXU device will be installed on a full cost recovery basis payable by the person.
- (c) In the event the municipal water service line and or the plumbing system within a building are upgraded, a current water meter package must be purchased from the City in accordance with Schedule 'A' of Municipal Code Chapter 459 and it shall be installed at the property owner's expense.
- (d) The wire type used for the installation of a remote readout water meter shall be CSA Type PCC, FT4, 22AWG/3C or equivalent, provided as part of the meter package purchased through the City and installed at the person's

expense.

- (e) Remote readout water meters may be installed, replaced or repaired at the discretion of the City in an existing property as deemed necessary. In the event the remote readout becomes nonfunctional due to the remote readout wire being damaged and unrepairable, an MXU device will be installed on a full cost recovery payable by the person.

#### **1019.5.6 Size of water meters**

- (a) In accordance with 1019.5.5(a), all water meters provided by the City will be approved for required size during the application for service process.
- (b) Where a person requests a larger meter than has been supplied by the City, the Environmental Services and Operations Department will review the request.
- (c) Where a person has requested a larger meter to be installed, a current water meter package must be purchased from the City in accordance with Schedule 'A' of Municipal Code Chapter 459. The water meter and MXU device will be installed by City staff.
- (d) Notwithstanding Section 1019.4.7(a), the City reserves the right to install any size of meter it considers necessary, at any site.

#### **1019.5.7 Protection of water meters**

- (a) Every person shall ensure that the water meter and appurtenances are protected from frost and damage once placed upon the premises.
- (b) The person shall provide easy access to the meters for meter inspection, maintenance and reading.
- (c) If the City considers any meter insufficiently protected, the municipal water service connection may be shut-off after forty-eight (48) hours notice in writing is given to the person, and shall remain shut-off until proper protection has been effected.
- (d) If a meter becomes frozen, misused, vandalized or damaged under any circumstances, the City shall be provided access to repair or replace the meter at the person's cost, as set out in Schedule 'A' of Municipal Code Chapter 459.
- (e) No person shall interfere or tamper with the water meter.

**Article 6**  
**MAINTENANCE AND SERVICING OF DRINKING WATER SYSTEM**

**1019.6.1 Access to Drinking Water System**

- (a) The City shall have access, upon a forty-eight (48) hour notice to the person of a building, to all parts of every building in which municipal drinking water system services are delivered or consumed.
- (b) For the purpose of this section, access shall include access for the purpose of operating valves and private service boxes, conducting water use surveys, water sampling, sealing of new water meters, the reading of water meters, and repair and inspection of water meters.
- (c) Access to private water system's that are fed by a municipal water service connection must be provided to the Environmental Services and Operations Department when maintenance and servicing of the drinking water system is required.
- (d) Private water service connections are required to be in a good state of repair and the responsibility shall be the person's, should a failure occur while the City is operating private water service connections in the course of maintaining the drinking water system.

**1019.6.2 Maintenance and testing**

- (a) The repair and maintenance of the municipal drinking water system, including the water meter, shall be made at the expense of the City, unless found to be the fault of the owner as detailed in this bylaw. The private water service connections shall be maintained by the person in sound working condition.
- (b) Water meters may be removed for maintenance or testing and only by the City or an approved contractor under contract to the City.
- (c) For the purpose of this section, maintenance and testing may include the alteration of the position of the water meter, back-flow prevention device, or of any pipe, valve or fitting, forming part of the water system.

**1019.6.3 Failure of meter to register**

- (a) Water meters shall be read at the discretion of the City.
- (b) If a meter has failed to register during any portion of time since the last actual reading, the amount of water consumption for the time period shall be estimated to be the same as that of the past average usage in which the water meter had registered, or at the City's discretion, the same as that of the corresponding usage during a period of time with the new meter

installed.

- (c) If the City has installed a remote meter reading device in addition to the existing meter, the reading at the meter shall be considered the official/correct reading.

