

**THE WINDSOR UTILITIES COMMISSION
BY-LAW NUMBER 96**

A BY-LAW TO PROVIDE FOR THE CONSTRUCTION,
MAINTENANCE, MANAGEMENT, AND CONTROL OF THE
WATER WORKS IN THE CITY OF WINDSOR

Passed the **29th day of November 2023**

WHEREAS by the *City of Windsor Act 1936*, WUC was vested with the powers, rights, authorities, privileges and immunities of a municipal utilities commission under the *Public Utilities Act* and the works under its control were declared to be public utilities within the meaning of that Act;

AND WHEREAS pursuant to Section 195 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, a public utility commission established or deemed to have been established under the *Public Utilities Act*, which existed on December 31, 2002, is deemed to be a municipal service board established under the *Municipal Act, 2001*, and continues with the same name, composition and service area and has the same powers and the same control and management of the same services as it had on that day;

AND WHEREAS WUC controls, manages, and maintains the water works distribution system in the City of Windsor and WUC deems it expedient to enact this By-law to provide for the construction, maintenance, management, and control of the Waterworks in the City of Windsor;

THEREFORE WUC enacts as follows:

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A. DEFINITIONS:

In this By-law:

“**AMI**” means advanced metering infrastructure;

“**AMR**” means automated meter reading device;

“**Approved Authority**” means Persons approved by WUC to inspect and/or work on the Waterworks in the City of Windsor;

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

“**Auxiliary Water Supply**” means when applied to Premises, any water supply on or available to the Premises other than the primary Potable Water supply for the Premises;

“Building” includes any improvement and/or structure on a Premises supplied with water by WUC;

“Building Code Act” means the *Building Code Act*, 1992, S.O. 1992, c.23 and the Regulations enacted thereunder, as amended from time to time, or any Act and Regulation enacted in substitution therefore;

“Business Day” means any day that is not a Saturday, Sunday or legal holiday recognized by WUC;

“By-law” means this by-law as may be amended from time to time;

“City” means The Corporation of the City of Windsor;

“Construction Water” means water supplied to a Premises during construction prior to occupancy;

“Contractor” means a person, firm, or corporation who contracts to undertake the execution of work commissioned by an Owner or the City to install or maintain watermains, services, hydrants, and other appurtenances;

“Cross Connection Control Device” means a device that prevents the potential cross connection of non-potable materials to interact with the Potable Water system;

“CSA” means Canadian Standards Association;

“Customer” means any Person who has an account with WUC to receive water or water related services from WUC;

“DCVA” means double check valve assembly;

“DWQMS” means Drinking Water Quality Management Standards;

“ENWIN” means ENWIN Utilities Ltd;

“ICI Premises” means an industrial, commercial, and/or institutional Premises;

“Losses” means any and all actions or causes of action, claims, demands, liabilities, losses, damages, obligations, payments, fines and penalties, costs or expenses of whatever kind or nature, including accrued interest thereon, and the costs and expenses of any and all actions, suits, proceedings, assessments, judgments, settlements and compromises relating thereto and including all expenses of litigation, negotiation, mediation, arbitration, or court costs and legal fees on a full indemnity basis in connection therewith;

“Meter” means the water meter supplied and owned by WUC to measure the quantity

of water used by the Customer;

“Meter Pit” means any exterior pit, vault, or chamber approved by WUC for the purpose of housing a Meter;

“Ministry” means Ministry of the Environment, Conservation, and Parks for the Province of Ontario;

“Municipality” means the City and includes its employees, servants and agents;

“NFPA” means the National Fire Protection Association;

“OBC” means Ontario Building Code;

“Owner” means any Person that is the registered and/or beneficial owner of a Premises;

“OPSS” means Ontario Provincial Standard Specifications, a comprehensive set of standards for use by road, public work owners, contractors, public utilities, and consultants in Ontario;

“Person” means any individual, firm, partnership, trust, corporation, organization, association or other legal entity in respect of whom this By-law applies;

“Potable Water” means water that is fit for human consumption;

“Premises” means any building, tenement, property or lot by or to which water service pipes run;

“Private Fire Service” means a pipe connected to a watermain and installed on private property for the sole purpose of fire suppression;

“Private Service” means the portion of the water service pipe from the property line into the Premises for which the Customer is responsible;

“RP” means reduced pressure backflow preventer;

“Seasonal Water Service” means a water service that is mainly used from spring to fall for irrigation, parks, cemeteries, and other facilities open in the warmer months;

“Service Stub” means the portion of the water service pipe from the watermain to the property line for which WUC is responsible;

“Shut-Off Valve” means the valve on the water service pipe used by WUC to shut off or turn on the water from the Water Distribution System to any Premises;

“Tester” means a WUC approved Person that can test backflow preventers in the City;

“Water Distribution System” means every water pipe, except service pipes, installed on public property or on any land upon which WUC has obtained easements or has access or other rights;

“Water Fixed Charge” means the monthly infrastructure connection charge for water as set in the WUC Rates and Fees Schedule;

“Water Usage Charge” means the monthly charge for water as measured by the Meter as set out in the WUC Rates and Fees Schedule;

“Watermain Replacement Levy Charge” means the monthly charge for system sustainment and renewal as set out in the WUC Rates and Fees Schedule;

“Waterworks” means any works for the collection, production, treatment, storage, supply, transmission and distribution of water by WUC, or any part of any of those works including the water service connection, but does not include plumbing to which the *Building Code Act* or any amendments thereto apply;

“WUC” means The Windsor Utilities Commission; and any agent or contractor retained or approved by WUC to do any work on its behalf;

“WUC Charges Schedule” means WUC’s amounts, rates, fees, charges, fines, and penalties for offences and their corresponding administrative monetary penalties as updated from time to time by way of resolution of the commissioners of WUC, to be made available on the WUC website or other such place as may be determined by WUC from time to time;

“WUC Miscellaneous Charges Schedule” means WUC’s amounts, rates, fees, and charges for miscellaneous water services as updated from time to time by way of resolution of the commissioners of WUC, to be made available on the WUC website or other such place as may be determined by WUC from time to time;

“WUC Rates and Fees Schedule” means WUC’s amounts, rates, fees and charges for its water services as updated from time to time by way of resolution of the commissioners of WUC, to be made available on the WUC website or other such place as may be determined by WUC from time to time;

“WUC’s Schedules” means the WUC Rates and Fees Schedule, WUC Miscellaneous Charges Schedule and/or the WUC Charges Schedule, each as applicable;

“WUC Specifications” means WUC design guidelines and specifications for water pipes and other Waterworks equipment that WUC determines as being in force from time to time for the installation, maintenance and alteration of any part of the Waterworks.

