



The Corporation of the Town of Tecumseh

Public Works & Engineering Services

To: Mayor and Members of Council

From: Phil Bartnik, Director Public Works & Engineering Services

Date to Council: November 26, 2024

Report Number: PWES-2024-57

Subject: Backflow Prevention By-Law

Recommendations

It is recommended:

That Report PWES-2024-57 Backflow Prevention By-Law **be received**;

And that Backflow Prevention By-Law 2024-099 **be considered** for first, second, third and final readings;

And further that By-Law 2001-68 Backflow Prevention **be repealed**.

Background

Backflow incidents have caused contamination of drinking water distribution systems around the world and have not only resulted in a loss of confidence by the public as to the safety of the water that comes from their taps, but also numerous health-related issues. Justice O'Connor also considered their impacts during the Walkerton Inquiry. On pages 236 and 237 of Part Two - Report of the Walkerton Inquiry, he noted that:

"In addition, as part of their comprehensive distribution program, water providers should have active programs, working together with building inspectors and public health agencies, to detect and deter cross-contamination," and

"Distribution systems should have regularly tested backflow prevention valves that can prevent or at least isolate incursions."

Backflow into a public water system can pollute or contaminate the water in that system. The hazard created by backflow is generally identified in three groups: severe or high, moderate and minor. A severe hazard is likely to result in serious injury or death while a minor hazard may simply affect the colour, odour and/or taste of the water with little or no health effects. Each water purveyor has a responsibility to provide water that is usable and safe to drink under all foreseeable circumstances and must take reasonable precautions to protect its public water system against backflow.

Comments

The current Backflow Prevention By-Law 2001-68 requires updating due to changing regulations and policies. The updated By-Law provides references to updated regulations, stricter rules for prevention, and increased clarity. The updated By-Law targets the elimination of the backflow of contaminated water from private water distribution systems into the Town's water supply system and seeks to regulate cross-connections in the Town's water supply system.

Key Principles of By-Law 2024-099

The updated By-Law requires the following:

- Owners shall not connect, or allow to remain connected, anything that could allow backflow into the Town's water supply system, except in full compliance with this By-Law;
- Building permits are required for backflow preventer installation, modification or replacement;
- Only authorized parties as set out in the By-Law, shall be considered qualified to install, modify, inspect, test, etc., backflow prevention devices;
- Owners shall follow the rules set out in the By-Law for backflow preventer selection, installation, labelling, signage, testing, and maintenance;
- Owners must ensure that a backflow prevention device is installed for premise isolation or zone protection in every building/structure;
- Owners shall conduct a cross-connection control survey at their own cost and submit it to the Town, and;
- Owners shall repeat the cross-connection survey every 3 years, or at points in time when specific changes occur within the building.

Enforcement of By-Law 2024-099

The Town's authorities under the updated By-Law include:

- Issuing a corrective action order;
- Discontinuing the supply of water if the order is not complied with or if actual or potential contamination is suspected;
- Entering any property to inspect compliance with this By-Law and/or any orders issued;
- Imposing financial fines for the contravention of the provisions of the By-Law, and;
- Collecting unpaid fines through property tax avenues if necessary.

Key Changes in By-Law 2024-099

The following updates are included in By-Law 2024-099 as compared to By-Law 2001-68:

- Updated references to regulations;
- Updated authorized parties who are qualified to complete specific activities as they relate to the By-Law (Appendix A of the By-Law);
- The provision of a Town specific form for the cross-connection survey report (Appendix B of the By-Law);
- The provision of a Town specific form for the test report (Appendix C of the By-Law);
- The provision of a backflow prevention guide to the degree of hazard (Appendix D of the By-Law);
- Improved clarity on Town authority to enter private property for the purpose of inspection of compliance with the By-Law;
- Clarity on penalty protocol including updating the penalties for contravention of the By-Law to match the Sewer Use By-Law, and;
- Clear instructions that a building permit is required to install, modify or replace any backflow preventer.

Given the significant proposed revisions to the current by-law, it is recommended that By-Law 2001-68 be repealed and replaced with By-Law 2024-099 containing the proposed changes described herein.

Consultations

Legislative Services & Clerk
SSL Project Services

Financial Implications

There are no financial implications associated with this report.

Link to Strategic Priorities

Applicable	2023-2026 Strategic Priorities
<input type="checkbox"/>	Sustainable Growth: Achieve prosperity and a livable community through sustainable growth.
<input checked="" type="checkbox"/>	Community Health and Inclusion: Integrate community health and inclusion into our places and spaces and everything we do.
<input type="checkbox"/>	Service Experience: Enhance the experience of Team Tecumseh and our citizens through responsive and respectful service.

Communications

Not applicable

Website

Social Media

News Release

Local Newspaper

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Phil Bartnik, P.Eng.
Director Public Works & Engineering Services

Reviewed by:

Robert Auger, LL.B.
Director Legislative Services & Clerk

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
None	None