



WATER BY-LAW REVIEW PUBLIC PARTICIPATION REPORT

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For more information on this report, please contact:

Tiffany Skomro
Public Consultation & Research Officer
1199 Pacific Ave
E-mail: tskomro@winnipeg.ca

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BACKGROUND

In November 2014, the City of Winnipeg initiated a public engagement process to receive feedback on the new draft Water By-law before sending it to City Council for consideration.

Information on the Water By-law was available on the website:

<http://wwdengage.winnipeg.ca/water-bylaw/>

PUBLIC FEEDBACK

Public feedback was collected from November 10, 2014 – January 16, 2015:

- Comments on the website – 11 comments
- Direct email (incl. via web form) – 1 email
- Comment through 311 – 1 call
- Facebook comment – 1 comment
- Two public meetings:

Date	Attendees
Wednesday, November 26, 2014	15
Thursday, November 27, 2014	24

- Feedback forms and polling technology:

	Feedback Forms	Polling Questions (varied per question)
Public meetings	5	32-38
Online on our website	5	

A presentation was also made to the Manitoba Home Builders' Association on Friday, January 16, 2015.

Reports for the feedback received are listed under Attachments at the end of this report.

PROMOTION

Several methods were used to inform stakeholders of the public engagement process:

- Public meeting invites were mailed out – 488 invites
- Water & Waste eNewsletters were mailed out

Date	Total emails Sent	Total emails Opened	No. of Click-throughs
November 10, 2014	3,184	1,821 (57%)	564
November 26, 2014	3,203	1,591 (50%)	237

- A print advertisement was placed in the Winnipeg Free Press on November 21, 2014
- Posts on the City of Winnipeg’s Facebook page
- Tweets from the City of Winnipeg’s Twitter account

METHODOLOGY

Responses from the public meetings and website are based on self-selecting respondents who are more likely to respond because they would like to express an opinion on the topic at hand. While these opinions are valuable, they cannot be viewed as representative of all Winnipeggers.

ATTACHMENTS

For further detail, please refer to the specific reports available online at wwdengage.winnipeg.ca/water-bylaw/

- Summary of Comments and Responses
- Feedback Report

Also available online are the materials used during the public engagement process, including the presentation.

APPENDIX A

LIST OF ATTENDEES

LIST OF WATER BY-LAW PUBLIC MEETING ATTENDEES

1. Rothsay
2. BDM Projects
3. Lifetouch Canada
4. PPMA
5. HSC – Facility Management
6. Winnipeg Backflow Testing
7. CertainTeed Gypsum (x2)
8. MWWA + MCAM
9. Terracon Development (x2)
10. Maple Leaf Foods
11. Colin's Mechanical Service Ltd.
12. General Mills (x2)
13. Manitoba Health (x2)
14. BDR Services Ltd
15. Risk Management City
16. Edison Properties
17. WSP
18. Magellan Aerospace (x2)
19. WRHA
20. Kitchen Craft
21. University of Manitoba
22. Coca-Cola (x2)
23. Rondor Excavations Ltd. (x2)
24. Manitoba Eco-Network
25. Citizen (x8)

APPENDIX B

PUBLIC MEETINGS QUESTIONS & RESPONSES

PUBLIC MEETINGS QUESTIONS & RESPONSES

- 1. Can we work to make tenants of buildings more accountable for their water bills, rather than it becoming the landlord's responsibility?**
 - Landlords may want to consider placing the utility bill in their name and collect the charges from their tenant as a condition of their lease agreement. This would help landlords ensure that their tenant is meeting this obligation of their tenancy.
 - The draft Water By-law continues to follow a long-standing policy recommendation that was adopted by the Standing Policy Committee on Infrastructure Renewal and Public Works on April 15, 2003.
The adopted recommendation states:
"That the Water and Waste Department continue to transfer the unpaid water bills of tenants to owner's property taxes." - More information on this [policy](#) (Report 123)

- 2. Is there a way we can inform the landlord of any outstanding balances on the water bill prior to any penalties being issued (e.g., after a tenant misses paying their first bill)?**
 - Landlords are encouraged to register with the Water and Waste Department's [Utility Billing Centre](#) as a landlord for all their properties. The Water and Waste Department will mail notices to the landlord when a utility bill is unpaid by a tenant after 40 and 60 days. Landlords will receive at least two notifications from the Water and Waste Department before any significant penalties are applied.
 - More information [for landlords](#).

- 3. Is there anything in this draft Water By-law to address water quality?**
 - The draft Water By-law helps protect public health by outlining measures designed to safeguard the City's waterworks system and the high quality of our drinking water. These measures are to prevent, control and minimize disturbances in the waterworks system that could cause water quality issues.
 - Fire hydrants are one example. They are to be used only for firefighting or if a designated employee has authorized permission through a permit. Unauthorized use of a fire hydrant could cause a water quality issue (e.g., discoloured water).
 - The draft Water By-law governs the City's waterworks system (i.e., water mains, valves, fire hydrants, water service pipes, water meters, and backflow preventers) but does not govern the quality and treatment of the City's drinking water. However, by implementing these measures, we are trying to limit the disturbances in the system that could cause water quality issues.
 - More information on the [City's drinking water quality](#)
 - More information on the [City's water treatment plant](#)

- 4. Is there a system to notify when valves are being operated adjacent to a business?**
 - There is a system to notify businesses when routine work is planned or scheduled (e.g., [Water Main Renewal Program](#), [Water Main Cleaning Program](#)). However, notification is more difficult during emergency situations.
 - More information on the [City's water main activity](#)

- 5. Is there a grandfathering mechanism to deal with multiple properties with non-conforming water service pipes?**
 - Yes, there is a grandfathering mechanism. A property serviced by a non-conforming water service pipe would not be required to abandon and connect to the fronting water main, unless this pipe poses a risk or interferes with City infrastructure and operations.