B. USE AND RECEIPT OF WATER

- (1) No Person shall use, cause or permit water supplied to them by WUC to be used other than in or on the Premises at which it is supplied.
- (2) No Person shall sell or resell water supplied to them by WUC without the prior written approval of WUC.
- (3) No Person shall obtain water without paying the applicable charges, fees or rates for that water.
- (4) No Person shall operate a fire hydrant, except for firefighting purposes.
- (5) Subsections (1)-(4) do not apply to:
 - (a) Any member of the City's fire department using water for firefighting purposes.
 - (b) Any Person WUC assigns to work on the Waterworks, acting in the course of their assignment.
- (6) (a) No Contractor, nor any other Person, requiring water for construction purposes shall use a fire hydrant for that purpose.
 - (b) Contractors shall either use bulk fill stations for Construction Water or the other Construction Water method provided in Section J of this By-law.
- (7) (a) No Person shall open or close a Shut-Off Valve or remove, tamper with or in any way interfere with any Shut-Off Valve, Meter, structure, watermain or water service in the Waterworks, and/or private services.
 - (b) Subsection (7) (a) does not apply to any Person WUC assigns to work on the Waterworks, acting in the course of their assignment.
- (8) No Person shall use any water WUC supplies to any Premises for purposes of fire protection or fire prevention for any other purpose.
- (9) WUC's representatives shall be entitled, at all reasonable hours, to enter any Premises for the purposes of examining pipes, connections, Meters, and fixtures which are used in connection with the water service pipe and/or watermain.
- (10) WUC may, in its discretion, discontinue supplying water to any Premises where there is known to be a leak that is not being remedied in the time and manner WUC has directed the Owner or tenant of the Premises to remedy or if WUC feels the drinking water system may be at risk or otherwise pose a safety concern.

- (11) WUC may, in its discretion, discontinue supplying water to any Premises where there is known or reasonably suspected to be tampering with any Meter, bypass, or any other appurtenances on the private service altering the proper registering of water through the Meter until the service and appurtenances have been remedied to WUC standards.
- (12) If WUC determines that a seal on a by-pass valve or a water Meter has been tampered with or broken, WUC may chain and lock the by-pass valve in the closed position or remove the bypass and reseal the water meter, at the sole expense of the Owner. In addition to the foregoing expenses, the Owner shall also be billed all charges, fines, and penalties noted in WUC's Schedules, as well as back billed for lost water in accordance with subsection M (53).
- (13) Any costs associated with repairing or replacing a fire hydrant that has been damaged by wilful act or negligence shall be paid by the Person or Persons liable as mentioned in WUC Schedules.
- (14) Any contravention of this By-law will be subject to charges, fines and/or penalties as noted in WUC's Schedules.

C. APPLICATION FOR WATER SERVICE

- (1) Any Person who requires:
 - (a) water to be supplied to a Premises; or
 - (b) a change to the existing water service to the Premises shall submit an application to the City and pay the City all prescribed fees.
- (2) An application under subsection C (1) shall include such plans and other requirements as WUC and the City may require.
- (3) WUC shall not begin to supply or change a water service until a complete application has been filed, all applicable fees have been paid in full, and all WUC and City requirements have been satisfied.
- (4) A Person who requires water to be supplied to a proposed land development, shall enter into a written agreement with WUC in WUC's standard form.

D. INSTALLATION OF WATER SERVICES

- (1) A water service installation shall only be installed by a WUC approved Contractor engaged by the Owner, at the Owner's sole expense.
- (2) Any water service pipe installed within the public right-of-way shall be constructed according to WUC Specifications.

- (3) Any private service and private fire service water pipes to be installed on private property shall be:
 - (a) constructed in accordance with the OBC;
 - (b) constructed in accordance with good engineering practices; and
 - (c) approved by WUC and the City in writing before construction begins, and after construction is completed.
- (4) Where the OBC does not prescribe a construction or installation standard, WUC Specifications shall be applied.
- (5) If a Person connects Premises to the Waterworks in a manner other than as approved by WUC or the City, WUC may:
 - (a) Require the Owner or Contractor to re-excavate the connection for inspection and testing and, if WUC or the City considers it necessary, may require the Owner to reinstall or repair the connection to be in full compliance with the OBC, WUC Specifications and City requirements, all at the expense of the Owner; and/or
 - (b) Shut off or disconnect the water supply until the Owner is in full compliance with the OBC, WUC Specifications and any City requirements, all at the expense of the Owner.
- (6) No water service shall be connected inside a Premises that is also connected to an Auxiliary Water Supply.
- (7) All water service pipes and related equipment installed on private property shall be inspected either by the City, or, if installed in accordance with a subdivision agreement, by a WUC approved inspector.
- (8) All water service pipes and related equipment installed on public property shall be inspected by a WUC approved inspector, and the inspection charged to the Owner at a price specified in WUC's Schedules.
- (9) No Person shall install or cause the installation of a water service connection that services more than one Premises.
- (10) No Person shall tap a water service into a WUC main without prior written approval from WUC.
- (11) Every Owner shall, at their sole expense, install the water services the Owner requires from the watermain tap up to and including the works on private property according to

current WUC Specifications and all, applicable legal requirements such as the OBC, applicable water quality standards and OPSS.

- (12) The minimum size water service connection shall be no less than described in WUC Specifications.
- (13) All new ICI Premises construction requiring a domestic water service and a fire service to their Premises shall be as described in WUC Specifications.
- (14) Any private fire service pipe which uses chemicals in the system must include a reduced pressure backflow prevention device as determined by WUC and the City and in accordance with Section I of this By-law, the OBC and CSA B64.10 Standards and Specifications.
- (15) No looping of a watermain through private property shall be permitted unless the watermain is owned and maintained by WUC and is in an easement or is otherwise approved by WUC in writing.
- (16)
 - (a) If an existing water service connection is to be replaced by a new one, the existing connection shall be disconnected at the watermain and the Shut-Off Valve removed, at the same time as the new connection is installed.
 - (b) The Owner shall pay all costs associated with the disconnection of the existing water service and the new connection including excavation and restoration.
- (17) Only WUC and its approved Contractors shall tap the watermain and this shall be done with a WUC representative present.
- (18) The Owner is responsible for payment of all costs associated with tapping the watermain, including excavation, restoration and the water tap.
- (19) All water Meters shall be installed per WUC Specifications only. No other locations or arrangements will be acceptable.
- (20) WUC shall replace Service Stubs on public property at its expense when:
 - (a) A Service Stub is found by WUC to be beyond repair;
 - (b) The existing Service Stub is substantially composed of lead, provided that the Owner has requested WUC to replace the Service Stub and has completed replacement of the Private Service and all interior plumbing before WUC replaces the Service Stub. The Owner shall be required to prove the interior plumbing contains no lead piping, joints or solder through a City permit or inspection report.

- (21) If WUC or a representative working on behalf of WUC replaces or repairs any Service Stub or appurtenances on that Service Stub WUC will restore the disturbed area as close as reasonably possible to the original state, but when WUC or the representative working on behalf of WUC leaves the property after the restoration is complete, it is the Owner's responsibility to maintain that area where the repair or replacement was made.