#### **1019.6.4 Testing and malfunction of water meters**

- (a) The person of a building may request in writing, that the City remove and test the water meter located on its property if readings are disputed.
- (b) The person will be responsible for the actual cost of testing along with the new water meter if the water meter is found to be measuring accurately and the disputed usage will be the responsibility of the person's.
- (c) No person shall open a bypass valve on water meter installations, except in the case of an emergency, following which the City must be notified within twenty four (24) hours of the bypass being opened.
- (d) No person shall tamper with, break or remove any seal installed by the City on any municipal water service connections, including water meters, backflow devices and by-passes.
- (e) The City shall be notified immediately whenever a water meter is not operating, or if the water meter becomes damaged or broken, or if a seal on any municipal water service connection or water metering equipment has been broken.
- (f) In the event that the City is not notified of the malfunction, the City shall, in addition to any other penalties set out in this Chapter, estimate the quantity of water consumed and invoice the person for the water in accordance with Schedule 'A' of Municipal Code Chapter 459.

#### **1019.6.5 Relocation of water metering and private water service connections**

- (a) No person shall relocate or alter any existing water metering equipment or private water service connection to the water meter without the written approval of the City.
- (b) If the person obtains written approval, the person shall pay the entire cost to effect the relocation or alteration, including any costs incurred by the City.
- (c) If the City is dissatisfied with the location of any water meter due to alterations to a building, it may require that the water meter be relocated to a more suitable location.
- (d) The costs associated with such relocation shall be paid by the person.
- (e) Meter spacers shall not be used in place of a meter except as approved by

the City.

### **Article 7**

## **ESTABLISHING AND DISCONTINUING WATER SERVICE**

### **1019.7.1 Establishing the water service**

- (a) No private water service connection will be turned on to a property until there has been a completed Application for Services, consisting of the following:
- (i) The requirements of Municipal Code Chapter 1020 - Drinking Water System, Cross-Connection Control Program have been met.
  - (ii) The water meter has been installed, tested and sealed.
  - (iii) Approved wiring must be complete from the meter location to the outside reading device installation location.
  - (iv) The remote reading device has been installed, tested and inspected by the City.
  - (v) The exterior of the building is complete.
  - (vi) Permanent heat is installed and operable (during winter months).
- (b) No person other than the City shall turn on or off water to any property, or open or close a curb stop unless otherwise authorized in writing by the City.
- (c) No person shall turn on water that has been turned off for any purpose, unless authorized to do so by the City.

### **1019.7.2 Water service accounts**

- (a) For the purposes of billing water “basic” and “usage” rates according to Schedule ‘A’ of Municipal Code Chapter 459, the following protocol will be followed:
- (i) A non-developed property without a water and/or sewer service to the property, will not be charged water and/or sewer basic or usage charges.
  - (ii) A non-developed property with a water and/or sewer service to the property, will be charged the minimum residential or commercial water and/or sewer basic charges, as applicable.
  - (iii) A developed property with no availability for water and/or sewer services, will not be charged water and/or sewer basic charges.
  - (iv) A developed property with water and/or sewer services available but



not connected, will be charged the minimum residential or commercial water and/or sewer basic charges, as applicable.

- (v) A developed property with water and/or sewer services, will be charged water and/or sewer basic and usage charges according to the water meter reading(s).
  - (vi) A developed property with water and/or sewer services connected to a private water supply will have water and/or sewer basic and usage charges applied and shall be connected to either one main water meter or metered through individual private water service connections.
  - (vii) A developed property with more than one water service connection may abandon services by cutting and capping the private water service connection only at the discretion of the City. A minimum of one water and/or sewer service must be maintained for basic and usage service charges.
  - (viii) A property with a water and sewer connection used for irrigation purposes only, will be charged water basic and usage charges and a sewer basic charge only.
  - (ix) A property with a water service only and no sewer service connection used for irrigation purposes only, will be charged water basic and usage charges only.
  - (x) Fire service lines that are dedicated solely for the purpose of fire protection are to be charged the minimum commercial water and sewer basic charges.
- (b) Any person wishing to have a municipal water service connection shall apply to the Environmental Services and Operations Department. The application for services shall be in a form prescribed by the City, and shall require applicable fee and costs paid in full at the time of application by the person.
  - (c) The City may refuse to supply water to a person who has an outstanding account balance at any location in the City.
  - (d) Water shall be provided at the rates set out in Schedule 'A' of Municipal Code Chapter 459 and shall be billed according to the rate applicable to the use of property to which the municipal water service connection is provided.

