

# The Corporation of the Town of Aurora

## By-law Number 6213-19

### Being a By-law to regulate cross connections and backflow prevention in private plumbing systems as required to protect the Town of Aurora drinking water system from contamination.

**Whereas** section 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that The Corporation of the Town of Aurora (the "Town") may pass by-laws relating to public utilities, including matters affecting water distribution, and for the purposes related to health, safety and well-being of persons;

**And whereas** subsection 11(1) of the *Safe Drinking Water Act, 2002*, S.O. 2002, c. 32, as amended, requires every owner of a municipal drinking water system to ensure that all water provided by the system meets the requirements of drinking water quality standards and that the drinking water system is operated in accordance with the *Safe Drinking Water Act, 2002*;

**And whereas** Part 7 (Plumbing) of the Building Code (as defined in this by-law) requires potable water systems to be protected from contamination;

**And whereas** contamination of the Town's drinking water system can arise as a result of a backflow incident from a private plumbing system that is attached to the Town's municipal drinking water system and such contamination of the municipal drinking water system can have an adverse impact on the health, safety and well-being of the users of the Town's drinking water;

**And whereas** the Town desires to put mechanisms in place so as not to permit the discharging of a contaminating substance into the municipal drinking water system;

**Now therefore the Council of The Corporation of the Town of Aurora hereby enacts as follows:**

#### 1. Short Title

1.(1) This by-law shall be known and may be cited as the "Backflow Prevention By-law".

#### 2. Definitions

2.(1) The following words as set out in this by-law shall have the following meanings:

- (a) "**Authorized Functions List**" means the list of functions and the persons with the required qualifications authorized to carry out such functions as set out in Schedule "A" of this by-law;
- (b) "**auxiliary water supply**" means any water source or system, other than the Town's drinking water system, that may be available in a building or structure on any property;
- (c) "**backflow**" means the flowing back of or reversal of the normal direction of the flow of water;

- (d) “**backflow preventer**” means a device or a method that prevents backflow in a water distribution system and includes, but is not limited to, a reduced pressure principle assembly, a dual check valve and a double check valve;
- (e) “**building**” shall have the same meaning as set out in Building Code Act and includes anything constructed or built permanently or temporarily which is connected, or where such a connection is proposed, to the Town’s drinking water system;
- (f) “**Building Code**” means the regulations, as amended from time to time, made under section 34 of the Building Code Act;
- (g) “**Building Code Act**” means the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended or successor thereto;
- (h) “**Commercial**” means any property that is classified as a Commercial property pursuant to the property assessment system of the Municipal Property Assessment Corporation;
- (i) “**cross connection**” means any actual or potential connection between a potable 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 connecting arrangement through which backflow may occur;
- (j) “**Cross Connection Control Survey**” means a report on the Town’s prescribed form, as amended from time to time, which shall include all cross connections identified, the existing method of protecting those cross connections and corrective measures, recommendations and a date for which each device will be installed;
- (k) “**CSA Standard**” means the document entitled B64.10-17/B64.10.1-17 – ‘Selection and installation of backflow preventers/Maintenance and field testing of backflow preventers’, as well as any other standards documents that are applicable to backflow prevention works, installation, testing and maintenance, published by the Canadian Standards Association, as amended or any successor thereof;
- (l) “**Director**” means the director assigned responsibility for water services for the Town or any person authorized by the aforesaid to act in his/her place;
- (m) “**drinking water system**” means a drinking water system as defined in the *Safe Drinking Water Act, 2002*, S.O. 2002, c. 32, as amended or successor legislation thereof;
- (n) “**Industrial**” means any property that is classified as an Industrial property pursuant to the property assessment system of the Municipal Property Assessment Corporation;
- (o) “**Institutional**” means any property that is classified as an Institutional property pursuant to the property assessment system of the Municipal Property Assessment Corporation;

- (p) “**minor hazard**” means any type of cross-connection or potential cross-connection that is, or creates, a minor hazard as defined in the CSA Standard;
- (q) “**moderate hazard**” means any type of cross-connection or potential cross-connection that is, or creates, a moderate hazard as defined in the CSA Standard;
- (r) “**Multi-Residential Building**” means a residential building that consists of six (6) or more one self-contained residential dwelling units, but does not include buildings that only consist of residential single-dwelling units that are solely attached to other residential units on the sidewall (such as semi-detached homes, townhomes or row houses) or single-dwellings that contain basement apartments or annexes;
- (s) “**Municipal Act**” means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended or successor thereto;
- (t) “**Municipal Law Enforcement Officer**” means a person appointed by the Town as a Municipal Law Enforcement Officer;
- (u) “**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 on such property;
- (v) “**OWWA**” means the Ontario Water Works Association;
- (w) “**person**” includes a natural person, an association, a partnership or a corporation, and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law;
- (x) “**plumbing system**” means a plumbing system, as defined in the Building Code, that is not on Town property, not on the Town’s right of ways and not on the Town’s waterworks easements;
- (y) “**potable water**” means water that is intended for human consumption;
- (z) “**premise isolation**” means the isolation of a property’s private plumbing system from the Town’s drinking water system by installing a backflow preventer;
- (aa) “**Preventer Test Report**” means an inspection and testing report on the Town’s prescribed form, as amended from time to time, of a backflow preventer containing the make, model, serial number, size, type, installation date, location and installation address and the test results;
- (bb) “**Preventer Test Tag**” means a tag, containing the make, model, serial number, size, type, location, installation date and address as well as test history of a backflow preventer;
- (cc) “**severe hazard**” means any type of cross-connection or potential cross-connection that is, or creates, a severe hazard as defined in the CSA Standard;

- (dd) "**structure**" means anything constructed or built permanently or temporarily which is connected, or where such a connection is proposed, to the Town's drinking water system;
- (ee) "**Tester's Certificate**" means an Ontario Water Works Association Cross Connection Control Specialist Certificate or an equivalent acceptable to the Director;
- (ff) "**Town**" means The Corporation of the Town of Aurora and includes its employees, enforcement officers, servants and agents;
- (gg) "**water meter**" means an apparatus at a property/building/structure used to record the amount of water supplied to such property/building/structure by the Town through the Town's drinking water system;
- (hh) "**water service line**" means a water line that supplies potable water to the property from the Town's drinking water system;
- (ii) "**Watermain Disinfection Procedure**" means the Province of Ontario procedure for disinfecting water mains as part of an addition, modification, replacement, extension, planned maintenance, or emergency repair in a drinking water system, as amended or successor thereto.

### 3. Application of By-law and Cross Connection Prohibition

- 3.(1) This by-law applies to all Industrial, Commercial and Institutional properties, and to all buildings and structures located on such properties, and to all properties on which Multi-Residential Buildings are located, or are proposed to be located, and to all buildings and structures located on such properties. Subject to subsection (2) and (3) below, this by-law does not apply to properties on which buildings of residential occupancy within the scope of Part 9 of the Building Code are located.
- 3.(2) Notwithstanding subsection (1), this by-law applies to any property, building and structure where a condition exists, or a condition is created or proposed to be put in place, on a property, building or structure that is determined by the Director to be hazardous or detrimental to the Town's drinking water system based on the risk of contamination of the drinking water system by such condition.
- 3.(3) Notwithstanding subsection (1), this by-law applies to any building and structure that has a connection, or where such a connection is proposed, to the Town's drinking water system and also to any:
  - (a) auxiliary water supply,
  - (b) private well,
  - (c) lawn sprinkler or irrigation system, except for a lawn sprinkler or irrigation system connected to a building of residential occupancy within the scope of Part 9 of the Building Code, or
  - (d) fire protection system, except for a residential full flow through fire sprinkler system.
- 3.(4) No person or owner shall connect, cause to be connected, or allow to remain connected to the Town's drinking water system or any other potable water system any plumbing, piping, fixture, fitting, container, appliance, vehicle,

machine or the like in a manner which may under any circumstance allow water, waste water or any other liquid, chemical or substance to enter such drinking water system or potable water system, except where suitable backflow prevention is provided in compliance with the provisions of this by-law.

- 3.(5) No person or owner shall connect, cause to be connected, or allow to remain connected any auxiliary water supply or private well to a plumbing system which is supplied by the Town's drinking water system, unless appropriate premise isolation is provided.
- 3.(6) In a situation where any requirements of the Ontario Building Code or other by-law or regulation conflict with the requirements of this by-law, the requirement that provides the highest amount of premise isolation shall apply.

#### **4. Cross Connection Control Survey Requirement**

- 4.(1) Every owner of a property, building or structure to which this by-law applies shall cause a Cross Connection Control Survey to be completed with respect to such property, building or structure, at the owner's expense, and submitted to the Town no later than March 31, 2020 and thereafter within thirty (30) days of each of the following situations:
  - (a) on the fifth (5<sup>th</sup>) anniversary of the most recent survey;
  - (b) a new connection being made from the Town's drinking water system to the property, building or structure;
  - (c) change of use or circumstances of a building or structure that has the effect of increasing, or has the potential to increase, the hazard level for a plumbing system from the most recent a Cross Connection Control Survey that applies to such a system;
  - (d) the circumstances or equipment to which a Cross Connection Control Survey applies changes or is modified that alters, or has the potential to alter, the information contained in the most recent Cross Connection Control Survey;
  - (e) the Director deeming that a Cross Connection Control Survey is required with respect to a building or structure and providing notice of such a request.
- 4.(2) A Cross Connection Control Survey shall be carried out for each water service line starting from the water meter to all plumbing in each building and structure linked to such meter and shall include any plumbing that bypasses the water meter.
- 4.(3) A Cross Connection Control Survey shall include any fire service main that is connected to the Town's drinking water system.
- 4.(4) A Cross Connection Control Survey shall indicate if the risk to the Town's drinking water system is a severe hazard, a moderate hazard or a minor hazard.
- 4.(5) Every person who completes a Cross Connection Control Survey shall provide a copy of such a survey to the owner of the premises that is subject to such a survey.

## 5. Temporary Watermain Connections

- 5.(1) Where a temporary watermain is connected to the Town's drinking water system, such as during installation of new or replacement watermains, backflow prevention shall be accomplished in accordance with the Watermain Disinfection Procedure by the person responsible for the temporary watermain.
- 5.(2) If a backflow preventer is required pursuant to 5(1), then it shall be installed, tested and certified in accordance with the requirements of this by-law.
- 5.(3) A building permit shall not be required for temporary watermain connections to the Town's drinking water system.

## 6. Installation of Backflow Prevention Devices

- 6.(1) Selection and installation of the backflow prevention device shall be in accordance with acceptable engineering practices, the requirements of the Building Code, the manufacturer's specification and the CSA Standard.
- 6.(2) Every person installing a backflow preventer or causing a backflow preventer to be installed or replaced shall ensure that:
  - (a) such device is installed in accordance with acceptable engineering practices, the requirements of the Building Code, the manufacturer specifications, the CSA Standard and this by-law;
  - (b) such device is located in such manner as to prevent the contamination of the Town's drinking water system in the event of backflow from the plumbing system that is intended to be isolated by such backflow preventer;
  - (c) such device is installed in a building or structure and in such a way as to mitigate the potential for freezing;
  - (d) every owner shall ensure that every backflow prevention device on its property installed for premise isolation is a testable device;
  - (e) where such device is installed in respect of premise isolation, all piping between the water meter and such device does not exceed three (3) metres, except where circumstances require the device to be installed in an alternative location and such location is to the satisfaction of the Director;
  - (f) where such device is installed in respect of premise isolation, all piping between the water meter and such device shall have no connections and such piping shall be clearly and permanently labelled "no connections permitted";
  - (g) where such device is installed in respect of individual, area, source or zone isolation, all piping between the point of contamination or potential contamination and the point at which the device is located is labelled "non-potable water";
  - (h) a building permit is obtained from the Town prior installation of the backflow preventer except in cases where an exact replacement of an existing backflow preventer is being undertaken; and

