

TO:	CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING OF MARCH 18, 2019
FROM:	KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL & ENGINEERING SERVICES AND CITY ENGINEER
SUBJECT:	PROPOSED WATER BY-LAW (W-8) AND WASTEWATER & STORMWATER BY-LAW (WM-28) AMENDMENTS

RECOMMENDATION

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions **BE TAKEN** with respect to the Water By-law (W-8) and the Wastewater & Stormwater By-law (WM-28):

- (a) the proposed by-law amendment attached hereto as Appendix 'B' **BE INTRODUCED** at the Municipal Council Meeting on March 26, 2019 to amend the existing Water By-law (W-8) "Regulation of Water Supply in the City of London";
- (b) the proposed by-law amendment attached hereto as Appendix 'C' **BE INTRODUCED** at the Municipal Council Meeting on March 26, 2019 to amend the existing Wastewater & Stormwater By-law (WM-28) "Regulation of Wastewater and Stormwater Drainage Systems in the City of London"; and
- (c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this proposed by-law amendment.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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- [Water Meter Location Options for Residential Customers, September 7, 2016, Civic Works Committee](#)
- [Water Efficiency Program Update - Proposed Water By-Law Revisions, April 8, 2015, Civic Works Committee](#)
- [Update on New Funding Model and By-law For Water, Wastewater and Stormwater Services, April 8, 2013, Civic Works Committee](#)
- [New "Value Based" Funding Model for Water and Wastewater Services, October 22, 2012, Civic Works Committee](#)

2015-2019 STRATEGIC PLAN

The 2015-2019 Strategic Plan under Building a Sustainable City identifies Robust Infrastructure, more specifically to this report; 1B – Manage and improve our water, wastewater and stormwater infrastructure and services.

BACKGROUND

Purpose

The purpose of this report is to seek Council approval for a number of changes to the Water By-Law (W-8) as well as a minor change to the Wastewater & Stormwater By-Law (WM-28).

Context

The Water By-law (W-8) and Wastewater & Stormwater By-law (WM-28) are important City by-laws that have been enacted to help protect both the consumers of water in London and the natural environment. These by-laws are regularly reviewed and updated when necessary. This report has been prepared to address several minor by-law updates as well as a number of recent business practice changes.

DISCUSSION

The following sections provide high-level background on the proposed changes to Water By-law (W-8) and Wastewater & Stormwater By-law (WM-28). Appendix 'A' contains rationale for each specific by-law change. The actual proposed text changes of W-8 and WM-28 are contained in Appendix 'B' and Appendix 'C', respectively.

Remedy for Fire Fighting Water (W-8)

This proposed change will ensure that when a customer's water is being used to put out a fire that they won't be billed for the extra water used. Depending on their layout, some properties could have a fire hydrant or sprinkler system downstream of their water meter. This change is important from an equity perspective since single family homes are not billed for their firefighting water (on-street hydrants) and the City allows dedicated fire services for larger properties to be unmetered.

External Use of Water (W-8)

Currently customers can only use water outside every other day during the week in the summer months. This change would lift this restriction but would leave in place the ability of the City Engineer or designate to administratively impose outdoor water use restrictions if necessary to respond to an emergency.

The restrictions, in the current form, were implemented in the mid-1980s in order to reduce strain on the water distribution system during peak times of water use. The restrictions were not intended to enforce conservation on their own and were instead intended to spread out consumption over a longer period of time.

The proposed changes to the by-law recognize that external watering has significantly decreased in recent decades and the consumption spikes observed in the 1980s are no longer a concern for London's water distribution system. Due to this change in behaviour, the outdoor water restrictions can be inactivated at this time with the restrictions maintained as a tool which can be re-activated at the discretion of the City Engineer.

In the April 8, 2015 CWC report, staff made some recommendations for consultation with various groups before changing this restriction. Some of those recommendations were applicable if staff were proposing strengthening or increasing enforcement of the restriction. Since the current proposal is to simply lift the regular restrictions for technical and operational reasons it is recommended that the public participation meeting that is accompanying this report serve as the public consultation for this change.

Meter Installation Options (W-8)

This change would introduce several alternatives to our standard water meter installation. Water metering technology has changed over time and now most of the City has been converted to a radio frequency (drive by) meter read system. This change is intended to address the very small number of customers who have expressed concerns with the radio transmitter.

Miscellaneous Charges (W-8)

Several changes to the "Miscellaneous Charges" schedule of the by-law are being

recommended in order to align several fees with the actual cost of providing the service. There are eleven proposed changes with the fees being reduced in three instances and increasing in four. One fee is proposed to be removed due to a change in technology. Another fee is proposed to be updated to reflect London Hydro's handling of certificates. New fees/conditions were also added to move the charge for valve rod purchases to the Water fees by-law and to reflect the new meter installation options.

Frontage Charges (W-8 and WM-28)

A change to the "Frontage Charges" section in by-laws W-8 and WM-28 is proposed to broaden the opportunity for an exemptions from frontage charges. This change would ensure that a property owner requiring a new water or sewer connection would pay either a frontage charge or development charge and not both charges.

Minor Adjustments for Clarity

The proposed changes to the by-law not mentioned above are minor adjustments in wording to increase the clarity of the by-law but do not represent a change to business practices. These changes would clarify:

- Wording related to residential water meter reading and billing;
- Approval requirements for temporary connection to a fire hydrant;
- Credits or charges applied when a billing error is found;
- Responsibility for repairs to damaged hydrants on private property;
- The intention of the deposit required for water meter accuracy testing; and
- That arrears certificate charges for water are set by and payable to London Hydro.

CONCLUSIONS

It is recommended that the attached by-law amendments, Appendix 'B', be authorized and executed for the Regulation of Water Supply in the City of London. It is also recommended that the attached by-law amendment, Appendix 'C', be authorized for the Regulation of Wastewater and Stormwater Drainage Systems in the City of London.

Acknowledgements

This report was prepared within the Water Engineering Division by Michelle Morris, EIT, and reviewed by Daniel Hsia, Water Demand Manager, Scott Koshowski, Water Operations Engineer, and Kevin Graham, Environmental Services Engineer.

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Attach: Appendix A: Specific Proposed Amendments with Rationale
 Appendix B: Water By-law Amendments (W-8)
 Appendix C: Wastewater & Stormwater By-law Amendments (WM-28)

cc: John Simon, Division Manager, Water Operations
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