**1019.7.3 Temporary water service connection**

- (a) The City may provide a temporary water service connection on application by the person, in writing, and upon payment of the service charge set out in Schedule 'A' of Municipal Code Chapter 459.
- (b) Temporary water service connection installation and removal of water meters including water usage will be invoiced in accordance with the fees set out in Schedule 'A' of Municipal Code Chapter 459.
- (c) All temporary water services will require severe hazard backflow devices installed as per Water and Wastewater, Chapter 1020, Cross-Connection Control Program.

**1019.7.4 Seasonal water service**

- (a) Seasonal water services request(s) will be available on application by the person, and upon payment of the service charge set out in Schedule 'A' of Municipal Code Chapter 459.
- (b) Seasonal turn on/off of water is to be performed by City of Orillia staff only and shall not be performed by the property owner or representative of the owner without written approval by the City of Orillia.
- (c) Seasonal water service request(s) will be charged in accordance with the fees set out in Schedule 'A' of Municipal Code Chapter 459 and include but are not limited to:

## Fall service:

- (i) Turning the water service off at the property line (curb stop).
- (ii) Remove and drain the water meter.
- (iii) Record water meter reading.

## Spring service:

- (i) Reinstall the water meter.
  - (ii) Confirm the meter reading is the same as reading on removal date.
  - (iii) Turn the water service back on.
  - (iv) Reseal the meter and check for leaks at the meter connections.
  - (v) Confirm that the remote read device is functional.
- (d) The City of Orillia will not be responsible for damages within the premises

due to frozen pipes or any other mechanical failure(s). The property owner(s) at their expense will be responsible to ensure adequate measures have been taken to protect the plumbing system and mechanical system(s) or devices within the premises from freezing.

#### **1019.7.5 Water accounts in arrears**

If the person owns the property and the municipal water service account for the property is overdue, the amount of the account may be added to and shall form part of the taxes on the property for which the municipal water service connection was supplied.

#### **1019.7.6 Discontinuing or decommissioning of water service**

- (a) Persons may discontinue or decommission private water service connections to the municipal water service connection upon providing written notice to the City including the date on which service will be discontinued.
- (b) If the private water service connection is to be discontinued, the municipal water service connection shut off valve will be closed, the water meter will be read and removed. The private water service connection and sewer service lateral must be cut and capped at or near the property line. Upon completion the City must inspect and approve and the account will be billed water and sewer “basic” and “usage” rates as set out in Schedule ‘A’ of Municipal Code Chapter 459.

#### **1019.7.7 Disconnection of water service by the City**

The City reserves the right to shut off the supply of water for any of the following reasons:

- (a) failure to open an account or failure to complete an accurate written application for service if requested and payment of application as set out in Schedule ‘A’ of Municipal Code Chapter 459;
- (b) non-payment of a City utility bill;
- (c) failure to provide access to the premises;
- (d) excess leakage of water on the private water service connection;
- (e) contamination or potential for contamination of water from the private water service connection;
- (f) theft of water including opening of a by-pass valve;
- (g) tampering with the water meter, seal, backflow device or by-pass;
- (h) contravention of any section of this Chapter or any other related document.

**1019.7.8 Disconnection of the water service for repairs**

- (a) The City has the right to disconnect the water service from any person, without notice, and to keep the municipal water service connection off for as long as necessary, to effect street repairs, service type repairs, or for the purpose of constructing new works.
- (b) The City may enter the property and premises in which a person has a water service, for the purpose of removing any water meters or other property of the City if the water supply has been discontinued.

