



By-law 2020-xx

Being a By-law to establish a program to provide rebates for the Private Plumbing Protection Program to reduce the risk of basement flooding

WHEREAS pursuant to subsections 10(1) and 11(1) of the *Municipal Act, 2001*, S.O. 2001, c.25 (the “Act”) a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS pursuant clause 8 of subsection 11(2) of the Act a municipality may pass by-laws respecting the protection of persons and property;

AND WHEREAS pursuant to clause 6 of subsection 11(3) of the Act a municipality may pass by-laws relating to drainage and flood control;

AND WHEREAS the Council of The Corporation of the City of Markham deems it advisable and in the public interest to provide financial assistance on the terms set out in this By-law as an incentive to encourage property owners to implement Private Plumbing Protection Measures on their property to reduce the risk of basement flooding;

NOW THEREFORE the Council of The Corporation of The City of Markham enacts as follows:

1. DEFINITIONS

1.0 In this By-law:

“**Backwater Valve**” means a **Check Valve** designed for use in a gravity drainage system;

“**Check Valve**” means a valve that permits flow in only one direction and prevents a return flow;

“**City**” means The Corporation of The City of Markham;

“**Downspout**” means roof runoff collection pipe;

“**Property Owner**” means a registered owner of **Property** in the City of Markham;

“**Property**” means a separate parcel of land in the City of Markham that has been assigned a Property Identifier Number in the land registry system;

“**Licensed Plumber**” means a plumber licensed with the Ontario College of Trades as a journeyman plumber;

“**Lateral**” means a **Property’s** storm or sanitary pipe connection to the municipal **Storm Sewer** or **Sanitary Sewer**;

“**New Installation**” means a **Private Plumbing Protection Measure** implemented after this By-law comes into effect;

“**Private Plumbing Protection Measure**” means a measure implemented in a plumbing and drainage system including backwater valves, sump pumps, weeping tile disconnection and lateral relining/repair for the purpose of reducing the risk of basement flooding;

“**Retroactive Installation**” means a **Private Plumbing Protection Measure** implemented after April 30, 2017 and before the coming into force of this By-law;

“**Sanitary Sewer**” means a sewer intended to carry only sanitary and industrial wastewaters from residences, commercial buildings, industries, and institutions, in which storm, surface, and groundwater are not intentionally admitted;

“**Storm Sewer**” means a municipal sewer intended to carry only storm water, surface runoff from streets and adjacent property, and flow from foundation drains and ditches;

“**Weeping Tile**” (foundation drain) means a pipe or series of pipes that collect groundwater around the foundation or footing of a structure for protection against hydrostatic pressures and for discharge to an approved point of discharge;

2. APPLICATION OF BY-LAW

2.0 This By-law applies to **Property Owners** who meet eligibility requirements as set out in Section 3 of this By-law relating to **Retroactive Installations** or **New Installations**.

3. ELIGIBILITY REQUIREMENTS

3.0 A **Property Owner** will be entitled to receive a rebate, in accordance with the provisions of this By-law, if they meet all of the following requirements:

- (a) The **Property** must be located in known flood prone areas, or the Property Owner must demonstrate the existence of flood risk in the area to the satisfaction of the City;
- (b) The **Property** is not the subject of any contraventions, work orders or outstanding municipal requirements;
- (c) There are no outstanding municipal fines, arrears of taxes, fees or penalties assessed against the **Property Owner**;

- (d) The **Downspouts** on the **Property** must be properly disconnected from the **City** sewer system;
- (e) The **Property Owner** has obtained approval of the work from the Environmental Services Department prior to installation;
- (f) The **Property Owner** applying for the rebate must provide the necessary information and documentation set out in the rebate application forms and must be otherwise compliant with the program requirements;
- (g) The **Property Owner** or their agent has obtained any necessary permits for the **New Installation**;
- (h) Any proposed **Private Plumbing Protection Measure** must not be required by the *Building Code Act, 1992*, S.O. 1992, c. 23 and the Ontario Building Code O. Reg. 332/12, as amended or any successor thereof as part of other works;
- (i) The **New Installation** must be installed in accordance with the *Building Code Act, 1992*, S.O. 1992, c. 23 and the Ontario Building Code O. Reg. 332/12, as amended or any successor thereof;
- (j) The **Property Owner** must execute a release in favour of the **City**, in a form to be provided by the **City**, and
- (k) The rebate application must be submitted to the **City** by a date specified by the City.

4. REBATE AMOUNTS

4.0 The rebates provided for in this By-law are subject at all times to the availability of funding and may be eliminated by Council through repeal of this By-law at any time without further notice to any affected persons. Nothing in this By-law requires the **City** to provide funding for the rebates set out in this By-law.

4.1 The **City** may grant rebates for each **Private Plumbing Protection Measure** up to the following maximum amounts, for eligible costs only, as described in Section 5 below:

Private Plumbing Protection Measure	Maximum Rebate Amount
Backwater Valve – Indoor Installed on Sanitary Lateral	\$1,750
Backwater Valve – Indoor Installed on Storm Lateral	\$1,750
Backwater Valve – Outdoor Installed on Sanitary Lateral	\$2,000
Backwater Valve – Outdoor Installed on Storm Lateral	\$2,000
Weeping Tile - Disconnected from Sanitary Lateral and Redirect to Storm Lateral by gravity connection	\$3,000
Weeping Tile - Disconnected from Sanitary Lateral and Sump Pump Installation	\$5,000
Lateral Reline/Repair – Storm	\$2,500
Lateral Reline/Repair – Sanitary	\$2,500

5. ELIGIBLE COSTS

Eligible costs include:

- a) Material and labour costs for the implementation of the **Private Plumbing Protection Measure**;
- b) Permit fees;
- c) Consulting or inspection costs to determine appropriate **Private Plumbing Protection Measures** to be implemented on the **Property**, and
- d) Cost of **Downspout** disconnection prior to the installation of a **Backwater Valve** or sump pump.

6. SHORT TITLE

This By-law shall be known as the “Private Plumbing Protection Rebates By-law”.

7. EFFECTIVE DATE

This By-law shall come into force and effect on the date of enactment and passage.

Read a first, second, and third time and passed on xxxx, 2020.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor