



**City of Port Colborne  
Regular Meeting of Committee of the Whole 07-19  
Monday, February 25, 2019 – 6:30 p.m.  
Council Chambers, 3<sup>rd</sup> Floor, 66 Charlotte Street**

**Agenda**

- 1. Call to Order:** Mayor William C. Steele
- 2. National Anthem:**
- 3. Introduction of Addendum and Delegation Items:**
- 4. Confirmation of Agenda:**
- 5. Disclosures of Interest:**
- 6. Adoption of Minutes:**
  - (a) Regular meeting of Committee of the Whole 06-19, held on February 11, 2019.
- 7. Determination of Items Requiring Separate Discussion:**
- 8. Approval of Items Not Requiring Separate Discussion:**
- 9. Presentations:**
  - (a) Jane Nigh, Kim Hart, Amber Minor, Members of the Fair Trade Town Committee will be providing information about the Committee and Fair Trade Towns (Page No. 7)
- 10. Delegations (10 Minutes Maximum):**

Nil.
- 11. Mayor's Report:**
- 12. Regional Councillor's Report:**
- 13. Councillors' Items:**
  - (a) Councillors' Issues/Enquiries
  - (b) Staff Responses to Previous Councillors' Enquiries
- 14. Consideration of Items Requiring Separate Discussion:**
- 15. Notice of Motion:**
- 16. Adjournment:**

**Upcoming Committee of the Whole and Council Meetings**

Monday, March 4, 2019	Special Committee of the Whole – 5:00 P.M. – Budget Meeting
Monday, March 11, 2019	Committee of the Whole/Council – 6:30 P.M.
Monday, March 25, 2019	Committee of the Whole/Council – 6:30 P.M.
Monday, April 8, 2019	Committee of the Whole/Council – 6:30 P.M.
Tuesday, April 23, 2019	Committee of the Whole/Council – 6:30 P.M.
Monday, May 13, 2019	Committee of the Whole/Council – 6:30 P.M.
Monday, May 27, 2019	Committee of the Whole/Council – 6:30 P.M.

Note: If not otherwise attached to the staff report, by-laws are published and available for review under the "Consideration of By-laws" section of the Council agenda.

## Committee Items:

Notes	Item	Description / Recommendation	Page
WCS MB EB RB GB FD AD DK HW	1.	<p><b><u>Motion by Councillor Kalailieff Re: Waiving of Fire Inspection Fees for Bed and Breakfasts</u></b></p> <p>That the fire inspection fee for bed and breakfasts be waived for the 2019 year.</p> <p><b>Note:</b> Notice of Motion was given at the Meeting of January 28, 2019.</p>	----
WCS MB EB RB GB FD AD DK HW	2.	<p><b><u>Engineering and Operations Department, Operations Division, Report 2019-19, Subject: Council's Role as Owner of The Port Colborne Distribution System</u></b></p> <p>That Council receives Operational Services Report 2019-19, Council's Role as Owner of the Port Colborne Distribution System; and</p> <p>That Council endorses the Port Colborne Water Distribution System Quality Management System Operational Plan attached as Appendix B to Operational Services Report 2019-19.</p> <p><b>Note:</b> Darlene Suddard, Environmental Compliance Supervisor will be providing a presentation regarding the above report.</p>	9
WCS MB EB RB GB FD AD DK HW	3.	<p><b><u>Engineering and Operations Department, Engineering Division, Report 2019-21, Subject: Report on the Proposed Regional Niagara Waste Collection Services Contract</u></b></p> <p>That Council approve the following proposed Regional collection changes to the 2021 collection contract:</p> <ol style="list-style-type: none"> <li>1. That every-other-week (EOW) garbage collection be implemented, for all residential properties, including those IC&amp;I and MU properties located outside DBAs as a base service. (Current garbage container limits would double for all properties, on an EOW basis). That Recycling and Organic Bin collection for all properties shall remain <u>weekly</u> collection. Those IC&amp;I and MU properties located inside the DBAs would continue to receive weekly garbage, recycling and organics collection as a base service.</li> </ol> <p style="text-align: right;"><b>Continued.....</b></p>	99

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		<ol style="list-style-type: none"> <li>2. That switching to clear bags be approved.</li> <li>3. That the establishment of a four (4) item limit per residential unit, per collection, for large item collection at LDR properties be approved (base service).</li> <li>4. That appliance and scrap metal pick-up be discontinued at LDR properties.</li> <li>5. That the number of garbage bags/containers for IC&amp;I and MU properties inside DBAs be reduced from seven (7) to four (4) per week (base service).</li> <li>6. That the number of garbage bags/containers for MU properties outside DBAs be reduced from six (6) to four (4) per week, or eight (8) containers per week under EOW garbage collection (base service).</li> <li>7. That the City's enhanced service levels that currently exist continue for the term of the new Regional Contract.</li> </ol>	
<p>WCS MB EB RB GB FD AD DK HW</p>	<p>4.</p>	<p><b><u>Corporate Services Department, Clerk's Division, Report 2019-27, Subject: Appointment of an Integrity Commissioner</u></b></p> <p>That Council appoints Edward T. McDermott of ADR Chambers Inc. as the Integrity Commissioner for The Corporation of the City of Port Colborne, for an initial term of four (4) years; and</p> <p>That Council assigns to the Integrity Commissioner all of the responsibilities required under Subsection 223.3 (1) of the <i>Municipal Act, 2001</i>, as amended, to come into force on March 1, 2019; and</p> <p>That Council requests the Integrity Commissioner to provide training concerning the Code of Conduct and the Municipal Conflict of Interest Act, and other procedures, rules and policies governing the ethical behaviour of Council, and local boards, pursuant to the <i>Municipal Act, 2001</i>, as amended effective March 1, 2019, from time to time; and</p> <p>That the Mayor and City Clerk be authorized to execute an agreement with ADR Chambers Inc. for the purpose of providing services of an Integrity Commissioner.</p>	<p>105</p>

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WCS	MB	EB	5.	<p><b><u>Engineering and Operations Department, Engineering Division, Report 2019-16, Subject: Skelton Municipal Drains</u></b></p> <p>That Council hereby acknowledges that Brandon Widner, P. Eng of Spriet Associates Architects and Consulting Engineers shall be the Engineer of record for the Skelton Municipal Drains report as outlined in Engineering and Operations Department Report 2019-16.</p>	111
RB	GB	FD			
AD	DK	HW			
<b>Miscellaneous Correspondence</b>					
WCS	MB	EB	6.	<p><b><u>Nancy Salvage and Fatima Shama, Executive Director, The Fresh Air Fund Re: Request for Proclamation of Fresh Air Fund Day, March 20, 2019</u></b></p> <p>That March 20, 2019 be proclaimed as “Fresh Air Fund Day” in the City of Port Colborne in accordance with the request received from Nancy Salvage and Fatima Shama, Executive Director, The Fresh Air Fund.</p>	115
RB	GB	FD			
AD	DK	HW			
WCS	MB	EB	7.	<p><b><u>Memorandum from Nancy Giles, EA to Mayor and CAO Re: Recommendation from Social Determinants of Health Advisory Committee – Everyone Matters</u></b></p> <p>That the memorandum from Nancy Giles, EA to Mayor and CAO on behalf of the Social Determinants of Health Advisory Committee – Everyone Matters, Re: Recommendations regarding Amendments to By-law 6530/97/17, be received; and</p> <p>That the following motion be approved by Council:</p> <p>That Section 3 (k) of By-law 6530/97/17 be amended to remove “East Village Neighbourhood Improvement Task Force” and add “Niagara Community Legal Clinic” as the clinic name has changed;</p> <p>and further that Section 3 (d) be amended to remove “One member of staff from the Community Services Division” and add “The City of Port Colborne Health Services Coordinator” as a voting member also removing reference to this position from Section 4 (a) and renumbering Section 4 accordingly;</p> <p>and further that Section 3 be amended to add “One representative from Community Services, Niagara Region” as a voting member.</p>	117
RB	GB	FD			
AD	DK	HW			

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WCS	MB	EB	8.	<b>Port Colborne-Wainfleet Chamber of Commerce Re: Annual President's Awards March 21, 2019 Request the Waiving of Corkage Fees for the Event Tastings</b>	118
RB	GB	FD			
AD	DK	HW		That the Council of The Corporation of the City of Port Colborne approves the waiving of the "corkage fees" for event tastings, as requested by the Port Colborne-Wainfleet Chamber of Commerce for their Annual President's Awards on March 21, 2019 being held at the Roselawn Centre.	
<b>Outside Resolutions – Requests for Endorsement</b>					
WCS	MB	EB	9.	<b>Town of Fort Erie Re: Request Region to Consider an In-House Waste Collection Service</b>	119
RB	GB	FD			
AD	DK	HW		That the resolution received from the Town of Fort Erie Re: Request Region to Consider and In-House Waste Collection Service, be received for information.	
<b>Responses to City of Port Colborne Resolutions</b>					
<b>Nil.</b>					

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From: "5104 Port Colborne, ON" [PortColborne@villages.ca](mailto:PortColborne@villages.ca)

02/19/2019 03:43 PM

To: "brendaheidebrecht@portcolborne.ca" <brendaheidebrecht@portcolborne.ca>

**RE: Fwd: Fair Trade Town**

Hello Brenda,

Thanks for your e-message. Three of us will be presenting at this point. One of our presenters is Amber Minor. She is concerned about timeline because of parental duties that evening. Might it be possible for us to be near the beginning so that she can leave?

Our 10 minutes will cover the following: Defining Fair Trade. Putting Fair Trade Towns and Cities in the International Context. This Spring we celebrate 10 years as a fair trade town - the first in Ontario and the third in Canada. One of the criteria for keeping our status, which must be renewed yearly, is that Council must appoint a representative (Council, staff or City rep) to represent the city on our steering committee.

Those are the points we are going to cover. Do you want them further fleshed out?

Thanks so much!

Jane

Jane Nigh & Kim Hart  
Co-Managers  
Ten Thousand Villages Canada Port Colborne  
905.834.6292  
Shop online at [tenthousandvillages.ca](http://tenthousandvillages.ca)

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Report Number: 2019-19

Date: February 25, 2019

**SUBJECT: Council's Role as Owner of the Port Colborne Distribution System**

**1) PURPOSE:**

This report, prepared by Darlene Suddard, Environmental Compliance Supervisor and authorized by Richard Daniel, Manager of Operations and by Chris Lee, Director of Engineering and Operations, has been prepared to provide Council, as the Owner of the Port Colborne Distribution System, with an overview of their roles and responsibilities under the legislation, and under the Drinking Water Quality Management Standard, with which the City's Operational Plan and Quality Management System are in conformance.

Additionally, as this is a new Council, Staff is required to seek the new Council's endorsement of the Operational Plan for the Quality Management System.

**2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES**

In Part II of The Walkerton Inquiry, Justice O'Connor made eight recommendations specifically directed at implementing the principles of quality management in Municipal Drinking Water Systems. He recognized that "the technology for treating and monitoring water to a high standard is well established. Failures in Walkerton, and elsewhere, appear to arise because of poor management or the inadequate implementation of good practices."

A quality management system consists of a set of policies, procedures and objectives that direct and control an organization with respect to quality. All quality management systems have the same basic principles – Plan-Do-Check-Act.

There are currently a wide variety of quality management standards in existence (i.e. ISO 9000, ISO 14000, HACCP (Hazard Analysis and Critical Control Point) and various laboratory and industry-specific standards); however, the Province decided to create a made-in-Ontario approach to quality, and developed the Drinking Water Quality Management Standard. In 2017, the Province released an updated version of the Standard, and the City is required to ensure all QMS documentation is updated to meet the requirements of the revised Standard before the next re-accreditation audit.

Also recommended in Part II of the report of the Walkerton Inquiry, was that the Province adopt a new approval framework for municipal drinking water systems that would require Owners to obtain a licence to operate their systems and incorporate the concept of quality management into their operations.

With the proclamation of section 33 of the *Safe Drinking Water Act (SDWA), 2002*, in May 2007, the Ministry of the Environment and Climate Change launched the Municipal Drinking Water Licensing Program. Beginning in January 2009, all municipal Owners of drinking water systems were required to submit the items listed below by the legislated deadline in order to receive a Municipal Drinking Water Licence (Licence) to operate their drinking water system. The items required for a Licence, and the City's current status in maintaining our Licence are described below.

**a. Operational Plan**

The City's Operational Plan, describing how the City's Quality Management System conforms to the Drinking Water Quality Management Standard (DWQMS), was originally endorsed by Council on April 27, 2009. Re-endorsement is required within one year following the election of a new Council, or following significant changes to the Operational Plan. After the 2014 election, Council re-endorsed the Operational Plan in July 2015.

**b. Accredited Operating Authority**

The City of Port Colborne was originally accredited in June 2013 by QMI-SAI Global. Full on-site re-accreditation audits are required every 3 years, with annual document review, or surveillance audits, conducted in the two years between re-accreditation. The City was re-accredited in 2016, and the accreditation expires in June 2019. Therefore, an on-site re-accreditation audit will be conducted in 2019.

**c. Permit to Take Water**

The City is not required to apply for this permit, as the City's system is a stand-alone distribution system and receives all water from the Port Colborne Water Treatment Plant, operated by the Region.

**d. Drinking Water Works Permit (Permit)**

The Permit and Licence are issued by the Province at the same time. The current Licence and Permit are valid until September 2019, and the application renewal deadline is April 23, 2019.

**e. Financial Plan**

The requirement to submit a Financial Plan for the drinking water system is regulated by Ontario Regulation 453/07. The intention of 453/07 is to ensure the system Owner understands the financial impacts of/on the drinking water system and funds the drinking water system accordingly.

Council endorsed the City's Financial Plan on June 28, 2010, and it was submitted to the Ministry of Municipal Affairs and Housing by the legislated July 1, 2010 deadline. The Financial Plan covers a ten-year period, and must be updated and approved by Council before the April 23, 2019 Permit and Licence renewal deadline.

The Statutory Standard of Care clause, Section 19 of the *Safe Drinking Water Act (SDWA), 2002* came into effect on December 31, 2012. This clause, in part requires "every person who oversees the accredited operating authority and every person who exercises decision making authority over the system" to:

- (a) exercise the level of care, diligence and skill... that a reasonably prudent person would be expected to exercise in a similar situation; and
- (b) act honestly, competently and with integrity, with a view to ensuring the protection and safety of the users of the municipal drinking water system

It is important to note that "Failure to comply with section 19 of the SDWA is an offence and could result in the prosecution of an individual, corporation, or both."

### 3) STAFF COMMENTS AND DISCUSSIONS

This report is intended to provide the members of Council with an overview of their responsibilities under the Safe Drinking Water Act, 2002 and associated regulations, and ensure Council, as the Owner of the PCDS, is familiar with the City's QMS. Under section 11 of the SDWA, Council's duties, are to ensure:

- that all water provided by the PCDS meets the prescribed drinking water quality standards
- that the drinking water system is:
  - operated in accordance with the requirements of the SDWA
  - maintained in a fit state of repair
- that the drinking water system is appropriately staffed and supervised by qualified personnel (i.e. having appropriate and current license(s), training and/or expertise)
- compliance with all sampling, testing and monitoring requirements
- all reporting requirements are being met

Under section 9.2 of the Operational Plan, Council has the following responsibilities:

- Ultimate responsibility for ensuring the provision of safe drinking water
- Provide resources and infrastructure necessary to comply with legislation
- Ensure compliance and proper accreditation according to the requirements of the SDWA, Drinking Water Quality Management Standard and associated regulations
- Endorse the Operational Plan

Under the Section 19, Standard of Care clause, Council is permitted to delegate these duties to Operating Authority Staff; however, this delegation does not relieve Council of its duty to comply with Section 19. Council must ensure that these delegated responsibilities are carried out, and in cases where they are not, take reasonable steps to ensure they do.

In the publication "*Taking Care of Your Drinking Water: A Guide for Members of Municipal Councils*" (Appendix C), the importance of communication between the Operating Authority and Council is highlighted. Effective communication between the Operating Authority and Council will ensure that although Council is not directly involved in the day-to-day operation of the distribution system, they will be provided with appropriate information to aid in making informed decisions regarding the drinking water.

Council has committed to ensure an open line of communication is established by appointing two members to represent Council as the Owner of the Port Colborne Water

Distribution System at all internal DWQMS meetings, assessments etc. that may require Owner input. This participation provides Council with members who are familiar with the DWQMS and its requirements, ensures Owner responsibilities are fulfilled and aids in fulfilling the communication requirements of the Standard.

In addition to the participation of Councillors at internal DWQMS meetings, Council approves the Financial Plan, which guides the annual water rate setting process. Participation in this process and through receiving reports and presentations prepared and delivered by Staff regarding the drinking water, and/or the Quality Management System, ensures that Council is aware of any issues, needs, shortcomings etc. that require attention to ensure the continued safety of the drinking water in Port Colborne.

It is important that Council recognizes that communication regarding the water distribution system is a “two way street” – Staff cannot answer questions that are not asked, and no Council member is expected to be an expert on the drinking water system. Councillors are encouraged to ask questions, similar to those provided in the guidance document provided in Appendix C, to help fulfill their Standard of Care obligations and ensure Port Colborne residents continue to receive safe drinking water; alternatively, Council could request that Staff prepare an in-depth information presentation, answering the questions provided in the guidance document.

To meet the requirements of the revised Drinking Water Quality Management Standard, staff have updated the Operational Plan and all supporting documentation to ensure all required changes have been made.

#### **4) OPTIONS AND FINANCIAL CONSIDERATIONS:**

##### **a) Do nothing.**

This is not an option; Council’s endorsement of the Operational Plan is a requirement of the Drinking Water Quality Management Standard.

##### **b) Other Options**

If Council disagrees with the contents or formatting etc. of the Operational Plan, Council can direct Staff to re-write the Operational Plan and re-submit for endorsement. However, even with the revisions to the Standard, the changes to the Operational Plan are minimal changes since being first endorsed by Council in April 2009. Staff does not recommend that Council direct a re-write of the current Operational Plan.

#### **5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

Not Applicable

**6) ATTACHMENTS**

- Appendix A – Council's Roles and Responsibilities as the Owner of the Drinking Water System presentation
- Appendix B – Quality Management System Operational Plan
- Appendix C – Taking Care of Your Drinking Water: A Guide for Members of Municipal Councils

**7) RECOMMENDATION**

That Council receives Operational Services Report 2019-19, Council's Role as Owner of the Port Colborne Distribution System; and

That Council endorses the Port Colborne Water Distribution System Quality Management System Operational Plan attached as Appendix B to Operational Services Report 2019-19.

**8) SIGNATURES**

Prepared on February 13, 2019 Reviewed by:  
by:



Darlene Suddard  
Environmental Compliance  
Supervisor



Richard Daniel  
Manager of Operations

Reviewed by:



Chris Lee  
Director of Engineering and  
Operations

Reviewed and Respectfully Submitted:



C. Scott Luey  
Chief Administrative Officer



PORT COLBORNE

Quality Management System

# Council's Roles and Responsibilities as the Owner of the Port Colborne Distribution System

February 16, 2019

## Background

### Legislated Requirements



#### Safe Drinking Water Act, 2002

##### Requires:

- Water system licence
- Water Operators must be licensed

Specifies water testing & laboratory requirements

Ministry given authority to inspect systems

##### Sets fines:

- Individuals – up to \$4,000,000 per day (first offence), up to 5 years in prison
- Corporations – up to \$10,000,000 per day
- Max fines are for an offence resulting in drinking water health hazard



# Background

## Legislated Requirements



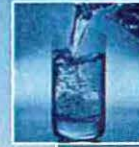
### O.Reg 170/03 Drinking Water Systems

- Disinfection type and levels
- Sampling parameters, frequency and operational checks
- Reporting requirements



### O.Reg 128/04 Operators

- Licence class required for system type
- Training/retraining requirements



### O.Reg 169/03 Drinking Water Quality Standards

- Microbiological (E.coli & Total Coliforms)
- Chemical (THMs, HAAs & Lead)



# Background

## Legislated Requirements



### O.Reg 457/07 - Financial Plans

Goal – ensure all municipal DW systems are financially viable

- Must be approved by Council
- Include details of:
  - Position (assets, liabilities, debt)
  - Financial Operations (revenues, expenses, annual surplus/deficit, accum. Surplus/deficit)
  - Gross cash receipts & gross cash payments
- Update Financial Plans before re-applying for License



## Standard of Care (s.19, SDWA)



- **Came into force December 31, 2012**
- Owners shall:
  - Exercise a level of care, diligence and skill that a reasonably prudent person would be expected to exercise
  - Act honestly, competently and with integrity to ensure safety of the users of the municipal drinking water system
- Standard of Care allows for owners to rely in good faith on expertise of professionals
- Also allows owners to delegate some oversight responsibilities to Staff



## Standard of Care (s.19, SDWA)

**Not only applies to Council, also applies to:**

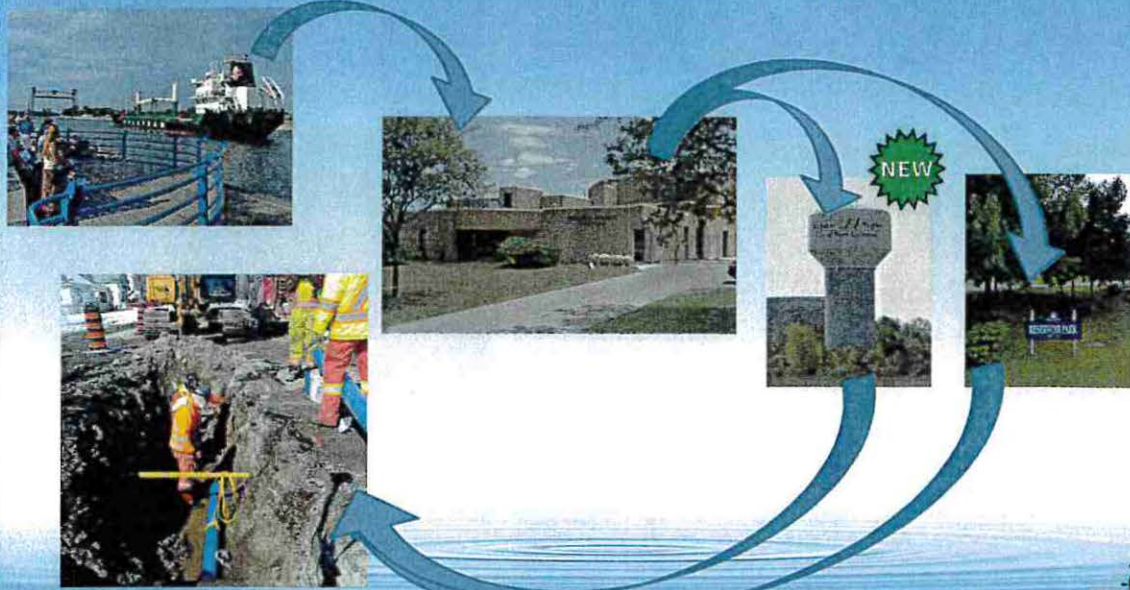
- Every person who oversees the accredited operating authority for the system
- And every person who exercises decision making authority over the system

*However, Council still maintains overall responsibility/accountability*





# Port Colborne's Drinking Water



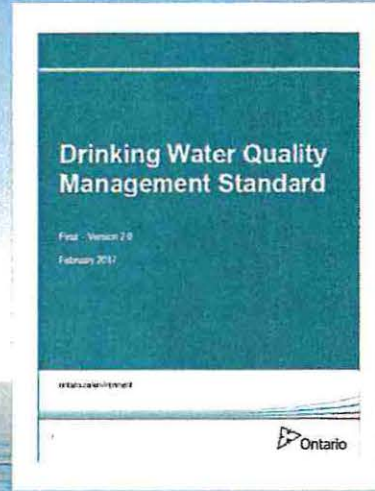
## Background



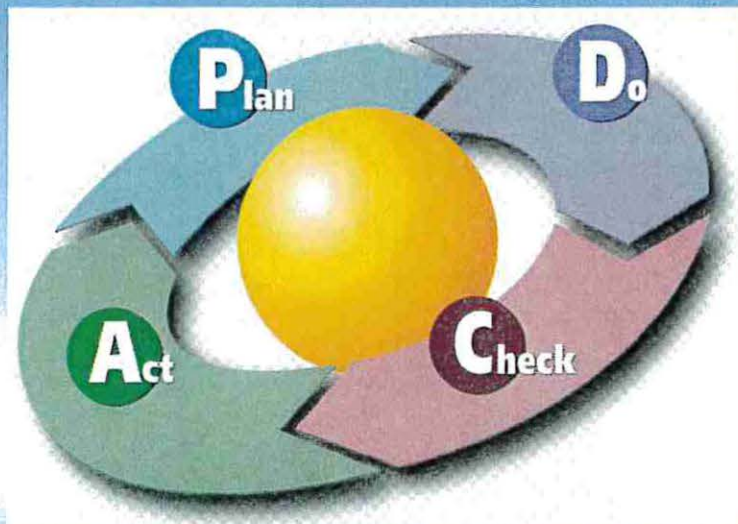
# Introduction to the QMS


## What is a “Quality Management System”?

- Set of policies, procedures and objectives
- Direct and control our activities as they relate to drinking water quality
- Demonstrate conformity through an auditing process
- Operational Plan documents the framework of our QMS and it's conformance to the DWQMS



## Introduction to the QMS – cont.





**PORT COLBORNE**

The City of Port Colborne owns, operates and maintains the Port Colborne water distribution system.

