

COUNTY OF OXFORD

BY-LAW NO. 6544-2023

BEING a By-law to regulate Backflow Prevention and Cross Connection Control to Protect the County of Oxford Drinking Water Systems.

WHEREAS Section 11 (2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended (the “**Municipal Act, 2001**”), provides that an upper-tier municipality, may pass by-laws with respect to the financial management of the municipality, its local boards;

AND WHEREAS Section 11 (3) of the *Municipal Act, 2001*, as amended, provides that an upper-tier municipality, may pass By-laws respecting the matters within the spheres of jurisdiction outlined in subsection 11 (4);

AND WHEREAS Section 9 of the *Municipal Act, 2001*, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act. Further, section 8 (1) of the *Municipal Act, 2001* provides that to the powers of a municipality shall be interpreted broadly so as to confer broad authority on the municipality to govern their affairs as it considers appropriate and to enhance the municipality’s ability to respond to municipal issues;

AND WHEREAS Section 80 of the *Municipal Act, 2001*, as amended, 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, wire, machinery, equipment and other works used to supply the public utility; to inspect, install, repair, replace or alter a public utility meter; and, for such purposes, to shut off or reduce the supply of the public utility to the land; and, if a customer discontinues the use of a public utility on land or the municipality lawfully decides to cease supplying the public utility to land, to shut off the supply of the public utility; remove any property of the municipality; or to determine whether the public utility has been or is being unlawfully used;

AND WHEREAS the *Municipal Act, 2001*, as amended, section 81 provides the authority to a municipality to shut off the supply of a public utility to land if fees or charges payable by the owners or occupants of the land for the supply of the public utility to the land are overdue, subject at all times to the municipality providing reasonable notice of the overdue fees and charges and proposed shut off to the owners and occupants of the land by personal service or prepaid mail and posting the notice on the land in a conspicuous place;

AND WHEREAS the County of Oxford operates and maintains public utilities that include municipal drinking water systems and wastewater systems within its municipal boundaries;

NOW THEREFORE, the Council of the County of Oxford enacts as follows:

CROSS CONNECTION AND BACKFLOW PREVENTION

1. County of Oxford enacts a formal Backflow Prevention Program, as set out in Schedule 'A', forming part of this By-law; and, Cross Connection Control and Backflow Prevention Standards as follows:

1.1. CROSS CONNECTION PREVENTION

1.1.1. No person shall connect, cause to be connected, or allow to remain connected to the Water Systems any piping, fixtures fitting, container or appliance that, under any circumstances, might allow any untreated water, wastewater, non-potable water, pollutant, or any other liquid, chemical or substance to enter the Water Systems.

1.1.2. No person shall connect, cause to be connected, or leave connected to the Water Systems, any alternate water supply. Where an alternate water supply services the same Property as a municipal connection, a physical separation between the supplies must exist creating separate systems.

1.2. BACKFLOW PREVENTION

1.2.1. Backflow Prevention Devices shall be selected, installed, maintained and field tested in accordance with the Canadian Standards Association (CSA), and any other Applicable Law.

1.2.2. Every Owner who has a Premises Backflow Prevention Device located on their Property must ensure that testing occurs in accordance with all Applicable Law, including but not limited to Ontario Regulation 333/12 (the *Ontario Building Code*) and CSA Standard, and the testing results shall be maintained and available to the County of Oxford upon request and further all industrial, commercial, institutional and multi-residential property owners shall provide a plan to the County of Oxford for their internal staff use of water either through source isolation or an alternative approach acceptable to the County of Oxford.

1.2.3. If it is determined that a Backflow Prevention Device being tested is malfunctioning or not properly working, the Property Owner and County of Oxford are to be notified immediately and appropriate action shall be taken to ensure continued protection of the Potable Water supply is maintained at the cost of the Owner.

