

By-law Number 2026-023
of The Regional Municipality of Durham

Being a by-law to Amend By-law 24-2018 (a by-law to implement a backflow prevention program).

Whereas various sections of the by-law required amendment to clarify roles and responsibilities of individuals under the by-law;

Now therefore, the Council of The Regional Municipality of Durham hereby enacts as follows:

1. That Section 5.3 be deleted and replaced with the following:

5.3 Every owner shall ensure a cross connection survey report is completed every five years from the date of the first requested survey, subsequent any tenant or ownership change, re-zoning of property, change of process or chemical use or as required by the Commissioner.

2. That Section 6.3 be deleted and replaced with the following:

6.3 Every owner shall ensure the backflow prevention device is maintained and tested annually or more often if required by the Commissioner, in accordance with CSA B64 by an authorized tester at the expense of the owner.

3. That Section 6.5 be deleted and replaced with the following:

6.5 Every authorized tester shall ensure all cross connection control program test reports are completed and submitted to both the Region and Area Municipality within twenty-eight (28) days of a test.

4. That Section 6.7 be deleted and replaced with the following:

6.7 No person shall allow a backflow prevention device to be by-passed unless previously authorized by the Commissioner or their designate, or subject to a requirement of provincial or federal legislation.

5. That Section 7.1 be deleted and replaced with the following:

7.1 Every owner shall provide, to any person authorized by the Commissioner, free access, at all reasonable times, and upon reasonable notice given, to all property and parts of every building or other premises to which Regional water is supplied, for the purpose of inspecting, installing, repairing, altering, disconnecting or shutting off any service pipe or appurtenances.

6. That Section 8.4 be deleted and replaced with the following:

8.4 (a) Annual registration with the Region is required for all authorized testers. Authorized testers must provide proof of certification to the Region to conduct work on backflow prevention devices.

(b) No person shall conduct authorized functions under this by-law unless registered with the Region.

7. That Section 8.6 be deleted and replaced with the following:

8.6 Every authorized tester shall ensure all equipment used to test backflow prevention devices is verified or calibrated for accuracy, as required by the Building Code Act and CSA B64.

8. That Sections 10.1 and 10.2 be deleted and replaced with the following:

10.1 Every person, other than the corporation, who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable for every day or part thereof which such offence occurs or continues to occur, to a fine of not more than \$10,000.00 for the first offence and not more than \$25,000.00 for any subsequent offence. Such fines shall be recoverable under the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended.

10.2 Every corporation that contravenes any provision of this By-law is guilty of an offence and upon conviction is liable for every day or part thereof upon which such offence occurs or continues to occur, to a fine of not more than \$50,000.00 for the first offence and not more than \$100,000.00 for any subsequent offence. Such fines shall be recoverable under the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended.

This By-law Read and Passed on the 27th day of May, 2026.

J. Henry, Regional Chair and CEO

A. Harras, Regional Clerk