E. DISINFECTION, SAMPLING AND TESTING OF PRIVATE WATER SERVICE PIPES AND PRIVATE FIRE SERVICE PIPES

- (1) No Person shall connect or permit to be connected any Private Service or Private Fire Service until after the Private Service pipes or Private Fire Service pipes have been flushed, disinfected and tested in accordance with this section, using WUC Specifications, DWQMS, and NFPA 24.
- (2) The Owner shall install a backflow prevention device during testing, to WUC's satisfaction, in accordance with WUC Specifications.
- (3) If the disinfection, sampling, and testing of a Private Service or Private Fire Service is to occur in the winter season (November to February) the Owner shall at its cost and expense provide all equipment necessary, including de-icing materials, pumps and appurtenances to complete the work.
- (4) Only an Approved Authority shall conduct water sampling and such Approved Authority shall ensure that the samples they take are transported to a laboratory licensed by the Ministry for the provision of drinking water testing services.
- (5) Subject to subsection (3), WUC shall pay for the initial disinfection, sampling and testing of a Private Service or Private Fire Service.
- (6) If the initial disinfection, fails the testing, additional disinfection will be required, at the Owner's cost, in accordance with WUC's Schedules.
- (7) Any leakage tests conducted for watermain piping shall be in accordance with OPSS.

F. MAINTENANCE OF PRIVATE WATER SERVICES, PRIVATE FIRE SERVICES

- (1) WUC shall maintain the Service Stub at its expense.
- (2) No Owner shall fail to keep any portion of the Private Service and/or Private Fire Service on their Premises in good working order and repair at all times.
- (3) Every Owner shall ensure that all fire hydrants located on their Premises or on public property adjacent to their Premises are clearly visible and unobstructed at all times in accordance with the *Ontario Fire Code Regulation 388/97*.

- (4) No Owner or occupier shall permit any obstruction or encroachment, including snow, in front of or within one meter of any side of a fire hydrant located on their Premises or on public property adjacent to their Premises.
- (5) If an Owner fails to provide the proper clearances on or around the fire hydrant as required by subsection (4) within twenty-four (24) hours of being notified by WUC, WUC approved Contractors may remove any and all obstructions or encroachments and the Owner shall pay WUC all costs associated with the removal per WUC's Schedules.
- (6) No Owner shall fail to repair any leak, defect or malfunction in, of or on the Private Service and/or Private Fire Service on their Premises, including Meter Pits, valves, fittings or corroded piping.
- (7) If the Owner fails or refuses to make any repair required by subsections (2) or (6) the City and/or WUC may issue the Owner an order to comply with direction from WUC to do the necessary work, and the Owner shall have seven (7) days to comply.
- (8) If the Owner fails to comply with an order under subsection (7) in a timely manner, WUC may disconnect the Premises from the watermain by shutting off the Shut-Off Valve at the property line until all repairs have been completed at the expense of the Owner to the satisfaction of WUC.
- (9) Every Owner of Premises shall ensure that all Private Service and Private Fire Service pipes on those Premises are fully protected from freezing.
- (10) An Owner is responsible for any damage incurred from freezing of any Private Service or Private Fire Service pipes on their Premises.
- (11) When any Premises are left vacant or without heat the Owner shall protect the water service from freezing by contacting WUC to have the meter removed and the water shut off at the Shut-Off Valve near the property line. The Owner shall pay all costs associated with removing the Meter and turning off the water as noted in WUC's Schedules.
- (12) If an Owner requests WUC to assist in thawing frozen pipes on their Premises, all work done shall be at the Owner's sole risk and expense and the Owner waives any claim whatsoever that the Owner might have against WUC in any way connected to such work.

G. MAINTENANCE OF PRIVATE FIRE HYDRANTS

- (1) No Person shall connect, cause to be connected, or allow to remain connected, any piping, fixture, fitting, container or appliance to a privately owned fire hydrant which,

- under any circumstances, may allow water, wastewater or any liquid or substance to enter the Waterworks.
- (2) No Person shall in any way interfere with any part of a privately owned fire hydrant.
 - (3) No Person shall draw water from a privately owned fire hydrant except for firefighting purposes or otherwise, as WUC may permit in writing.
 - (4) Prior to any Person acting under the authority of subsection (3), the Person shall have successfully completed training to the satisfaction of WUC in the proper operation and maintenance of a fire hydrant including, but not necessarily limited to, the equipment and control valves necessary to operate the fire hydrant in compliance with any WUC requirements.
 - (5) All privately owned fire hydrants within the WUC service area shall meet or exceed published WUC Specifications.
 - (6) No Person shall obstruct the free access to any privately owned fire hydrant by placing building materials, earth, snow, rubbish or any other obstructive matter around the hydrant so as cause it to be obstructed.
 - (7) No Person shall cause or permit a privately owned fire hydrant to be concealed from view by any type of building, shrubbery or other object.
 - (8) If the private fire hydrant is such that it will be susceptible to damage by vehicular traffic, bollards are to be installed, at the Owner's cost, in sufficient number to protect the hydrant. Bollards to be installed per City specifications.
 - (9) Every Owner shall ensure that all its privately owned fire hydrants are installed and maintained according to each of the following as applicable:
 - (a) The Ontario Fire Code,
 - (b) The Building Code Act;
 - (c) NFPA 24 – Installation of Private Fire Service Mains and their Appurtenances,
 - (d) WUC Specifications, and
 - (e) City specifications.
 - (10) WUC owns and shall maintain any fire hydrant situated within the public right of way.

- (11) All non-WUC owned private fire hydrants shall be maintained annually by a WUC approved Contractor engaged by and at the sole expense of the Owner of the Premises on which the hydrant is located.
- (12) Every Owner of a privately owned fire hydrant shall exercise due regard to its installation, location, orientation and proximity to site structures, and shall obtain the Chief Fire Officials prior approval. Any privately owned fire hydrant which, in the Chief Fire Officials opinion, was not installed as per their prior approval shall be corrected within thirty (30) days of the Chief Fire Official so informing the Owner, at the sole responsibility and cost of the Owner.
- (13) Every Owner of a privately owned fire hydrant shall retain a qualified inspector to prepare and submit to WUC, annually, an inspection report for each such fire hydrant, using an approved form available from WUC. WUC will present this report to the Chief Fire Official for review.
- (14) The Chief Fire Official may issue a notice requiring the fire hydrant Owner (i) to carry out any recommendations in the inspection report and (ii) to complete any other requirements they consider necessary for full compliance with this By-law. All items in this notice shall be corrected within thirty (30) days of receipt of the notice at the sole expense of the Owner.
- (15) The Owner of a privately owned fire hydrant to be commissioned shall arrange for inspection, testing and approval by WUC prior to commissioning.
- (16) Every Owner of a fire hydrant shall maintain all written records of tests and corrective measures for such hydrants for at least two (2) years and shall make these records available for WUC's inspection without charge during normal business hours.
- (17) Every Owner of a fire hydrant shall submit its annual inspection reports via email, courier or physical delivery to:

The Windsor Utilities Commission
 4545 Rhodes Drive
 P.O. Box 1625, Stn 'A'
 Windsor, ON N9A5T7
 Email: info@enwin.com

H. PRIVATE WATER SERVICE ABANDONMENTS

- (1) If a Building is demolished or substantially demolished, the water service connection in respect of the Premises on which the Building is located shall be abandoned. The abandonment work shall be per WUC Specifications.

- (2) The Owner shall pay all costs associated with the abandonment including, but not necessarily limited to, excavation, restoration and the disconnection of the water service.
- (3) The Owner shall fill out a demolition application and a request for information application at the City. The City will send the applications to WUC to confirm the discontinuation of water services for a Premises prior to demolition.
- (4) The Owner shall contact WUC to schedule the removal of the water Meter from the Premises prior to demolition.
- (5) No Person shall demolish a Building, or permit a Building to be demolished until the final water meter reading has been obtained and WUC has recovered the Meter and associated equipment.
- (6) If the Owner, or Contractor working under the direction of the Owner demolishes the Building and prevents WUC from receiving the Meter and associated equipment in accordance with subsection (5), the Owner shall pay WUC an amount equal to the cost of a new water Meter and associated equipment of the same type and size as WUC was unable to recover.
- (7) In addition to the amounts payable under subsection (6), the Owner shall pay for the amount of water consumption, from the last Meter reading to the date of disconnection of the water service connection from the Waterworks, as estimated by WUC.
- (8) Despite subsections (5), (6) and (7), unless WUC otherwise instructs the Owner in writing, the Owner shall be exempt from returning the Meter and associated equipment if the demolition is done because the building had a fire, making it unsafe to retrieve the Meter and associated equipment.
- (9) The Owner or Contractor working under the direction of the Owner shall obtain a water service abandonment permit from the WUC office, and shall deposit the amounts to be paid, as stipulated on WUC's Schedules.
- (10) The water service shall only be abandoned in the presence of a WUC representative. After WUC has approved the abandonment, the Owner or Contractors deposit will be refunded by mail.
- (11) No work on the abandonment shall be done until the abandonment permit and demolition permit and all applicable fees have been paid.

I. CROSS CONNECTION AND BACKFLOW PREVENTION

- (1) No Person shall connect, cause to be connected, or allow to remain connected to the Waterworks, directly or indirectly, any piping, fixture, fitting, container, or other device

which may allow water, waste, or any other deleterious substance to enter the Waterworks.

- (2) This Section I shall not apply to firefighters carrying out fire protection services under the *Fire Protection and Prevention Act*.
- (3) If WUC or an Approved Authority believes that there is a risk of contamination of the Waterworks, a person who WUC or the Approved Authority notifies of this risk shall install and use a Cross Connection Control Device approved by WUC or the Approved Authority.
- (4) The Owner shall install, maintain and test the Cross Connection Control Device on its Premises in accordance with CSA Standard B64.10-07/B64.10.1-07, the Building Code Act, this By-law, and the terms and conditions of any water permit issued for the device.
- (5)
 - (a) The Person having the installation duty under subsection (3) shall pay for the cost of inspection and testing of the Cross Connection Control Device upon installation, and thereafter annually, or more often if required by WUC or Approved Authority.
 - (b) The Tester shall submit a report to WUC on WUC's approved form, for every test performed on a Cross Connection Control Device, within seven (7) days of the test, and shall place a record card to be prominently and continuously displayed on or adjacent to the Cross Connection Control Device on which the Tester shall have recorded the information WUC requires.
- (6) When a test indicates that a Cross Connection Control Device is not in good working condition, the Person responsible for the device under subsection (3) shall repair or replace it within three (3) days, and within three (3) days thereafter, deliver to WUC a Tester's report, as described in subsection (5)(b), demonstrating that the Cross Connection Control Device then in place is in good working condition.
- (7) WUC or the Approved Authority shall be allowed access onto and into any Premises connected to the Waterworks to perform an inspection under this Section I:
 - (a) without prior notice if WUC has determined that a Waterworks emergency exists or may reasonably arise, for which immediate access to the Premises is necessary; and
 - (b) in all other circumstances, upon at least forty-eight (48) hours' notice from WUC and/or the Approved Authority.
- (8) If any of the following events occur on any Premises:
 - (a) The Person to whom WUC or an Approved Authority has issued an order has failed to comply with that order in a timely manner;

- (b) The Person failed to provide access to WUC or the Approved Authority when required;
- (c) The Person failed to install a Cross Connection Control Device as required under this By-law; and/or
- (d) The Person failed to have a Cross Connection Control Device tested or a Tester's report delivered as and when required under this By-law,

WUC and/or an Approved Authority, may, in its discretion:

- (a) Shut off the water without further notice if WUC has determined that an emergency exists or may reasonably arise with respect to the Premises and/or the Waterworks; or
 - (b) In all other circumstances, deliver a final notice to the Person to correct or comply with a prior order or notice within a specified time and, if the final notice is not complied with, shut off the water without any further notice.
- (9) (a) Subject to subsection 9(b) or unless otherwise approved by WUC in writing, no Person shall remove or modify, or cause or permit the removal, or modification of, a Cross Control Connection Device after it has been installed.
- (b) Subsection (9)(a) shall not apply to removal or modification if the Person has delivered to WUC, at least two (2) clear days earlier, a written notice with, (i) particulars of the device location, (ii) a copy of the most recent Tester's report on the device, and (iii) the removal or modification is thereafter carried out to repair or replace the device quickly, or replace it with another device that meets or exceeds the provisions of this By-law and the Building Code Act.
- (10) Unauthorized removal or modifications to a Cross Control Connection Device after it has been installed are subject to a fine per WUC's Schedules.
- (11) WUC may issue such orders to any Person as WUC may deem necessary to obtain compliance with this By-law.
- (12) WUC may from time to time prescribe forms to be used by Persons in connection with or related to this By-law.
- (13) Any order or notice given under this By-law shall be deemed to have been received by the Person to whom it is addressed on the earliest of:
- (a) personal delivery;
 - (b) in respect of any Owner or occupant of a Premises, twenty-four (24) hours after posting conspicuously on the Premises; or

(c) The third (3rd) Business Day, after mailing it by prepaid registered mail to the last known address in WUC's records.

- (14) All ICI Premises shall have a backflow preventer installed on their Private Service and Private Fire Service per OBC, CSA Standards, WUC Specifications, and this By-law. Failure to comply with this subsection (14) may result in a fine per WUC's Schedules.
- (15) All new construction on ICI Premises shall install a premise backflow preventer located where the Private Service enters the Building.
- (16) All new watermains, Private Service pipes or Private Fire Service pipes as described in WUC Specifications are required to have a backflow preventer installed prior to disinfection, sampling and testing according to Section E of this By-law, WUC Specifications and AWWA specifications.
- (17) All existing ICI Premises that require the installation of a backflow preventer under this By-law may install a DCVA type backflow preventer provided that its hazard level remains minor or moderate as specified in CSA B61.10-01. If the hazard level is severe, an RP type backflow preventer shall be installed.
- (18) In all new construction of ICI Premises an RP type backflow preventer shall be installed as Premise protection.
- (19) Zone protection shall be installed as per OBC and CSA specifications.

J. CONSTRUCTION WATER AND TEMPORARY WATER SERVICE

- (1) The Customer, which may be the Owner, a Contractor or other Person who sets up a water account in accordance with this subsection (1), shall pay the cost of water used during construction of any Premises by requesting the installation of a water Meter in accordance with subsection (2) and contacting ENWIN to set up a water account after all testing of the water service has been completed.
- (2) For all Premises the Owner / Contractor shall request the installation of the Construction Water Meter after all testing for the water service has been completed.
- (3) The water Meter and Meter Pit is to be installed and maintained per Section F and Section M of this By-law and WUC Specifications.
- (4) All Construction Water shall be protected from cross connection at all times by measures approved by WUC.
- (5) If the Owner or Contractor requires a temporary water service they may apply for a temporary water service in the same manner as specified in Section C of this By-law.

- (6) A temporary water service under subsection (5) shall have a Meter and backflow preventer installed before the water will be turned on as described in WUC Specifications.
- (7) The Owner shall protect the temporary water service, water Meter and all other water appurtenances from freezing.
- (8) After the Owner or Contractor has finished using the temporary water service it shall be abandoned at the watermain in accordance with Section H.
- (9) The maximum diameter of a temporary water service shall be as mentioned in the WUC Specifications unless WUC has previously approved a larger diameter in writing.

K. FLOW TESTING PUBLIC FIRE HYDRANTS

- (1) No Person other than WUC approved Contractor shall perform a hydrant flow test on any public hydrant.
- (2) Anyone performing a hydrant flow test on a public hydrant for the purposes of fire flow analysis shall first obtain a flow test permit from WUC and pay the fee as set on WUC's Schedules.
- (3) A fire hydrant flow test permit holder shall conduct the test under the supervision of a WUC representative.
- (4) A WUC approved Contractor shall make an appointment with WUC and attend the property at the time of the appointment.

L. FIRE HYDRANT RELOCATION

- (1) A Person may apply for a permit at the City and submit drawings to WUC for the relocation of a fire hydrant.
- (2) If WUC approves the hydrant relocation in accordance with WUC Specifications, the applicant shall pay all applicable permit fees and all costs associated with the relocation of the fire hydrant at the City.
- (3) A WUC approved Contractor under the direction of the applicant shall relocate the fire hydrant under the direction of WUC.
- (4) No relocation work shall commence until the permit has been obtained, all applicable fees have been paid and a WUC representative is on site to inspect the relocation.

M. METERING, RATES, AND CHARGES FOR WATER

- (1) Other than for firefighting purposes, only a Person, authorized by WUC in writing shall use or permit the use of water that has not been registered by a Meter.
- (2) Every Owner of Premises supplied with water by WUC shall have a water Meter installed and in use at that Owner's Premises.
- (3) Every Owner shall, at reasonable times and on reasonable notice, provide WUC with unobstructed access to that Person's Premises to permit WUC to install, remove or perform work of any kind on a water Meter and/or Meter Pit.
- (4) No Person, shall alter or tamper, or permit someone else to alter or tamper, with any water Meter or otherwise interfere with the proper registration of the quantity of water that should pass through a water Meter.
- (5) No Person shall connect or permit to be connected any pipe or thing to a Private Service pipe upstream of a water Meter.
- (6) WUC shall supply water Meters for all Premises to which a water service connection is provided.
- (7) For all Premises, WUC shall supply connection fittings for water Meters up to and including 25mm (1 inch) in diameter and install the water Meter.
- (8) For all Premises requiring meters larger than 25mm (1 inch) in diameter, the Owner and/or Contractor shall supply and install the connection fittings, water Meter flanges, Meter Pits, and conduit for the Meter installation, all at the sole expense of the Owner.
- (9) All water Meters larger than 25mm (1 inch) in diameter are to be installed by the Contractor, at the sole expense of the Owner.
- (10) The City building department per the OBC shall determine the Meter size for any Premises, subject to WUC's right to modify the meter sizes to align with the range of flow to the Premises.
- (11) The installation, alteration, and or location of any water Meter shall be approved in writing by WUC and the City and shall meet all OBC standards, WUC Specifications, and this By-law.
- (12) The water service valve inside the Building shall be per WUC Specifications.
- (13) Water Meters shall be installed horizontally, with Meter register facing upwards per WUC Specifications.
- (14) Any Person who uses water in contravention of Subsection B (2), shall pay WUC the applicable fees and charges of all water so used, as well as any fines and penalties per WUC's Schedules.

- (15) The Owner shall ensure that the location of the Meter is accessible without the use of a ladder or climbing over or removing any obstacle or behind a perimeter security facility.
- (16) When requested by WUC, an Owner shall remove any insulating or other material limiting or obstructing access to the water Meter. Whether or not WUC makes a request pursuant to this subsection (16), the Owner of a Premises is solely responsible for any water damage to the Premises or otherwise if the Meter area is not free and clear of all obstructions.
- (17) If the Owner wishes to replace any of the material removed under subsection (16), the Owner shall do this in accordance with WUC Specifications for water Meters and all applicable laws, at the Owner's sole expense.
- (18) If WUC determines that a seal on a by-pass valve or a water Meter has been tampered with or broken, WUC may chain and lock the by-pass valve in the closed position or remove the bypass and reseal the water Meter, at the sole expense of the Owner. The Owner shall be billed all charges, fines, and penalties as well as back billed for lost water as noted in WUC's Schedules.
- (19) If WUC determines that the condition of a Private Service pipe or Private Fire Service pipe or valves on piping adjacent to the water Meter prevents the water Meter from being properly or safely tested, calibrated or repaired in place or removed for these purposes, the Owner and Customer for the Premises shall, at their joint and several expense, repair or, if necessary, replace the equipment, to enable WUC to test, calibrate, repair or remove the water Meter.
- (20) WUC will replace any Meter that requires replacing as determined by WUC.
- (21) The Customer shall pay the cost of replacing any Meter lost, stolen or damaged (including by freezing) in the amount specified on WUC's Schedules.
- (22) The Owner and/or Customer shall notify WUC immediately of any damage, breakage, stoppage, irregularity, or loss of a water Meter.
- (23) The cost of downsizing or upsizing a Meter shall be the sole responsibility of the Customer, who shall pay the amounts specified in the WUC's Schedules for disconnection and reconnection. The Meter size shall be determined in accordance with subsection (10).
- (24) Subject to subsection (25), no Person shall install or permit to be installed or maintained in a Premises a by-pass around a Meter or backflow preventer.
- (25) Water by-pass around a Meter is only allowed on a water service approved by WUC in writing.

- (26) The Owner and/or Customer of any Premises with an existing by-pass around the Meter (other than a by-pass approved by WUC in writing in accordance with subsection (25)) shall immediately notify WUC to arrange for the by-pass to be sealed at the by-pass valve by WUC.
- (27) All fittings, Meter Pits, flanges, valves, and any other appurtenances needed to connect the Meter shall be installed by a Contractor per OBC and WUC Specifications and pass inspection prior to having the Meter installed.
- (28) WUC will not install, inspect or read private meters, or bill consumption based on private meters. All private meters must be connected downstream of WUC Meters.
- (29) At any Premises where a Meter is to be installed, the Owner shall provide space for the Meter without any obstructions, in a location approved by WUC.
- (30) A Meter, conduit and wire for the AMR/AMI unit and the AMR/AMI unit shall be installed prior to occupancy of any Premises.
- (31) All new construction shall have the Meter installed per WUC Specifications unless otherwise approved by WUC in writing.
- (32) No Person shall obstruct and no Owner shall permit the obstruction of a Meter Pit. The Meter Pit shall not be located behind a locked barrier, gate, or fencing.
- (33) No Person shall place and no Owner shall permit to be placed shrubs, trees or other landscaping within one metre of the Meter Pit.
- (34) Every Owner shall be responsible for maintaining, repairing and replacing any water Meter Pit containing a water Meter for the Owner's property and for keeping it in a safe condition.
- (35) Every Owner of a Premises with a Meter Pit or Seasonal Water Service Meter Pit shall remove or cause to be removed from the Meter Pit, and shall dispose of, all materials which are non-essential to the proper functioning of the Meter.
- (36) The removal and disposal of the materials required by subsection (35) shall be in compliance with all applicable laws pertaining to disposal of those materials.
- (37) At WUC's request, and upon reasonable notice, every Owner shall provide WUC with access to any Meter Pit or Seasonal Water Service Meter Pit.
- (38) Every Customer or Owner in the City who receives water shall pay water charges comprised of a Water Fixed Charge, a Water Usage Charge and Watermain Replacement Levy Charge as defined in this By-law and as set out in WUC's

Schedules. In addition to the charges outlined in this By-law, additional charges and fees included on WUC's Schedules may apply.

- (39) The Meters may be read manually or remotely.
- (40) When water rates change during a billing period, the Water Fixed Charge and Water Usage Charge shall be prorated for that billing period in accordance with the standard procedures of ENWIN, WUC's billing agent.
- (41) When an account is not paid by the due date stated on the bill, a late payment charge, as prescribed in WUC's Schedules, will be added to the account.
- (42) If the account plus any late payment charge remains unpaid for more than thirty (30) days, a notice of disconnection may be sent to the Customer, warning that unless payment is received within five (5) days, the water service may be disconnected.
- (43) If the Customer does not pay, when due, any WUC bill issued, WUC may, at its discretion, shut off or reduce the flow of water to the Premises. WUC shall use commercially reasonable efforts to provide prior notice of the proposed shut off or reduction to the Customer by personal service, registered mail, email, texting, telephone messaging, and/or by posting the notice on the Premises in a conspicuous place. Unpaid WUC bills have priority lien status, and may be collected in accordance with the *Municipal Act, 2001*.
- (44) If the Customer and/or occupant of any Premises refuses to allow WUC or WUC agents entry to the Premises to do any work on the Meter or the AMR/AMI unit, WUC may, at its discretion, shut off or reduce the flow of water to the Premises. WUC shall use commercially reasonable efforts to provide prior notice of the proposed shut off or reduction to the Customer by any one or more of the methods set out in subsection (43).
- (45) When the Owner requests a temporary removal of the Meter, the Meter disconnection fee in WUC's Schedules shall apply.
- (46) With a change of occupancy, the administrative charge prescribed in WUC's Schedules shall apply, and will be included on the first billing to the new Customer.
- (47) When a Customer requests that WUC test a Meter outside of WUC's normal repair, maintenance, and testing program, WUC shall, at the sole expense of the Customer, test the Meter and charge the Customer account at the rates set out in the WUC's Schedules. Subject to subsection (51), if the test shows the Meters accuracy is found to be outside of AWWA standards, WUC shall refund or waive its charges for the test.
- (48) Subject to subsection (49) to (51), if WUC's testing finds that a Meter over-registers the combined weighted average flow rate in accordance with AWWA standards for accuracy, WUC shall credit the Customer's account with the difference between the

- amount billed and the amount that should have been billed had the Meter been recording accurately.
- (49) Subject to subsection (50), the credit adjustment under subsection (48) shall cover a maximum of twenty-four (24) months, but if the Owner and/or Customer can verify that WUC was notified in writing more than twenty-four (24) months before WUC did the testing of concerns about Meter accuracy, the Customer may in WUC's reasonable discretion be entitled to a credit adjustment extended beyond twenty-four (24) months by that number of months up to an aggregate adjustment under subsection (54) of not more than forty-eight (48) months in such case.
 - (50) Notwithstanding subsections (48) and (49) and subject to subsection (51), if the Meter has been installed, replaced or tested and calibrated within the twenty-four (24) month period prior to the Meter test, then instead of the adjustment set out in subsection (48) and (49), WUC shall credit the Customer account with the difference as set out in subsection (48) from the date the water Meter was installed, replaced or tested and calibrated.
 - (51) Notwithstanding subsections (47) to (50), if the accuracy test indicates over-registration by no more than 1.5% then no credit or adjustment shall be applied to the Customer's account and the Customer shall not receive a refund for the cost of the test.
 - (52) The weighted average used to determine the accuracy of a Meter shall be determined solely by WUC in accordance with AWWA standards for accuracy.
 - (53) If WUC determines that the seal on the Meter has been tampered with or broken or if the Meter has not functioned correctly, the Owner shall be billed all charges, fines, and penalties as well as back billed for lost water as noted in WUC's Schedules.
 - (54) If WUC makes a retroactive billing increase adjustment as a result of a Customer having been under-billed through no fault, negligence or intentional act of the Owner, the Customer, any occupant of the Premises and/or any Person who any of the foregoing are legally responsible, the adjustment shall be for a maximum of twenty-four (24) months prior using the following methods:
 - (a) Use Customer's average consumption billed over a similar period of time, if available, or over one or more past billing periods;
 - (b) Use Customer's average consumption billed over one or more future billing periods; or
 - (c) If subsection (a) or (b) is unavailable, apply the average consumption of Customers from a similar Customer group as determined by WUC.
 - (55) If a retroactive billing increase adjustment is caused directly or indirectly by fault, negligence or intentional act of the Owner, the Customer, any occupant of the Premises