1.2.4. Should the Property Owner refuse or fail to have the identified malfunctioning Backflow Prevention Device fixed or replaced within the timeline specified by County of Oxford in writing, supply of water to the Property may be discontinued in order to maintain the integrity of the Water Systems water quality.

READ a first and second time this 14th day of June, 2023.

READ a third time and finally passed this 14th day of June, 2023.

MARCUS RYAN, WARDEN

CHLOE J. SENIOR, CLERK

SCHEDULE 'A' TO BY-LAW 6544-2023

**COUNTY OF OXFORD CROSS CONNECTION CONTROL
AND BACKFLOW PREVENTION STANDARDS**

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1. DEFINITIONS

For the purposes of this Schedule, the following terms shall have the corresponding meanings:

“**ASSE**” means the American Society of Sanitary Engineering;

“**AWWA**” means the American Water Works Association;

“**Authorized Functions List**” means the list of functions and Persons that are authorized to carry out such functions as set out in Table 4.1;

“**Auxiliary Water Supply**” means any water source or system other than the County of Oxford’s direct water supply that may be available in a Building or any Property, including but not limited to any recycled water or cistern;

“**Backflow**” means the flowing back of or reversal of the normal direction of flow of water;

“**Backflow Prevention Device**” means a device that prevents backflow, as further defined in Section 7.2.10.10 of the Ontario Building Code (O. Reg 403/97) and CAN/CSA references therein;

“**Backflow Prevention Test Report**” means the County of Oxford Official document submitted detailing the performance of all Backflow Prevention Devices at a given Property;

“**Backflow Prevention Test**” means a confirmatory assessment that identifies if a back flow prevention device is functioning properly carried out as deemed by the County of Oxford or at regular intervals;

“**Backflow Prevention Test Tag**” means a County of Oxford issued tag that is to be affixed to backflow prevention devices after a satisfactory backflow prevention test confirms that the device is good working order;

“**Building**” shall have the same meaning as set out in the *Building Code Act*, S.O. 1992, c. 23, as amended, or any successor thereof;

“**Building Code**” means the regulations made under Section 34 of the *Building Code Act*, being O. Reg 332/12, as amended, or any successor thereof;

“**County**” means the County of Oxford;

“**Chief Building Official**” means the Chief Building Official for the Municipality or the Chief Building Official’s authorized representative;

“**County By-law Officer**” means an individual or individuals appointed by Council of the County of Oxford or under the Delegation of Authority By-law for the administration and enforcement of this By- Law;

“Cross Connection” means any actual or potential connection between a potable water supply or Water System and any source of pollution or contamination and includes any by-pass, jumper connection, removable section of pipe, swivel or changeover device and any other temporary or permanent connection arrangement through which backflow may occur;

“Cross Connection Inspection” means a detailed assessment carried out by a Qualified Person to investigate all potential hazards, cross connections, and existing backflow prevention devices present at a Property. The Cross Connection Inspection must identify all actual or potential cross connections between a Potable water supply and any potential source of contamination within a premises;

“Cross Connection Inspection Report” means the County of Oxford official document that must be submitted within 14 days of a Cross Connection Inspection which details all potential hazards and existing cross connections that exist at a facility and their overall risk level;

“Cross Connection Survey Inventory” means the Appendix A document to be submitted with a Cross Connection Inspection Report that details all identifies the associated hazard of all cross connection, includes all corrective actions, and recommendations that is submitted to the County of Oxford using County form for approval;

“CSA” means the Canadian Standards Association;

“CSA Standard” means CSA Standard Series B64.10-11/B64.10.1-11 – Selection and Installation of Backflow Preventers / Maintenance and Field Testing of Backflow Preventers Standard, as amended;

“Fixture isolation” see **“Source isolation”**;

“Irrigation Systems” means artificially supplying land with water for agriculture or landscaping, usually by artificial means such as pipes and sprinklers;

“Multi-Residential” means all dwelling units designed or intended for use as a residence or household in excess of three (3) stories or higher;

“Municipality” means the City of Woodstock, Town of Ingersoll and Town of Tillsonburg, and the Townships of Blandford-Blenheim, East Zorra-Tavistock, Norwich, South West Oxford, and Zorra, as amended, and includes its employees, service providers, and its agents;

“Owner” means any Person, firm, or corporation having control over Property to which this By-law applies and includes the Owner registered on the title of the Property and any occupant of any Building or Structure located on such Property;

“OWWA” means Ontario Water Works Association;

“Person” includes an individual, association, organization, partnership, corporation, or an agent or employee thereof;

“Plumbing system” shall mean the drinking water system of connected piping, fittings, valves, equipment, fixtures and appurtenances contained in plumbing that begins, is located and is connected immediately after the water meter;

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

“Premises” shall mean any house, tenement, Building, Structure, lot, or part of a lot, or both, in, through, or past which water service pipes run;

“Premise Isolation” means isolation of the water plumbing system at the entrance of the Building or Structure from the municipal water supply;

“Property” means any land within the County of Oxford and includes all Buildings and Structures;

“Qualified Person” means a private contractor or person who has met all requirements in Schedule “A” and has completed and passed a Cross Connection Control course in Backflow Prevention Device Testing at an accredited school or college and shall be in accordance with CSA Standard as amended, or any successor thereof, and must have an active OWWA Cross-Connection Control Tester Certificate, an active ASSE Backflow Preventer Tester Certificate or approved equivalent, and must be registered with the County of Oxford;

“Service Provider” means the City of Woodstock or Town of Tillsonburg water distribution and wastewater collection contracted service provider;

“Source isolation” means isolation of the water located within or having flowed through a source or potential source of contamination within a Building or Structure, including but not limited to, a device, machine or water system, from any potable Water System;

“Structure” means anything constructed or built permanently or temporarily which is provided with a source of Potable Water, including but not limited to a boat or mobile home;

“Water distribution system” means water mains with connections to feeder mains, feeder mains within municipal road allowances or easements, private mains, services, fire hydrants, and shut-off valves and all other appurtenances thereto;

“Water Systems” means any current or future drinking water systems owned by the County of Oxford; and,

“Zone isolation / Area isolation” means the protection provided for sections of a piping network, Building, or facility where there are no domestic or potable water connections downstream of a backflow prevention device.

2. APPLICATION OF BY-LAW

2.1. This By-law applies to existing and future industrial, commercial, institutional and multi-residential Buildings and Structures that are connected to a County Water System, except Buildings of residential occupancies within the scope of Part 9 of Ontario Regulation (O. Reg.) 332/12 (“the Ontario Building Code”).

2.2. In addition to and notwithstanding Section 2.1 of this By-law, this By-law applies to lawn sprinkler systems, Auxiliary Water Supplies, or in accordance with Part 7 of the *Ontario Building Code*, CSA Standard, where a condition exists in any Building or Structure that may be hazardous or detrimental to the potable water system as determined by the County or its Service Provider.

2.3. The use of Fire Hydrants for bulk water is strictly prohibited unless directed by the County or its Service Provider. Fire Hydrants used for bulk water shall require backflow prevention as set out in this By-law.

3. PROTECTION FROM CONTAMINATION AND BACKFLOW PREVENTION

3.1. No Person or Owner shall connect, cause to be connected, or allow to remain connected to the Plumbing System or water distribution system any piping, fixture, fitting, container or appliance, in a manner which under any circumstances, may allow, untreated water, wastewater, any other source of contamination to enter the County's Water System.

3.2. In addition to Section 3.1, every Owner of Property to which this By-law applies shall ensure that their Premise is equipped with a backflow prevention device in accordance with all other provisions of this By-law, and is installed in respect of Premise Isolation, Source Isolation and Zone Isolation at the Owner's expense.

3.3. No Owner shall permit an Auxiliary Water Supply to be connected, cause to be connected, or allow to remain connected to the County's Water System.