**1019.7.9 Building demolition requiring water service disconnection**

Demolition permits are required by the person when services are to be cut and capped at or near the property line and the following be completed:

- (a) The City is required to close the municipal water service connection at the curb stop to allow the contractor to cut and cap the private water service connection.
- (b) The cap must be water tight, properly staked and visually inspected by the City.
- (c) The City will remove the water meter; a current water meter reading must be recorded for final billing purposes.
- (d) If the requirements of 7.9(a) and (b) have not been met in full, the permit deposits will not be refunded to the person.
- (e) If the municipal water service connection is redundant, then it must be disconnected at the watermain by the City at the person's expense.
- (f) All of the above requirements will be applicable to the rates and fees as set out in Schedule 'A' of Municipal Code Chapter 459.

**Article 8****BACK-FLOW PREVENTION AND FROZEN WATER SERVICE SUPPLY****1019.8.1 System contamination**

No person shall connect anything to the water system which may cause the service to become contaminated or polluted in accordance with Drinking Water System, Chapter 1020, Cross-Connection Control Program.

**1019.8.2 Back-flow prevention**

All commercial and new residential municipal water service connection accounts shall be required to provide back-flow prevention devices in accordance with Municipal Code Chapter 1020, Provincial Plumbing Codes and CSA B64.10-11/B64.10.1-11 Backflow

Prevention as may be amended from time to time.

### **1019.8.3 Frozen water service supply responsibility**

Reporting frozen water service supplies to the City is the responsibility of the property owner. All frozen water service supplies must be inspected by City staff during regular working hours to determine if the supply is frozen on private or municipal property in accordance with 1019.4.4(b). Should the City determine the frozen service is located on private property, the City will invoice the property owner for the work, as set out in Schedule 'A' of Municipal Code Chapter 459. Should the City determine the water supply is frozen on municipal property, there will be no cost to the property owner for work conducted by the City, with exception of works as outlined in 1019.8.4. Should a contractor attend the property prior to the City being notified, the City will not be responsible for any claims or requests for billing reductions in accordance with 1019.8.8.

### **1019.8.4 Accessibility for thawing services**

The water supply must be accessible for inspection and thawing by City staff. At the discretion of the City, should the water supply be deemed inaccessible, it will be the property owner's responsibility to correct the accessibility requirement to the City's specifications. Once the supply has been made accessible, the City will return to conduct the inspection of the water supply.

### **1019.8.5 Prioritization of thawing services**

A frozen water service supplies list will be completed detailing time and date of call and water service supply requirement. At the discretion of the City, the list will be prioritized in the following order by assessing needs and potential risk. The commercial, industrial, institutional facilities sector (ICI) will be prioritized first and then residential service requests on a first come basis.

### **1019.8.6 Water Service - unavailable - temporary measures**

The City will provide services to thaw the water supply. There may be circumstances where the City is unable to thaw the service supply. Under these conditions, the City will recommend that a shared water service be connected via a hose supplied by the City from a neighboring property, in accordance with 1019.8.7.

### **1019.8.7 Donor water service supply**

Where the City is unable to thaw the frozen water service supply, an alternate supply of water will be required. It will be the property owner's responsibility to provide the City with a neighboring property (donor) to supply the water. The City requires written authority from the donor water service supply to connect to the shared water service.

### **1019.8.8 Billing - water and sewer usage**

- a) At the discretion of the City, if the frozen water service supply is deemed to be on private property the water must be left running internally at a steady stream of a minimum 6 mm or ¼ inch (approximate thickness of a drinking straw) to prevent subsequent freezing. The property owner will be responsible for the total water consumption and associated sewer use

charges until the service line is deemed by the City to be operational. If the property owner stops the water running internally before being advised to do so by the City and as a result the municipal, private or shared supply connection freezes, the property owner will be invoiced all charges associated with water usage and required repairs.

