

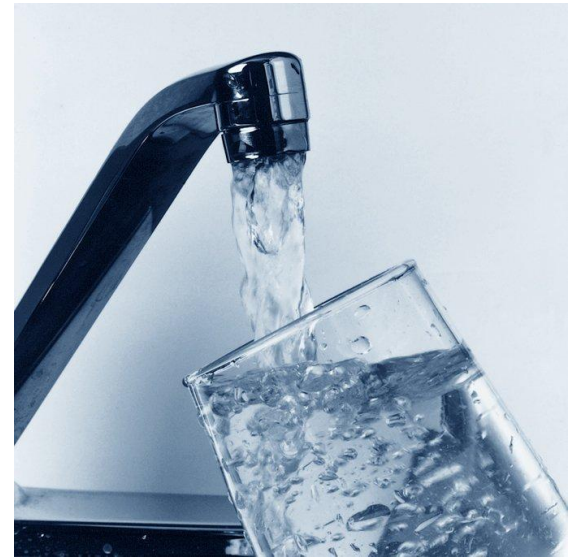
Water and Waste Department

New Draft Water By-law

Public Meetings
November 26 and 27, 2014

Agenda

- Background
- Overview of Key Revisions
- Public Engagement Process
- Next Steps
- Question and Answer Period



Background

- Existing Water Works By-law No. 504/73 has been in effect since 1973

- New draft Water By-law provides an opportunity to:
 - strengthen measures to protect City's waterworks system and safeguard the high quality of our drinking water
 - enhance readability by using plain language
 - add clarity for enforcement
 - update format to be consistent with The City of Winnipeg Charter, Manitoba By-law writing styles, and Sewer By-law

Foundation for New Draft Water By-law

- Review by an independent consultant of:
 - water by-laws in other Canadian cities
 - federal and provincial regulations
- Water Works By-law No. 504/73 and subsequent amendments
- Sewer By-law No. 92/2010 (completely overhauled in 2010)
- Internal feedback from subject matter experts (e.g., operations staff, Legal Services)

Overview of Key Revisions

- Clarifies and authorizes shutting off water supply
- Adds non-conforming water service pipe requirements
- Expands backflow prevention requirements (premises isolation)
- Increases restrictions for using public and private fire hydrants
- Adds and clarifies requirements for:
 - water meters
 - water charges
- Revises penalty structure for by-law violations

Part 2: Shutting Off Water Supply

- Impacts all property owners and occupants
- Clarifies authorization to shut off water supply with **reasonable notice**, such as:
 - accounts more than 30 days overdue
 - owner or occupant has, for 30 days, not allowed a City employee to read or exchange a water meter
 - private water service pipe is jeopardizing other properties or City's infrastructure

Part 2: Shutting Off Water Supply (cont'd)

- Clarifies authorization to shut off water supply in emergencies or extraordinary circumstances, **without notice**, such as:
 - suspected unmetered water
 - leak with high risk for damage to other properties or City's infrastructure
 - malfunctioning backflow preventer

Part 6: Non-Conforming Water Service Pipes

- Impacts small number of property owners with non-conforming water service pipes
- A non-conforming service pipe is a private water service pipe that is not connected to a water main fronting the property
- Outlines responsibilities and requirements for a non-conforming water service pipe:
 - installing, operating, maintaining
 - charges/fees
 - abandoning
 - connecting to a new fronting water main

Part 7: Premises Isolation (Backflow Prevention)

- Impacts business property owners/occupants, licensed backflow testers, plumbing contractors
- Premises isolation is the installation of a device so that water from a building cannot flow back into the City's drinking water system



Part 7: Premises Isolation (cont'd)

- Requires “moderate” hazard buildings to have premises isolation
- Moderate hazards are typically found in all businesses, office buildings, schools, shopping malls and high-rise buildings, many of which already have backflow prevention in place

Part 7: Premises Isolation (cont'd)

- In addition to the category of “severe” hazard, all “moderate” hazard building owners and occupants would be required to:
 - install an approved backflow prevention device
 - test the device annually
 - maintain testing records

- To match existing practices, licensed backflow testers would be required to:
 - calibrate their equipment
 - provide testing results within a specified time frame

Part 8: Public and Private Fire Hydrants

- Impacts independent contractors
- Adds conditions to the permit process:
 - when permit can be issued, cancelled or suspended
- Clarifies permit holder requirements:
 - can only use water from specified fire hydrant
 - must not operate fire hydrant unless specifically authorized by City



Part 9: Water Meters

- Impacts builders, licensed plumbing contractors, backflow testers, property owners/occupants
- Adds new water meter installation drawings to City's Standard Construction Specifications
- Applies to new construction, reconstruction and retrofitting
- Designed to ensure new water meters are installed using standardized approach that improves safety and access

Part 9: Water Meters (cont'd)

- Clarifies responsibility of property owners/occupants to ensure:
 - water is metered before use
 - water meter is not damaged
 - water meters are not removed or relocated without authorization from City
 - water meter bypass, where approved by City for installation, is unopened and sealed



Part 10: Water Charges

- Impacts all building owners and occupants
- Restates City's authority under The City of Winnipeg Charter to add unpaid water charges to property taxes
- Adds a requirement for property owner/customer to provide at least one water meter reading per year

Part 10: Water Charges (cont'd)



- Clarifies when City can estimate water consumption:
 - places onus on customer to prove estimate is unreasonable
- Adds authority for City to bill individual condominium unit owners

Part 11: Penalty Structure for By-law Violations

- Impacts anyone who violates by-law conditions
- Removes default \$50 maximum fine
- Establishes new default and specific fines based on:
 - threat to public health
 - theft of water
 - water by-laws in other Canadian cities
- New default fines mirror City's Sewer By-law:
 - first offence from \$1,000 to \$50,000
 - second offence from \$5,000 to \$100,000
 - third offence from \$10,000 to \$250,000

Examples of Default Fines for By-law Violations (First Offence)

| Violation | Minimum Fine | Maximum Fine |
|---|--------------|--------------|
| Failing to test backflow preventer | \$1,000 | \$50,000 |
| Failing to maintain backflow preventer in proper operating condition | \$1,000 | \$50,000 |
| Unauthorized use of fire hydrant | \$1,000 | \$50,000 |
| Failing to ensure that water supplied to property is properly metered | \$1,000 | \$50,000 |
| Installing or allowing branch line on upstream side of water meter | \$1,000 | \$50,000 |

Part 11: Penalty Structure for By-law Violations (cont'd)

- Establishes fine amounts for specific by-law violations:
 - range from \$250 to \$500
 - includes option to pay discounted fine amount for early payment within 15 days

- Specific by-law violations are listed in Schedule A

Examples of Specific Fines for By-law Violations (Schedule A)

| Violation | Minimum Fine | Early Payment |
|--|--------------|---------------|
| Operating waterworks system valve without authorization | \$500 | \$250 |
| Backfilling excavation without authorization | \$500 | \$250 |
| Repairing, replacing, relocating, removing water meter without authorization | \$500 | \$250 |
| Failure to notify of broken valve seal on water meter or water meter bypass | \$500 | \$250 |
| Failing to provide at least one accurate water meter reading per year or allowing City to read water meter | \$250 | \$125 |

Public Engagement Process

- Mailed over 500 notices to stakeholders
- Emailed 3,100 subscribers
- Dedicated website – wwdengage.winnipeg.ca
- News release
- Ad in Winnipeg Free Press
- Two public meetings – November 26 & 27
- Additional stakeholder meetings

Next Steps

| Task | Proposed Dates |
|------------------------------------|----------------------|
| Deadline for Comments | January 16, 2015 |
| Public Participation Report | February 2015 |
| Revisions to Draft Water By-law | January - April 2015 |
| Report to City Council | June 2015 |
| New Water By-law comes into effect | January 1, 2016 |

We Value Your Comments

- Give us your comments by **Friday, January 16, 2015:**
 - feedback forms
 - website - wwdengage.winnipeg.ca
 - email - wwdfeedback@winnipeg.ca
 - mail - 1199 Pacific Avenue, Winnipeg MB, R3E 3S8
Attention: Water By-law Consultation

Question and Answer Period



wwdengage.winnipeg.ca