4. PERSONS PERMITTED TO CARRY OUT WORK

4.1. A Qualified Person shall obtain certification through an accredited school or college, in accordance with CSA Standard or as amended and meet the criteria as set out in Table 4.1: Authorized Functions List to this schedule.

4.2. The Qualified Person shall maintain current certification with the appropriate certification association.

4.3. Registration with the County is required for all Qualified Persons.

4.4. Only the Persons with the qualifications listed in Table 4.1: Authorized Functions List and who are registered with both the OWWA and the County shall carry out the corresponding functions in the Table.

4.5. The County may suspend or revoke the registration status of the Qualified Person if they:

- a) fail to provide active OWWA recertification documentation to the County;
- b) submit a falsified Cross Connection Survey Inventory or falsified Cross Connection Inspection Report;
- c) are found to conduct inaccurate Cross Connection Inspection; or,
- d) provide improper installation of Backflow Prevention Devices.

4.6. The County may require the Qualified Person successfully complete a refresher backflow prevention course as approved by the OWWA, following any action outlined in section 4.5 prior to any re-instatement to the registered list of Qualified Persons.

5. APPLICATION OF CSA STANDARD

5.1. Except as otherwise set out in this By-law, the installation, maintenance and field testing of Backflow Prevention Devices shall be in accordance with the CSA Standard.

5.2. Wherever the CSA Standard and this By-law are in conflict, the provisions of this By-law shall prevail.

5.3. In the event of a conflict between any provision of this By-law and any applicable Act or regulation, the provision that is the most restrictive prevails.

6. CROSS CONNECTION INSPECTION

6.1. Every Owner for any Property, Building, or Structure subject to this By-law shall, at the Owner's expense, ensure that:

- a) A Qualified Person as indicated in Section 4, is retained to prepare a Cross Connection Inspection or Cross Connection Inspection Report whenever required by this By-law.
- b) A submission of the Cross Connection Inspection Report is submitted in the prescribed format to the County no later than two (2) weeks following the date that a Cross Connection Inspection was carried out.
- c) A Cross Connection Inspection shall be completed at a frequency of every five (5) years from the date of the initial Cross Connection Inspection Report, or where a change of use, machinery, fixtures or alteration of the piping occurs, and/or, as otherwise required by the County.
- d) The completed Cross Connection Inspection Report shall be submitted to the County no later than 14 days from the date that the Cross Connection Inspection was carried out.

6.2. In addition to the obligations set out in subsection 6.1, each time that one or more of the following events occur, the Owner of a Property to which this By-law applies shall also comply with the requirements of subsection 6.1 within 30 days of the date on which such event occurred:

- a) The hazard level of a Building or Structure on the Property has changed;
- b) The Ownership of the Property has changed.

6.3. The Cross Connection Inspection Reports shall include a plan for protecting internal staff from contamination after the required Premise Isolation that is acceptable to the County and include any existing Backflow Prevention Devices, Cross Connections discovered, corrective measures, recommendations and a schedule of work to be completed.

7. SELECTION OF BACKFLOW PREVENTION DEVICES

7.1. Every Owner shall ensure that every Backflow Prevention Device required for Premise Isolation on their Property is a testable device and is the proper device to be used pursuant to Section 12 of this By-law.

7.2. Backflow Prevention Devices for Premise Isolation shall be determined using the Selection Guide in CAN/CSA B64.10/B64.10.1-11 or when the type of Cross Connection is not identified in the Selection Guide by a Professional Engineer using the CSA Standard.

7.3. Despite Section 7.2 of this By-law, when the type of Cross Connection is not identified in the Selection Guide, the County or the Chief Building Official may require a particular Backflow Prevention Device to be used in respect of any Cross Connection.

7.4. Despite Section 7.2 of this By-law, the County may permit an existing Backflow Prevention Device if previously approved, as long as the safety of the Water System can be demonstrated through testing, and that the device can be maintained to the satisfaction of the County. Testing shall be conducted by Qualified Persons with the qualifications listed in Table 4.1.