The City of Port Colborne is committed to **CLEAN** drinking water:




**C**onsistent compliance with legislation

**L**istening and communicating with the public regarding safe drinking water

**E**stablishing a Quality Management System that is always improving


**A**llowing only the safest water to reach your tap

**N**ecessity of life, of the highest quality

- Maintenance of License and Permit
- Accredited Operating Authority
- Annual Inspections - 100% rating
- Licensed Operators
- New watermain installation and testing requirements
- Water sampling, testing and monitoring

**C**onsistent compliance with legislation

## Consistent compliance with legislation

### Accreditation

- External Audits conducted by the accreditation authority on a three year cycle.
  - Year 1 and 2 – surveillance audits
  - Year 3 – re-accreditation audit (on-site)
- Full accreditation received in 2013.
- Surveillance audit in 2018, re-accreditation in 2019 to the new Standard – DWQMS 2.0

**NEWS!**



## Consistent compliance with legislation

### Sampling, Testing and Monitoring

- Conducted in accordance with regulatory requirements
- Standard Operating Procedures detail steps for routine and non-routine (i.e. watermain break, new watermain installation) activities
- These activities specifically targeted during annual Ministry (MECP) inspections

**NEWS!**



## C consistent compliance with legislation

### Essential Supplies and Services

- Identify supplies and services essential for the delivery of safe drinking water
- Create list (ESSL) of “approved” suppliers and contractors
- Suppliers/contractors that have “jeopardized” the safety of our DWS – marked as “unapproved”
- When evaluating tender submissions, in addition to price, need to consider if they can meet our quality requirements



Identify requirements (i.e. AWWA standards, Ministry standards etc.) in an approved materials list

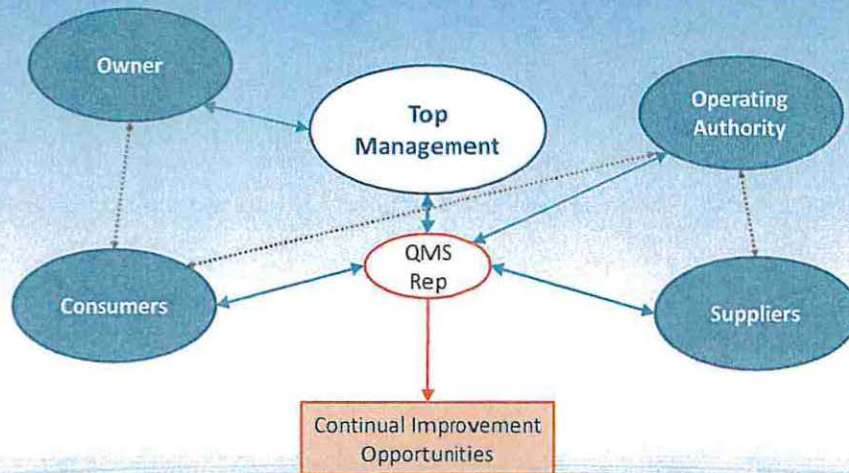


- Annual Report to Council
- In Port News articles
- Quality Policy posted at City facilities
- Operational Plan available at Library, City Hall and on-line
- Public meetings for:
  - Annual water budget
  - Infrastructure Needs Study
- Staff response to water-related complaints

**Listening and communicating with the public regarding safe drinking water**



## Listening and communicating with the public regarding safe drinking water



- Everyone has a role – Owners, Management, Engineering and Operations staff
- OFIs from: Internal Audit, External Audit, Annual Inspection, Staff suggestions, Annual reviews etc. are considered and incorporated where practical

**E**stablishing a Quality Management System that is always improving



## E

Establishing a Quality Management System that is always improving

### Owner Roles

- Supporting Top Management and the Operating Authority
- Water rate setting
- Council members participating in:
  - Management Review
  - Risk Assessment; and
  - Infrastructure Review

**NEW!**



PORT COLBORNE

## E

Establishing a Quality Management System that is always improving

### Supervisor/Management Roles

- Support changes that improve the QMS (through Corrective Actions, Opportunities for Improvement, annual review outcomes etc.)
- Direct/support personnel during changes (i.e., provide training, updates etc.)
- Consider suggestions for improvement from Personnel
- “Champion” the QMS



PORT COLBORNE

## E

Establishing a Quality Management System that is always improving

### Engineering and Operations Staff

- Ensure tender documents are kept current
- Follow all procedures, make suggestions if they aren't "right".
- Participate in annual reviews (infrastructure, risk assessment etc) as requested
- Bring nonconformances/quality issues to attention of the QMS Rep



## E

Establishing a Quality Management System that is always improving

### Quality Management System Representative

- Environmental Compliance Supervisor
- Establish and maintain QMS processes/procedures
- Ensure current versions of QMS documents are easily identifiable, retrievable and in use
- Ensure personnel are aware of all applicable legislative and regulatory requirements
- Promote QMS awareness







- Adequate staff and equipment
- Adequate funding - Financial Plan and water rates
- Infrastructure investment
- Councillor participation in Risk Assessment
- Prompt response to watermain breaks, consumer complaints
- Hydrant flushing

**A**llowing only the safest water to reach your tap



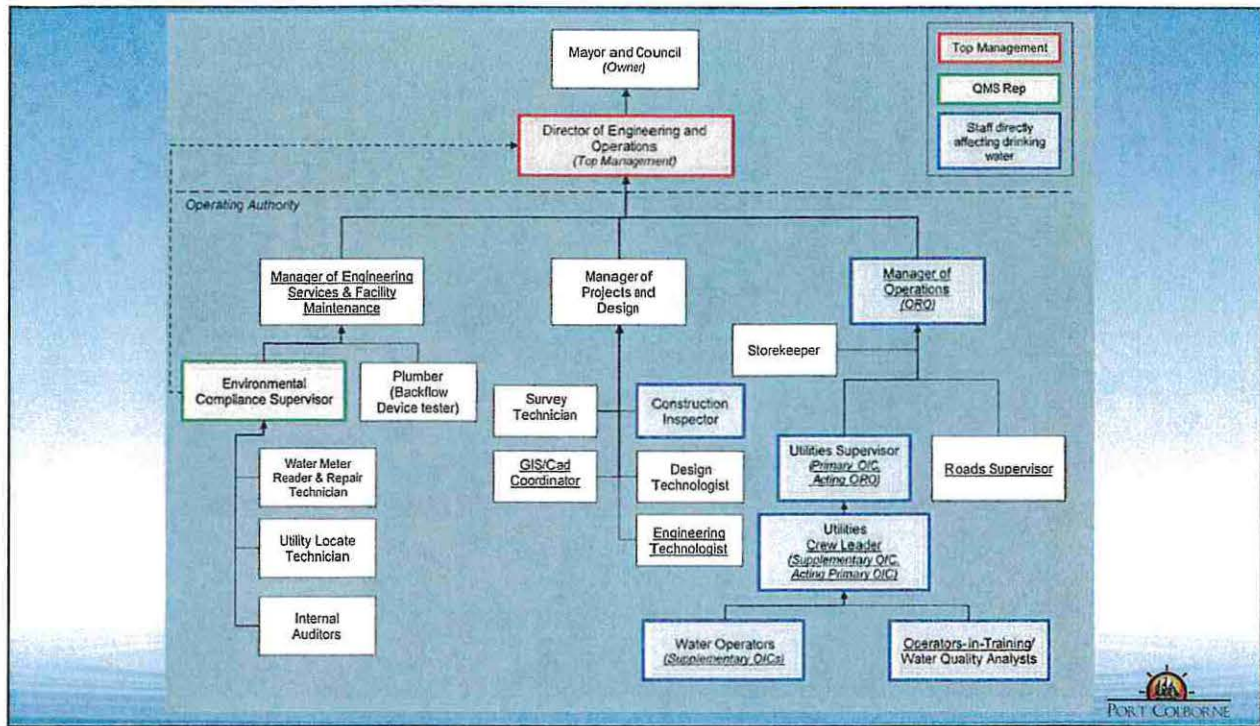
**A**llowing only the safest water to reach your tap

## Personnel Coverage

- Fully staffed during normal operating hours (Mon-Fri)
- One on-call Certified Operator after hours (evenings, weekends, holidays). Additional support acquired by afterhours on-call Supervisor/Crew Leader using the On-call list
- Manager of Operations - Overall Responsible Operator (ORO)
- Utilities Supervisor – Primary Operator-in-Charge (OIC) and Acting ORO
- Utilities Crew Leader – Supplementary OIC, Acting Primary OIC
- Certified Operators – Supplementary OICs\*

\*OITs cannot be OICs





# Allowing only the safest water to reach your tap

## Risk Assessment and Outcomes

- Identify hazards or potential hazards to the water distribution system
- Ministry has identified hazards we must consider – including climate change
- Risks verified once every calendar year (usually with Management Review); complete reassessment every 36 months or when something changes (due diligence)
- Identify controls to minimize risks

**Possible Risks**


- 1422. Alien Invasion
- 1423. City destroyed by angry Monkey God
- 1424. Building eaten by giant pig.

"Well he certainly does a very thorough risk analysis."

Allowing only the safest water to reach your tap

## Review and Provision of Infrastructure



- MUST review adequacy of the drinking water system once every calendar year
- MUST consider risks identified in risk assessment 
- Review: breakage and repairs, Infrastructure Needs Study, risk assessment outcomes, incomplete projects from previous review etc.



- Council's Commitment and Endorsement
- Internal audits
- Risk assessment, Infrastructure review, Management review
- Distribution System Emergency Preparedness Plan

Necessity of life, of the highest quality





### 3. Commitment and Endorsement

The City of Port Colborne supports the implementation, maintenance and continual improvement of the drinking water QMS (Quality Management System) for the City of Port Colborne water distribution system, as described in the Operational Plan. The Owner (the Mayor and Council), endorses this Operational Plan through a Council Resolution within one (1) year following the election of a new Council, or following significant changes to the Operational Plan. Council's endorsement is provided in Appendix 2. Top Management (Director of Engineering and Operations), by signing below, acknowledges the need for a Drinking Water QMS and the responsibility for providing sufficient resources to maintain and continually improve the QMS.

## Infrastructure Maintenance & Renewal

- Maintenance programs
  - Required to summarize our maintenance programs and monitor the effectiveness of those programs
  - In order to monitor effectiveness – need targets
- Renewal
  - MUST have a long term forecast of major maintenance/renewal activities and keep it current
  - Depends upon amount of funds allocated



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## Infrastructure Maintenance & Renewal

Component	Level of service	Target
Watermain breaks/ Water Services	As needed	• Meet response times in SOP C2
Valves	25% of valves turned annually	• < 5 inoperable, repaired/replaced within 30 days
Fire Hydrants	Flush and inspect	• < 5 inoperable, repaired/replaced within 30 days
	Seasonal inspections	• No frozen hydrants
	Fire Flow Testing	• 2 hydrants or less out of service, hydrant marking completed within 60 days of fire flow test
Curb stops/boxes	As required	• Repairs complete within 2 weeks
Dead end flushing	Weekly or as needed**	• 0 AWQIs, <10 dirty water complaints
Backflow protection	Annual or as required	• <40% failure

**NEW!**



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## Internal Audits

Thurs Mar 21  
& Fri Mar 22

Ensure the QMS is effectively implemented and meets or exceeds the requirements of the Standard

**NEW**

### AUDIT CHECKLIST

- Audit Satisfactory
- Non-conformances found
- Observations made

- Internal audits must be completed once every calendar year, and all 21 elements must be audited at least once during the 3 year audit cycle
- Performed by non-water Staff alongside contract auditor(s)
- All Operating Authority staff – and Councillors - are potential auditees



**N**ecessity of life, of the highest quality

## Management Review

- Must be conducted at least once every calendar year
- Must be completed in advance of the annual external audit
- Evaluates the continuing suitability, adequacy and effectiveness of the QMS



**Participants:**  
Director of Engineering and Operations  
Manager of Operations  
Manager of Projects and Design  
Manager of Engineering Services & Facility Maintenance  
Utilities Supervisor  
QMS Representative  
Council Representative(s)



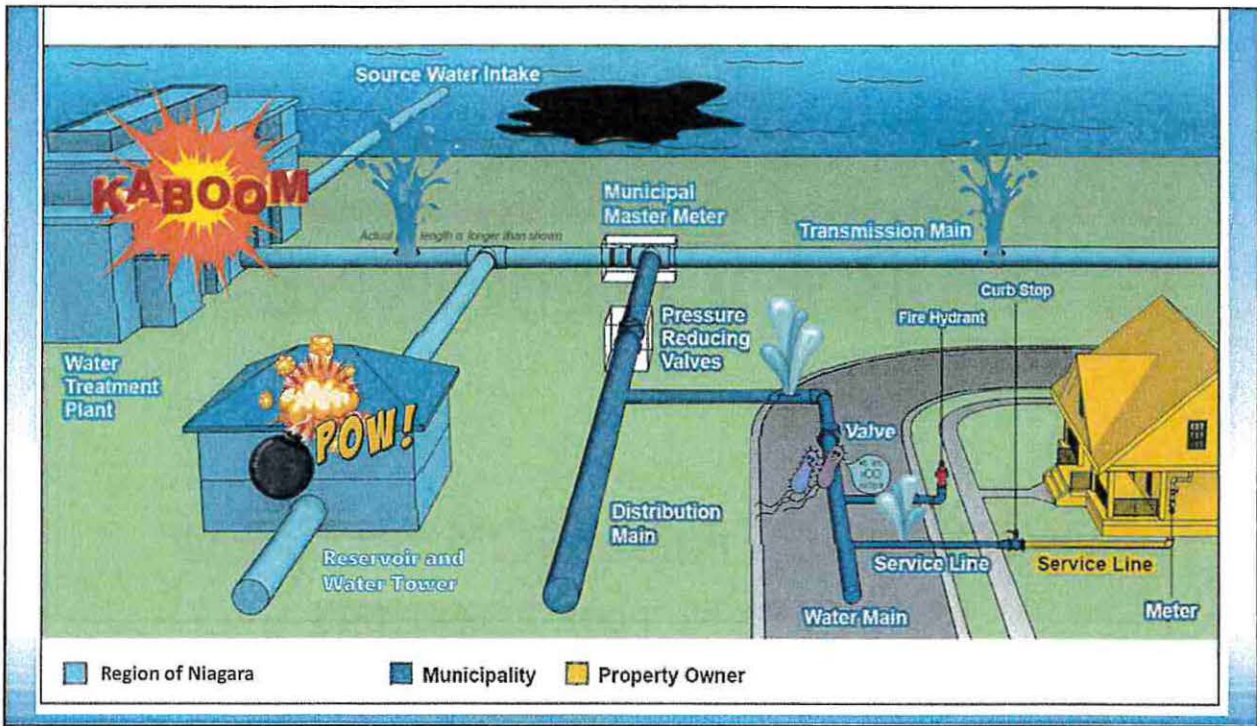
**N**ecessity of life, of the highest quality

## Distribution System Emergency Preparedness Plan

### Purpose

- Minimize effects of a water emergency on the water distribution system and provide protection to people, property and the environment
- Intended to:
  - Minimize confusion
  - Provide for a quick and effective response
  - Restore system to normal operation
  - Provide safe and adequate drinking water





*Remember – Members of Council are not expected to be drinking water experts... if in doubt - ask!*

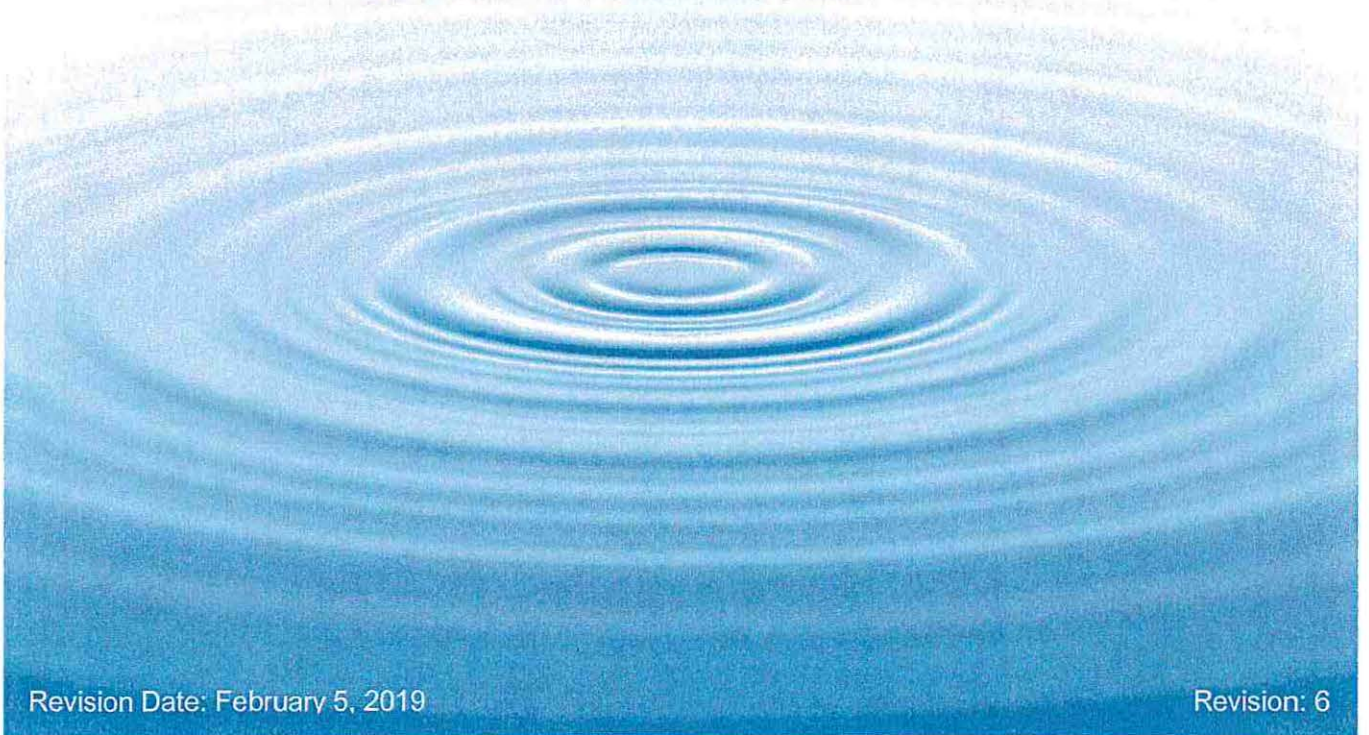


# PORT COLBORNE

## WATER DISTRIBUTION SYSTEM

Waterworks Number: 260001643

# QUALITY MANAGEMENT SYSTEM OPERATIONAL PLAN



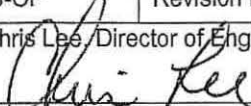
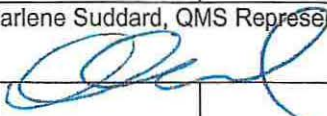
Revision Date: February 5, 2019

Revision: 6



## Table of Contents

A.	INTRODUCTION .....	1
1.	Purpose.....	1
2.	Scope.....	1
3.	References.....	1
4.	Definitions and Acronyms.....	1
B.	OPERATIONAL PLAN.....	2
1.	Quality Management System .....	2
2.	Quality Management System Policy .....	2
3.	Commitment and Endorsement.....	3
4.	Quality Management System Representative.....	4
5.	Document and Records Control .....	4
6.	Drinking Water System.....	4
7.	Risk Assessment.....	5
8.	Risk Assessment Outcomes.....	5
9.	Organizational Structure, Roles, Responsibilities and Authorities.....	6
9.1	Organizational Chart .....	6
9.2	Roles, Responsibilities and Authorities.....	6
10.	Competencies.....	10
11.	Personnel Coverage .....	11
12.	Communications .....	12
13.	Essential Supplies and Services .....	12
14.	Review and Provision of Infrastructure.....	13
15.	Infrastructure Maintenance, Rehabilitation and Renewal .....	13
16.	Sampling, Testing and Monitoring.....	13
17.	Measurement and Recording Equipment Calibration and Maintenance .....	13
18.	Emergency Management.....	14
19.	Internal Audits.....	14
20.	Management Review .....	14
21.	Continual Improvement.....	14
C.	RELATED DOCUMENTS AND RECORDS .....	15

Document No: QMS-OP	Revision Date: February 5, 2019	Revision No: 6
Authorized by:	Chris Lee, Director of Engineering & Operations 	Darlene Suddard, QMS Representative 
Filename: QMS-OP.docx		Page i

**A. INTRODUCTION**

**1. Purpose**

The purpose of this Operational Plan is to document the Quality Management System (QMS) developed and implemented by the City of Port Colborne for the operation and maintenance of its water distribution system.

This Operational Plan includes references to all components of the Drinking Water Quality Management Standard.

**2. Scope**

This Operational Plan covers the activities and personnel associated with all operational aspects of the drinking water distribution system for the City, identified by waterworks number 260001643.

This Operational Plan, the procedures, work instructions and other DWQMS documentation that are referenced herein have been developed in accordance with the legislated requirements for the provision of safe drinking water in the Province of Ontario.

The application of this Plan, and associated procedures and work instructions begins at the point where treated water enters the watermain from the treatment facilities, and ends at the property lines of the consumers.

**3. References**

- Drinking Water Quality Management Standard, February 2017
- Safe Drinking Water Act, 2002 and applicable regulations

**4. Definitions and Acronyms**

- CCL** – Critical Control Limit
- CCP** – Critical Control Point
- City** – City of Port Colborne
- DWQMS or Standard** – Drinking Water Quality Management Standard
- OIC** – Operator-In-Charge
- OP** – Operational Plan
- ORO** – Overall Responsible Operator

Document No: QMS-OP	Revision Date: February 5, 2019	Revision No: 6
Filename: QMS-OP.docx		Page 1 of 15



**QMS** – Quality Management System  
**QMS Rep** – QMS Representative  
**Region** – Regional Municipality of Niagara  
**PCDS**– Port Colborne Distribution System

**B. OPERATIONAL PLAN**

**1. Quality Management System**

The City of Port Colborne has prepared this Operational Plan, in conformance with the DWQMS, to document the City’s commitment to providing clean, safe and reliable drinking water throughout the City’s water distribution system. The development and continual improvement of the OP will help ensure that all regulatory requirements are met and that consumers can be confident that their drinking water will be protected through the effective implementation of the QMS at the City.