- b) At the discretion of the City, if the frozen water service supply is deemed to be on private property and the service line cannot be thawed and a donor water service supply is required, the water must be left running internally at a steady stream of a minimum 6 mm or ¼ inch (approximate thickness of a drinking straw) to prevent subsequent freezing. The property owner will be responsible for the total water consumption and associated sewer use charges until the service line is deemed by the City to be operational. At the discretion of the City, applicable charges will be based on the total consumption registered on the donor water meter, minus the donor's water consumption in the previous quarter, or on the basis of the corresponding quarter of the previous year. If the property owner stops the water running internally before being advised to do so by the City and as a result the municipal, private or shared supply connection freezes, the property owner will be invoiced all charges associated with water usage and required repairs.
- c) At the discretion of the City, if the frozen water service supply is deemed to be on municipal property the water must be left running internally at a steady stream of a minimum 6 mm or ¼ inch (approximate thickness of a drinking straw) to prevent subsequent freezing. The property owner will be responsible for sewer use charges only. At the discretion of the City, applicable charges will be based on water consumed in the previous quarter, or on the basis of the corresponding quarter of the previous year. If the property owner stops the water running internally before being advised to do so by the City and as a result the municipal, private or shared supply connection freezes, the property owner will be invoiced all charges associated with water usage and required repairs.
- d) At the discretion of the City, if the frozen water service supply is deemed to be on municipal property and the service line cannot be thawed and a donor water service supply is required, the water must be left running internally at a steady stream of a minimum 6 mm or ¼ inch (approximate thickness of a drinking straw) to prevent subsequent freezing. The property owner and donor will be responsible for sewer use charges only. At the discretion of the City, applicable charges will be based on water consumed in the previous quarter, or on the basis of the corresponding quarter of the previous year. If the property owner stops the water running internally before being advised to do so by the City and as a result the municipal, private or shared supply connection freezes, the property owner will be invoiced all charges associated with water usage and required repairs.

**1019.8.9 City not liable**

- a) The City of Orillia will not be responsible for damages within the premises due to frozen pipes or any other mechanical failure(s). The property owner(s) at their expense will be responsible to ensure adequate measures have been taken to protect the plumbing system and mechanical system(s) or devices within the premises from freezing or any other damages that may occur.
- b) The City will not be responsible for claims as a result of weather conditions leading to frozen water service supply. All installations are made in accordance with MECP and AWWA best practice and specification standards. Claims where felt warranted, may be submitted to the City for review. All claims must be received in writing to the Clerk's Office within 10 days of the incident.

**Article 9  
WATER USE****1019.9.1 Address - odd - even - alternating**

No person shall use municipal water from a hose, pipe, sprinkler or permanent water irrigation system for the purpose of any outside water use including, but not limited to watering lawns or gardens, washing of vehicles, sidewalks or driveways or the filling of swimming pools, except as follows:

- (a) an even numbered address may only use municipal water on even numbered days of the month, between the hours of 5:00 A.M. to 9:00 A.M. and 5:00 P.M. to 9:00 P.M.;
- (b) an odd numbered address may only use municipal water on odd numbered days of the month, between the hours of 5:00 A.M. to 9:00 A.M. and 5:00 P.M. to 9:00 P.M.

**1019.9.2 General - prohibited - exemptions**

Notwithstanding section 1019.9.1, the use of municipal water from a hose, pipe, sprinkler or permanent water irrigation system for the following purposes shall be exempted:

- (a) watering of new trees or shrubs during installation and within 24 hours following planting;
- (b) watering of newly placed sod or seed within 30 days following planting, between the hours of 5:00 A.M. to 9:00 A.M. and 5:00 P.M. to 9:00 P.M.
- (c) watering immediately before and after applying nematodes for grub treatment.

**1019.9.3 Outdoor water use ban - notice**

Where the City deems it necessary that an outdoor water use ban be implemented, notice shall be issued on the City's website and through local media (radio and newspaper).

**1019.9.4 Outdoor water use ban - prohibition**

Notwithstanding Section 1019.3.1 and 1019.3.2, where the City gives notice that an outdoor water use ban is declared, no person shall use municipal water from a hose, pipe, sprinkler or permanent water irrigation system for the purpose of any outside water use.