- (i) inspection of the installation of the backflow preventer is carried out in accordance with the requirements of the applicable building permit and the CSA Standard.
- 6.(3) Every owner of a property, building or structure to which this by-law applies shall ensure that such property, building or structure meets the backflow prevention device installation requirements of this by-law:
- (a) in a case of any property, building or structure to which this by-law applied on or before March 31, 2020 that does not have a backflow preventer installed and is required to have one pursuant to this by-law, no later than December 1, 2020;
  - (b) in a case of any property, building or structure to which this by-law did not apply on or before March 31, 2020 that does not have a backflow preventer installed and is required to have one pursuant to this by-law, no later than ninety (90) days of the requirement to install a backflow preventer arising or December 1, 2020, whichever is later.
- 6.(4) Notwithstanding anything in this by-law, in a case where a property, building or structure does not have a backflow preventer installed, and there is no current or valid Cross Connection Control Survey as required under this by-law for such property, building or structure, the owner of such a property, building or structure shall install, or cause to be installed, a backflow preventer no later than ninety (90) days after a Cross Connection Control Survey was required to be provided to the Town or December 1, 2020, whichever is later.
- 6.(5) The Director has the right to shorten the date(s) identified in subsections (3) and (4) for a specific property if deemed by the Director to be necessary due to risk of contamination of the Town's drinking water system.
- 6.(6) Plumbing systems that only pose a minor hazard to the Town's drinking water system may be exempt from the requirement to install a backflow preventer, at the sole discretion of the Director.
- 6.(7) All costs related to the installation of backflow prevention devices and the maintenance of backflow preventers shall be the responsibility of the property owner on which such backflow preventer is located, or is to be located.

**7. Persons Permitted to Carry out Work**

- 7.(1) Only those persons that possess the required qualifications listed in the Authorized Functions List shall carry out the corresponding functions set out therein.
- 7.(2) In addition to required qualifications listed in the Authorized Functions List, the persons listed in the Authorized Functions List who are permitted to perform the Cross Connection Control Surveys or testing of backflow preventers shall also have and submit proof to the Town of the following qualifications, in a form satisfactory to the Director:
- (a) a Tester's Certificate issued by the OWWA or an approved equivalent which has been issued or renewed within five (5) years prior to date of the submission of a Cross Connection Control Survey or a Preventer Test Report; and

- (b) a current calibration certificate for the test equipment issued within the (12) twelve months prior to the date of submission of a Preventer Test Report.
- 7.(3) The proof of qualifications and test equipment calibration required under subsection (2) shall be submitted at the same time as a Cross Connection Control Survey or Preventer Test Report is submitted to the Town.
- 7.(4) Every owner who retains, or causes to be retained, a person to conduct any of the services permitted under the Authorized Functions List shall ensure that any such retained person is qualified to conduct such service(s).

**8. Testing of Backflow Preventers**

- 8.(1) Every owner who has a backflow preventer installed on his or her property shall ensure, at their expense, that:
  - (a) the backflow preventer is maintained in a proper working condition;
  - (b) the backflow preventer is tested:
    - (i) when it is first installed and annually thereafter,
    - (ii) when it is cleaned, repaired, overhauled or relocated, and
    - (iii) when requested to be tested by the Director;
  - (c) when the backflow preventer is tested, a Preventer Test Report for such a test is completed and submitted to the Town within fifteen (15) days of such a test;
  - (d) when an initial Cross Connection Control Survey is completed and submitted to the Town on a backflow preventer that is in place prior to the passage of this by-law, a Preventer Test Report is submitted to the Town with such a Cross Connection Control Survey Report;
  - (e) in the event that the backflow preventer is malfunctioning or otherwise not in a proper working order, cause the backflow preventer to be repaired or replaced in compliance with this by-law and, if not otherwise identified in this by-law, in a timeframe specified by the Director; and
  - (f) whenever the backflow preventer is tested, a Preventer Test Tag is affixed to the device.
- 8.(2) Every person who tests a backflow preventer shall:
  - (a) provide a legible Preventer Test Report to the owner of the property on which the tested backflow preventer is located;
  - (b) upon completing such test, supply, complete and affix a Preventer Test Tag to the backflow preventer or immediately adjacent to it on the piping connected thereto; and
  - (c) upon finding that such device is malfunctioning or otherwise not in a proper working order, immediately notify of such condition the owner of the property on which the tested backflow preventer is located and the Town.



**9. Backflow Test Equipment Maintenance**

9.(1) Every person who uses equipment to test backflow prevention devices, where required by the CSA Standard, shall ensure that all such equipment is verified and/or calibrated for accuracy. Proof of such verification and/or calibration shall be presented to the Town upon request by the Director and in conjunction with the submission of a Preventer Test Report.

**10. Additional Testing, Reports and Other Requirements**

10.(1) Notwithstanding anything this by-law, the Town may at any time order an owner to conduct tests, provide reports, including a Cross Connection Control Survey or a Preventer Test Report, and undertake any other measures required for the prevention of backflow or protection of a cross connection, as deemed necessary by the Director.

10.(2) Every owner of a property, building or structure to which this by-law applies shall ensure that any reports required pursuant to this by-law shall be submitted to the Town within the timeframes specified in this by-law, or as otherwise specified by the Director.

10.(3) Every owner shall obtain, or ensure that it is obtained, a building permit pursuant to the Town's Building by-law prior to installing, modifying or performing any corrective action, or to removing a backflow preventer or any related plumbing.

10.(4) Where a timeframe is set out in this by-law for carrying out any action, the Director may, at his/her discretion, extend the time for compliance beyond the applicable timeframe.

**11. Removal of Backflow Prevention Devices Prohibited**

11.(1) No owner of a building or a structure in which a backflow preventer is installed shall cause or permit the removal of such device, or part thereof, unless:

- (a) such removal is to replace the device with another device that meets the provisions of this by-law and such replacement is done in accordance with the provisions of this by-law; or
- (b) such removal is due to change of the function of a building or structure into a category to which this by-law does not apply or that would not require a backflow preventer and such removal is approved by the Director.

**12. Corrective Actions**

12.(1) Every owner of property, building or structure shall take corrective actions on any deficiencies, or to address any recommendations, identified either on a Cross Connection Control Survey or on a Preventer Test Report for his or her property, building or structure in accordance with the timelines set out below, or otherwise outlined in this by-law:

- (a) for properties where a backflow preventer is already installed and there is a severe hazard associated with such property, or cross connection, within thirty (30) days of the report that identifies the deficiency;

- (b) for properties where a backflow preventer is already installed and there is a moderate hazard or a minor hazard associated with such property, or cross connection, within ninety (90) days of the report that identifies the deficiency.

12.(2) Every owner of property, building or structure that undertakes corrective actions as required under subsection (1) shall provide to the Town an updated Cross Connection Control Survey or a Preventer Test Report, as applicable, within ten (10) days of the completion of the corrective action.

**13. Administration and Enforcement**

13.(1) The Director shall be responsible and is delegated the power to administer and enforce this by-law, including prescribing the content of any forms or other documents required under this by-law from time to time.

13.(2) The Director and Municipal Law Enforcement Officers of the Town are hereby delegated the authority to enforce this by-law, including the authority to conduct inspections pursuant to this by-law, the Municipal Act, as amended, and any other enacted applicable by-law or legislation.

13.(3) The Director is authorized to delegate responsibilities for the administration and enforcement of this by-law to any Town staff or external third parties deemed to be qualified and appropriate by the Director for such purposes.

**14. Power of Entry, Inspections, Prohibitions**

14.(1) A Municipal Law Enforcement Officer, or any other individual authorized to enforce this by-law on behalf of the Town, may at any reasonable time enter upon any land for the purpose of carrying out an inspection to determine whether the following are being complied with:

- (a) this by-law;
- (b) any direction or order under this by-law;
- (c) any condition on any report under this by-law; or
- (d) an order issued under section 431 of the Municipal Act.

14.(2) Where an inspection is conducted pursuant to this section, a Municipal Law Enforcement Officer or any other individual authorized to enforce this by-law on behalf of the Town, may:

- (a) require the production for inspection of documents or things relevant to the inspection;
- (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies and extracts;
- (c) require information from any person concerning a matter related to the inspection; and
- (d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purpose of the inspection.

- 14.(3) No person shall hinder or obstruct or attempt to hinder or obstruct the Town, its employees, officers or agents from carrying out any powers or duties under this by-law.
- 14.(4) No person shall contravene any order or direction issued by the Town pursuant to this by-law or the Municipal Act.
- 14.(5) Where a Municipal Law Enforcement Officer, or an individual authorized to enforce this by-law, has reasonable grounds to believe that an offence has been committed by any person, they may require the name, address and proof of identity of that person, and the person shall supply the required information.
- 14.(6) No person shall decline or neglect to give, produce or deliver any access, information, document or other thing that is requested by the Town pursuant to this by-law.
- 14.(7) No person shall knowingly make, participate in, assent to or acquiesce in the provision of false information in a statement, affidavit, application or other document prepared, submitted or filed under this by-law.

**15. Orders**

- 15.(1) Where the Director or any Municipal Law Enforcement Officer is satisfied that a contravention of this by-law has occurred, such Director or Municipal Law Enforcement Officer may make an order requiring that the person who caused or permitted such contravention, or the owner or occupier of the land on which the contravention occurred, to discontinue the contravening activity and/or to do work to correct the contravention.
- 15.(2) An order pursuant to this section shall set out the following:
  - (a) the municipal address and/or the legal description of the land or premises on which the contravention occurred;
  - (b) reasonable particulars of the contravention;
  - (c) what is required of the person subject to the order;
  - (d) the date by which there must be compliance with the order and/or, if any work is ordered, the date by which any such work must be done;
  - (e) if any work is required to be done, a statement that if such work is not done in compliance with the order and within a specified time period, the Town will have the work done at the expense of the person directed or required to do it; and
  - (f) information regarding the Town's contact person.
- 15.(3) An order pursuant to this section shall be deemed to have been received upon:
  - (a) personal service of the order to the person being served;
  - (b) the day after posting a copy of the order on the land on which the contravention took place; or

- (c) the fifth (5<sup>th</sup>) day after the order is sent by registered mail to the last known address of the owner of the land on which the contravention took place or the last known address of any other person in contravention of this by-law.

## **16. Remedial Action and Cost Recovery**

- 16.(1) Wherever this by-law or an order issued under this by-law directs or requires any matter or thing to be done by any person within a specified time period, in default of it being done by the person directed or required to do it, the action may be taken under the direction of the Director or a Municipal Law Enforcement Officer at that person's expense and the Town may recover the costs incurred through a legal action or by recovering the costs in the same manner as taxes.
- 16.(2) For the purposes of taking remedial action under this section, the Town, its staff and/or its agents may enter, at any reasonable time, upon any lands on which a default to carry out a required thing or matter occurred.
- 16.(3) Without limiting anything in this by-law, if the Director or any Municipal Law Enforcement Officer is satisfied that contravention has occurred or is present on a property, such Director or Municipal Law Enforcement Officer may:
  - (a) issue an order to the owner of such property to correct the issue at the owner's expense within a specified time period and if the order is not complied with, the Town may discontinue the supply of water from the Town's drinking water system to the plumbing system of such property until such issue is corrected, and/or;
  - (b) without notice to the owner, discontinue the supply of water from the Town's drinking water system to the plumbing system of such property, where the Director, at his/her sole discretion, has determined that an immediate severe hazard exists that could result in contamination of the Town's drinking water system.

## **17. Offence**

- 17.(1) Every Person who contravenes a provision of this by-law, including an order issued under this by-law, is guilty of an offence. If a corporation has contravened a provision of this by-law, including an order issued under this by-law, every director and officer who knowingly concurred in such a contravention is guilty of an offence.
- 17.(2) Pursuant to subsection 429(2) of the Municipal Act, all contraventions of this by-law or orders issued under this by-law are designated as multiple offences and continuing offences. If a contravention of any provision of this by-law has not been corrected, or an order issued under this by-law has not been complied with, the contravention of such a provision or an order shall be deemed to be a continuing offence for each day or part of a day that the contravention remains uncorrected or an order not complied with. A multiple offence is an offence in respect of two (2) or more acts or omissions each of which separately constitutes an offence and is a contravention of the same provision of this by-law.