**2. Quality Management System Policy**

The City of Port Colborne is committed to provide safe and reliable drinking water of high quality to the consumer. In particular, the City makes the following commitments:

- To provide safe and reliable drinking water to the consumer;
- To comply with, or exceed, applicable legislation and regulations;
- To implement, maintain, and continually improve the Quality Management System;
- To deliver excellent customer service through listening and communicating with the public regarding safe drinking water.

These commitments have been summarized in a poster, QMS-PP, provided in Appendix 1, which shall be displayed at City owned properties, and provided on the City’s website in order to inform water consumers of the City’s commitments.

Document No: QMS-OP	Revision Date: February 5, 2019	Revision No: 6
Filename: QMS-OP.docx		Page 2 of 15



**3. Commitment and Endorsement**

The City of Port Colborne supports the implementation, maintenance and continual improvement of the drinking water QMS (Quality Management System) for the City of Port Colborne water distribution system, as described in the Operational Plan. The Owner (the Mayor and Council), endorses this Operational Plan through a Council Resolution within one (1) year following the election of a new Council, or following significant changes to the Operational Plan. Council's endorsement is provided in Appendix 2. Top Management (Director of Engineering and Operations), by signing below, acknowledges the need for a Drinking Water QMS and the responsibility for providing sufficient resources to maintain and continually improve the QMS.

\_\_\_\_\_  
Director of Engineering and Operations (Top Management)  
Chris Lee

\_\_\_\_\_  
Date

Document No: QMS-OP	Revision Date: February 5, 2019	Revision No: 6
Filename: QMS-OP.docx		Page 3 of 15



**4. Quality Management System Representative**

The City of Port Colborne has appointed and authorized the Environmental Compliance Supervisor as the Quality Management System Representative, who, irrespective of other duties, has the following responsibilities including, but not limited to:

- Ensuring that processes and procedures needed for the QMS are established and maintained,
- Reporting to Top Management on the performance of the QMS and any needed improvement,
- In cooperation with all Operating Authority staff, ensuring that current versions of documents required by the QMS are easily identified, retrievable and being used at all times,
- In cooperation with Operating Authority staff, ensuring that personnel are aware of all applicable legislative and regulatory requirements that pertain to their duties for the operation of the subject system;
- Promoting awareness of the QMS throughout the operating authority.

Additional responsibilities and authorities are detailed in Section 9.

**5. Document and Records Control**

Document and record control is an essential part of the QMS. To ensure all QMS documents and records are current, legible, identified and retrievable, a document and record control procedure has been developed and implemented:

*Procedure QMS-SOP05-1 Document and Record Control*

This procedure also details how QMS documents and records are stored, protected, retained and disposed of.

**6. Drinking Water System**

The City of Port Colborne is the Owner and Operating Authority of the Port Colborne Distribution System, which serves approximately 16,000 residents. The PCDS is a standalone, Class 1, distribution system, with no downstream connections, and obtains water from the Region, who is the owner and operating authority of the Port Colborne Drinking Water System, which consists of

Document No: QMS-OP	Revision Date: February 5, 2019	Revision No: 6
Filename: QMS-OP.docx		Page 4 of 15



the Port Colborne Water Treatment Plant (WTP), the Fielden Avenue Reservoir, the Barrick Road Water Tower and trunk watermains. Treated water is purchased from the Region on a volume basis and distributed through the City owned distribution system via Region owned trunk mains.

The Region draws water from the Welland Canal, treats it at the WTP (using only sodium hypochlorite and aluminum sulphate, Liquid Polymer (Nalcolyte 8100), according to the Region's annual report), and is responsible for sampling, testing and monitoring water at and leaving the WTP.

The City of Port Colborne does not perform any secondary disinfection, as the WTP sufficiently chlorinates the water to meet the minimum requirement of >0.05 mg/L free chlorine residual. The City performs flushing activities on an as-needed basis to maintain free chlorine residuals throughout the PCDS. The distribution system has an average pressure of 58 psi, with pressure maintained by the Region's Barrick Road Water Tower together with the Fielden Avenue Reservoir. As a result, booster pumps are not required. A process flow chart showing the general movement of water through the City's PCDS is provided in Figure 6.1 below. The City and the Region have a Memorandum of Understanding, dated April 21, 2016, which details not only where ownership demarcation points are, but also detail water quality, supply, maintenance, mutual assistance, emergency response, customer complaints and communication requirements.

The description of the PCDS is updated when required.

**7. Risk Assessment**

The City assesses potential risks to the PCDS at scheduled intervals, as per the risk assessment process detailed in:

*Procedure QMS-SOP07-1 Risk Assessment*

This procedure also ensures that any changes to the PCDS are assessed to ensure any potential risks and CCP's are identified.

**8. Risk Assessment Outcomes**

A summary of Risk Assessment Outcomes are provided in Table 8.1: Risk Assessment Outcomes, in Appendix 3. As indicated on the Table, the identified CCP, and the CCL, where applicable, are addressed in:

*Procedure QMS-SOP11-1 Personnel Shortage Contingency Procedure  
Operational Procedure C1 Adverse Drinking Water Quality Incident Notification –Port Colborne Distribution System and Sherkston Community Centre Cistern System*

Document No: QMS-OP	Revision Date: February 5, 2019	Revision No: 6
Filename: QMS-OP.docx		Page 5 of 15



Operational Procedure	C2	Repair of Watermain Breaks
Operational Procedure	C5	Corrective Action for Adverse Water Quality – Distribution System
Procedure	QMS-SOP18-1	<u>Provision of Drinking Water in a Distribution System Emergency</u>

**9. Organizational Structure, Roles, Responsibilities and Authorities**

**9.1 Organizational Chart**

The organizational chart showing the Owner, Top Management and Operating Authority is provided in Figure 9.1: Drinking Water Responsibilities Organizational Chart, in Appendix 4.

**9.2 Roles, Responsibilities and Authorities**

Table 9.2: Roles, Responsibilities and Authorities

**Mayor and Council (Owner)**

<i>Responsibilities</i>	<i>Authorities</i>
Ultimate responsibility for ensuring the provision of safe drinking water. Other responsibilities related to the provision of safe drinking water are: <ul style="list-style-type: none"> <li>• Provide resources and infrastructure necessary to comply with legislation.</li> <li>• Ensure compliance and proper accreditation according to the requirements of the Safe Drinking Water Act, Drinking Water Quality Management Standard and associated regulations.</li> <li>• Endorse the QMS</li> </ul>	<ul style="list-style-type: none"> <li>• Financial and administrative authority relating to the distribution of safe drinking water.</li> </ul>

**Director of Engineering and Operations (Top Management)**

<i>Responsibilities</i>	<i>Authorities</i>
Reporting to the system Owner, the Director of Engineering and Operations is the link between the system Owner and the Operating Authority. Other responsibilities related to the provision of safe drinking water are: <ul style="list-style-type: none"> <li>• Request funding required to maintain system</li> <li>• Recommend improvements to system</li> <li>• Provide budgetary information to the Owner</li> <li>• Provide the Owner with technical and administrative information</li> <li>• Participate in Management Review</li> </ul>	<ul style="list-style-type: none"> <li>• Create administrative and technical policy when necessary</li> <li>• Manipulate long term capital plan when necessary</li> </ul>

Document No: QMS-OP	Revision Date: February 5, 2019	Revision No: 6
Filename: QMS-OP.docx		Page 6 of 15



**Manager of Operations (ORO)**

<u>Responsibilities</u>	<u>Authorities</u>
<p>The Manager of Operations is the ORO for the PCDS and is responsible for the oversight of the system.</p> <ul style="list-style-type: none"> <li>• <u>ORO duties as described in O. Reg 128/04</u></li> <li>• <u>Ensure the system is operated in accordance with all applicable legislation and regulations</u></li> <li>• <u>Ensure sufficient resources for Water Operator training</u></li> <li>• <u>Ensure that Water Operators remain certified</u></li> <li>• <u>Participate in Management Review</u></li> <li>• <u>Staff hiring and evaluation</u></li> <li>• <u>Approve payments for goods and services</u></li> <li>• <u>Prepare operating budget submissions</u></li> <li>• <u>Respond immediately and effectively to an emergency</u></li> <li>• <u>Provide direction to the Utilities Supervisor and Operators with regard to operation and maintenance of the systems which meets or exceeds the requirements of all relevant legislation and regulations, and the City of Port Colborne's policies and procedures</u></li> <li>• <u>Develops, directs and evaluates maintenance activities</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>ORO authority as described in O. Reg 128/04</u></li> <li>• <u>Make suggestions to improve QMS and Operational Plan</u></li> <li>• <u>Review and approve procedures and processes for assuring water quality</u></li> <li>• <u>OIC Responsibilities</u></li> <li>• <u>Delegate or appoint Acting ORO</u></li> <li>• <u>Appoint Primary and Supplemental OIC(s)</u></li> <li>• <u>Staffing for unionized and non-unionized positions in water department</u></li> <li>• <u>Approval of expenditures as per corporate purchasing policy</u></li> <li>• <u>Procurement of resources – staffing and materials in a distribution system emergency</u></li> <li>• <u>Ensure delivery and quality of maintenance activities</u></li> <li>• <u>Ensure adverse incidents addressed as per legislative requirements</u></li> </ul>

Document No: QMS-OP	Revision Date: February 5, 2019	Revision No: 6
Filename: QMS-OP.docx	Page 7 of 15	





**Utilities Supervisor (Primary OIC, Acting ORO)**

<i>Responsibilities</i>	<i>Authorities</i>
<p>The Utilities Supervisor is <u>responsible for the day-to-day operation of the system.</u></p> <ul style="list-style-type: none"> <li>• <u>Responsibilities as above when Acting ORO</u></li> <li>• <u>OIC duties as described in O. Reg 128/04</u></li> <li>• Ensure Water Operators are trained appropriately</li> <li>• Schedule staff</li> <li>• Oversee equipment calibration</li> <li>• Ensure submission of water samples to accredited laboratory</li> <li>• Ensure that Water Operators remain certified</li> <li>• Participate in Management Review</li> <li>• Participate in Infrastructure Review</li> <li>• <u>Assist with the preparation of operating and capital budget submissions</u></li> <li>• <u>Development and review of procedures and processes for assuring water quality</u></li> <li>• <u>Provide direction to Operators with regard to operation and maintenance of the systems which meets or exceeds the requirements of all relevant legislation and regulations, and the City of Port Colborne's policies and procedure</u></li> <li>• <u>Recommend to the Manager of Operations ways to improve water quality and operational effectiveness</u></li> <li>• <u>Ensure scheduled equipment maintenance is performed and output maintained</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Authorities as above when Acting ORO</u></li> <li>• <u>OIC authority as described in O. Reg 128/04</u></li> <li>• Direct operators in day to day activities</li> <li>• Oversee adverse water quality incidents and reports</li> <li>• Directs maintenance activities</li> <li>• Make suggestions to improve QMS and Operational Plan</li> <li>• Order supplies as needed</li> </ul>

**Utilities Crew Leader (Supplemental OIC/backup Primary OIC)**

<i>Responsibilities</i>	<i>Authorities</i>
<p>The Utilities <u>Crew Leader</u> is a class 1 Water Operator and OIC on a daily basis.</p> <ul style="list-style-type: none"> <li>• OIC duties as described in O. Reg 128/04</li> <li>• See Water Operators for additional responsibilities</li> </ul>	<ul style="list-style-type: none"> <li>• OIC authority as described in O. Reg 128/04</li> <li>• See Water Operators for additional responsibilities</li> </ul>

Document No: QMS-OP	Revision Date: February 5, 2019	Revision No: 6
Filename: QMS-OP.docx		Page 8 of 15



**Water Operators (Supplemental OICs)**

<i>Responsibilities</i>	<i>Authorities</i>
<ul style="list-style-type: none"> <li>• <u>OIC duties as described in O. Reg 128/04 (Class 1 or higher Operators only – OITs ineligible for OIC designation)</u></li> <li>• <u>Set operational parameters or direct or instruct other operators on same (When Supplemental OICs)</u></li> <li>• <u>Drinking water tests</u></li> <li>• Regular maintenance</li> <li>• Report any incidence of non-compliance</li> <li>• Respond to repairs to the system</li> <li>• Conduct regular checks on monitoring equipment</li> <li>• Input lab and sampling results into WaterTrax</li> <li>• Follow SOPs and QMS requirements</li> <li>• <u>Operate processes and equipment safely, in accordance with manuals</u></li> <li>• <u>Make adjustments as needed</u></li> <li>• <u>Complete and maintain records</u></li> <li>• <u>Use and maintain equipment</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>OIC authority as described in O. Reg 128/04 (Class 1 or higher Operators only – OITs ineligible for OIC designation)</u></li> <li>• Make suggestions to improve QMS, SOPs and Operational Plan</li> </ul>

**Construction Inspector**

<i>Responsibilities</i>	<i>Authorities</i>
<ul style="list-style-type: none"> <li>• Oversee, monitor and verify the work of contractors:               <ul style="list-style-type: none"> <li>• hired by the City to install watermains</li> <li>• installing private services/fire lines larger than 3 inches in diameter that connect to the City's distribution system</li> </ul> </li> <li>• Conduct sampling to verify disinfection in accordance with watermain commissioning protocol</li> </ul>	<ul style="list-style-type: none"> <li>• Authority to halt construction if the Contractor is not in compliance with any of the relevant specifications and/or procedures</li> </ul>

Document No: QMS-OP	Revision Date: February 5, 2019	Revision No: 6
Filename: QMS-OP.docx		Page 9 of 15



**Environmental Compliance Supervisor (QMS Representative)**

<i>Responsibilities</i>	<i>Authorities</i>
<p>The QMS Rep reports the current performance of the QMS to Top Management. In addition to the specific responsibilities outlined in Section 4, the QMS Rep is responsible for:</p> <ul style="list-style-type: none"> <li>• Control and maintenance of documents and records</li> <li>• Facilitating Top Management reviews and the Risk Assessment process</li> <li>• Providing compliance related training to Water/Wastewater staff</li> <li>• Ensuring corrective <u>and preventive</u> actions are completed and maintained</li> <li>• Developing and maintaining the internal audit program</li> </ul>	<ul style="list-style-type: none"> <li>• Report and recommend any resource needs in order to ensure conformance to the QMS</li> <li>• Create and update SOPs, make changes to the Operational Plan and QMS as needed.</li> <li>• Represent Port Colborne at Regional and Provincial meetings.</li> </ul>

**10. Competencies**

Personnel competencies are listed in Table 10.1, with additional required knowledge, skills and abilities relevant to specific positions described in corporate job descriptions. Annual training activities are provided to ensure that personnel meet or exceed the minimum standards for annual training and continuing education hours, as established in O. Reg. 128/04, to maintain operator certification. Training is also provided, as required, to ensure other required competencies and certificates (i.e. First Aid) are maintained. All training records are maintained by the QMS Representative in an Excel spreadsheet.

Additionally, personnel receive refresher training in the QMS to ensure that they are aware of the relevance of their duties and how they affect safe drinking water. This training is conducted by the QMS Rep, who maintains records of the training, and is detailed in:

*Procedure QMS-SOP12-1 Communications*

Training effectiveness is evaluated.

Document No: QMS-OP	Revision Date: February 5, 2019	Revision No: 6
Filename: QMS-OP.docx		Page 10 of 15



Table 10.1: Competency requirements for personnel whose duties directly affect the PCDS

Position	Required Competencies and Certificates	Desired Competencies*
<u>Manager of Operations (Designated ORO, non-union staff)</u>  <u>Utilities Supervisor (Primary OIC, Acting ORO if Manager is absent, non-union staff)</u>  <u>Utilities Crew Leader (Supplemental OIC, Acting Primary OIC if Supervisor is absent, union staff)</u>  Water Operators (Supplemental OICs, union staff)	<ul style="list-style-type: none"> <li>• Class 1 Water License</li> <li>• Valid DZ driver's license</li> <li>• First Aid/CPR</li> <li>• WHMIS</li> <li>• Confined space entry</li> <li>• QMS Awareness</li> </ul>	<ul style="list-style-type: none"> <li>• Information Technology skills</li> <li>• Administrative skills</li> </ul>
Construction Inspector (union staff)	<ul style="list-style-type: none"> <li>• Proficient comprehension of engineering drawings, principles, construction procedures and standards</li> <li>• Knowledge of watermain installation &amp; testing requirements in AWWA C651, DWWP, contract documents etc.</li> <li>• <u>Class 1 or OIT water license</u></li> <li>• WHMIS</li> <li>• QMS Awareness</li> </ul>	

*\*Information Technology skills are defined as but not limited to skills dealing with e-mail, spreadsheets and database knowledge. Administrative skills are defined as but not limited to skills dealing with fellow employees, citizens and those contracted by the City. Administrative and Information Technology skills are obtained via practical experience with limited instruction.*

**11. Personnel Coverage**

The PCDS is staffed regularly Monday to Friday. Hours depend on time of year; 08:00 to 16:00 from August 31 to May 1 (approximate) and 07:00 to 15:00 from May 1 to August 31 (approximate). Schedules are set by the Utilities Supervisor. During regular operating hours, any PCDS issues are initially received by Operations administrative staff, who forward the information to the Utilities Supervisor. The Utilities Supervisor then directs the appropriate personnel to resolve the issue.

Document No: QMS-OP	Revision Date: February 5, 2019	Revision No: 6
Filename: QMS-OP.docx		Page 11 of 15



The City's PCDS requires minimal staffing during off hours. However, if a situation does arise where more staff is required, the necessary information can be found contained within the On-Call List. Service calls during off hours are received by the On-call Supervisor/Crew Leader via an answering service. Once a call is received and the On-call Supervisor/Crew Leader determines it is a PCDS issue, a call is placed to the On-call Water Operator.

The Manager of Operations is the designated ORO for the PCDS. In the event the designated ORO is absent the Acting ORO is the Utilities Supervisor, as indicated in Table 10.1 above, and detailed in:

*Port Colborne Distribution System Emergency Preparedness Plan*

In the event of a personnel shortage, coverage is achieved as detailed in:

*Procedure QMS-SOP11-1 Personnel Shortage Contingency Procedure*

**12. Communications**

The QMS is communicated from Top Management to the Owner, OA personnel, suppliers and the public through a variety of methods, which have been detailed in:

*Procedure QMS-SOP12-1 Communications*

**13. Essential Supplies and Services**

Where applicable, supplies shall adhere to AWWA and ANSI standards. All laboratory analysis shall be conducted by accredited, licensed laboratories.

The water supply inventory is set with ordering points determining when supplies are ordered and the quantity required. Received orders are visually checked against the packing slip and then the packing slip is checked against the purchase order. The Utilities Supervisor shall further verify any ordered material that requires knowledge of water industry terminology.

PCDS supplies are available 24 hours a day, 7 days a week in the Stores Department at the Engineering and Operations Centre.

Supplies and services considered essential for the delivery of safe drinking water, and the procedure by which the City ensures their quality are detailed in:

*Procedure QMS-SOP13-1 Essential Supplies and Services*

Document No: QMS-OP	Revision Date: February 5, 2019	Revision No: 6
Filename: QMS-OP.docx		Page 12 of 15



**14. Review and Provision of Infrastructure**

The City reviews the PCDS infrastructure once every calendar year to ensure the adequacy of the infrastructure necessary to operate and maintain the PCDS. The procedure for the review is detailed in:

*Procedure QMS-SOP14-1 Review and Provision of Infrastructure*

**15. Infrastructure Maintenance, Rehabilitation and Renewal**

The City addresses infrastructure maintenance, rehabilitation and renewal programs through three methods: planned maintenance, unplanned maintenance and renewal and rehabilitation. These activities are detailed in:

*Procedure QMS-SOP15-1 Infrastructure Maintenance and Replacement*

**16. Sampling, Testing and Monitoring**

Sampling, testing and monitoring activities are conducted throughout the PCDS and are conducted in accordance with O.Reg 170/03 and as per:

*Procedure QMS-SOP16-1 Sampling, Testing and Monitoring*

**17. Measurement and Recording Equipment Calibration and Maintenance**

Measuring and recording equipment used to monitor the quality of water includes but is not limited to:

- Colorimeter
- pH meter
- turbidity meter

This equipment is calibrated and maintained on a regular basis, as detailed in:

*Procedure QMS-SOP17-1 Control of Monitoring and Measuring Devices*

Document No: QMS-OP	Revision Date: February 5, 2019	Revision No: 6
Filename: QMS-OP.docx		Page 13 of 15



**18. Emergency Management**

Some emergency situations/service interruptions that could occur include, contamination, transmission line or major watermain breaks, or interruptions in pressure. The Risk Assessment Outcomes in Section 8 can be referenced for emergency procedures or contingency plans. Specific responses for drinking water system emergencies and training requirements are detailed in:

*Port Colborne Distribution System Emergency Preparedness Plan*

In addition to the above, the City has an Emergency Plan in accordance with prevailing legislation and regulations which is updated annually. The Director of Engineering and Operations maintains a copy of the corporate Emergency Plan in their office, located at the Engineering and Operations Centre.

The responsibilities of all positions within the municipality during an emergency are listed in the Emergency Plan, as is the emergency communication protocol.

**19. Internal Audits**

The QMS Rep ensures that all elements of the QMS are audited within the three (3) year audit cycle, with specific processes audited once every calendar year, to evaluate conformity to the DWQMS. Internal audit criteria, frequency, scope, methodology and recordkeeping requirements are detailed in:

*Procedure QMS-SOP19-1 Internal Audit*

**20. Management Review**

Management reviews are conducted once every calendar year to evaluate the continuing suitability, adequacy and effectiveness of the QMS and considers information from a variety of sources, including internal and external audit findings. Details regarding the information to be used by management to review the QMS are provided in:

*Procedure QMS-SOP20-1 Management Review*

**21. Continual Improvement**

The City shall strive to continually improve the effectiveness of the QMS through the results of: internal audits, external audits, risk assessment reviews, infrastructure reviews, management reviews and through the consideration of best management practices at least once every thirty-

Document No: QMS-OP	Revision Date: February 5, 2019	Revision No: 6
Filename: QMS-OP.docx		Page 14 of 15



six (36) months. Additionally, staff suggestions and comments from the public may also be used to continually improve the QMS.

The use of corrective and/or preventive actions to generate continual improvement opportunities is detailed in:

Procedure QMS-SOP21-1 Corrective Action and Continual Improvement

**C. RELATED DOCUMENTS AND RECORDS**

Procedures:

- QMS-SOP05-1 Document and Record Control Procedure
- QMS-SOP07-1 Risk Assessment Procedure
- QMS-SOP11-1 Personnel Shortage Contingency Procedure
- QMS-SOP12-1 Communications Procedure
- QMS-SOP13-1 Essential Supplies and Services Procedure
- QMS-SOP14-1 Review and Provision of Infrastructure Procedure
- QMS-SOP15-1 Infrastructure Maintenance and Replacement Procedure
- QMS-SOP16-1 Sampling, Testing and Monitoring Procedure
- QMS-SOP17-1 Control of Monitoring and Measuring Devices Procedure
- QMS-SOP18-1 Provision of Drinking Water in a Distribution System Emergency
- QMS-SOP19-1 Internal Audit Procedure
- QMS-SOP20-1 Management Review Procedure
- QMS-SOP21-1 Corrective Action and Continual Improvement Procedure

Operational Procedures:

- SOP C1 Adverse Drinking Water Quality Incident Notification – Port Colborne Distribution System and Sherkston Community Centre
- SOP C2 Repair of Watermain Breaks
- SOP C5 Corrective Action for Adverse Water Quality – Distribution System

QMS Policy

- Port Colborne Distribution System Emergency Preparedness Plan
- Port Colborne Distribution System Operations and Maintenance Manual
- Port Colborne Emergency Plan

Document No: QMS-OP	Revision Date: February 5, 2019	Revision No: 6
Filename: QMS-OP.docx		Page 15 of 15



**APPENDIX 1**  
**QUALITY POLICY**  
**QMS-PP**



# PORT COLBORNE

The City of Port Colborne owns, operates and maintains the Port Colborne water distribution system.

