

CROSS CONNECTION CONTROL BYLAW

Be It Enacted by the Council of the Town of Middleton, under the authority of the Municipal Government Act, S.N.S. 1998, Chapter (18), as follows:

1. This Bylaw shall be known as, and may be cited as, the "CROSS CONNECTION CONTROL BYLAW".

DEFINITIONS

2. In this Bylaw, words take their ordinary dictionary meaning other than those defined below:
 - a. **"Auxiliary Water Supply"** means any water supply, on or available to the Property, other than the Potable Water that is supplied by the Town.
 - b. **"Backflow"** means the reversal of the normal direction of the flow of water.
 - c. **"Backflow Prevention Device"** (BFP Device) means a device that is installed to prevent the backflow of water.
 - means a device that is installed to minimize the risk of a potential contaminant entering the distribution system from the customer's property.
 - d. **"Backflow Prevention Report"** means a document of a Backflow Prevention Device, containing the make, model, serial number, size, type, installation date, location and installation address, the Qualified Person(s) who performed the test, and the test results.
 - e. **"Backflow Preventer Test Tag"** means a tag, in a form satisfactory to the Town, which contains the address of Property, type of device, manufacturer, serial number and size of the device, the test date, the printed name of the Qualified Person, the Qualified Person Cross Connection Control Specialties certificate number and the printed name of the Qualified Company
 - f. **"Cross Connection"** means any actual or potential connection between a potable water supply or system and any source of pollution or contamination. This includes any bypass, jumper connection, removable section of pipe, swivel, or changeover device, and any other temporary or permanent connection arrangement through which backflow can occur.
 - g. **"CSA"** means Canadian Standards Association

- h. **“Emergency”** means a situation or an impending situation that could negatively affect the quality of Potable Water or constitute danger to the Municipal Drinking Water System.
- i. **“NPC”** means National Plumbing Code
- j. **“Owner”** means a Person that has control over a property and includes the Owner registered on the title of the Property and any occupant of any Building or Structure located on such Property.
- k. **“Premise Isolation”** means Backflow protection provided at the water lateral entrance to a Building or Property.
- l. **“Qualified Company”** means a company registered to the Backflow Prevention Program and possessing all up-to-date required qualifications.
- m. **“Qualified Person”** means a Person with approved qualifications as set out in the Authorized Function List and currently employed by a Qualified Company.
- n. **“Service Connection”** means the connection between the Municipal Drinking Water System and a user’s system.
- o. **“Town”** means the Town of Middleton.
- p. **“Water Meter”** means all equipment installed for the purpose of measuring the water supplied by the Town.
- q. **“Water System”** means any part of the water utility infrastructure owned by the Town of Middleton.
- r. **“Wastewater”** means water that has lost its potential to be used in the home, in a business, or as part of an industrial process. The contaminated water may contain waste products, detergents, cleaning agents, etc. from homes and offices, or harmful chemicals if discharged from industries.

PROHIBITIONS AND INTERRUPTIONS

1. In the event of any breach, contravention, or non-compliance by a person of any of the provisions in any of the subsections the Town may:
 - a. suspend water service to such person,

or
 - b. give notice to the person to correct the breach, contravention or non-compliance within 96 hours, or a specified lesser period, provided that, if such person fails to comply with such notice, the Town may immediately suspend water service to such person.
2. No person shall connect, cause to be connected, or allow to remain connected to a water system, or a plumbing installation, without the prior written approval of the Town, any piping fixtures, fittings container or sanitary appliance in a manner which may cause water, wastewater, or any other liquid, chemical or substance, to ingress or egress the water system.
3. Where, in the opinion of the Town, there may exist a risk of contamination to the water system, the Town may, despite subsection (1), require an owner, at the owner's sole cost and expense, to install at any point on the owner's water service connection, one or more backflow prevention (BFP) devices, which devices shall be of a quality and type approved by the Town.
4. All BFP devices installed pursuant to subsection (3) shall be maintained in good working order, inspected, and tested by a certified tester approved by the Town, at the expense of the owner, and carried out annually or at such other intervals as the Town may require.
5. In the event of a conflict between the provisions of this by-law and the provisions of any other by-law, act or regulation, the provisions that are the most restrictive shall prevail.
6. Any reference in this by-law to any statutes, regulations, by-laws, or association standards shall be deemed to be a reference to such statutes, regulations by-laws, or association standards as amended, restated, or replaced.
7. An owner shall submit a report in a form approved by the Town respecting all tests performed pursuant to subsection (4) on a BFP device within seven (7) days of a test, such report forms to be displayed on or adjacent to the BFP device on which the tester shall record:
 - a. the name and address of the owner of the device,
 - b. the location, type, manufacturer, serial number, and size of the device,

And

- c. the test date, the tester's initials, the tester's name, the name of the tester's employer, and the tester's license number.
8. Installation, maintenance, field-testing, and selection of all BFP devices shall conform to the current plumbing standards, as updated from time to time, and requirements as approved by the Town.
9. Existing owners connected to the water system who are categorized as medium or high risk for a backflow occurrence (as outlined in the Cross Connection Control Program) are required to have a BFP device installed, which devices shall be of a quality and type approved by the Town, within three (3) months of notice given by the Town.
10. Existing owners with an auxiliary water supply are exempt from this by-law and have access to an auxiliary water supply, are required to be protected from backflow if the auxiliary water supply is not connected to the Town's water supply.
11. No person shall connect, cause, or permit to be connected, or allow to remain connected any Auxiliary Water Supply to the Municipal Drinking Water System.
12. The water utility reserves the right to access a building to conduct a survey and hazard assessment or inspect backflow prevention devices for existing buildings and new construction.
13. All BFP devices shall be installed in accordance with current Canadian Standards Association (CSA) and National Plumbing Code (NPC) regulations as amended from time to time.
14. In the event of a conflict between the provisions of this by-law and the provisions of any other by-law, act or regulation, the provisions that are the most restrictive shall prevail.
15. Where a court of competent jurisdiction declares any section or part of a section of this by-law invalid, the remainder of this by-law shall continue to be in force unless the court makes an order to the contrary.
16. Any reference in this by-law to any statutes, regulations, by-laws, or association standards shall be deemed to be a reference to such statutes, regulations by-laws, or association standards as amended, restated, or replaced.

