THE DISTRICT MUNICIPALITY OF MUSKOKA

BY-LAW 2025-41

Being a by-law to amend By-law 2023-42 (regulate Drinking Water Protection through Backflow Prevention and Cross Connection Control)

WHEREAS Section 9 of the Municipal Act 2001, S.O. 2001, c.25 , as amended ("the Municipal Act, 2001"), 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;

AND WHEREAS Section 1O of the Municipal Act, 2001, provides that Sections 8 and 11 shall be interpreted broadly so as to confer broad authority on municipalities to (a) enable municipalities to govern their affairs as they consider appropriate and, (b) enhance their ability to respond to municipal issues;

AND WHEREAS Section 11 of the Municipal Act, 2001, provides that an upper-tier municipality may pass by-laws respecting matters within the spheres of jurisdiction set out therein, inter alia: public utilities;

AND WHEREAS Section 80 (1) of the Municipal Act, 2001, S.0. 2001, provides that a municipality may enter onto land to which it supplies a public utility to inspect, repair, alter or disconnect the service pipe or wire, machinery, equipment and other works used to supply the public utility;

AND WHEREAS Section 436 of the Municipal Act, 2001, S.O. 2001, provides that a municipality may pass by-laws providing that the municipality may enter on land for the purpose of carrying out an inspection to determine compliance with a by-law, direction, or order;

AND WHEREAS Section 20(1) of the Safe Drinking Water Act, 2002, S.O. 2002, c.32 provides that it is an offence to cause or permit anything to enter a drinking-water system if it could result in a drinking-water health hazard, a contravention of a prescribed standard, or the interference with the normal operation of the system;

AND WHEREAS Muskoka District Council passed By-law 2023-42 to regulate drinking water protection through backflow prevention and cross connection control:

AND WHEREAS it is desirable to update and amend By-law 2023-42;

NOW THEREFORE the Council of The District Municipality of Muskoka enacts as follows:

1. By-law 2023-42 shall be amended as follows:

(1) Section 2(1) shall be deleted and replaced with the following:

(1) This By-Law applies to all industrial, commercial, institutional and multi-residential buildings and structures, whether existing or proposed, except buildings within the scope of Part 9 of the Building Code that contain only residential occupancies and no other occupancy, located on a property.

(2) A new section 5(7) shall be added as follows:

(7) For any new water service connections at properties under the provisions of the bylaw, a cross connection survey shall be completed and provided to District Operations showing adequate protection is in place before the service can be turned on to the premise.

(3) Section 7(3) shall be amended by inserting "or arising from" so that it reads "All costs related to or arising from the installation and maintenance of backflow preventers shall be borne by the property owner."

(4) A new section 7(5) shall be added as follows:

(5) Should the Owner refuse or fail to have the recommended Backflow Prevention Device installed, repaired, or replaced within ninety (90) days of the survey completion or identification of the hazard, supply of water to the property may be discontinued in order to maintain the integrity of the municipal drinking water system. This timeline can be modified at the discretion of the District.

(5) A new section 14(2) shall be added as follows:

(2) Potable water connections to fire protection systems (standpipe and sprinkler systems) shall be protected against backflow in accordance with the CSA Standard, the AWWA Cross Connection Control Manual, and the Ontario Building Code.

Enacted and **Passed** this 20th day of October 2025.

THE DISTRICT MUNICIPALITY OF MUSKOKA

Per:

District Chair J. Lehman

District Clerk A. Back