The City of Port Colborne is committed to CLEAN drinking water.

**C**onsistent compliance with legislation

**L**istening and communicating with the public regarding safe drinking water

**E**stablishing a Quality Management System that is always improving

**A**llowing only the safest water to reach your tap

**N**ecessity of life, of the highest quality

**APPENDIX 2**

**COUNCIL ENDORSEMENT**

To be added once Council re-endorses

**APPENDIX 3**

**TABLE 8.1: Distribution System Risk Assessment Outcomes – March 24, 2015  
QMS-OPA3**

Table 8.1: Distribution System Risk Assessment Outcomes – March 24, 2015

Hazardous Event	Hazard	Hazard Type	Preventive Measure	Control Measure	Mitigating Processes/Procedure	Likelihood	Consequence	Detectability	Hazard Total (CCP Threshold =7)	Critical Control Point (CCP)?	Critical Control Limits (CCL)
Main Break	Loss of pressure Quality/Quantity Contamination	Physical/ Biological	Water Main Replacement Program, valve turning program, Flow Monitoring Project (December 2014)	Sampling after repair, up and downstream of break	Annual Infrastructure Review process to identify priority replacements; use flow monitoring data to identify breaks in timely manner; sample to ensure adequate chlorine residuals are maintained. Refer to Repair of Watermain Breaks (SOP C2)	4	2	3	9	Yes	Free Chlorine Residual 0.10 mg/L
Loss of Chlorine Residual	Contamination	Biological/ Physical	Automatic/manual flushing in areas of concern	Monitoring free chlorine levels throughout WDS weekly	Flush system and resample. If still outside the CCL, continue flushing and re-sampling until adequate levels achieved. If cannot get appropriate residuals, investigate possible cause. If falls below 0.05 mg/L initiate reporting as per Adverse Drinking Water Quality Incident Notification – Port Colborne Distribution System and Sherston Community Centre Cistem System (SOP C1) and corrective action as per Corrective Action for Adverse Water Quality – Distribution System (SOP C5) procedures	4	3	1	8	Yes	Free Chlorine Residual 0.10 mg/L
Cross Connection/ Backflow	Contamination	Chemical/ Biological	Future Backflow Prevention Program and Backflow Prevention Bylaw	Building Code requirements for new Industrial/Commercial builds	Refer to Port Colborne Distribution System Emergency Preparedness Plan – section 4.5 Suspected Backflow or Back Siphonage. Plumbing Permits	1	4	4	9	Yes	Free Chlorine Residual 0.10 mg/L
			Installation of backflow prevention devices on City facilities and on all temporary connections to distribution system	Devices tested annually; devices for temporary connections tested before use	Watermain Commissioning Protocol (QMS-WCP) specifies requirement for backflow protection; contractors required to state methodology in their Commissioning Plan						
Improper construction/ commissioning of new water mains	Contamination	Biological	Construction Inspector On-site; Watermain Commissioning Protocol (QMS-WCP)	New Water Main Testing before put into service	Re-charge watermain as required to maintain chlorine levels and/or to achieve effective disinfection as evidenced by sample analysis results	1	2	2	5	Yes	Free Chlorine Residual as dictated by AWWA C651; microbiological samples meet provincial standards

Document No: QMS-OPA3	Revision Date: June 29, 2015	Revision No: 6
Filename: QMS-OPA3.docx		Page 1 of 2

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Hazardous Event	Hazard	Hazard Type	Preventive Measure	Control Measure	Mitigating Processes/Procedure	Likelihood	Consequence	Detectability	Hazard Total (CCP Threshold =7)	Critical Control Point (CCP)?	Critical Control Limits (CCL)
Submerged air release valves	Contamination	Chemical Biological	All new valves come with flood-safe system	None	If contamination from a submerged ARV is suspected to have occurred, would treat as a backflow/back siphonage and refer to Port Colborne Distribution System Emergency Preparedness Plan – section 4.5 Suspected Backflow or Back Siphonage	1	4	4	9	No	Free Chlorine Residual 0.10 mg/L
Illegal hydrant use	Contamination/ Loss of pressure	Biological Chemical Physical	Use a key lock system on municipal hydrants where history of issues	Ensure key locks are in place	All hydrants inspected during annual hydrant flushing activities and any deficiencies reported and corrected	3	3	4	10	No	
Vandalism	Loss of pressure Quality/Quantity Contamination Unable to distribute	Biological Chemical Physical	None	N/A	Refer to Port Colborne Distribution System Emergency Preparedness Plan – section 4.4: Suspected Tampering of Distribution System	2	4	3	9	No	
Staff Shortage	Loss of staff	Biological Chemical Physical	Union Contract	N/A	Refer to Work Stoppage Contingency procedure (QMS-SOP11-1) and Corporate Emergency Plan	1	3	1	5	No	
Disruption in water supply from Regional facilities/ trunk lines	Loss of pressure Quality/Quantity Contamination No water supply	Biological Chemical Physical	None	None	Refer to Disrupted Water Supply procedure (QMS-SOP18-1)	3	5	2	10	No	

Rating System			
Rating	Likelihood	Consequence	Detectability
1	Rare	Insignificant	Very Detectable
2	Unlikely (<once per 5-10 years)	Minor	Moderately Detectable
3	Possible (=>once or more per year)	Moderate	Normally Detectable
4	Likely (monthly or quarterly)	Major	Poorly Detectable
5	Very Likely (=>monthly or quarterly)	Catastrophic	Undetectable

Risk	
Hazard Total	Category
3-5	Very Low
6-8	Low
9-11	Moderate
12-15	High

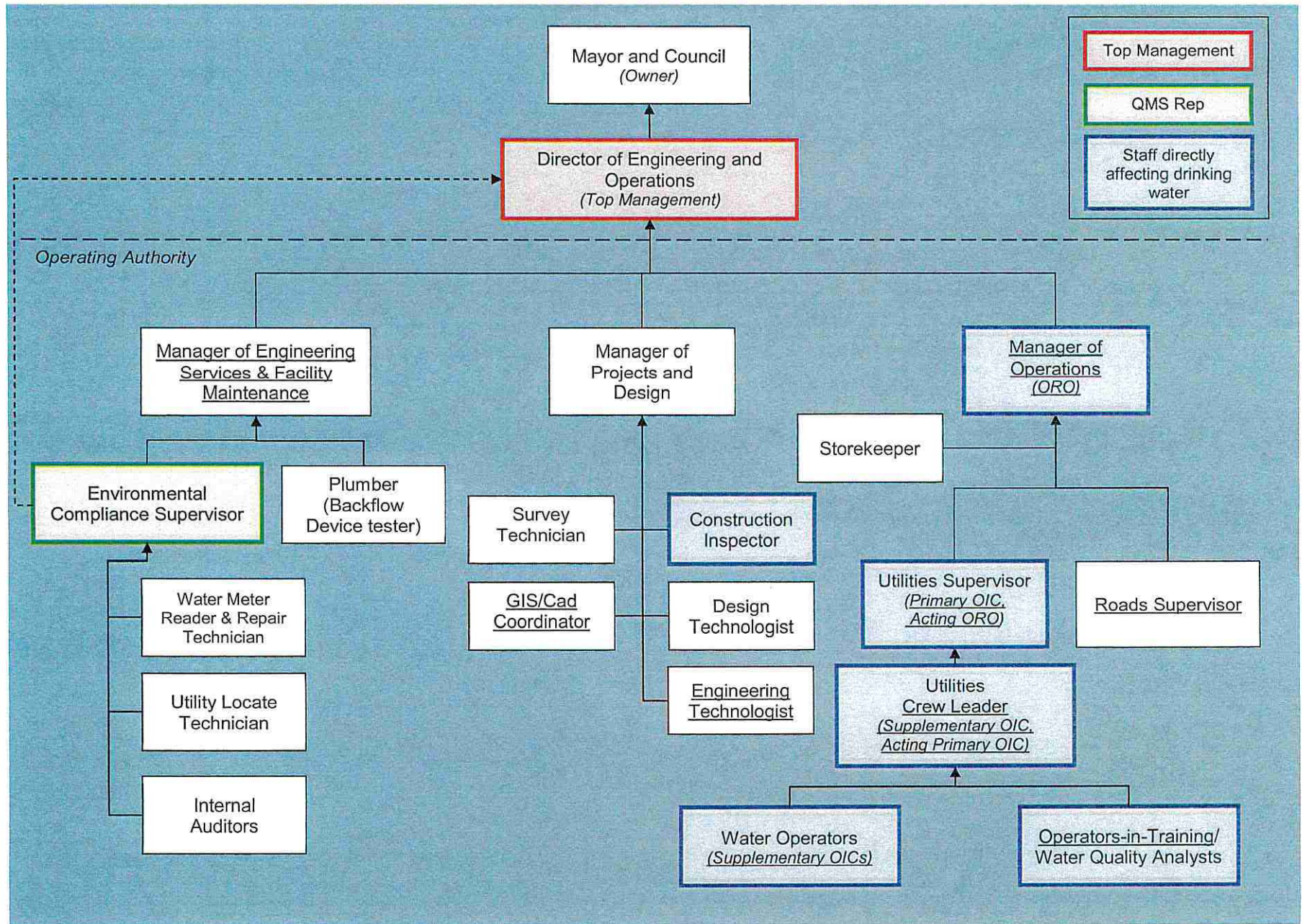
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Filename: QMS-OPA3.docx		Page 2 of 2

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**APPENDIX 4**

**Figure 9.1: Drinking Water Responsibilities Organizational Chart – February 2019  
QMS-OPA4**

Figure 9.1: Drinking Water Responsibilities Organizational Chart – February 2019



Document No: QMS-OPA4	Revision Date: February 11, 2019	Revision No: 4
Filename: QMS-OPA4.docx		Page 1 of 1

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# TAKING CARE OF YOUR DRINKING WATER

A GUIDE FOR MEMBERS OF MUNICIPAL COUNCILS



[www.ontario.ca/drinkingwater](http://www.ontario.ca/drinkingwater)

## Acknowledgements

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- For answers to general questions, contact the Ministry of the Environment and Climate Change at 1-800-565-4923
- Legal Disclaimer – This guide should not be viewed as legal or other expert advice. For specific questions regarding the legal application of the Safe Drinking Water Act (SDWA) and its regulations, please consult a lawyer and/or review the text of the Act at [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca)

## Sources

Much of the material in this guide has been adapted from the Ontario Municipal Water Association's 2004 handbook "Ontario Drinking Water Stewardship Responsibilities" with their permission. Information was also obtained from the following sources:

- American Water Works Association, 2009, Water Basics for Decision Makers
- Office of the Fire Marshal and Emergency Management, 2010, Emergency Management Doctrine for Ontario
- Environment Canada, 2011, 2011 Municipal Water Use Report: 2009 Statistics
- Ontario Ministry of the Attorney General, 2002, Part Two Report of the Walkerton Inquiry
- Ontario Ministry of the Environment, 2006, The Clean Water Act: Promoting Municipal Awareness and Understanding
- Ontario Ministry of the Environment, 2007, "Drinking Water 101" course materials
- Ontario Ministry of the Environment, 2007, Implementing Quality Management: A Guide for Ontario's Drinking Water Systems
- Ontario Ministry of the Environment, 2007, Toward Financially Sustainable Drinking-Water and Wastewater Systems
- Ontario Ministry of the Environment, 2009, Annual Report 2007-2008 Chief Drinking Water Inspector
- Pollution Probe, 2006, The Source Water Protection Primer

# TABLE OF CONTENTS

## INTRODUCTION

A Message from the Chief Drinking Water Inspector of Ontario .....	4
A Message from Ontario's Chief Medical Officer of Health .....	4
What You Need to Know About Your Drinking Water Responsibilities .....	5

## UNDERSTANDING YOUR RESPONSIBILITIES FOR OVERSEEING DRINKING WATER

Protecting Ontario's Drinking Water .....	6
A Legislative and Regulatory Framework for Protecting Water .....	7
Key Sections of the SDWA for Municipal Councillors .....	8
What Should I be Asking? .....	13
Check Your Knowledge .....	14

## OVERVIEW OF DRINKING WATER MANAGEMENT TOPICS

Organizational and Governance Models .....	15
Municipal Licensing .....	16
The Operational Plan and You.....	16
Drinking Water System Reports and Inspections .....	18
Managing the Risks to Drinking Water .....	19
Infrastructure Planning .....	21
Sustainable Financial Planning for Drinking Water Systems .....	23
Communicating With Your Operating Authority .....	25
Emergency Planning for Drinking Water .....	25
Drinking Water System Operators .....	27
Water Conservation .....	29

## LEARN MORE ABOUT DRINKING WATER

Sources of Water.....	30
Drinking Water Treatment Processes .....	32
Water Distribution .....	34
For Further Information .....	35
Glossary .....	36

## A Message from the Chief Drinking Water Inspector of Ontario



Safeguarding drinking water, now and for our future generations, is a vitally important role. It requires leadership, vigilance and ongoing collaboration between the province and Ontario municipalities.

More than 80 per cent of Ontario's population receives their drinking water from

a municipal drinking water system. Drinking water quality and inspection results show that Ontario's municipalities are achieving strong and consistent performance levels. It is because of this dedication to excellence at the municipal level that Ontario's drinking water continues to be of the highest quality.

As good as current results are, constant attention is needed to keep our drinking water safe.

If you are a municipal councillor with decision-making responsibilities for a municipal drinking water system or have oversight of an accredited operating authority, you have a serious and unique role in protecting the people of your community. This guide will help you understand your responsibilities under the Safe Drinking Water Act, 2002 and provide you with information on how Ontario's drinking water is protected. It will help answer questions about your statutory standard of care responsibilities, and it provides some basic reference material on drinking water.

I look forward to continue working with municipalities to further improve how we protect and manage our water resources for the benefit of Ontarians.

*Susan Lo*  
Chief Drinking Water Inspector of Ontario

## A Message from Ontario's Chief Medical Officer of Health



Safe drinking water is one of the key pillars of public health in Ontario. Protection of our drinking water is a vital responsibility shared by many partners.

The Ministry of Health and Long-Term Care shares a strong commitment to excellence with the Ministry of the Environment and Climate Change by supporting Boards of Health and communities to provide safe drinking water in the province. Ontario's Boards of Health work together with municipalities in many ways to protect the public, including when your community's drinking water may not be safe for consumption.

As municipal councillors with oversight responsibilities for municipal drinking water systems, you are a critical partner in providing safe drinking water to the people of Ontario. I encourage you to use this resource guide, in your paramount role, to help protect Ontario's drinking water and keep your community healthy.

*Dr. David Mowat*  
Interim Chief Medical Officer of Health of Ontario

*“Since Dr. John Snow’s 1854 discovery in London, England, that drinking water could kill people by transmitting disease, the developed world has come a long way towards eliminating the transmission of water-borne disease. The Walkerton experience warns that we may have become victims of our own success, taking for granted our drinking water’s safety. The keynote in the future should be vigilance. We should never be complacent about drinking water safety.”*

— Justice Dennis O'Connor,  
2002, Report of the Walkerton Inquiry

# WHAT YOU NEED TO KNOW

*about your drinking water responsibilities*

Ontarians expect safe, high quality drinking water. It is a matter vital to public health. As a member of a municipal council, you have an important role to play to ensure that your community has access to safe, high quality drinking water — and you are legally obliged to do so.

## HERE ARE THREE THINGS TO REMEMBER AS A MUNICIPAL COUNCILLOR:

**It's Your Duty.** The Safe Drinking Water Act, 2002 includes a statutory standard of care for individuals who have decision-making authority over municipal drinking water systems or who oversee the operating authority of the system. This can extend to municipal councillors. There are legal consequences for not acting as required by the standard of care, including possible fines or imprisonment. (Read more on page 9 of this guide.)

**Be Informed.** Ask questions. Get answers. You don't have to be an expert in drinking water operations, but you do need to be informed about them. Your decisions can have an impact on public health. Seek advice from those with expertise and act prudently on that advice. (Check your knowledge on page 14.)

**Be Vigilant.** Complacency can pose one of the greatest risks to drinking water systems. It is critical that you never take drinking water safety for granted or assume all is well with the drinking water systems under your care and direction. The health of your community depends on your diligent and prudent oversight of its drinking water. (Read how the actions of one municipal council impacted their community on page 11.)



*“Water is unique as a local service. It is, of course, essential to human life and to the functioning of communities, (and) the consequences of a failure in the water system (are) most seriously felt by those who depend on it locally. Municipal ownership, and the ensuing responsibilities, should provide a high degree of public accountability in relation to the local water system.”*

— Justice Dennis O'Connor, 2002,  
Report of the Walkerton Inquiry

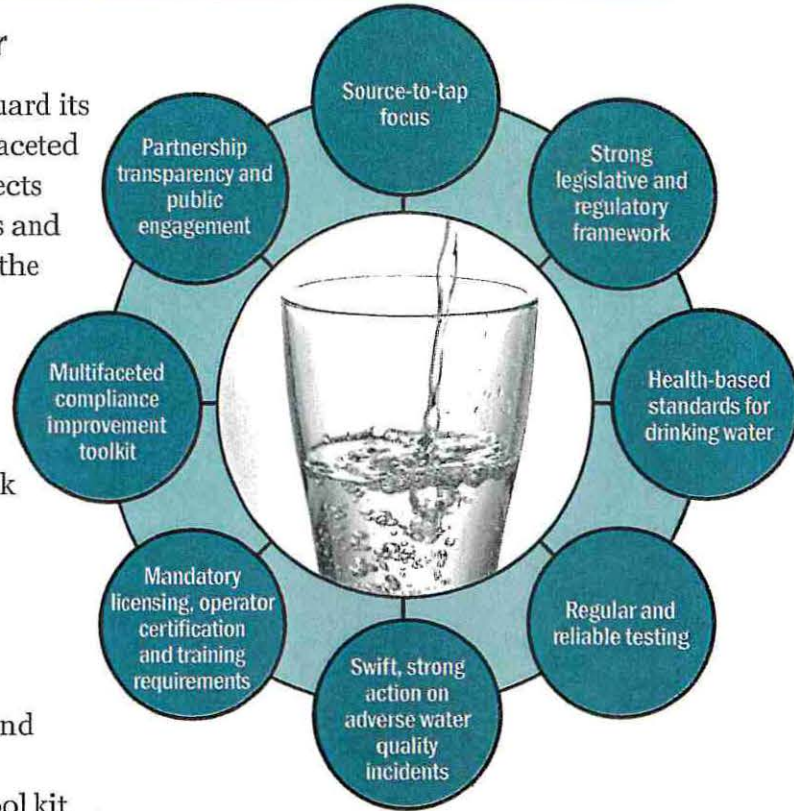
# UNDERSTANDING YOUR RESPONSIBILITIES FOR OVERSEEING DRINKING WATER

## Protecting Ontario's Drinking Water

Ontario has a comprehensive safety net to safeguard its drinking water from source to tap. It is a multi-faceted approach that helps prevent contamination, detects and solves water quality problems, enforces laws and regulations and increases people's awareness of the importance of safe, high quality drinking water.

Ontario's drinking water protection safety net has eight components:

- A source-to-tap focus
- A strong legislative and regulatory framework
- Regulated health-based standards for drinking water
- Regular and reliable testing
- Swift, strong action on adverse water quality incidents
- Mandatory licensing, operator certification and training requirements
- A multi-faceted, compliance improvement tool kit
- Partnership, transparency and public engagement



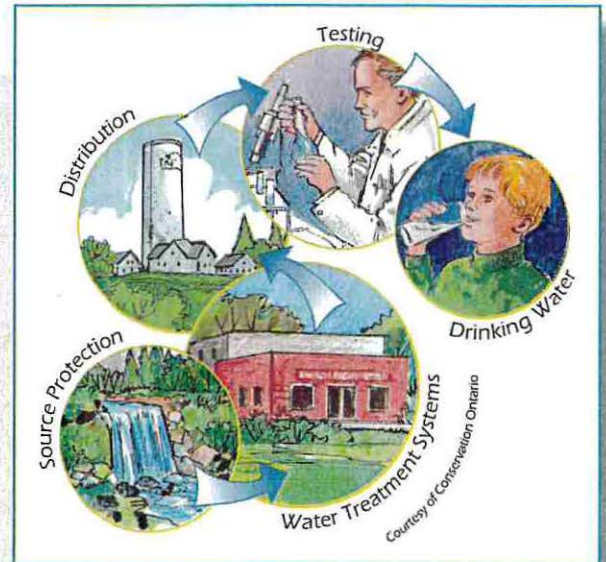
## What is our Multi-Faceted Approach?

Our multi-faceted approach is an integrated system of procedures, processes and tools that collectively prevent or reduce the contamination of drinking water from source to consumer in order to reduce risks to public health.

The multiple barriers include:

- **Source protection** to keep the raw water as clean as possible in order to lower the risk that hazards are present.
- **Treatment** to remove and/or neutralize hazards.
- Maintenance of the integrity of the **distribution system** to prevent recontamination after treatment.
- **Monitoring programs** to detect and act on system problems that could impair drinking water safety and to verify the performance of the system components and finished drinking water quality.
- Effective **management systems** including automatic control systems, well-developed responses and operating practices that are the ultimate means for protecting the safety of drinking water systems.

(Source: Ontario Ministry of the Environment, 2007, Implementing Quality Management: A Guide for Ontario's Drinking Water Systems)



## A Legislative and Regulatory Framework for Protecting Water

Strong legislative and regulatory measures are key components of Ontario's drinking water safety net. This guide focuses on the Safe Drinking Water Act, 2002 (SDWA or the act), which provides a legislative framework for all municipal drinking water systems, as well as some non-municipal systems. The SDWA provides a consistent set of province-wide standards and rules to ensure access to safe, high quality, reliable drinking water.

### The Safe Drinking Water Act, 2002 – An Overview

The SDWA recognizes that the people of Ontario are entitled to expect their drinking water to be safe. It provides for the protection of human health and prevents drinking water health hazards through the control and regulation of drinking water systems and drinking water

#### Peer to Peer

*“As a Councillor, ensuring the best quality of drinking water for our community may be the most important thing we do.”*

— Councillor Jack Miller, City of Belleville

testing. In a municipal context, a drinking water system includes all collection, treatment and storage facilities and distribution pipes usually up to customer property lines but does not include plumbing.

The SDWA and its associated regulations specify the requirements for drinking water systems, testing services, certification of system operators and drinking water quality analysts. It also sets quality standards and mechanisms for compliance and enforcement.

### How the Pieces Fit Together

To learn more about how various acts and regulations create multiple safeguards to protect drinking water, download Conservation Ontario's brochure entitled "How Ontario's Drinking Water is Protected" from their website at: <http://goo.gl/wQtPW4>

### The Big Picture

There are approximately 660 municipal residential drinking water systems registered with the Ministry of the Environment and Climate Change (MOECC) that supply drinking water to more than 80 per cent of the homes in Ontario. In recent testing, approximately 530,000 drinking water test results were submitted to MOECC by laboratories licensed to perform these tests for municipal drinking water systems. Over 99 per cent of these drinking water tests met the province's rigorous, health-based drinking water quality standards.