INSTALLATION REQUIREMENTS

1. Except as otherwise set out in this by-law, every owner shall ensure a BFP device is installed in respect of premise isolation for each connection to which potable water is delivered.
 - a. BFP devices installed in respect of premise isolation shall be determined in accordance with CSA and plumbing standards.

- b. The Town has final approval on the selection of the BFP device to be installed.
2. Where a BFP device is installed in respect of premise isolation such device shall be located before the first branch line leading off the water supply line and not more than three (3.0) meters downstream of the water meter, except where circumstances require the device to be installed upstream of the water meter and such location is to the satisfaction of the Town.
3. BFP devices shall be installed by a qualified person in accordance with good engineering and construction practices, manufacturers specifications and meet the requirements of the Nova Scotia Building Code and the CSA Standard.
4. The owner shall ensure that all Backflow Prevention Devices are:
 - a. Located and installed in a such a manner so that in the event of backflow the BFP device prevents contamination of the water system.
 - b. Installed in readily accessible areas to facilitate inspection, field testing and maintenance while complying with the minimum and maximum clearances around the BFP devices as outlined in the CSA Standards.
 - c. Supported and restrained to prevent lateral movement.
 - d. Not bypassed.
5. Where a BFP device is installed in areas subject to freezing, the owner shall ensure it is protected from freezing in a manner acceptable to the Town.

TESTING REQUIREMENTS

1. Every owner who has a BFP device installed on their property shall ensure that:
 - a. Such a device is tested when it is first installed and annually thereafter unless a different timeframe is requested by the Town, as well as when it is cleaned, repaired, overhauled, or relocated.
 - b. The completed Backflow Prevention Test and inspection report is submitted to the Town within seven (7) days of the test being conducted.
 - c. A legibly marked Backflow Prevention Test Tag is affixed to the BFP device.
 - d. When a new connection to the water system is made, a qualified person shall complete and submit a Backflow Prevention Report prior to the request for the turning on of the water valve by the Town.
2. Every qualified person who tests a BFP device shall:
 - a. Ensure that all testing is in accordance with this by-law and the CSA Standard.
 - b. Within seven (7) days of carrying out such test, provide a Backflow Prevention Device Report to the Town and owner.
 - c. Upon completing such a test, complete and affix a Backflow Prevention Device Test Tag in a form satisfactory to the Town.
 - d. Upon finding that a BFP Device is malfunctioning, or otherwise not in proper working order, immediately notify the owner, occupant of the property and the Town of such

condition.

- e. Ensure that the BFP device report submitted to the Town does not contain inaccurate or false information.

CORRECTIVE ACTIONS

1. Where required by the Town, every owner shall take corrective actions to remedy the deficiencies that were identified in the BFP device report for their property. Such corrective actions shall take place within the timeframe required by the Town.
2. Every owner shall take corrective actions to remedy the deficiencies identified on the BFP device report for their property.
3. When a BFP device is found to be malfunctioning or not in proper working order, the owner shall ensure all activities that may result in backflow immediately cease and repair the device immediately. If the device is unable to be repaired during the BFP device test, the owner shall ensure the device is repaired within ten (10) business days of the failed test.
4. Where a BFP device is installed, no person shall not remove, or cause, or permit the removal of the BFP device or part thereof unless the removal is:
 - a. To facilitate the emergency repair of the device and such device is replaced immediately after such repair is carried out,
or
 - b. To replace the BFP device with another that meets or exceeds the provisions of this by-law, or such removal is required to change building functions with written notification having been received by the Town.
5. Within seven (7) days of implementing corrective actions, the owner shall submit to the Town the BFP device Replacement Form.

Damage to the Water System

Any person who receives water from the water system and creates an illegal cross connection or does not take the necessary steps to prevent a backflow incident shall be liable for all costs associated with related work undertaken by the Town or its agents. Such costs may include, but are not limited to, the cost of investigation, disinfection, repairing or replacing any part of the system, to restore the water system to a safe standard of drinking water quality which may be determined through water sample analysis.



CERTIFICATION

I, Sara Marceau, Town Clerk for the Town of Middleton, do hereby certify that the bylaw, of which the foregoing is a true copy, was duly passed at a called meeting of the Town Council of the Town of Middleton held on the 14th day of July 2025.

GIVEN under the hand of the Town Clerk and the corporate seal of the Town of Middleton this 16th day of July, 2025.

 Sara Marceau
 Town Clerk

Bylaw Adoption	
Date of First Reading:	June 16, 2025
Publication of Notice of Intent:	June 17, 2025
Date of 2 nd Reading & Passing:	July 14, 2025
Date of Publication of Notice of Passing:	July 16, 2025
Description: Passing of Original Bylaw	
First Amendment	
Date of First Reading:	
Publication of Notice of Intent:	
Date of 2 nd Reading & Passing:	
Date of Publication of Notice of Passing:	
Description:	