- 6. Is there an onus on property owners to install new water service pipes? Specifically, as an example, a new fronting water main is installed at a business that is 30-40 years old but their water service pipes are hooked up to a non-fronting water main. Who would be responsible for this?**
 - A property serviced by a non-conforming water service pipe would not be required to abandon and connect to the fronting water main, unless this pipe poses a risk or interferes with City infrastructure and operations.
 - If a property's non-conforming water service pipe poses a risk or interferes with City infrastructure and operations, the property owner would be required to abandon and connect to the fronting water main after being notified by the City. We will provide a reasonable time frame for compliance.

- 7. Have there been amendments to the Water Works By-law since 1973?**
 - Yes, 32 by-laws amending the Water Works By-law have been approved by City Council since 1973.
 - More information on the [Water Works By-law No. 504/73 amendments](#)

- 8. How many people have been fined since the Water Works By-law came into effect in 1973?**
 - This information is not readily accessible, as it spans court records dating back over 40 years, many of which may no longer be available.

- 9. Does the City have a list of previous Water Works By-law related fines and their amounts?**
 - Subsection 62(1) of the current Water Works By-law No. 504/73 imposes a maximum fine of \$50.
 - More information on the [Water Works By-law No. 504/73 fines](#)

10. How will enforcement take place with the new fines?

- The nature of enforcement method will depend on factors such as:
 - the type of violation,
 - the severity of the violation,
 - the contravention history of the violator.
- The City has two enforcement options:
 - issue a common offence notice, which initiates prosecution
 - issue an Order requiring specific actions to be taken to bring about compliance with the By-law. If the property owner fails to comply with the Order, the City can prosecute the failure to comply or take action to bring the property into compliance at the owner’s expense or both.

11. \$ 1,000 to \$ 50,000 first offence, why such a broad range for fines? How does the amount for a fine get decided?

- The amount of the fine will depend on factors such as:
 - the type of violation,
 - the severity of the violation,
 - the contravention history of the violator
- The Judicial Justice of the Peace who presides at prosecution would determine and impose the fine.

12. Why do we have such an emphasis on premises isolation / backflow prevention?

- The [Drinking Water Safety Act](#) mandates water system owners, such as the City, to protect the public drinking water system, from the source to the tap. In order to protect the public, premises isolation is a key line of defense in protecting the public drinking water system.
- Backflow into a public drinking water system can contaminate the water in that system. The *CAN/CSA-B.64.10/B64.10.1 Selection and Installation of Backflow Preventers / Maintenance and Field Testing of Backflow Preventers* requires premise isolation even if the plumbing system in the building complies with current plumbing code requirements because backflow into the public drinking water system can still occur if the individual protection in the building fails.
- More information on [preventing backflow](#)

13. Are all businesses required to install premises isolation? How is this determined? Would a building like the Masonic Temple apply?

- Yes, all businesses will be required to install premises isolation under this by-law. A severe or moderate hazard is based on “Guide to Degree of Hazard” contained in *CAN/CSA-B64.10/B64.10.1 Selection and Installation of Backflow Preventers / Maintenance and Field Testing of Backflow Preventers*. All businesses are considered to be a moderate or severe hazard.
- Severe hazards are any cross-connections or potential cross-connections that involve water containing additives or substances that, under any concentration,

can create a danger to public health. Severe hazards are typically found in industrial, commercial facilities, hospitals and mortuaries, all of which are already required to have premises isolation under the current Water Works By-law. In properties where there is a severe degree of hazard, the owner / occupant must install a reduced pressure principal assembly (RP) on the incoming water line at the water meter location.

- Moderate hazards are hazards with a low probability of becoming a severe hazard. The water's aesthetic qualities have been further reduced, and under certain conditions, may create a danger to public health. Moderate hazards are typically found in office buildings, schools, shopping malls, and large multi-family residential buildings, many of which already have premises isolation in place. In properties where there is a moderate degree of hazard, the owner / occupant must install a double check valve assembly (DCVA) on the incoming water line at the water meter location.
- The Masonic Temple would be classified as a moderate hazard and would require premises isolation that satisfies a moderate hazard classification such as a DCVA.

14. Is there a grandfathering mechanism to deal with multiple properties that will be required to install premises isolation?

- There will be no grandfathering mechanism for premises isolation requirements. All commercial, industrial and institutional properties are considered moderate or severe hazard and will be required to install approved backflow preventers.

15. How long will businesses have to implement the premises isolation requirements under the new Water By-law?

- When the new Water By-law comes into effect, we plan to implement the premise isolation requirements in a phased approach based on the degree of risk and the protection of the City's waterworks system. We will provide a reasonable time frame for compliance.

16. Is premises isolation required on all fire protection systems?

- Yes. As per the National Plumbing Code (2005) all fire protection systems are required to have backflow preventers incorporated into their design. They are designated in the "Guide to Degree of Hazard" contained in CAN/CSA-B64.10/B64.10.1 *Selection and Installation of Backflow Preventers / Maintenance and Field Testing of Backflow Preventers*.
- It should be noted that two systems, potable water and fire protection systems, will be independently protected as not to interfere with either system when testing, maintenance or replacement is required on the backflow preventers.

17. Will fire protection systems require water meters?

- It is site specific, dependent on a building's water service pipe and internal plumbing configuration. Water that is exclusively used for fire protection does

not have to be metered.

- A majority of buildings have a separate fire protection water service pipe or branch off where the service enters the building (i.e. combined service) prior to the water meter. In this type of situation water is not metered.
- A few buildings have fire protection systems installed after the water meter due to the small size of the fire protection system (i.e. residential sprinkler systems) or the design of the plumbing system. In this type of situation water is metered.