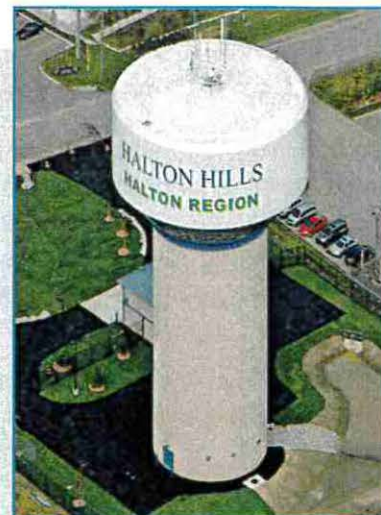
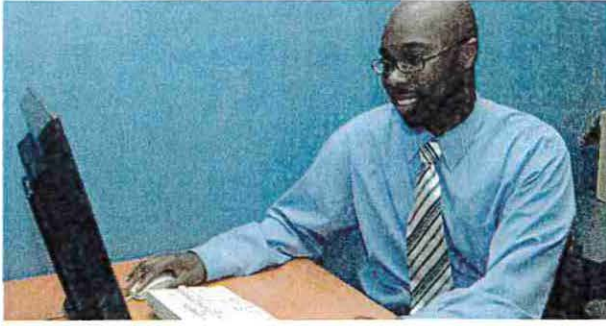


Photo courtesy of Halton Region

## Key Sections of the SDWA for Municipal Councillors



### Section 11: Duties of Owners and Operating Authorities

Section 11 of the SDWA describes the legal responsibilities of owners and operating authorities of regulated drinking water systems. It is important for you to understand the scope of your municipality or operating authority's day-to-day responsibilities.

Owners and operators are responsible for ensuring their drinking water systems:

- provide water that meets all prescribed drinking water quality standards
- operate in accordance with the act and its regulations, and are kept in a fit state of repair
- are appropriately staffed and supervised by qualified persons
- comply with all sampling, testing and monitoring requirements
- meet all reporting requirements

### Examples of actions required of owners and operators under Section 11:

- Sampling and testing of drinking water with a frequency appropriate to the type, size and users of the system in accordance with the act and corresponding regulations
- Using an accredited and licensed laboratory for drinking water testing services
- Reporting of adverse test results that exceed any of the standards in the Ontario Drinking Water Quality Standards Regulation, both verbally and in writing, to the local medical officer of health and MOECC
- Obtaining a drinking water licence for a municipal residential drinking water system from the MOECC, which includes a financial plan
- Ensuring the drinking water system is operated by an accredited operating authority
- Hiring certified operators or trained persons appropriate to the class of the system
- Preparing an annual report to inform the public on the state of the municipality's drinking water and the system providing it, and an annual summary report for the owners of the drinking water system

### ***Who is the "owner" of a municipal drinking water system under the SDWA? Who is the "operator"?***

The "owner" of a municipal drinking water system is often the municipality as a corporate entity. Members of municipal councils and municipal officials who provide oversight to this corporate entity also provide oversight or exercise decision-making authority in respect of the drinking water systems it owns. They are responsible for having policies, management tools and processes in place so that the municipality meets all its legislative and regulatory requirements under the SDWA.

The "operator" or operating authority of a municipal drinking water system is the person or entity that is given responsibility by the owner for the day-to-day operations of the drinking water system, its management, maintenance or alteration. A municipality may take on this operational role through its own staff or it may choose to contract it out to a third party. (e.g. by hiring an accredited operating authority). The statutory standard of care continues to apply to municipalities that contract out this role to a third party.





*“Given that the safety of drinking water is essential for public health, those who discharge the oversight responsibilities of the municipality should be held to a statutory standard of care.”* — Justice Dennis O’Connor, 2002, Report of the Walkerton Inquiry

This is one of the many important recommendations that came out of the Walkerton Inquiry reports in 2002. Section 19 of the SDWA responds directly to this recommendation.

Section 19 of the SDWA expressly extends legal responsibility to people with decision-making authority over municipal drinking water systems and those that oversee the accredited operating authority for the system. It requires that they exercise the level of care, diligence and skill with regard to a municipal drinking water system that a reasonably prudent person would be expected to exercise in a similar situation and that they exercise this due diligence honestly, competently and with integrity.

### Meeting your statutory standard of care responsibilities

Meeting the statutory standard of care is the responsibility of:

- the owner of the municipal drinking water system
- if the system is owned by a municipality, every person who oversees the accredited operating authority or exercises decision-making authority over the system – **potentially including but not limited to members of municipal councils**
- if the municipal drinking water system is owned by a corporation other than a municipality, every officer and director of the corporation

**It is important that members of municipal council and municipal officials with decision-making authority over the drinking water system and oversight responsibilities over the accredited operating authority understand that they are personally liable, even if the drinking water system is operated by a corporate entity other than the municipality.**

Section 14 (3) of the SDWA specifically notes that an owner is not relieved of their duty to comply with Section 19, even if there is an agreement to delegate the operations of the drinking water system to someone else.

The owner is still obligated to:

- ensure the operating authority is carrying out its responsibilities according to the act
- in cases where it is not, to take reasonable steps to ensure they do

### Examples of actions required of owners and operators under Section 14 (3):

- Being aware of the established procedure for communication with the operating authority, including how information is expected to be shared with municipal councillors, and assessing the effectiveness of this procedure
- Holding regular meetings with the operating authority, especially in cases where there may be reason to believe the operating authority is not carrying out its responsibilities

Since Ontario municipalities manage and govern municipal drinking water systems in a variety of ways, the people who are subject to the statutory standard of care within their corporation will also vary across the province, and would depend on specific facts related to individual situations.

### Peer to Peer

*“This guide makes it clear what our fiduciary and legal responsibilities are and provides the necessary questions to ask which allows us to become thoroughly knowledgeable on this aspect of our responsibilities. I encourage all elected and appointed officials to take the time to digest the information in this guide and put it to good use.”*

— Former Mayor Michael Power, Municipality of Greenstone and Past-President Association of Municipalities of Ontario

## Complete wording of Section 19, Safe Drinking Water Act, 2002

19. (1) Each of the persons listed in subsection (2) shall,
- exercise the level of care, diligence and skill in respect of a municipal drinking-water system that a reasonably prudent person would be expected to exercise in a similar situation; and
  - act honestly, competently and with integrity, with a view to ensuring the protection and safety of the users of the municipal drinking water system. 2002, c. 32, s. 19 (1).

Same

- (2) The following are the persons listed for the purposes of subsection (1):

- The owner of the municipal drinking water system.
- If the municipal drinking-water system is owned by a corporation other than a municipality, every officer and director of the corporation.
- If the system is owned by a municipality, every person who, on behalf of the municipality, oversees the accredited operating authority of the system or exercises decision-making authority over the system. 2002, c. 32, s. 19 (2).

Offence

- (3) Every person under a duty described in subsection (1) who fails to carry out that duty is guilty of an offence. 2002, c. 32, s. 19 (3).

Same

- (4) A person may be convicted of an offence under this section in respect of a municipal drinking-water system whether or not the owner of the system is prosecuted or convicted. 2002, c. 32, s. 19 (4).

Reliance on experts

- (5) A person shall not be considered to have failed to carry out a duty described in subsection (1) in any circumstance in which the person relies in good faith on a report of an engineer, lawyer, accountant or other person whose professional qualifications lend credibility to the report. 2002, c. 32, s. 19 (5).

Note:

For a copy of the Safe Drinking Water Act, 2002 and its related regulations, go to the Ontario e-laws website at [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca).



### Maintaining an Appropriate Level of Care

Standard of care is a well-known concept within Ontario legislation.

For example, the Business Corporations Act requires that every director and officer of a corporation act honestly and in good faith with a view to the best interests of the corporation and exercise the care, diligence and skill that a reasonably prudent person would in comparable circumstances.

Statutory standards of care address the need to provide diligent oversight. What is considered to be an appropriate level of care will vary from one situation to another. As a municipal councillor, it

is important to educate yourself on this statutory requirement and to gain an understanding of the operation of drinking water systems in your community to help you meet the standard of care requirements.

**You are not expected to be an expert in the areas of drinking water treatment and distribution.** Section 19 allows for a person to rely in good faith on a report of an engineer, lawyer, accountant or other person whose professional qualifications lend credibility to the report.



## North Battleford: Council Decisions with Serious Consequences

In Spring 2001, nearly 6,000 residents of this Saskatchewan city of 13,000 fell victim to an outbreak of cryptosporidiosis, an illness caused by a parasite in human and animal waste, which entered the local drinking water supply. Symptoms included diarrhea, abdominal cramps, fever, nausea and headaches.

In an article on the subsequent Commission of Inquiry, the Canadian Environmental Law Association noted:

“... what became clear was that the people of North Battleford were let down. Their municipality, carrying a bulging contingency fund, refused to spend money on upgrading their decrepit water treatment plant. Their provincial government, although aware the plant was in poor condition, hadn’t inspected it in the ten years prior to the outbreak... plant employees, who had been working without a supervisor for over four months, were unable to heed the warning signs of a potential drinking water problem.”

The City of North Battleford subsequently faced class-action lawsuits totaling millions of dollars. The first settlement was an out-of-court agreement awarding \$3.2 million to some 700 claimants.

(Source: [www.cela.ca](http://www.cela.ca) and [www.cbc.ca](http://www.cbc.ca))

### Enforcing the Statutory Standard of Care

As a municipal councillor, you need to be aware that not meeting your statutory standard of care responsibilities comes with serious consequences. Section 19 provides the province with an enforcement option when needed.

A provincial officer has the authority to lay a provincial offence charge against a person to whom the standard applies. The range of penalties includes maximum fines of up to \$4 million for a first offence and provision for imprisonment for up to five years. No minimum penalties are established. Actual penalties would be decided by the courts depending on the severity and consequences of the offence.

It is important to note the difference between the provision of the Municipal Act, 2001, that limits the personal liability of members of municipal councils and officials, and the

### Peer to Peer

*“There is no greater responsibility imposed upon an elected municipal official than the diligent, conscientious oversight of a municipal water treatment or distribution system.”*

— Former Councillor Ken Graham, Town of Smiths Falls

standard of care imposed under the SDWA. Under sections 448-450 of the Municipal Act, 2001, municipal council members and officials have relief from personal civil liability when they have acted in good faith. However, despite that protection, municipal councillors and officials that are subject to the duty imposed by Section 19 of the SDWA could be penalized if a prosecution is commenced and a court determines they have failed to carry out the duty imposed under that section.

### Peer to Peer

*“As mayor, it is vitally important that the standard of care is put in place and that municipal elected officials are aware of their responsibilities in ensuring that the public has safe and secure drinking water.”* — Former Mayor Delbert Shewfelt, Town of Goderich

## *Some Questions and Answers on the SDWA Statutory Standard of Care*

### **If drinking water operations are contracted out, am I still responsible for the statutory standard of care?**

If you oversee the accredited operating authority or exercise decision-making authority of the drinking water system, you remain responsible for meeting the standard of care even though your municipality has contracted out operations to an operating authority. (For more details see page 9 on Section 14 (3) of the SDWA.)

### **If something goes wrong, will I be held responsible?**

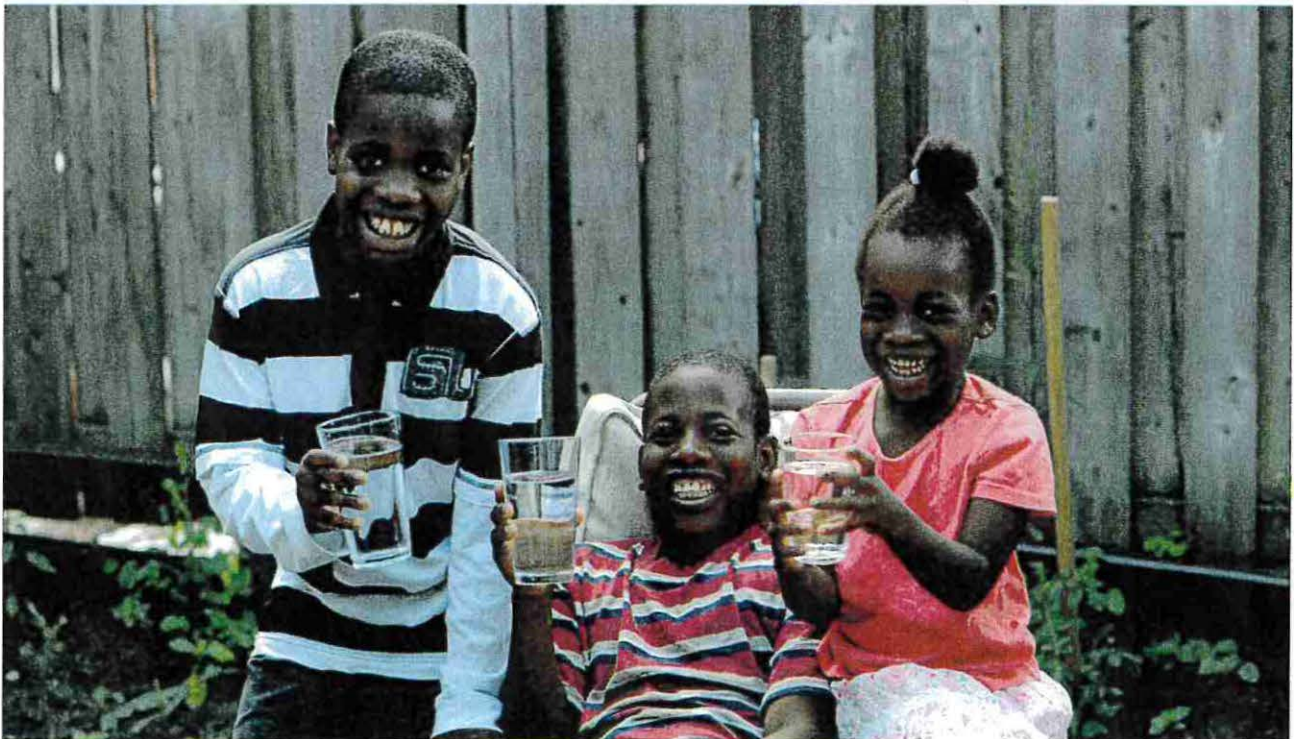
The standard of care related to drinking water is to ensure that decision-makers are doing their due diligence to protect public health when making decisions about drinking water systems and providing oversight of the accredited operating authority. The circumstances and your actions - what you did or didn't do, what questions you asked, what steps were taken to address identified risks or problems with your drinking water system - will all be important in determining whether you met your standard of care and if you should be held responsible.

### **What can happen to someone who breaches the standard of care?**

Justice O'Connor made it clear that the standard of care is all about ensuring responsible actions are taken to protect human health. Given the seriousness of this duty to your community, those whose actions fall below the standard of care, fail to protect the public and cause harm to human health could face significant penalties, including fines and imprisonment.

### **Who determines if the standard of care has been breached?**

When an incident occurs that may constitute a breach of the standard of care, the MOECC will initiate a response that may include an investigation and gathering of evidence to determine if charges should be laid. In a case where charges are laid, it is up to the courts to determine if an offence has been committed and if penalties or fines will be imposed. This procedure is followed in any potentially serious breach of MOECC statutes.



**ACTIONS YOU CAN TAKE**

The following are some actions you can take to be better informed about your drinking water oversight responsibilities. Look for more of these suggested *Actions You Can Take* boxes throughout this guide.

- Consider taking the Standard of Care training offered by the Walkerton Clean Water Centre. Get course details and session offerings at [www.wcwc.ca](http://www.wcwc.ca) or by phoning toll free **1-866-515-0550**.
- Learn about drinking water safety and its link to public health. Speak to water system and public health staff to learn more.
- Become familiar with your municipal drinking water system. Ask your water manager to give a presentation to council and/or arrange a tour of your drinking water facilities.
- Review the reports of the Walkerton Inquiry, specifically sections related to municipal government (Chapter 7 in Report I, Chapters 10 and 11 in Report II). The reports are available online at [www.attorneygeneral.jus.gov.on.ca/english/about/pubs/walkerton/](http://www.attorneygeneral.jus.gov.on.ca/english/about/pubs/walkerton/).
- Become further acquainted with drinking water legislation and regulations, available on the Ontario Government e-Laws website at [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca). Search or browse current consolidated law to find what you are looking for. To search, enter the title, or any part of the title, of the law you wish to find (for example, "Safe Drinking Water Act", "Ontario Water Resources Act" or "Clean Water Act"). If you don't know any part of the title of the law, enter a word or phrase that you think might be in the text of the law.



**WHAT SHOULD I BE ASKING?**

***When decisions come before your council relating to drinking water, you want to understand the impacts on your community and public health. While every situation will be different, the following are some preliminary questions you might want to ask:***

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li><input type="checkbox"/> What are the risks to public health?</li> <li><input type="checkbox"/> Are there any areas of risk that council needs to address?</li> <li><input type="checkbox"/> What checks and balances are in place to ensure the continued safety of our drinking water?</li> <li><input type="checkbox"/> Are we meeting our legislative and regulatory requirements?</li> <li><input type="checkbox"/> What is the public health impact or long-term cost of deferring this decision?</li> <li><input type="checkbox"/> Will this decision affect our drinking water sources or create new risks to drinking water sources?</li> <li><input type="checkbox"/> How will this decision impact our community's demand for water?</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> How are we managing our drinking water infrastructure? Do we have an asset management plan for our water infrastructure?</li> <li><input type="checkbox"/> Are there any emerging issues related to our drinking water that council should be aware of?</li> <li><input type="checkbox"/> If there is a drinking water emergency, what is our emergency management plan? What is the role of council in a drinking water emergency?</li> <li><input type="checkbox"/> Have staff taken required training and upgrading?</li> </ul> |
|---|--|



## CHECK YOUR KNOWLEDGE

**Ask yourself these questions to check your current level of knowledge about your drinking water system and oversight responsibilities.**

- Have I had a tour of our drinking water facility?
- Am I familiar with our municipal drinking water systems including:
  - a. the water source?
  - b. the physical condition of major infrastructure?
  - c. the background and experience of senior staff?, and
  - d. the approvals that have been granted for ownership and operation of the facilities?
- Am I acquainted with the drinking water legislation and regulations?
- Do I know basic information about drinking water safety and the operation of water works facilities?
- Do I understand the requirements to meet minimum standards for drinking water?
- Do I know how to set the overall policy direction for the municipal drinking water system?
- Do I understand the different roles and responsibilities of those who have decision-making authority – municipal councillors, senior management, other municipal officials?
- Am I assured that competent senior management has been hired? Do they conduct regular performance appraisals of staff?
- Is there adequate staff in place to operate and maintain the system? How are new operators trained?
- Was our last inspection rating from the Ministry of the Environment and Climate Change 100 per cent? If no, why not?
- Am I aware of the risks currently facing our water sources, drinking water facilities and infrastructure? What are the plans to address these risks?
- If there is an emergency with the drinking water system, what procedures are followed? How will I be notified? How will the public be notified?
- Am I aware of my municipality's responsibilities in implementing our source protection plan?
- How and when do I ask for annual reports on the drinking water system from senior management?
- What should I look for in the annual report? What questions must it answer?
- What should I do if a report identifies declining water quality?
- Do I know that appropriate steps are being taken to resolve any issues? Do I know when outside expertise is needed?
- Are our drinking water systems periodically audited? How often? What should I do when I receive audit results for consideration?
- Do I know if our drinking water systems are financially sustainable for the future? Are there financial plans in place?
- Am I familiar with the requirements of keeping our municipal drinking water license valid, such as renewal timelines?

If there are any questions you can't answer, review them with municipal staff.

Training on the Safe Drinking Water Act: Standard of Care is available through the Walkerton Clean Water Centre. Visit the Centre's website at [www.wcwc.ca](http://www.wcwc.ca) to view its course catalogue.

## Organizational and Governance Models

Many different management and operating models are available for municipal consideration. Currently, most water services in Ontario are provided through municipal departments, with oversight provided directly by municipal councils.

Some municipalities hire external contractors to operate their drinking water system, whereas others own and operate their systems.

Regional municipalities have upper-tier and lower-tier governance structures, with the lower-tier municipality often owning and operating their own drinking water systems. There are also models for area water systems in Ontario in which systems cross municipal boundaries. These systems are governed by boards representing their municipal owners.

Municipalities may also create:

- Municipal Service Boards whose members are appointed by council and could include council members, private citizens or both
- Corporations for water utilities, similar to those for natural gas or electricity distribution

*“The purpose of the quality management approach in the context of drinking water is to protect public health by achieving consistent good practice in managing and operating a water system.”*

*“It is fundamental for municipalities to have a management and operating structure for their water system that enables them to provide safe water. I am making two important recommendations to assist in this regard. First, I recommend that municipalities be required to have an agency...to operate their systems. The agency should be accredited...The municipality must also submit an operational plan to the [Ministry of the Environment and Climate Change] for their water system(s). Second, I recommend that those responsible for exercising the municipality’s oversight responsibilities be held to a statutory standard duty of care. I note that, for municipalities, the first recommendation will be a significant step in satisfying the second.”*

— Justice Dennis O’Connor, 2002, Report of the Walkerton Inquiry

***My municipality is considering either a Municipal Service Board or a Municipal Services Corporation model to govern our drinking water functions. Would s. 19 of the SDWA still apply to these alternative ownership models?***

Yes. The standard of care provision in the Safe Drinking Water Act, 2002 would continue to apply in either the Municipal Service Board or the Municipal Services Corporation model since the standard applies to municipal drinking water systems owned by either a municipality or other corporation.



## Municipal Licensing: *Helping you protect your drinking water*

In Ontario, all municipal drinking water systems that provide water to residences in a community must have a licence from MOECC. The ministry's Municipal Drinking Water Licensing Program requires owners and operators of drinking water systems to incorporate the concepts of quality management into system operation and management.

As of September 2012, all municipal residential drinking water systems have received their

licenses as part of the Municipal Drinking Water Licensing Program.

For a drinking water system to receive or renew its licence, the owner and operator must have in place:

- a drinking water works permit
- an accepted operational plan (see next section for more details)
- an accredited operating authority
- a financial plan
- a permit to take water

### The Operational Plan and You – *Setting an Overall Policy*

The **operational plan** sets out a framework to develop a Quality Management System (QMS) that is specific and relevant to your drinking water system.

Part of your drinking water system's operational plan will document a QMS policy. This policy is the backbone of the quality management system. The policy must include commitments to:

- the maintenance and continual improvement of the QMS
- provide safe drinking water to the consumer
- comply with applicable legislation and regulations

Your operating authority must get the owner's written endorsement of the drinking water system's operational plan, including this policy. As a municipal councillor, your council may be asked to endorse the policy and its commitments. If your municipality has already completed this policy endorsement step, obtain a copy from your municipal staff.

In addition to the QMS policy, the operational plan will also include:

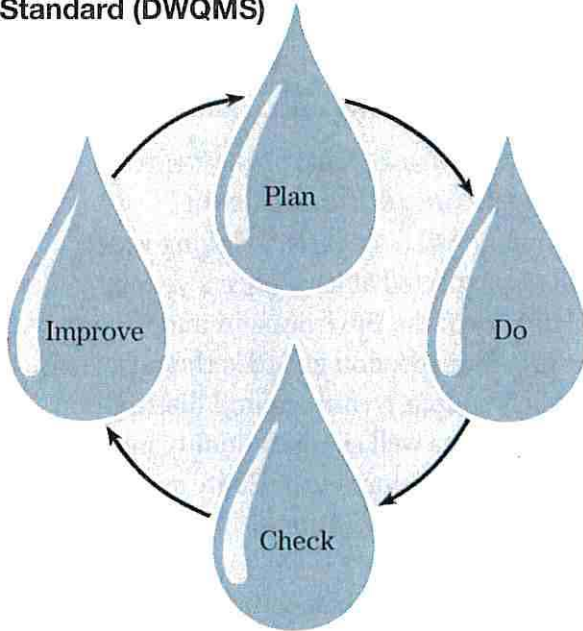
- basic key information about every drinking water system your municipality owns
- a process for ongoing **risk assessment**
- a description of organizational structures (roles, responsibilities, authority)

- a procedure for an annual review of the adequacy of the **infrastructure** needed to operate and maintain the drinking water system, plus a commitment for the operating authority to **communicate review findings** to you
- a procedure for sharing sampling, testing and monitoring reports about the safety of your drinking water
- an outline of the system owner's responsibilities during **emergency situations**
- a commitment to **continual improvement** through **corrective action**
- a procedure for conducting a management review every 12 months which evaluates the suitability, adequacy and effectiveness of the QMS against the requirements of the Drinking Water Quality Management Standard (**DWQMS**) and how to report the results of this review, including identified deficiencies, and decision and action items



The DWQMS is the standard upon which drinking water system operational plans are developed and operating authorities are accredited. The requirements of the DWQMS, when implemented, will assist owners and operators of municipal drinking water systems to develop sound operational procedures and controls. Additional information on the **bolded** elements of the DWQMS listed above can be found further in this section of the guide.