**Article 10  
REQUIREMENT TO CONNECT****1019.10.1 Properties required to connect**

- (a) Pursuant to Section 86 of the *Municipal Act*, where existing residential, industrial, commercial or institutional facilities are on a municipal street with municipal water, the said facility will be required to connect to the drinking water system at the person's expense within one year of notification by the City to do so.
- (b) All new residential, commercial or institutional facilities will be required to connect to the drinking water system unless there is an exemption provided in the Official Plan, or the implementing Zoning By-law.

**1019.10.2 Failure to connect**

- (a) Pursuant to Section 446 of the *Municipal Act*, if the owner fails to make a connection required within the one year period or such extended period permitted hereunder, as Council grants, the City may make the connection at the expense of the person and for this purpose may enter into and upon the property subject to the requirements of Sections 435 to 439 of the *Municipal Act*.
- (b) Pursuant to Section 446(3) of the *Municipal Act*, the costs of making such connection may be recovered by action or by adding the costs to the tax roll and collecting them in the same manner as municipal taxes upon the land in respect of which the connection was made. The cost shall be added to the Collector's Roll by the Treasurer of the City and shall be collected in the same manner as overdue taxes and shall bear interest from the date the first demand for payment is made at the same rate as overdue taxes.



**Article 11  
GENERAL****1019.11.1 Private water supply**

- (a) Under no circumstances will any private water supply system be connected to the City's drinking water system without written authorization from the City in compliance with applicable regulations.
- (b) A private well shall not be permitted as a primary or accessory structure on any lands within the limits of the City boundary where the City's watermain is available within the road allowance abutting the property.
- (c) Any well which is not being used shall be decommissioned in accordance with Regulation 903 of the *Ontario Water Resources Act* or any future amendments thereto.

**1019.11.2 Exemptions**

- (a) Well which legally existed prior to January 1, 2013.
- (b) Well that is installed for the purpose of environmental site remediation, water monitoring or site dewatering.

**1019.11.3 General prohibitions**

Except as authorized by the City, no person shall:

- (a) Obtain water from the drinking water system that has not passed through a water meter or that has not been obtained pursuant to an account.
- (b) Release any substance or material into the drinking water system or allow any substance or material to be released into the drinking water system.
- (c) Contaminate the drinking water system or allow the drinking water system to be contaminated.
- (d) Hinder, disrupt or cut off the supply of drinking water to any premises.
- (e) Enter any prohibited, fenced or enclosed area of the drinking water system.
- (f) Climb on any structure that is part of the drinking water system.
- (g) Destroy, damage, remove or tamper with or interfere with any part of the drinking water system.
- (h) Make, keep, use or dispose of any key or wrench for the purpose of

operating any part of the drinking water system.

## **Article 12 ENFORCEMENT**

### **1019.12.1 Enforcement**

A Municipal By-law Enforcement Officer is hereby vested with the authority of enforcing the provisions of this Chapter.

### **1019.12.2 Obstruction**

No person shall hinder or obstruct, or attempt to hinder or obstruct, any Officer exercising a power or performing a duty under this Chapter. Any person who is alleged to have contravened any of the provisions of this Chapter shall identify themselves to the Officer upon request, failure to do so shall be deemed to have obstructed or hindered the Officer in the execution of their duties.

### **1019.12.3 Penalties**

- (a) Any person who contravenes any of the provisions of this Chapter is guilty of an offence and upon conviction is liable to a fine or penalty as provided for in the *Provincial Offences Act*.
- (b) Where a section of this Chapter has been contravened, a director or officer of a corporation who knowingly concurs in the contravention is guilty of an offence.
- (c) Upon conviction, in addition to any other remedy and to any penalty imposed by this Chapter, 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.

### **1019.12.4 Validity and Severability**

Every provision of this Chapter is declared severable from the remainder and if any provision of this Chapter shall be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder.

**Adopting By-law:** By-law 2012-94, 11 June 2012.

**Repealed and Replaced:** By-law 2014-14, 10 February 2014.

**Repealed and Replaced:** By-law 2015-111, 7 December 2015.

**By-law Amendments:** By-law 2016-33, 11 April 2016; By-law 2017-4, 23 January 2017; By-law 2018-13, 12 February 2018; By-law 2020-48, 25 May 2020.