7.5. Despite Section 7.2 of this By-law, where a source isolation Backflow Prevention Device has been installed by the manufacturer of equipment, the Cross Connection is required to be reviewed to determine if the Backflow Prevention Device meets the requirements of the Selection Guide. These Cross Connections are to be indicated on the Cross Connection Survey Inventory when a Cross Connection Inspection is required.

8. PREMISE ISOLATION

8.1. All industrial, commercial, institutional businesses, and multi-residential units who do not comply with Section 7.2 and Section 7.3 are required to install a Reduced Pressure Principle Backflow Prevention Device for Premise Isolation. Such device shall be inspected and tested annually for compliance with this By-law.

8.2. Premise Isolation shall be required:

- a) in Buildings or Structures of high or severe hazard in accordance with Premise Isolation requirements as stated in the *Ontario Building Code Part 7 - Plumbing*;

- b) as stated in Section 9.1 of this By-law; or
- c) as specified by the County.

9. INSTALLATION OF BACKFLOW PREVENTION DEVICES

9.1. Every Person installing a Backflow Prevention Device shall ensure that:

- a) such device is installed in accordance with the AWWA Canadian Cross Connection Control Manual as amended, the manufacturer's specifications, the requirements of the *Ontario Building Code*, the CSA Standard, and this By-law;
- b) such device is located in such a manner so that in the event of backflow the device prevents contamination of the County Water System and any other potable water system;
- c) such device is installed in such a manner that the device is easily accessible at all times for testing, repair, or replacement. Location and placement of such device will be to the satisfaction of the County or the Chief Building Official;
- d) where such device is installed in respect of Premise Isolation, such device is located within a maximum of 3.0 meters downstream of the water meter, and, as per the water meter manufacturers recommendations regarding lay length requirements. Location of installation shall be to the satisfaction of the County or the Chief Building Official;
- e) where such device is installed in respect of Premise Isolation, all piping between the water meter and such device is clearly labeled "no connection permitted"; and
- f) where such device is installed in respect of Source or Zone Isolation, all piping between the point of contamination and the point at which the device is located is labeled "non- potable water".

9.2. Every Owner of a Property or Structure upon which a Backflow Prevention Device is installed shall ensure that a copy of the record of the installation is provided to the County within 14 days of the installation.

9.3. Every Owner of a Property or Structure upon which a Backflow Prevention Device is installed shall ensure that such device is in proper working order at all times.

10. LAWN SPRINKLER SYSTEMS

10.1. Upon approval of this By-law, all new lawn sprinkler systems must be connected downstream of the Buildings water meter where applicable. The Buildings water supply must be protected with the proper Backflow Prevention Device in accordance with CSA Standard.

10.2. By October, 31, 2024 all systems must be compliant with the requirements of 11.1.

11. FIRE PROTECTION SYSTEMS

11.1. Potable water connections to fire protection systems (standpipe and sprinkler systems) shall be protected against backflow in accordance with the CSA Standard and the *Ontario Building Code*.

12. TESTING OF BACKFLOW PREVENTION DEVICES

12.1. Every Owner who has a Backflow Prevention Device located on their Property shall, at their expense, ensure that:

- a) such device is tested by a Qualified Person when it is first installed and annually thereafter or when requested by the County, and also when it is cleaned, repaired, overhauled or relocated;
- b) when such device is tested a Backflow Prevention Test Report is prepared and submitted to the County within 14 days of the test being conducted in the format prescribed by the County;
- c) in the event that such device is malfunctioning or otherwise not in proper working order, the device is immediately repaired or replaced;
- d) in the event that the water supply to the device cannot be shut down in order to facilitate annual testing, a parallel system shall be installed, with a suitable Backflow Prevention Device installed to allow for annual testing of both devices.

12.2. Every Qualified Person who tests a Backflow Prevention Device shall carry out such testing in accordance with this By-law as well as those set out in the CSA Standard and test procedures established by the ASSE or AWWA for testing Backflow Prevention Devices.

12.3. Every Qualified Person who tests a Backflow Prevention Device shall:

- a) provide a legible Backflow Prevention Device Report to the County in respect of such test and must include the tester's name (if self-employed) or the name of their employer, and certificate number;
- b) upon completing such test, complete and affix a Backflow Prevention Test Tag as prescribed by the County to the device or immediately adjacent to the device on the piping connected thereto. The tester shall ensure that the County Backflow Prevention Test Tag is affixed to the device, at all times;
- c) upon finding that such device is malfunctioning or otherwise not in proper working order, immediately notify the Owner of the premises and the County of such condition; and

- d) in the event that such device is malfunctioning or otherwise not in proper working order, the device is immediately repaired or replaced.

13. INSPECTIONS

13.1. The County may with reasonable notice and at any reasonable time enter onto any Property, Building, or Structure of any Owner to inspect for compliance with this By-law.

13.2. When carrying out an inspection pursuant to Section 11 the County may:

- a) require the production of documents or items relevant to the inspection;
- b) inspect and remove documents or things relevant to the inspection for the purposes of making copies or extracts;
- c) require any additional information from any person concerning a matter related to the inspection; and
- d) make examinations or take tests, samples or photographs necessary for the purposes of the inspections.

13.3. Where the County, or the Chief Building Official finds that a condition exists on any Property that may allow contamination of the municipal water supply or the contamination of any other potable water system on such Property, including any residential Building or Structure, the County may:

- a) order the Owner to eliminate the condition and in so doing may prescribe the time period for compliance with such Order; or
- b) shut off the water supply to the Property or any portion thereof until the condition is eliminated.

14. REMOVAL OF BACKFLOW PREVENTION DEVICES PROHIBITED

14.1. No person shall remove a Backflow Prevention Device or part thereof after it has been installed, and no Owner of a Building or Structure in which a Backflow Prevention Device is installed shall cause or permit the removal of such device, unless such removal is:

- a) to facilitate the repair of the device and such device is replaced immediately after such repair is carried out; or
- b) to replace the device with another device that meets or exceeds the provisions of this By- Law.

15. IMPLEMENTATION

- 15.1. For new customers, compliance with the provisions of this By-law is required prior to the connection to the County Water Systems.
- 15.2. For existing customers, compliance with the provisions of this By-law is required within three years of the date that the By-law is approved.
- 15.3. Despite section 15.2, the County may issue formal notification to an Owner that compliance is required. Upon such formal notification the Owner is required to comply with the provisions of this By-law no later than three months of the date the notification is issued.
- 15.4. Despite section 15.3, if in the opinion of the County, lack of backflow prevention at a Property presents an immediate health hazard to the County Water Systems, the Owner must immediately comply with the provisions of this By-law or the water service to the Property must be terminated until such time as the Property comes into compliance with the provisions of this By-law.

16. OFFENCES

- 16.1. No Person shall:
 - a) hinder, obstruct, refuse entry or interrupt, or cause or permit to be hindered or interrupted, any County Employee or any of its authorized County By-law Officers, contractors, agents, servants or workers in the exercise of any of the powers conferred by this By- Law;
 - b) let off or discharge water so that water runs waste or useless from County's Water System;
 - c) alter, remove or bypass, or cause or permit to be altered, removed or by-passed any Backflow Prevention Device or County Water Meter;
 - d) transfer an agreement for any works related to the connection to, or supply of, water from the Water System without the approval of the County;
 - e) without lawful authority, open or close any Hydrant, Valve or chamber connected to the County Water System, or obstruct the free access to any Hydrant, chamber, pipe or Hydrant chamber by placing on or near to it any Building material, rubbish, temporary Structure, or other obstruction of any nature whatsoever;
 - f) obstruct access by County Employee to any part of the County's Water System;