**Drinking Water Quality Management Standard (DWQMS)**



The DWQMS is based on a PLAN, DO, CHECK and IMPROVE methodology which is similar to that found in some international standards. PLAN requirements of the standard typically specify policies and procedures that must be documented in the operational plans for the drinking water system, while DO requirements specify that the policies and procedures must be implemented. CHECK and IMPROVE requirements of the standard are reflected in the requirements to conduct internal audits and management reviews.

**Example of a QMS Policy**

**The following is an example of a QMS policy for the Westhill Water Supply and Distribution System:**

The Municipality of the Town of Westhill owns, maintains and operates the Westhill Water Supply and Distribution System.

The Town of Westhill is committed to:

1. ensuring a consistent supply of safe, high quality drinking water
2. maintaining and continuously improving its quality management system, and
3. meeting or surpassing applicable regulations and legislation

(Source: Ontario Ministry of the Environment, 2007, Implementing Quality Management: A Guide for Ontario's Drinking Water Systems)

**DEFINITIONS**

**CONTINUAL IMPROVEMENT** is understanding what you already do well, and then finding ways to do it better.

**CORRECTIVE ACTION** is a method of improvement, and the solutions that are generated by those actions are also inputs to continual improvement.

(Source: Ontario Ministry of the Environment, 2007, Implementing Quality Management: A Guide for Ontario's Drinking Water Systems)

**ACTIONS YOU CAN TAKE**

- Ask your operating authority to speak to your municipal council about your operational plan.
- Consider and act on any advice (including deficiencies and action items) identified during the annual management review process.
- Review the QMS policy in your operational plan and its commitments.
- Ask your operating authority to show how it is meeting these commitments.

## Drinking Water System Reports and Inspections: *What they tell you about your drinking water system*

### Municipal Reports

An owner of a drinking water system is required to ensure that an annual summary report is presented to the members of council or local services board. Summary reports must be produced by March 31 of each year to cover the preceding calendar year.

The summary report must include:

- information about any requirements of the SDWA, the regulations, the system's approval, drinking water works permit, municipal drinking water licence and any order that the system failed to meet during the time period, plus the duration of the failure
- a description of the measures taken to correct each failure
- a comparison of the system's capability with the quantities and flow rates of the water supplied the preceding year to help assess existing and planned uses

Municipalities are also required to provide details about each residential drinking water system in an annual report to consumers. This annual report must be completed by February 28 each year and include:

- a brief description of the drinking water system including chemicals used
- a summary of the results of required testing, plus the approval, licence or provincial officer order issued to the system
- a summary of any adverse test results required to be reported to the Ministry of the Environment and Climate Change
- a description of any corrective actions taken
- a description of any major expenses incurred to install, repair or replace required equipment

### ACTIONS YOU CAN TAKE

- Obtain and thoroughly review copies of the most recent annual and summary reports.
- Ask for explanations of any information you don't understand.
- Consider, act on and correct any deficiencies noted in the reports.

### Ministry of the Environment and Climate Change Inspections

Every municipal residential drinking water system is inspected at least once a year by the Ministry of the Environment and Climate Change. An inspection includes the review of a system's source, treatment and distribution components, as well as water quality monitoring results and procedures to evaluate system management and operations.

MOECC prepares an inspection report that highlights any areas of non-compliance and what actions are required to correct them. The report also includes an inspection rating out of 100 per cent to help you compare your system's current and past performance, and identify areas for improvement. An inspection rating that is less than 100 per cent does not necessarily mean your municipality's drinking water is unsafe. It does mean that there may be opportunity for improvement in operational or administrative areas.





## What happens if the Ministry of the Environment and Climate Change identifies non-compliance issues as part of its annual inspection?

Inspection ratings for municipalities in Ontario have been excellent and have remained consistent for many years. The ministry continues to work with owners and operators of systems with inspection ratings below 100 per cent to help them gain a better understanding of their obligations and responsibilities so they can improve the performance of their systems.

In a small number of cases each year, inspectors may issue a Provincial Officer's Order that requires the system owner or operator to take corrective action by a specific deadline or refer an incident to the ministry's Investigation and Enforcement Branch.

### ACTIONS YOU CAN TAKE

- Review your annual inspection results and ask questions if there is any indication of declining quality.
- Clarify any technical terms.
- Ask how deficiencies are being addressed.
- Review your system's standing in the ratings reported in the Chief Drinking Water Inspector's Annual Report. If your rating is less than 100 per cent, ask why.
- Consider, act on and correct any deficiencies highlighted in the inspection.

### DEFINITIONS

A **RISK ASSESSMENT** is an orderly methodology of identifying hazards or hazardous events that may affect the safety of drinking water and evaluating their significance.

**RISK** is the probability of identified hazards causing harm, including the magnitude of that harm or the consequences.

A **HAZARD** is a source of danger or a property that may cause drinking water to be unsafe for human consumption.

(Source: Ontario Ministry of the Environment, 2007, Implementing Quality Management: A Guide for Ontario's Drinking Water Systems)

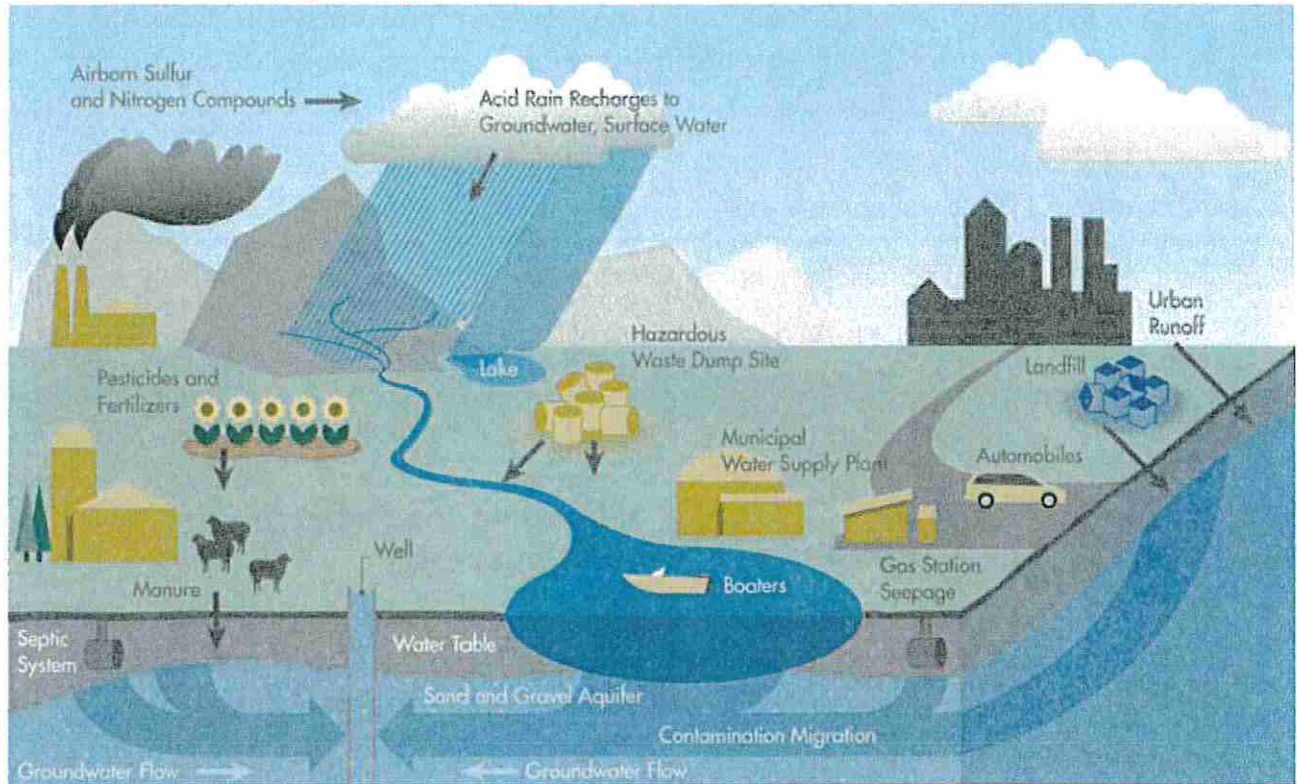
## Managing the Risks to Drinking Water

Conducting a risk assessment is a key component of your drinking water system's operational plan. By performing a risk assessment, your operating authority will assess:

- existing or potential hazardous events facing your drinking water system, e.g. rail car derailment, algal blooms, water main breaks, etc.
- the impacts on drinking water if a hazardous event occurs, e.g. biological/chemical contamination of source water, possible biological/chemical contamination due to loss of supply/low pressure, etc.
- the necessary measures or response measures for each hazardous event (these measures may already be in place through such barriers as source protection or treatment processes)
- ranking of each event according to its likelihood of occurring and the consequences or severity of the results

In addition to the risks assessed by your operating authority, your local source protection authorities have performed detailed, science-based risk assessments of municipal drinking water sources within source protection areas. Learn more about the source protection program on **page 31**.

Human Activities Affecting Source Water



(Source: Pollution Probe, 2006, The Source Water Protection Primer)

In some cases, the operating authority may identify measures to address hazardous events which will call for improvements that require long-term planning. These types of decisions will often involve council approval. As a councillor, you should take time to understand the underlying risks associated with these decisions, their potential likelihood and impacts to public health.

In other cases, the operating authority may identify risks that are outside of their control. For these, it may be appropriate to develop contingency or emergency response procedures (see Emergency Planning for Drinking Water for more details on **page 25**).

Peer to Peer

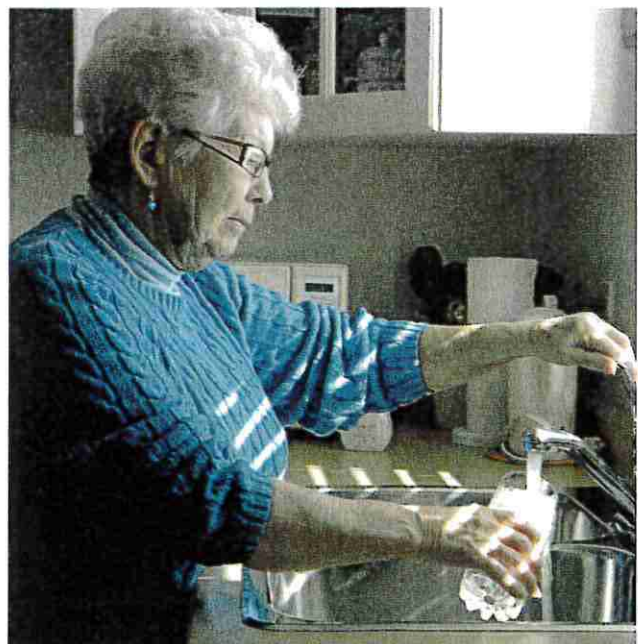
*“Adequate municipal funding is a key component of risk management.”*

– Former Councillor Ken Graham, Town of Smiths Falls

Peer to Peer

*“Never take the quality of our drinking water for granted. There are too many factors that can turn good water into bad.”*

– Councillor Jack Miller, City of Belleville



## More on Hazardous Events and Hazards to Drinking Water

Hazardous events can be natural or technological in origin, or result from human activities. Natural events include floods, ice storms, drought and spring run-off. Technological events could include equipment failure or a power outage. Human activities that could lead to a drinking water risk include vandalism, terrorism, chemical spills and construction accidents.

The four different types of hazards that may affect drinking water are biological, chemical, physical and radiological:

### Biological Hazards:

- include bacterial, viral and parasitic organisms, such as E.coli, Giardia and Cryptosporidium
- are considered the most significant drinking water health risk because effects are acute; can cause illness within hours
- are commonly associated with fecal wastes from humans or animals, or occur naturally in the environment

### Chemical Hazards:

- include toxic spills, heavy metals, dissolved gases like radon, pesticides, nitrates, sodium, and lead
- can come from source water or occur in the treatment and distribution system

### Physical Hazards:

- include suspended particles and sediments that can carry microbiological hazards and interfere with disinfection process
- can result from contamination and/or poor procedures at different points in the delivery of water to the consumer

### Radiological Hazards:

- can be naturally occurring chemicals such as radon or uranium; most frequently occur in groundwater in low quantities
- may arise from man-made or natural sources

## Infrastructure Planning

Having a sustainable drinking water infrastructure is necessary to meet the demand for safe drinking water. Machinery, equipment and structures used to produce and provide safe drinking water must be in place, maintained and improved when necessary.

Your operating authority is required to:

- document a procedure for conducting an annual review of your drinking water system's infrastructure
- provide a summary of the programs in place to maintain, rehabilitate and review that infrastructure
- report their findings after the review to the owner
- monitor the effectiveness of its maintenance program

Depending on the structure of — and relationship between — the owner and operating authority, the results of the annual review can be communicated through such means as council, budget, planning or other management meetings.



Maintenance activities can be either planned or unplanned:

- Planned maintenance includes scheduled or proactive activities needed to maintain or improve infrastructure elements, e.g. equipment maintenance, main replacements, etc. They are done to reduce the risk of an unplanned failure.
- Unplanned maintenance includes reactive activities, e.g. to deal with main breaks, pump failures, etc. They can draw heavily on resources and adversely affect drinking water quality.

By establishing planned programs for maintenance, rehabilitation and renewal, the operating authority can save time and costs and increase public confidence in drinking water.

Some drinking water systems have five or 10-year rolling plans to address such considerations as main rehabilitation, upgrades and replacement, water treatment and storage due to increased projected demands. These

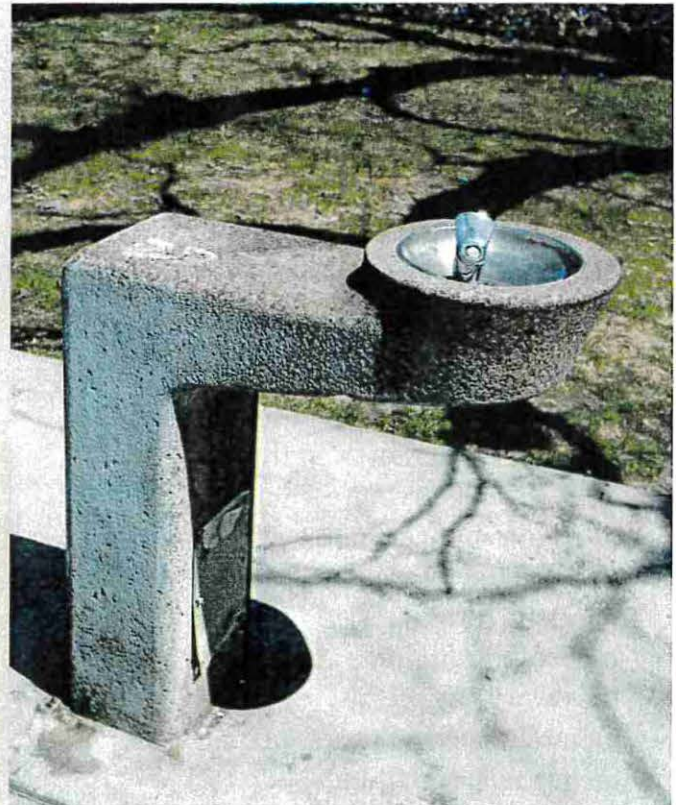
## DEFINITIONS

**INFRASTRUCTURE** – the set of interconnected structural elements that provide the framework for supporting the operation of the drinking water system, including buildings, workspaces, process equipment, hardware and software, and supporting services such as transport or communications.

**REHABILITATION** – the process of repairing or refurbishing an infrastructure element.

**RENEWAL** – the process of replacing the infrastructure element with new elements.

(Source: Ontario Ministry of the Environment, 2007, *Implementing Quality Management: A Guide for Ontario's Drinking Water Systems*)



## Peer to Peer

*“Aging infrastructure is the major challenge facing municipalities today, and a solid long-term plan to address this is a must.”*

– Councillor Paul Hubert, City of London

## ACTIONS YOU CAN TAKE

- Find out what maintenance, rehabilitation and renewal plans are in place for your drinking water system.
- Ask your operating authority to present the findings of its annual infrastructure review.

types of system maintenance requirements are usually tied to the capital budgets of the operating authority and/or the owner of the drinking water system.

# Sustainable Financial Planning for Drinking Water Systems

Achieving financial sustainability in Ontario's municipal water and wastewater is a long-term goal. Financial sustainability is needed to ensure that Ontarians continue to enjoy clean and safe drinking water, water and wastewater services are reliable and environmental protection is maintained.

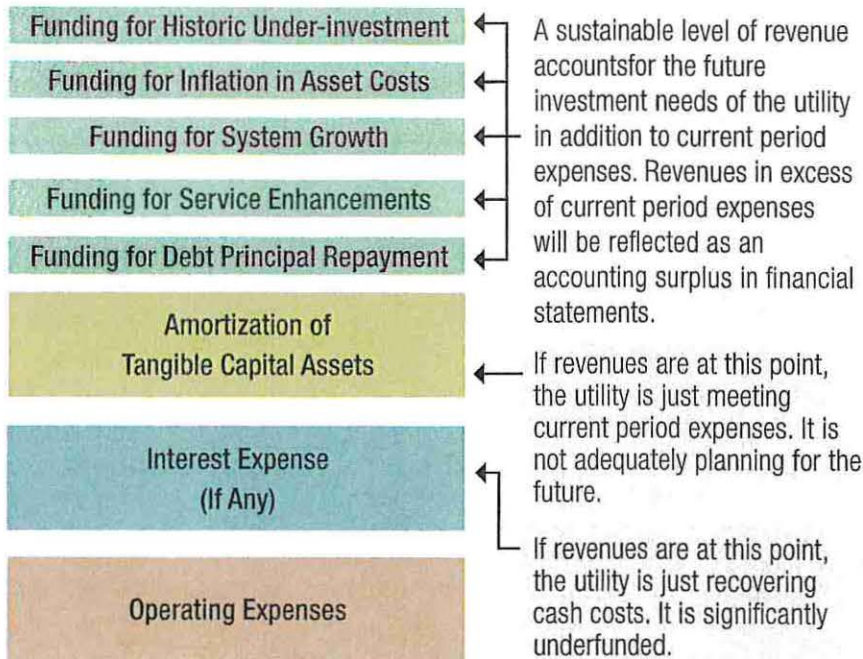
To receive or renew a municipal drinking water licence for your drinking water system, your municipality needs to prepare a financial plan.

You have an important role to play in ensuring that appropriate resources are made available to ensure that a financial plan can be prepared. Municipal councils have ultimate responsibility for approving financial plans that are prepared for a water utility.

The following are some key principles for developing a financial plan:

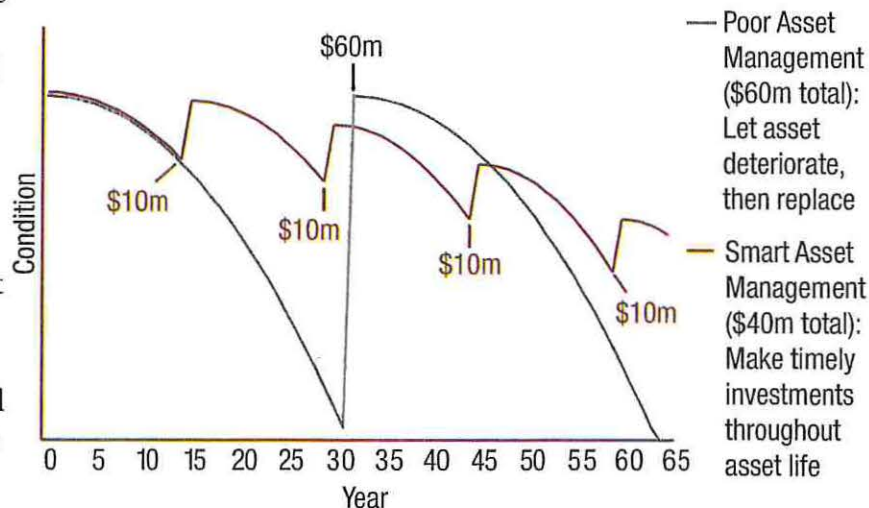
- Ongoing public engagement and transparency can build support for – and confidence in – the financial plan and the drinking water system.
- An integrated approach to planning among water, wastewater and storm water systems is desirable given the inherent relationship among these services.
- Revenues collected to provide water and wastewater services should ultimately be used to meet the needs of those services.
- Life-cycle planning with mid-course corrections is preferable to planning over the short-term or not planning at all.

## A Building-block Approach to Determining Utility Needs



(Source: Ontario Ministry of the Environment, 2007, Toward Financially Sustainable Drinking Water and Wastewater Systems)

## Timely Renewal Investments Save Money



(Source: Adapted from Ontario Ministry of Infrastructure, 2012, Building Together: Guide for Municipal Asset Management Planning)

- An asset management plan is a key input to the development of a financial plan.
- Financial plans benefit from the close collaboration of various groups including engineers, accountants, auditors, utility staff and municipal council.

*“Municipalities need to ensure that their water systems are adequately financed. Over the long term, safety depends on stable and adequate financing to maintain the water system’s infrastructure and its operational capacity to supply high-quality water consistently.”* – Justice Dennis O’Connor, 2002, Report of the Walkerton Inquiry



## Water Audits and Accounting for Water Losses

An important tool in understanding the condition of your drinking water system assets is a water audit. This is the process of estimating where all of the water entering the distribution system ends up. One of the things a water audit will reveal is how much water is being lost to leaks from water mains and service connections. Leaks are a concern as they can:

- signal deteriorating water main conditions and be a precursor to more breakages
- be a source of bacterial contamination
- result in additional costs for pumping and treating water that is not ultimately delivered to consumers
- damage other infrastructure such as roads and sewers

(Source: Ontario Ministry of the Environment, 2007, Towards Financially Sustainable Drinking-Water and Wastewater Systems)

Financial plans for drinking water systems are required to forecast costs over a minimum period of six years, although municipalities are encouraged to adopt a life-cycle approach to managing their drinking water assets as a long-term goal. Financial plans are living documents and should be updated and reviewed as new information becomes available. As a best practice, they should be updated annually to foster continuous improvement and rolled into the annual municipal budget process.

There are many different costs, both capital and operating, associated with planning, building

and operating water systems. Some costs reflect outputs not attributable to the provision of water such as fire protection services, or the operation of storm and sanitary sewer systems.

A sustainable system is one that can adequately cover current operating costs, maintain and repair its existing asset base, replace assets when appropriate, fund future growth and enhancements to services, and account for inflation and changes in technology.

## The Big Picture

According to Environment Canada, 10.6 per cent of water produced at municipal water treatment facilities in Ontario is lost, mainly due to leaks in the distribution system infrastructure. Others sources estimate this figure is as high as 30 to 40 per cent.

(Sources: Environment Canada, 2011, 2011 Municipal Water Use Report: 2009 Statistics)



## Communicating With Your Operating Authority

Within the operational plan, your operating authority is required to have a procedure for communicating with the owner of the drinking water system, its personnel, suppliers and the public. You should be familiar with how communication about drinking water takes place. The procedure for communicating with the owner may be as simple as indicating the status of the implementation of the QMS and its effectiveness during scheduled meetings, such as council meetings. Communication with the public may include posting information on a publicly accessible website or through billing inserts.

As noted previously, your council may be asked to provide a written endorsement of the system's operational plan. Depending on the nature of your system's management structure, the operating authority may also involve the owner in other areas of the QMS such as risk assessment, management review or infrastructure.

### ACTIONS YOU CAN TAKE

- Determine when and how your operating authority will communicate to you as an owner.
- Find out what information is made available to the public and how.

## Emergency Planning for Drinking Water

Under the Emergency Management and Civil Protection Act, your municipality will already have an Emergency Response Plan for a wide range of potential scenarios. Some of these scenarios may involve drinking water and may link to planning done as part of the QMS to document procedures to maintain a state of emergency preparedness.

Emergency preparedness means identifying what could happen in your system to cause an emergency and having processes and procedures in place to prepare for and respond to those emergencies. Some elements of an emergency response plan include communications, training, testing, responsibilities and contact information.

### DEFINITIONS

A **DRINKING WATER EMERGENCY** is a potential situation or service interruption that may result in the loss of the ability to maintain a safe supply of drinking water to consumers.

(Source: Ontario Ministry of the Environment, 2007, Implementing Quality Management: A Guide for Ontario's Drinking Water Systems)



### Utilities Helping Utilities

A number of Ontario municipalities and utility sector associations joined together to establish the Ontario Water/Wastewater Agency Response Network, or OnWARN.

A province-wide network of "utilities helping utilities," OnWARN supports and promotes province-wide emergency preparedness, disaster response, and mutual aid and assistance for public and private water and wastewater utilities.

Learn how your municipality can become part of this growing network at [www.onwarn.org](http://www.onwarn.org)

In a drinking water context, emergencies can happen as the result of a variety of natural and human-caused events such as severe weather, major power outages, spills, pandemics and deliberate acts of vandalism or terrorism. Potential emergencies can be identified through risk assessments, MOECC inspections, corporate audits, insurance company reviews, and records of past emergencies.

An element of the QMS emergency procedures is to clearly document the roles and responsibilities of the owner and operating authority during each emergency. For example, in an emergency, your Clerk-Treasurer may be assigned the responsibility of seeking resource authorization from council and act as chief liaison with council and the mayor.

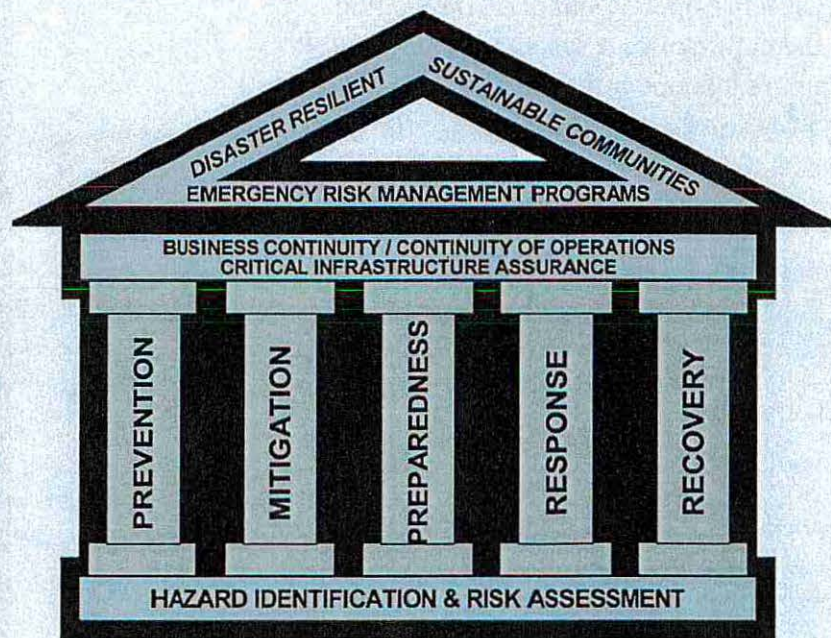
The QMS also requires that clear direction for communicating to the owner and others during an emergency be established. Planning beforehand how those in charge will talk to each other and the media can avoid complications during an emergency.

Preparing also means training and testing. The best emergency response procedures are ineffective if personnel are not properly trained on what to do and the procedures not tested. All personnel working within the drinking water system need to know what to do in an emergency, especially those with special response roles. Common forms of testing and training include orientation and education sessions, table-top exercises, walk-through drills, functional drills or full-scale exercises.

**Five pillars of emergency management**

Emergency management includes organized and comprehensive programs and activities taken to deal with actual or potential emergencies or disasters. It is based on a risk management approach and includes activities in five components: prevention, mitigation, preparedness, response, and recovery. These components are illustrated in the following figure:

(Source: Office of the Fire Marshall and Emergency Management, 2010, Emergency Management Doctrine for Ontario)



**ACTIONS YOU CAN TAKE**

- Ask your operating authority to review the drinking water emergency plan with council and to explain what responsibilities have been assigned to the owner.
- Know who will be the spokesperson during a drinking water emergency.
- Ensure critical staff have taken necessary training on emergency procedures and have participated in testing.

## Adverse Drinking Water Incident, Boil Water Advisory and Drinking Water Advisory - *How are they different?*

An adverse water quality incident (AWQI) indicates that a drinking water standard has been exceeded or a problem has arisen within a drinking water system. AWQIs are an important component of the drinking water safety net. The report of an AWQI does not in itself indicate that drinking water is unsafe or that the statutory standard of care has not been met, but rather that an incident has occurred and corrective actions must be taken to protect the public. In some cases, these corrective actions may include a boil water advisory (BWA) or a drinking water advisory (DWA).

The local Medical Officer of Health in each of Ontario's 36 public health units is responsible for issuing BWAs and DWAs when necessary.

A BWA is issued when a condition exists with a drinking water supply that may result in a health risk and the condition can be corrected

by boiling the water or by disinfection. An example is the presence of bacteria in the water supply such as *E. coli*.

A DWA is issued when a condition exists with a drinking water supply that cannot be corrected by boiling the water or by disinfection. An example is the presence of chemical contaminants.

In both cases, the local Medical Officer of Health will direct the system owner to inform users of the advisory, through means such as door-to-door notification, public posting of notices and local media outlets, to boil water and/or use an alternate water supply until further notice. An advisory will be lifted only after the local Medical Officer of Health is satisfied that corrective actions were taken and the situation is remedied.

## Drinking Water System Operators: *What do they do? What certification requirements must they meet? Why do you need to plan?*

Ontario has established requirements for the training and certification of drinking water (and wastewater) system operators. Municipal residential drinking water systems are required to use certified operators to perform all operational work.

Drinking water system operators play a vital operational role in providing safe drinking water to your community. The responsibilities of an operator may include:

- Checking, adjusting and operating equipment such as pumps, meters, filters, analyzers, and electrical systems, and having replacement parts on-site for critical repairs
- Determining chemical dosages and keeping chemical feed equipment appropriately filled with chemicals, adjusted and operating properly
- Maintaining operating records and submitting operating reports to the system's operating authority/owner and the province
- Ordering and maintaining a stock of parts, chemicals and supplies
- Collecting and submitting water samples as required by regulation (This usually involves taking samples from a number of key locations and transporting them to a licensed and accredited laboratory.)
- Explaining and recommending to the operating authority/owner any major repairs, replacements or improvements that should be made to the plant and/or distribution system

## Types of Drinking Water System Operators

**Overall Responsible Operator (ORO)** - designated by the owner or operating authority, the ORO has overall operational responsibility for the system and must have an operator's certificate that is the same classification as (or higher than) the system.

**Operator-in-Charge (OIC)** - designated by the owner or operating authority, the OIC can direct other operators, set operational parameters in the system and has the authority to make operational decisions.

**Operators** - a person who conducts operational checks; who adjusts, tests, evaluates a process or directs the flow, pressure or quality of the water within the system. Operators must hold a valid operator's certificate. Non-certified persons may work under the direct onsite supervision of a certified operator, who physically oversees all operational work.

**Operator-in-Training (OIT)** - new operators who can operate a drinking water system. They cannot be designated as an ORO or OIC.

**Water Quality Analyst** - a person who is trained and certified to take operational tests, such as chlorine residual or turbidity tests, within a drinking water system.

Drinking water operators in Ontario must be certified and trained according to the type and complexity (class) of the drinking water system they operate. Operators are required to go through rigorous training, write examinations, and meet mandatory continuing education requirements to renew and maintain their certification. A certificate is valid for three years. To renew their certificate, operators must complete 20 to 50 hours of mandatory training per year on subjects related to the duties of a water system operator. Continuing education helps operators steadily improve their knowledge and skills throughout their

### Peer to Peer

*“Competent, certified operators are a key element to due diligence. Municipalities have an obligation to facilitate ongoing training for water treatment operators.”*

– Former Councillor Ken Graham, Town of Smiths Falls

careers. Owners and operating authorities are responsible for ensuring drinking water systems are appropriately staffed and supervised by qualified persons.

### ACTIONS YOU CAN TAKE

- Ensure there are sufficient resources for required levels of training for municipal staff involved in operating a drinking water system.
- Confirm that an overall responsible operator (ORO) has been designated and that procedures are in place to ensure all required staff and contractors are certified.
- Check to see if drinking water operator succession planning is being done and that measures are taken to address any current or anticipated challenges to recruiting skilled employees.
- Ensure your municipality or operating authority has contingency plans in place for situations where your certified operators may not be available (e.g. labour disputes, illnesses, vacancies, etc.) and, if activated, confirm that these contingency plans have been, where required, approved by the Ministry of the Environment and Climate Change and are working.

## Water Conservation

Creating and implementing water conservation measures help to reduce water and energy consumption, lower long-term infrastructure costs, increase water sustainability and protect the environment.

It is estimated that every additional litre of water capacity costs roughly four dollars for expanded water and wastewater infrastructure. Many municipalities in Ontario are realizing significant savings from water conservation measures.

The cost of energy to pump, distribute and treat water and wastewater is a significant expense for most Ontario municipalities. Saving water

saves money, energy and reduces greenhouse gas emissions. Better water management has the potential to be one of the most cost-effective energy reduction strategies for Ontario's municipalities.

(Source: Ontario Ministry of the Environment and the Ontario Ministry of Natural Resources, 2009, Safeguarding and Sustaining Ontario's Water Resources for Future Generations)



### Peer to Peer

*“Water is our most valuable natural resource. How we as councillors protect that resource will become more and more important as we continue to require safe drinking water in the future.”*

– Councillor-at-Large Rebecca Johnson,  
City of Thunder Bay



### Water Conservation Facts

- In Ontario, the average residential water use is about 225 litres of water per person per day, which is significantly more than countries with similar standards of living such as Germany, the United Kingdom and the Netherlands.
- Pumping and distributing water to homes and businesses, and treating water and wastewater makes up one-third to one-half of a municipal government's total electrical use, which is double that of other municipal costs such as street lighting.
- Canadian surveys have consistently shown that as the percentage of metered homes in a community increases, water use per capita decreases. In Canadian municipalities that use volume-based water charges (i.e. meters), the average daily consumption is 229 litres per person, while in municipalities that charge a flat or assessed rate, the corresponding figure is 65 per cent higher, or 376 litres per person.

(Source: Environment Canada, 2011, 2011 Municipal Water Use Report: 2009 Statistics)

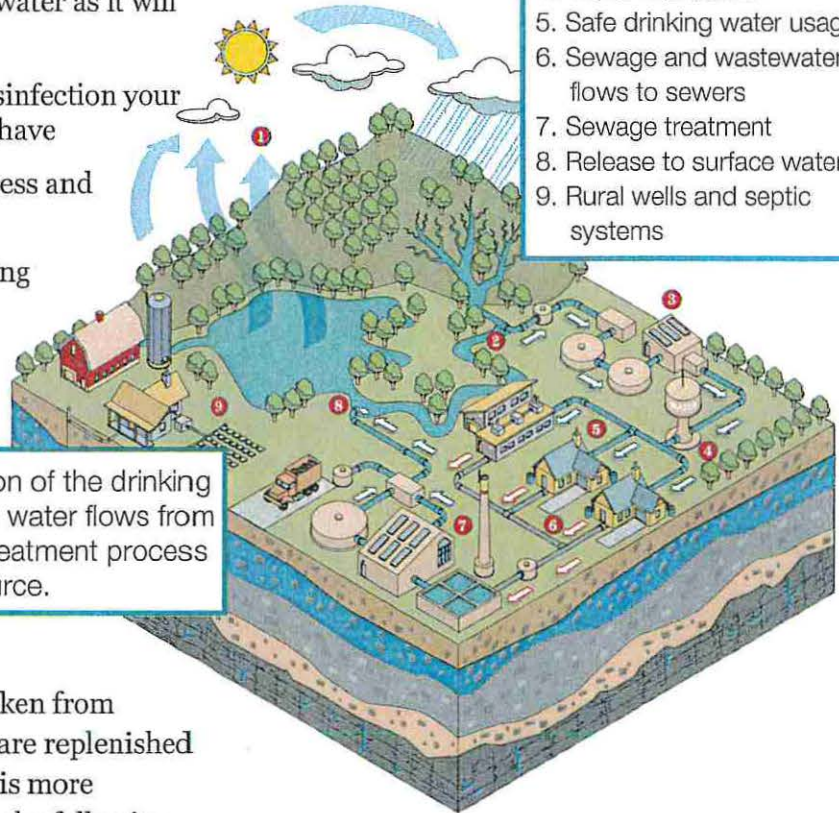
# LEARN MORE ABOUT DRINKING WATER

## Sources of Water

Ontario's drinking water comes from surface water or groundwater. It is important to know the source of your community's water as it will determine:

- the kind of treatment and disinfection your drinking water system must have
- the equipment needed to access and distribute your water
- the types of risks your drinking water may face, and
- planning for your water supplies for the future

1. Water in the environment
2. Water intake
3. Water treatment
4. Water distribution
5. Safe drinking water usage
6. Sewage and wastewater flows to sewers
7. Sewage treatment
8. Release to surface water
9. Rural wells and septic systems



**Right:** A graphical representation of the drinking water cycle demonstrating how water flows from the source through the water treatment process to your tap and back to the source.

## Surface water

Surface water for public use is taken from rivers, lakes or reservoirs which are replenished by rain and snow. Surface water is more susceptible to contamination for the following reasons:

- **Rivers** – may flow through farmland, industrial areas, sewage discharge zones and other areas which may cause harmful contamination and/or affect taste, odour, clarity and colour. River water quality will vary throughout the year.
- **Lakes and reservoirs** – usually have better water quality than rivers. Suspended contaminants will 'settle out' in lakes. However, lakes and reservoirs are subject to plant and algae growth, which can give lake water unpleasant taste or odour. Human activities (power boats, feed-lots, etc.) are also a threat. In addition, lakes are often fed by rivers which carry contaminants.

(Source: Ontario Ministry of the Environment, 2009, Annual Report 2007-2008 Chief Drinking Water Inspector)

## The Great Lakes and Drinking Water

Ontario borders on the Great Lakes, which store about 95 per cent of North America's supply of fresh water and about one-fifth of the world's supply of fresh surface water. Only one per cent of this water is renewed each year by rain and snowfall. More than 80 per cent of Ontarians get their drinking water from the Great Lakes.

## Groundwater

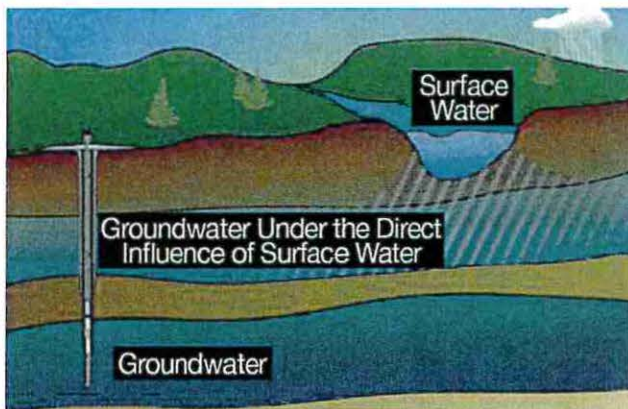
Groundwater (defined as 'water that occurs beneath the surface of the Earth') can be found in most parts of Ontario. It gathers in aquifers, the layers of sand, gravel and rock through which water seeps from the surface.

Sand and gravel aquifers are usually the most suitable for public water systems because water is more plentiful. Among rock aquifers, sandstone is often porous and can be a good source of groundwater. Limestone is not porous but may have cracks and cavities through which water can move and also provide a water supply.

## Groundwater Under Direct Influence - GUDI

In addition to groundwater and surface water, there is a third source of water known as GUDI which stands for Groundwater Under Direct Influence of Surface Water.

An aquifer supplied by GUDI is viewed in the same category as surface water and has the same treatment and disinfection requirements.



(Source: Ontario Ministry of the Environment, 2007, "Drinking Water 101" course materials)

## Source Protection in Ontario

Protecting our sources of drinking water is the purpose of the Clean Water Act, 2006 and the first component of Ontario's multi-faceted approach to providing safe, clean drinking water.

The source protection process in Ontario helps municipalities and others identify risks to sources of municipal drinking water so that better decisions can be made about addressing such risks through source protection plans. This science-based process has identified vulnerable areas to protect drinking water sources.

Municipalities have a significant role in implementing source protection plans: they are responsible for over half of the policies in the plans. Many of these policies are legally binding on municipalities. For example, municipalities may be required to appoint risk management officials and inspectors. These officials will negotiate risk management plans with landowners or businesses to address the risks their activities could pose to sources of municipal drinking water.

The Clean Water Act, 2006 also requires municipal official plans to conform with source protection policies to protect vulnerable areas. Municipalities may need to include policies in the official plan, as well as zoning by-laws to prevent future risks to these sources. Plans may require municipalities to take other specific actions to protect sources of drinking water.

To learn more about source protection planning for municipalities, please visit [www.conservation-ontario.on.ca/what-we-do/source-water-protection](http://www.conservation-ontario.on.ca/what-we-do/source-water-protection).

### ACTIONS YOU CAN TAKE

- Review the source protection plan for your area and find out what actions are being taken to protect vulnerable areas around your drinking water sources.
- Find out if your municipality has appointed risk management officials and inspectors to support source protection planning and whether you are sharing these duties with other municipalities or delegating to a local source protection authority.

## Drinking Water Treatment Processes

Treatment processes reduce or eliminate the potential for the presence of pathogens (organisms that can cause illness) in drinking water and are used to ensure your drinking water meets provincial standards. Different water sources necessitate different levels and methods of treatment to ensure safe, clean water is provided to consumers.

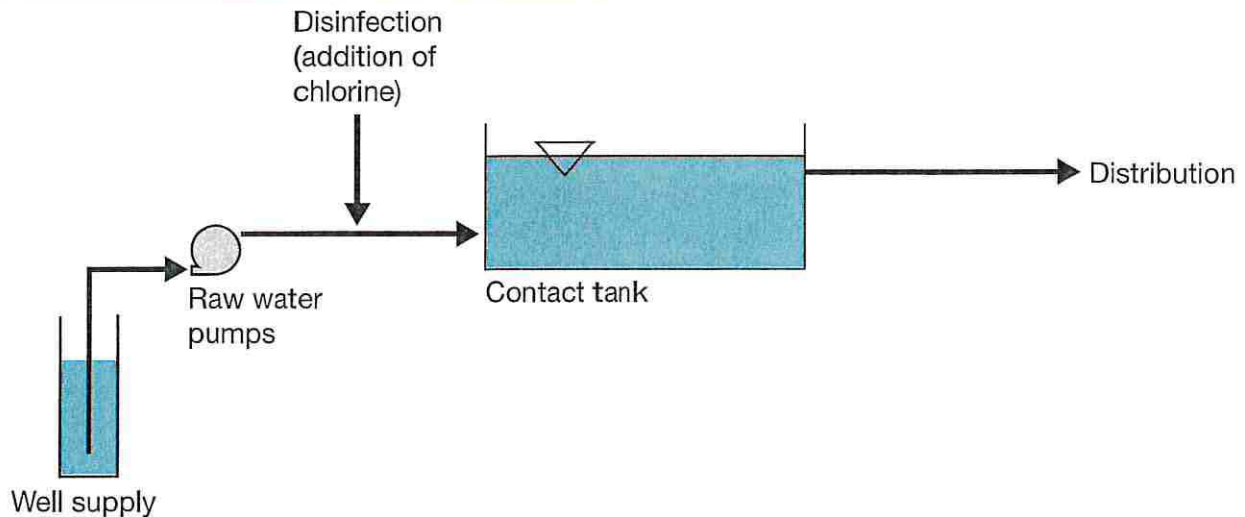
In Ontario, all municipal drinking water systems must have a disinfection process in place and all water must be disinfected before it is supplied to the public. The most widely used disinfectant is chlorine, which is a low-cost powerful disinfectant which continues

disinfecting as water passes through the distribution system.

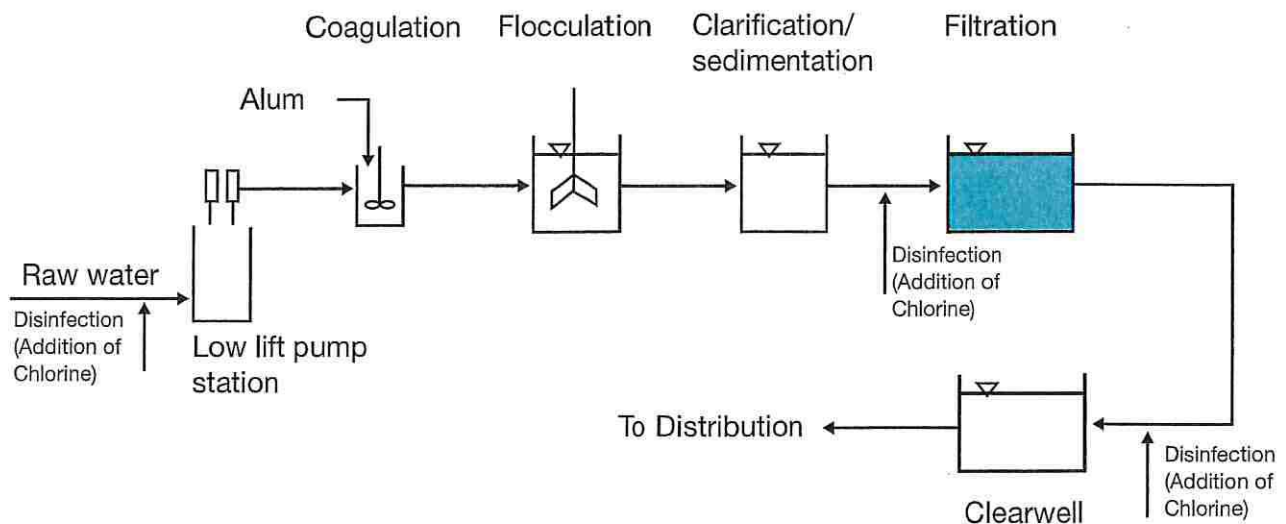
Drinking water systems using surface water or groundwater that is under the direct influence of surface water must also provide a filtration process ahead of the disinfection.

Some municipalities use certain treatment processes to address aesthetic problems with drinking water, such as taste and odour issues, that do not pose a risk to public health but which consumers find objectionable, or to address specific issues that are more local in nature, like zebra mussel control.

### Typical groundwater treatment process



### Typical surface water treatment process





<b>Coagulation</b>	Coagulation is a chemical process that causes smaller particles to bind together and form larger particles. The process is used to improve the removal of particles through sedimentation and filtration in the drinking-water treatment process.
<b>Flocculation</b>	Flocculation is the gathering together of fine particles in water by gentle mixing after the addition of coagulant chemicals to form larger particles that can then be removed by sedimentation and filtration.
<b>Clarification/ sedimentation</b>	Clarification removes suspended solids prior to filtration. In Ontario, the most common method of clarification used is sedimentation – or allowing suspended material to settle using gravity.
<b>Filtration</b>	Filtration removes particles from the water that were not removed during clarification by passing the water through a granular or media filter that retains all or most of the solids on or within itself, and removes pathogens trapped in the solids prior to disinfection.
<b>Disinfection</b>	Disinfection is usually the addition of chlorine to raw or filtered water to remove or inactivate human pathogens such as viruses, bacteria and protozoa in water, or for the purpose of maintaining a consistent level of chlorine in a drinking-water distribution system.