- and/or any Person who any of the foregoing are legally responsible including, but not necessarily limited, by way of unauthorized connection to the Waterworks and/or interference with or damaging of the Meter equipment, the maximum billing increase adjustment shall be the length of time the Meter has been installed or four (4) years (whichever is greater). In addition to the foregoing, the Customer is liable for any applicable fees, charges, fines, and/or penalties as mentioned in WUC's Schedules.
- (56) In the ordinary course, WUC may bill the Customer in accordance with WUC's estimate of the Customer's water consumption, typically for no more than three (3) consecutive billing periods. If the Customer has not provided a reasonable opportunity for Meter reading for more than three (3) consecutive billing periods, WUC may shut off or reduce the flow of water to the Premises by a date specified by WUC unless the Customer makes appropriate arrangements for WUC to obtain a reading prior to that date. In such case, WUC will use commercially reasonable efforts to give the Customer prior notice in accordance with any one or more of the methods set out in subsection (43) of the specified date. When the Meter reading has been obtained, the previous estimated billing shall be adjusted accordingly.
- (57) No Person shall change or permit the location of a Meter to be changed after the Meter is installed, without WUC's prior written approval.
- (58) An Owner may take out a plumbing permit from the City to change the location of a water Meter on that Owner's property with prior written approval from WUC.
- (59) WUC shall not approve a Meter relocation if:
- (a) The prescribed permit has not been obtained and fees have not been paid; or
 - (b) The proposed relocation is not in accordance with OBC, WUC Specifications, or any other WUC requirements.
- (60) Every Owner shall permit WUC to inspect a Private Service or Private Fire Service relocation before backfilling and installing the Meter.
- (61) If an Owner has backfilled over the Private Service pipe or Private Fire Service pipe prior to the WUC inspection, the Owner shall, at the Owner's expense, remove all materials, uncover the pipe, and permit inspection prior to the installation of the Meter.
- (62) All relocation work and material shall conform to WUC Specifications and the OBC.
- (63) If an Owner fails to relocate a Meter or Private Service or Private Fire Service pipe in accordance with subsection (62), WUC may order the Owner to remove any defective equipment and install new equipment at the Owner's expense. Unless the Owner complies with this order in a timely manner WUC may turn off or reduce the flow of the water supply until such repairs are made as ordered and the Owner shall pay any and all WUC fees per WUC's Schedules. In such case, WUC will use commercially

reasonable efforts to give the Customer prior notice in accordance with any one or more of the methods set out in subsection (43).

- (64) No Person other than WUC may install, or permit to be installed, a spacer piece in or on a Premises in place of a Meter.

N. SEASONAL WATER SERVICE CONNECTION

- (1) If an Owner requires a permanent service connection that will be used only for a portion of each year, and the same portion of each year, the Owner may apply for a permit at the City.
- (2) The Owner shall pay all costs associated with the installation of the Seasonal Water Service.
- (3) WUC shall provide all disconnections and re-connections of Seasonal Water Service Meters. The Owner shall pay the disconnection/reconnection fees specified in WUC's Schedules.
- (4) Seasonal Water Service Meters shall be installed in a Meter Pit near the Premises property line in accordance with WUC Specifications unless otherwise approved by WUC in writing.
- (5) The Owner shall be solely responsible for the installation and maintenance of the Seasonal Water Service Meter Pit.
- (6) The Owner shall have a backflow preventer and a backflow preventer enclosure installed for the Seasonal Water Service, in accordance with WUC Specifications. This equipment shall be installed, tested and maintained in accordance with Section I of this By-law.

O. WATER TURN OFF AND TURN ON

- (1) A Customer shall notify WUC at least forty-eight (48) hours before the time they require WUC to shut off or turn on the water supply to a Premises. If the request is less than forty-eight (48) hours the Customer shall pay the fee prescribed in WUC's Schedules, unless the request is due to an emergency situation as determined by WUC.
- (2) If the water supply is to be shut off permanently, the Customer shall also request the removal of the Meter.
- (3) If the water supply is to be shut off temporarily and the Meter is to remain in place the Owner and Customer shall jointly and severally continue to pay the fixed charges for the Meter prescribed in WUC's Schedules unless other arrangements have been made with WUC in writing prior to shutting off the water.

- (4) The Customer shall make an appointment with WUC so that WUC may shut off or turn on the water supply at the Shut-Off Valve.
- (5) The Customer or representative shall attend the property at the time of the appointment to ensure that WUC has access to the Meter and Shut-Off Valve and to ensure no damage occurs when the water is turned on. WUC shall not turn on the water if the Customer or representative is not at the property and will be charged with a missed appointment per WUC's Schedules. WUC is not responsible for any Losses whatsoever that may occur including, but not limited to, leaks or breaks to Private Service or Private Fire Service pipes while turning on or off the water service to the Premises.
- (6) In the case of an emergency, the advance notice requirements in subsection (1) do not apply but the Customer shall provide the notice as soon as possible in the circumstances.
- (7) The Customer shall pay WUC the amount specified in WUC's Schedules for any shut off or turn on of the water supply.
- (8) No Person other than WUC or a WUC representative shall turn on or shut off the water supply to a Premises.
- (9) If WUC has shut off the water supply, no Person other than WUC or a WUC representative shall turn on or permit turning on the water supply.
- (10) WUC may shut off or reduce the supply of water to a Premises without liability whatsoever to any Person if:
 - (a) Payment of any charges, fees, rates, fines, interest or penalties the Customer has been billed is overdue;
 - (b) A late fee imposed under this By-law remains unpaid after the time required for payment of the late fee has expired;
 - (c) A leak or other fault found on the Private Service pipe or Private Fire Service pipe is creating or likely to create injury to Persons or damage to property;
 - (d) WUC determines that there is a public health or safety concern including, but not necessarily limited to, a threat of contamination to any part of the Waterworks which may endanger public health or safety;
 - (e) An emergency or potential emergency exists; and/or
 - (f) If WUC determines that due to a public health or safety concern, an emergency or potential emergency situation or for any other reason it needs immediate unobstructed access to the Premises, and immediate unobstructed access is not available for any reason.

- (11) If WUC has shut off or reduced the supply of water to a Premises for any reason, WUC shall not be required to turn on the water until all outstanding charges, fees, rates, fines, interest or penalties in arrears have been paid in full, or arrangements satisfactory to WUC have been made to pay all such amounts, and any other WUC orders and/or requirements have been complied with. Water turn on is to be performed during regular business hours on Business Days as determined by WUC from time to time. Payments are to be posted to an account on a Business Day, and any payment made or posted after regular business hours on any given Business Day will result in the turn on being completed the next Business Day.
- (12) An Owner whose water has been shut off or turned on under subsection (10) shall pay WUC the charge specified in WUC's Schedules for shutting off or turning on the water.
- (13) Notwithstanding anything in this By-law to the contrary, if there is a public health or safety concern, and/or an emergency or potential emergency situation, WUC shall provide only such notice of impending shut off or reduction of supply as may be practical in the circumstances.
- (14) It is the responsibility of the Owner or representative to disconnect any equipment that may be subject to damage during a scheduled or unscheduled shutdown or reduction of water supply.
- (15) WUC shall not be liable for any Losses, whether direct or consequential, caused by the supply of water including, but not necessarily limited to, stoppage, interruption or reduction of the water supplied to a Premises, of any Person for any reason including, but not limited to, as a result of an emergency, breakdown, repair or extension of the Waterworks. For clarity, the foregoing limitation of liability applies irrespective of whether WUC gives notice of its intention to stop, interrupt or reduce the water supply.
- (16) Notwithstanding any other provision of this By-law, the aggregate liability per occurrence or in the annual aggregate of WUC for Losses in any way arising out of or in connection with the supply of water shall be limited to, and shall in no circumstances exceed an amount equal to the annual charges in respect of any particular Premises at the time of the occurrence of the event resulting in liability.
- (17) Notwithstanding any other provision of this By-law, WUC shall not be liable under any circumstances for any incidental, consequential (which for the purposes of this By-law includes lost profit), special, aggravated, exemplary or punitive damages of another Person.

P. WATER CONSERVATION AND WATER USE RESTRICTIONS

- (1) If WUC determines that there is insufficient water in any part of the Waterworks, to maintain an appropriate volume of water for safe and efficient operation, or insufficient water pressure for firefighting purposes, WUC may issue a water use restriction order.
- (2) A water use restriction order may be imposed on such Persons or Premises in WUC's service area, as WUC considers necessary to address the insufficiency of water.
- (3) WUC shall give notice, that is reasonable in the circumstances, to the intended recipients of a water use restriction order, the date on which it is to take effect and the conditions of the order.
- (4) A water use restriction order may contain any or all of the following prohibitions or limitations:
 - (a) Watering lawns, gardens, sports fields, grassy areas, golf courses, or other vegetation;
 - (b) Filling swimming pools, wading pools, hot tubs, garden ponds, fountains and other outdoor water features;
 - (c) The use of devices for outdoor water play;
 - (d) Washing motor vehicles;
 - (e) The use of outdoor misting systems;
 - (f) Filling tanker trucks, tanks, containers, or any large storage device that holds over 100 litres of water; or
 - (g) Such other terms, conditions and restrictions as may be determined by WUC.
- (5) Despite subsection (4)(a), WUC may exempt or place lesser restrictions on, watering tee-off areas and putting greens on golf courses, newly sodded or seeded lawns, newly planted trees, nurseries, turf farms or tree farms.
- (6) Water used for firefighting purposes, training of firefighters or otherwise necessary for the health or safety of Persons or animals shall be exempt from any restriction order.
- (7) No Person shall use or cause or permit the use of water in contravention of a water use restriction order under this Bylaw or they may be subject to a fine as defined in WUC's Schedules.
- (8) Once the situation that gave rise to the issuance of the water use restriction order is no longer in effect as determined by WUC, WUC shall withdraw the water use restriction order.

Q. CONTACT INFORMATION

- (1) For administering or enforcing any WUC By-law, WUC may require an Owner of a Premises equipped or to be equipped with a Meter to provide WUC with:
 - (a) The Owner's full name, telephone numbers and email address;
 - (b) The same information for:
 - i. Any occupiers of the Premises; and
 - ii. Any Person authorized by the Owner to provide WUC with access to the Meter or the place where the Meter is to be installed.
- (2) Every Owner shall provide WUC with a current contact name and telephone number prior to the installation of a Meter on their Premises.

R. ACCESS & OBSTRUCTION

- (1) WUC may, upon reasonable notice, enter onto and into a Premises to which it supplies water:
 - (a) To inspect, maintain, repair, alter or disconnect the service pipe or other equipment used to supply water;
 - (b) To read, inspect, install, repair, replace, maintain or alter a Meter;
 - (c) To inspect a backflow prevention device; or
 - (d) To shut off or reduce the supply of water.
- (2) If an Owner discontinues the use of water or WUC decides to cease supplying or reduce water to a Premises, WUC may, upon reasonable notice, enter the Premises:
 - (a) To shut off or reduce the water;
 - (b) To remove any of WUC's equipment or property from the Premises; or
 - (c) To determine whether water has been, or is being, unlawfully used.
- (3) If an Owner refuses access or obstructs WUC from accessing the property as permitted under this By-law, they may be subject to fees, charges, fines, and penalties as mentioned in WUC's Schedules.

S. PREVIOUS BY-LAW REPEALED

- (1) By-law number 94, and all amendments to by-law number 94, are hereby repealed.

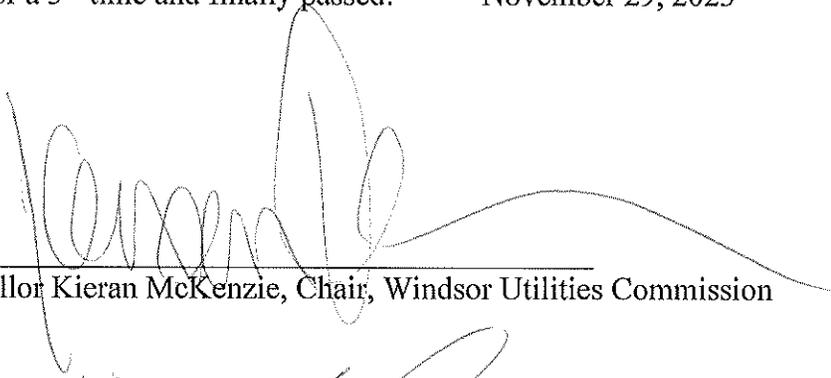
T. EFFECTIVE DATE

This By-law comes into force and effect on the date it is passed.

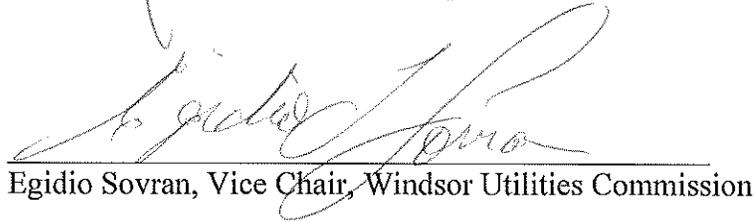
Read for a 1st time: November 29, 2023

Read for a 2nd time: November 29, 2023

Read for a 3rd time and finally passed: November 29, 2023

A large, stylized handwritten signature in black ink, appearing to read 'Kieran McKenzie', is written over a horizontal line.

Councillor Kieran McKenzie, Chair, Windsor Utilities Commission

A large, stylized handwritten signature in black ink, appearing to read 'Egidio Sovran', is written over a horizontal line.

Egidio Sovran, Vice Chair, Windsor Utilities Commission