- g) deposit any injurious, noxious, noisome or offensive matter and substances that are considered to be toxic as defined in Section 64 of the *Canadian Environmental Protection Act*, 1999 (CEPA 1999) into the water or Water System, or upon ice, if the water is frozen, or in any way foul the water or commit any willful damage or harm to the Water System, the pipes or water, or encourage the same to be done;
- h) alter, cause or permit to be altered any County Water Meter placed upon any service pipe or connected therewith, within or without any Property, so as to lessen or alter in any manner the amount of water consumption registered;
- i) lay or cause or permit to be laid any pipe or main to connect with any pipe or watermain of the Water System, or in any way tap into or obtain the use of the water without the written consent of County;
- j) place or cause to be placed any material including snow, ice, trees, shrubs, plants, fences, berms, or other obstruction or vehicle of any kind whatsoever that obstructs access to a Hydrant;
- k) use water contrary to a water use prohibition or restriction by County or in a manner which is contrary to any direction given by the County;
- l) fail to notify the County immediately of any damage caused to the Water System.

17. ORDERS

17.1. If an County By-law Officer is satisfied that a contravention of this By-law has occurred, they may make an Order requiring the Person who contravened this By-law or who caused or permitted the contravention, or the Owner of the Property on which the contravention occurred to discontinue the contravening activity.

17.2. An Order under subsection 17.1 shall set out:

- a) reasonable particulars of the contravention adequate to identify the contravention and the location of the Property on which the contravention occurred;
- b) the date by which there must be compliance with the Order, which may be of immediate effect should the County By-law Officer determine that the circumstances warrant; and
- c) the work to be completed which may include but is not limited to requiring that:
 - i. prior to performing any work, all necessary permits or other approvals be applied for and obtained;
 - ii. Cross Connection Inspection Report be completed;

- iii. Backflow Prevention Device be installed;
 - iv. Backflow Prevention Device be tested;
 - v. Backflow Prevention Device be repaired;
 - vi. Backflow Prevention Device be replaced;
 - vii. legible test report be submitted to the County for approval;
 - viii. Backflow Prevention Test Tag be applied to a Backflow Prevention Device;
 - ix. arrangements be made for the shutting off of the supply of water from the Water System until the work ordered to be done is completed;
 - x. Illegal Connection or by-pass be removed; and
 - xi. disconnection of Private Service that is dormant or extraneous.
- 17.3. An Order to discontinue a contravening activity made under subsection 16.1 or an Order to do work made under subsection 17.2 may be served personally or by registered mail to the last known address of:
- a) the Person the County By-law Officer believes contravened this By-law; and
 - b) such other Persons affected by the Order as the County By-law Officer making the Order determines.
- 17.4. Service by registered mail shall be deemed to have taken place five (5) business days after the date of mailing or on the date of personal delivery.
- 17.5. An Officer who is unable to effect service of an Order pursuant to this By-law shall place a placard containing the Order in a conspicuous place on the Property and the placing of the placard shall be deemed to be sufficient service.
- 17.6. Where service cannot be given in accordance with subsections 17.3 and 17.4, sufficient service is deemed to have taken place when given in accordance with subsection 17.5.
- 17.7. No Person shall remove an Order, notice, direction or placard posted on a Property indicating that it was posted under this By-law, except a County By-law Officer.
- 17.8. Where a time frame is set out in an Order for carrying out any action, the County By-law Officer may extend the time for compliance beyond the established time frame provided such extension is required and is acceptable to the County By-law Officer.