## **18. Fines**

- 18.(1) On conviction of an offence under this by-law, every person is liable to a fine in accordance with the following rules pursuant to the Municipal Act:

- (a) to a fine of not less than \$500.00 and not more than \$100,000.00;
- (b) in the case of a continuing offence, for each day or part of a day that the offence continues, the minimum fine shall be \$250.00 and the maximum fine shall be \$10,000.00; despite paragraph (a), the total of all the daily fines for an offence is not limited to \$100,000.00;
- (c) in the case of a multiple offence, for each offence included in the multiple offence, the minimum fine shall be \$250.00 and the maximum fine shall be \$10,000.00, despite paragraph (a), the total of all fines for each included offence is not limited to \$100,000.00.

18.(2) In addition to fines under this section, a person convicted of an offence under this by-law may be liable to a special fine in the amount of the economic advantage or gain that such a person obtained from the contravention of this by-law. Notwithstanding section 13.1, a special fine may exceed \$100,000.00.

**19. Presumption**

19.(1) An owner of a property on which a contravention has occurred shall be presumed to have carried out or caused or permitted to be carried out the contravention, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.

**20. General Provisions**

20.(1) If a court of competent jurisdiction declares any provision, or any part of a provision, of this by-law to be invalid or to be of no force and effect, it is the intention of the Town in enacting this by-law that such provision or part of a provision shall be severable, and such a decision shall not affect the validity of the remaining sections, subsections, clauses or phrases of this by-law.

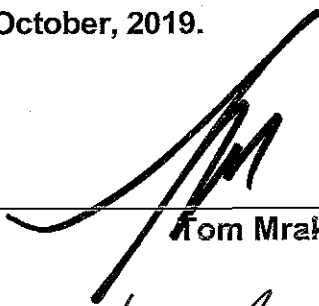
20.(2) Section headings in this by-law are not to be considered part of this by-law and are included solely for the convenience of reference and are not intended to be full or accurate descriptions of the sections of this by-law to which they relate.

20.(3) The following Schedules attached to this by-law form and are part of this by-law;

- (a) Schedule "A".

20.(4) By-law Number 5645-14, as amended, be and are hereby repealed.

Enacted by Town of Aurora Council this 22<sup>nd</sup> day of October, 2019.

  
\_\_\_\_\_  
Tom Mrakas, Mayor

  
\_\_\_\_\_  
Michael de Rond, Town Clerk

**Schedule "A" to By-law Number 6213-19**

**Authorized Functions List**

Item	Authorized Function	Professional Engineer with Tester's Certificate	*Certified Engineering Technologist with Tester's Certificate	Licensed Master Plumber with Contractor's License and Tester's Certificate	**Journeyman Plumber with Tester's Certificate	***Apprentice Plumber with Tester's Certificate	Licensed Master Sprinkler and Fire Protection Installer with Tester's Certificate	** Journeyman Sprinkler and Fire Protection Installer with Tester's Certificate
1	Carry out Cross Connection Survey	YES	YES	YES	YES	YES	YES Within a Fire Protection Process System Only	YES Within a Fire Protection Process System Only
2	Install, Relocate or Replace Backflow Prevention Device	NO	NO	YES	YES	YES	YES Within a Fire Protection Process System Only	YES Within a Fire Protection Process System Only
3	Repair of Backflow Prevention Device	YES	YES	YES	YES	YES	YES Within a Fire Protection Process System Only	YES Within a Fire Protection Process System Only
4	Test Backflow Prevention Device	YES	YES	YES	YES	YES	YES Within a Fire Protection Process System Only	YES Within a Fire Protection Process System Only

\* Required to be under the direction of a Professional Engineer.

\*\* Required to be employed by a Licensed Plumbing Contractor or a Licensed Fire Sprinkler Contractor.

\*\*\* Required to be employed by a Licensed Plumbing Contractor and under the direct supervision of a Journeyman Plumber or Master Plumber.