- 17.9. Where a Person does not comply with a direction or a requirement, including an Order, under this By-law to do a matter or thing, the County By-law Officer, with such assistance by others as may be required, may carry out such direction, requirement or Order at the Person's expense.
- 17.10. The County may recover the costs of doing a matter or thing under subsection 17.09 by action or by adding the costs to the tax roll and collecting them in the same manner as Property taxes and such costs shall include an interest rate of fifteen percent commencing on the day the County incurs the costs and ending on the day the costs, including the interest, are paid in full.
- 17.11. A Person who has been served with an Order and who is not satisfied with the terms and conditions of the Order may appeal to County of Oxford by sending a notice of appeal by registered mail or personal delivery to the County within 14 days after being served with the Order.
- 17.12. An appeal under section 17.11 shall be conducted pursuant to the *Statutory Powers and Procedures Act*, R.S.O. 1990, c. S. 22.
- 17.13. An Order under this By-law that is not appealed within the time referred to in section 17.11 shall be deemed to be final.

18. ENFORCEMENT

- 18.1. The enforcement of this By-law shall be conducted by a County By-law Officer.
- 18.2. A County By-law Officer may enter on Premises at any reasonable time for the purpose of carrying out an inspection to determine whether or not the By-law is complied with.
- 18.3. No Person shall hinder or obstruct, or attempt to hinder or obstruct, any County By-law Officer exercising a power or performing a duty under this By-law.
- 18.4. Every Person who is alleged to have contravened any of the provisions of this By-law, shall identify themselves to a County By-law Officer upon request, failure to do so shall be deemed to have hindered or obstructed a County By-law Officer in the execution of their duties.
- 18.5. Without limiting the generality of subsections 17.1 to 18.4, where County has determined, in their sole discretion, that an immediate threat of contamination in the Water System exists that can endanger public health and safety, County may shut off the water supply to the Property or any Building or Structure thereon, until the threat of contamination has been eliminated.

19. PENALTIES

19.1. Every Person who contravenes any provision of this By-law or an Order issued pursuant to this By-law or every director or officer of a corporation, who knowingly concurs in the contravention by a corporation is guilty of an offence and upon conviction is liable to a fine as provided for by the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended:

- a) on a first offence, to a fine not more than \$50,000.00;
- b) on a second offence and each subsequent offence, to a fine of not more than \$100,000.00; and
- c) Each day that any provision of this By-law is contravened is considered a separate offence. In the case of continuing offences, for each day or part of a day that the offence continues, the maximum fine shall be \$10,000.00 per day for every day in contravention and the total of all daily fines for the offence is not limited to \$100,000.00.

19.2 If a Person is convicted of an offence under this By-law, the court in which the conviction has been entered and any court of competent jurisdiction may, in addition to any other remedy and to any penalty imposed, make an Order prohibiting the continuation or repetition of the offence by the Person convicted.

20. EFFECTIVE DATE

20.1 Every Owner shall, at the Owner's expense, ensure the completion of an initial Cross Connection Inspection within one year of the date when this By-law comes into effect or within the time limit specified by the County in a notice delivered to the Owner.

TABLE 4.1: AUTHORIZED FUNCTIONS LIST

ITEM	FUNCTION	Professional Engineer with Tester's License	Certified Water Operator employed by the County with a testers license	*Certified Engineering Technologist with Tester's License	Licensed Master Plumber with Contractor and Tester's License	** Journeyman Plumber with Tester's License	***Apprentice Plumber with Tester's License	Fire System Sprinkler Fitter with a Tester's License	Lawn Irrigation Installer with Tester's License
1	Carry out Cross Connection Inspection Report	√	√	√	√	√			
2	Install, Relocate or Replace Backflow Prevention Device		√		√	√	√		
3	Repair of Backflow Prevention Device	√	√	√	√	√	√		
4	Test Backflow Prevention Device	√	√	√	√	√	√		
5	Items 1,2,3, & 4 above in respect of Fire Protection Systems							√	
6	Item 3 & 4 above in respect of Lawn Sprinkler Systems								√
*		Required to be under the direction of a Licensed Professional Engineer							
**		Required to be employed by a Licensed Plumbing Contractor							
***		Required to be employed by a Licensed Plumbing Contractor and under the direct supervision of a Journeyman Plumber or Master Plumber.							