## Beyond Conventional Treatment

Communities can face unique water-treatment challenges from causes that include low-quality water sources, treated water being degraded as it moves through the distribution system or the need to meet increasing consumer demand.

As a result, your community may use other water treatment processes, some of which are described in the chart below, to meet your community's unique challenges.

### Type of water treatment process

### What it does

#### Membrane filtration

Helps remove micro-pollutants

#### Biofiltration

Improves taste and odour and reduces disinfection by-products and subsequent need for coagulants

#### Advanced oxidation process

Helps reduce disinfection by-products and micro-pollutants and improves taste and odour and disinfection

#### Sludge recirculation clarifiers

Improves system capacity

#### Magnetic ion exchange resins

Reduces disinfection by-products and subsequent need for coagulants and disinfectant

#### Dissolved air floatation

Reduces algae

#### Activated carbon

Improves taste and odour

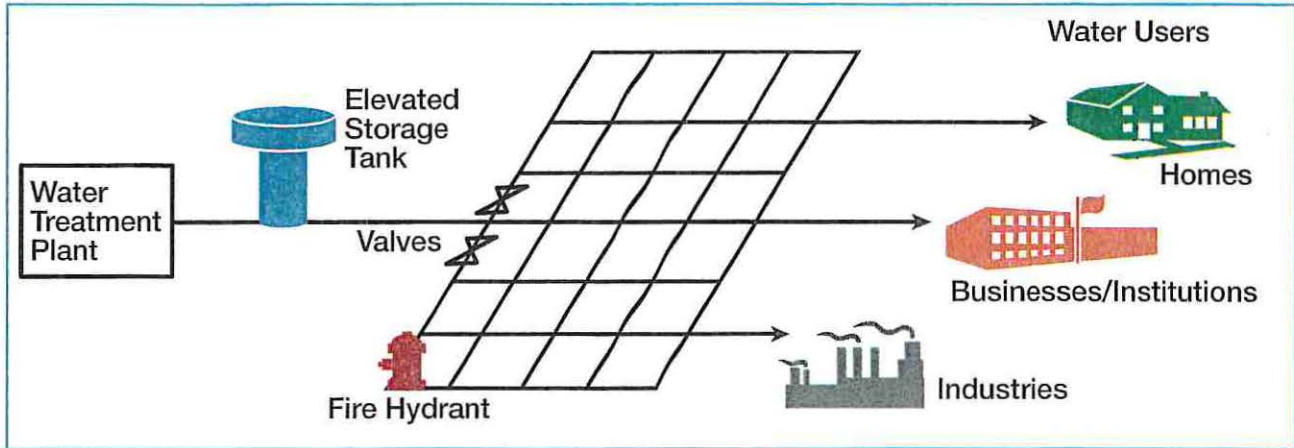
#### Ultraviolet (UV) light

Disinfects water without using chemicals

## Water Distribution

The water distribution system is the network of pipes, valves, fire hydrants, storage tanks, reservoirs and pumping stations that carry water to customers. Municipalities that get their treated water from a treatment facility in another municipality and only have a distribution system are still required to exercise due diligence

and oversight. Clean, treated drinking water can become contaminated through a poorly maintained distribution system. System owners are required to maintain a consistent level of disinfectant throughout the distribution system to act as a barrier against contamination.



## Types of Pipes

The most common types of material used for pipes include:

- Plastic - polyvinyl chloride (PVC) or polyethylene pipes; are widely used today
- Cast-iron - long-used; sturdy but capable of corroding in some cases
- Ductile-iron - widely-used, newer version of cast-iron; more flexible and less likely to corrode
- Asbestos-cement – no longer manufactured but still used in many distribution systems

## Water Mains/Piping

Water mains are normally buried in the public street right-of-way. A trunk main is a larger size main used to move large quantities of water. The smaller diameter pipe which connects a water main to an individual building is called a water service. These smaller pipes contain a buried valve to allow service shut-off. Water service piping inside the property line is considered plumbing and is outside municipal jurisdiction.

The pipes of the distribution system must be large enough to meet domestic and industrial needs and provide adequate and ample flow for fire protection.

## Valves

Valves are installed at intervals in the piping system so that segments of the system can be shut off for maintenance or repair.

## Hydrants

Hydrants are distributed in residential, commercial and industrial areas, and are primarily used by fire departments in fighting fires. Fire hydrants and system valves should be operated and tested at regular intervals.

## Water Storage Facilities

Water storage facilities exist in most municipalities to provide a reserve supply for times of emergency or heavy use (e.g. firefighting) and can include:

- elevated tanks (providing water pressure to a system)
- standpipes (also supply pressure from a high point of land)
- hydro-pneumatic systems (use air pressure to create water pressure in small systems)
- surface or in-ground reservoirs (where water can be stored and pumped out for use)

## Pumping Stations

Pumping stations are facilities including pumps and equipment for pumping fluids from one place to another. Pumping facilities are required whenever gravity cannot be used to supply water to the distribution system under sufficient pressure to meet all service demands.

## Water Meters

Water meters record the amount of water treated and delivered to the water system and measure the amount of water used by customers.

## Water Distribution Atlas

Your municipality may maintain a water distribution system atlas which provides detailed mapping of the distribution system and information on infrastructure and maintenance records. Detailed mapping helps your municipality plan for future repairs and is essential for quick response to problems such as water main breaks.

### For Further Information



#### To learn more about drinking water, visit these websites:

**[www.ontario.ca/drinkingwater](http://www.ontario.ca/drinkingwater)** – The Government of Ontario's webpage offering a single point of access to information on drinking water and drinking water services in Ontario.

**[ontario.ca/bw44](http://ontario.ca/bw44)** - Ontario Ministry of Economic Development, Employment and Infrastructure's guide for information relating to asset management planning.

**[www.wcwc.ca](http://www.wcwc.ca)** – The website of the Walkerton Clean Water Centre, an agency of the Ontario Government, which provides information on available training and education offered by the Centre, especially to those serving small and remote communities.

**[www.ocwa.ca](http://www.ocwa.ca)** – The website of the Ontario Clean Water Agency, an agency of the Ontario Government, which includes information on water and sewage works and related services provided by the Agency.

**[www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca)** – The Ontario Government website providing access to provincial laws and regulations.

**[www.omwa.org](http://www.omwa.org)** – The website of the Ontario Municipal Water Association.

**[www.owwa.com](http://www.owwa.com)** – The website of the Ontario Water Works Association, a section of the American Water Works Association ([www.awwa.org](http://www.awwa.org)).

## Glossary

The following is a list of drinking water related terms and phrases you may come across when carrying out your oversight responsibilities.

### A

**Accreditation body:** a person designated or established as an accreditation body under Part IV of the Safe Drinking Water Act, 2002.

**Accredited operating authority:** an operating authority accredited under Part IV of the Safe Drinking Water Act, 2002.

**Adverse Water Quality Incident (AWQI):** an event in which an adverse test result triggers a process of notification and corrective measures.

**Aquifer:** a layer of soil, sand, gravel or rock that contains groundwater.

**Asset management planning:** is the process of making the best possible decisions regarding the building, operating, maintaining, renewing, replacing and disposing of infrastructure assets. The objective is to maximize benefits, manage risks, and provide satisfactory levels of service to the public in a sustainable manner.

**Audit:** a systematic and documented verification process that involves objectively obtaining and evaluating documents and processes to determine whether a quality management system conforms to the requirements of the Drinking Water Quality Management Standard (DWQMS).

### B

**Backflow preventer:** a mechanical device for a water supply pipe to prevent the backflow of water into the water supply system from the service connections.

**Boil water advisory:** notice issued by local Medical Officer of Health to advise the community to boil or disinfect water before consumption. It is designed to make water safe to drink when there is a health risk through contamination that can be corrected by boiling or disinfecting the water.

### C

**Chemically assisted filtration:** a water treatment process that uses chemicals, such as alum, as a coagulant to bind small particles

together into larger particles that are then easily filtered out when the water passes through sand beds or other filters.

**Chlorine residual:** the concentration of chlorine remaining in the chlorinated water at the end of a given contact time that is available to continue to disinfect. Measured as Free Chlorine, Combined Chlorine and Total Chlorine.

**Clarification/Sedimentation:** removal of suspended solids prior to filtration. In Ontario, the most common method of clarification used is sedimentation - or allowing suspended material to settle using gravity.

**Coagulation:** a chemical process that causes smaller particles to bind together and form larger particles. The process is used to improve the removal of particles through sedimentation and filtration in the drinking-water treatment process.

**Colony counts:** a scientific measure that identifies the number of bacteria, yeast or moulds that are capable of forming colonies.

**Conservation Authorities:** local watershed management agencies that deliver services and programs that protect and manage water and other natural resources in partnership with government, landowners and other organizations. (<http://conservation-ontario.on.ca/>).

**Contaminant:** any solid, liquid, gas, odour, heat, sound, vibration, radiation or combination of any of them resulting directly or indirectly from human activities that causes or may cause an adverse event.

**Cross-connection:** the physical connection of a safe or potable water supply with another water supply of unknown or contaminated quality such that the potable water could be contaminated or polluted.

**Cryptosporidium:** a single-celled protozoan parasite found in the intestinal tract of many animals. If the animal waste containing Cryptosporidium contaminates drinking water, it may cause gastrointestinal disease in humans.

## D

**Designated facility:** under the Safe Drinking Water Act, 2002, designated facilities are defined as facilities that serve people who are potentially more susceptible to illness if they drink water that is of poor quality. These facilities include schools, universities and colleges, children and youth care facilities.

**Disinfection:** usually the addition of chlorine to raw or filtered water to remove or inactivate human pathogens such as viruses, bacteria or protozoa in water, or for the purpose of maintaining a consistent level of chlorine in a drinking-water distribution system.

**Drinking water:** (a) water intended for human consumption, or (b) water that is required by act, regulation, order, municipal by-law or other document issued under the authority of an act to be “potable” or to “meet or exceed the requirements of the prescribed drinking water quality standards.”

**Drinking water advisory:** notice issued by local Medical Officer of Health when a drinking water problem cannot be corrected simply by boiling the water or through disinfection. Under a Drinking Water Advisory, consumers are advised to use another source of drinking water until further notice.

**Drinking water system:** a system of works, excluding plumbing, that is established for the purpose of providing users of the system with drinking water and that includes:

- (a) anything used for the collection, production, treatment, storage, supply or distribution of water
- (b) anything related to the management of residue from the treatment process or the management of the discharge of a substance into the natural environment from the treatment system, and
- (c) a well or intake that serves as the source or entry point of raw water supply for the system.

**Drinking Water Quality Management Standard (DWQMS):** The Drinking Water Quality Management Standard is a made-in-Ontario standard that sets out a framework for the

operating authority and the owner of a drinking water system to develop a quality management system that is relevant and appropriate for their specific system. Operating authorities are accredited if they can demonstrate that they meet the requirements of the DWQMS through third-party verification.

**Drinking Water Quality Standards:** standards prescribed by Ontario Regulation 169/03 (Ontario Drinking Water Quality Standards) for microbiological, chemical and radiological parameters which when above certain concentrations have known or suspected adverse health effects and require corrective action.

**Drinking water works permit:** A drinking water works permit is an MOECC-issued approval that sets specific requirements for when a new municipal residential drinking water system is installed or when an existing system is being modified.

## E

**E. coli (*Escherichia coli*):** a species of bacteria naturally present in the intestines of humans and animals. If animal or human waste containing E. coli contaminates drinking water, it may cause gastrointestinal disease in humans. Most types of E. coli are harmless, but some active strains, especially O157:H7, produce harmful toxins and can cause severe illness.

**Exceedance:** violation of a limit for a contaminant as prescribed in the Ontario Drinking Water Standards Regulation (O. Reg. 169/03).

## F

**Filtration:** removes particles from the water that were not removed during clarification by passing the water through a granular or media filter that retains all or most of the solids on or within itself, and removes pathogens prior to disinfection.

**Financial plan:** Ontario Regulation 453/07 under the Safe Drinking Water Act, 2002 sets out the requirements for a financial plan. Financial plans help municipalities build capacity to plan for drinking water systems' long-term financial sustainability. A financial plan must be in place before a licence can be issued or renewed, and must apply for a minimum of a six-year period that starts in the year the new (or renewed) licence will

be issued. Financial plans must contain details of a system's financial position, financial operations and cash flow and are required to be approved by a resolution of municipal council.

**Flocculation:** the gathering together of fine particles in water by gentle mixing after the addition of coagulant chemicals to form larger particles that can then be removed by sedimentation and filtration.

## G

**Giardia:** protozoa, usually non-pathogenic, that may be parasitic in the intestines of vertebrates including humans and most domestic animals. If animal waste containing *Giardia* contaminates drinking water, it may cause gastrointestinal disease in humans.

## H

**Heterotrophic Plate Count (HPC):** HPC is a microbiological test that gives an indication of general bacterial population. HPC results are not an indicator of water safety and should not be used as an indicator of potential adverse human health effects. This is a routine test to monitor water plant operations and assure treatment is working properly.

## L

**Laboratory:** a place where drinking water tests are or will be conducted. In Ontario, laboratories must be accredited and licensed for each type of drinking water test they perform. Laboratories may conduct other types of tests as well.

## M

**Medical Officer of Health:** with reference to a drinking water system, the medical officer of health for the health unit in which the system is located; if none exists, authority resides with the Chief Medical Officer of Health.

**Microbiological organism:** an organism so small that it cannot be seen without a microscope, including bacteria, protozoa, fungi, viruses and algae.

**Municipal Drinking Water Licence (MDWL):** A municipal drinking water licence is an approval

to operate a municipal residential drinking water system. The licence outlines specific operational parameters for the system including rated capacity, maximum flow rates and sampling, testing and monitoring requirements. The MDWL replaces the Certificate of Approval, which has been phased out for municipal drinking water systems.

**Municipal drinking water system:** a drinking water system (or part of a drinking water system):

- that is owned by a municipality or by a municipal service board established under s. 195 of the Municipal Act, 2001
- that is owned by a corporation established under s. 203 of the Municipal Act, 2001
- from which a municipality obtains or will obtain water under the terms of a contract between the municipality and the owner of the system, or
- that is in a prescribed class

## O

**Operating authority:** with reference to a drinking water system, the person or entity that is given responsibility by the owner for the operation, management, maintenance or alteration of the system.

**Operational plan:** documents the Quality Management System (QMS) for a subject drinking water system.

**Owner:** with reference to a drinking water system, every person who is a legal or beneficial owner of all or part of the system (but does not include the Ontario Clean Water Agency [OCWA] or any of its predecessors where OCWA is registered on title as the owner of the system).

## P

**Pathogen:** an organism that causes disease in another organism.

**Permit to Take Water:** permit from the Ministry of the Environment and Climate Change under the Ontario Water Resources Act, 1990, required of any person who takes over 50,000 litres of water per day from any source.

**Potable water:** water that, at a minimum, meets the requirements prescribed by O. Reg. 169/03 (Drinking Water Quality Standards). Other

definitions include: water of sufficiently high quality that it can be consumed or used without risk of immediate or long-term harm; water that satisfies the standards of the responsible health authorities as drinking water; water that is 'fit to drink'.

**Protozoa:** a very diverse group comprising some 50,000 organisms that consist of one cell. Most are able to move on their own. Some are a health concern in drinking water. (See Giardia and Cryptosporidium)

**Provincial Officer Order:** an order issued by a Ministry of the Environment and Climate Change Provincial Officer to any person who contravenes any act governed by the Ministry of the Environment and Climate Change.

## R

**Raw water:** surface or groundwater that is available as a source of drinking water but has not received any treatment.

## S

**Source water:** untreated water in streams, rivers, lakes or underground aquifers which is used for the supply of raw water for drinking water systems.

**Source water protection:** action taken to prevent the pollution or depletion of drinking water sources, including groundwater, lakes, rivers and streams. Source water protection under Ontario's Clean Water Act helps ensure public health through developing and implementing local plans to manage land uses and potential contaminants.

## T

**Total coliform bacteria:** a group of waterborne bacteria consisting of three main sub-groups with common characteristics that is used as an indicator of water quality. The presence of total coliform bacteria in water leaving a treatment plant, or in any treated water immediately after treatment, could indicate inadequate treatment and possible water contamination.

**Treatment system:** any part of a drinking water system that is used in the treatment of water, including:

- anything that conveys or stores water and is part of a treatment process, including any treatment equipment installed in plumbing
- anything related to the management of residue from the treatment process or the management of the discharge of a substance into the natural environment from the system
- a well or intake that serves as the source or entry point of raw water supply for the system.

**Turbidity:** a visible haze or cloudiness in water caused by the presence of suspended matter, resulting in the scattering or absorption of light. The cloudier the water, the greater the turbidity.

## W

**Walkerton Inquiry:** the public commission of inquiry led by Justice Dennis O'Connor into the events that occurred in May 2000 when the water supply in the Ontario town of Walkerton became contaminated with a strain of E.coli bacteria.

**Waterborne illness:** a disease transmitted through the ingestion of contaminated water. Water acts as a passive carrier of the infectious agent, chemical or waterborne pathogen.

**Water quality:** a term used to describe the chemical, physical and biological characteristics of water, usually in respect to its suitability for a particular purpose, such as drinking.

**Watershed:** a region or area bounded peripherally by a divide and draining into a particular watercourse or body of water.







**Be informed.  
Ask questions.  
Get answers.  
It's your duty.**

[www.ontario.ca/drinkingwater](http://www.ontario.ca/drinkingwater)

For more information, call  
the Ministry of the Environment and Climate Change  
at 1-800-565-4923

Email: [drinking.water@ontario.ca](mailto:drinking.water@ontario.ca)

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PIBS# 7889e01

Report Number: 2019 - 21

Date: February 25, 2019

**SUBJECT: Report on the Proposed Regional Niagara Waste Collection Services Contract**

**1) PURPOSE:**

This report has been prepared by Chris Lee, Director of Engineering and Operations. The purpose of this report is to inform Council and the Public of the proposed Regional Niagara Waste Collection Services Contract, the past Public Consultation process that Region Staff have undertaken and to provide Staff's recommendations on the City of Port Colborne's future level of service, under the Region's next Waste Collection Contract.

**2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES:**

Regional Niagara Staff have undertaken Stakeholder Consultation and Engagement on their proposed Waste Collection Services for the period going forward from 2020, following the expiration of their existing collection contract with Emterra Environmental and Progressive Waste Solutions Ltd.

There has been a great deal of background and detail provided to Council in the formal presentation on the topic by Regional Staff at the February 11, 2019 Council Meeting, and as outlined in the two Regional Niagara, Public Works Reports, WMPSC-C 9-2018 and PW 3-2019, as previously submitted to Council under Engineering and Operations Report 2019-15 as attachments.

**3) STAFF COMMENTS AND DISCUSSIONS:**

It is Staff's intent to make recommendations to Council on the proposed changes under the new Regional Contract as well as the level of any enhanced services that Port Colborne may require under the new Regional Collection Contract.

Presently, the Region of Niagara oversees all aspects of Waste Management for the Local Area Municipalities (LAM).

This includes, but is not limited to, curbside collection of waste, recycling and organics collection, as well as the disposal of these materials.

The Region is preparing for a new collection contract that is to be awarded in 2020 and start in 2021. Prior to the approval of the new contract and its proposed changes, the Region has consulted with Niagara residents, businesses, the local municipalities and other stakeholders within Niagara.

The proposed options being considered by Niagara Region for the 2021 contract are categorized into **Base Collection Options** and **Enhanced Collections Options**.

Terminology used throughout the reporting process to describe the different property sectors are listed below:

LDR – Low Density Residential property (i.e.: 1 to 6 residential units)

MR – Multi Residential property (greater than 6 residential units)

IC&I – Industrial, Commercial and Institutional property

MU – Mixed Use property (i.e. IC&I with a residential component)

Inside DBAs – Property is located within the Designated Business Areas (those include Downtown BIA and Main Street BIA locations)

Outside DBAs – Property is located outside of the Designate Business Areas

### **Proposed Base Collection Options Under the New Contract:**

A) Every-other-week (EOW) garbage collection for all properties located outside DBAs. (Properties located inside DBAs will continue with weekly service).

- Weekly collection of recycling and organics to continue for all properties both inside and outside of DBAs. Garbage container limit would double for those with EOW collection.
- The benefits of EOW garbage collection include:
  - Increased participation/capture rates in diversion programs (i.e.: recycling and organics) to extend lifespan of landfill sites.
  - Diversion rates have increased between 6% and 16% in municipalities that have implemented EOW garbage collection.

B) Mandatory use of clear bags for garbage with optional opaque privacy bag (i.e. grocery bag) within the clear bag for all sectors.

- The intent of this change is to improve source separation (and waste diversion rates) and increase enforcement/awareness of what is placed inside the garbage bag by allowing the collection person to identify recycling, organics and unacceptable materials in the bag and then not picking up that bag.

C) Establishment of a four (4) item limit, per residential unit, per collection, for large item collection at LDR properties.

- Currently, there is no limit on the number of large items that can be set out. The proposed reduction to a four-item limit should meet the set-out needs, as presently, most residents set out on average, less than two (2) items per collection.

D) Discontinuation of appliances and scrap metal collection at LDR properties.

- These items can be recycled, at no cost, at Niagara Regional Drop-off Depots, or at scrap metal dealers. Only 6% of Niagara's LDR properties currently use the curbside collection of appliances and scrap metal. Many of these items are currently being scavenged before the Region's collection contractor is able to

collect them.

E) Change weekly garbage container limits for IC&I and MU properties located inside DBAs from seven (7) containers to four (4) containers per property.

- This will standardize the base collection limits across similar sectors as well as increase participation in the Region's diversion programs. Currently the average number of garbage containers placed out per week at IC&I and MU properties inside DBAs across the region is two.

F) Change weekly garbage container limits for MU properties located outside DBAs from six (6) to four (4) containers under weekly collection, or to eight (8) containers under EOW garbage collection.

- This would standardize the base collection limits across similar sectors, as well as increase participation in the Region's diversion programs. The average number of garbage containers placed out per week at MU properties outside DBAs across the region is two (2)

### **Enhanced Collection Options**

Provided below is a summary of those existing enhanced collection services provided to the City of Port Colborne and the associated 2018 cost:

<b>Current Enhanced Collection Service</b>	<b>2018 Cost</b>	<b>Total No. of Container Serviced</b>
Organics Cart Collection - Designated Business Area	\$11,760.70	57 (est.)
Public Spaces Recycling - City Facilities (i.e. Parks, Arenas, Beaches) -	\$719.93	8
Street Litter Bins - City Facilities (i.e. Parks, Arenas, Beaches) - Institutional, Commercial & Industrial Properties (Twice-per-week)	\$719.93	8
Enhanced Waste Disposal Cost	\$142.79	n/a

### **Consideration of Enhanced Bulky Goods Collection at Multi-Residential (7 or more units) and Mixed-Use Buildings:**

Currently, weekly, unlimited, bulky goods collection service is provided only to low-density residential (LDR) properties up to and including six (6) residential units, on a call-in basis.

The Region is proposing to establish a four (4) item limit per residential unit, per collection, for bulky goods at LDR properties, as a base service in the next collection contract and ceasing collection of white goods and scrap metal.

Also proposed for the next collection contract are enhanced bulky goods collection being provided to those households in MR buildings with seven (7) or more residential units and MU properties with one (1) or more residential units. (This

service would only be provided to those MR and MU properties that receive the Region's curbside garbage or front-end garbage collection service, and only at the request of the Municipality). This service would be provided in a manner that is parallel to the approved service for the LDR sector.

**Estimated Number of MR and MU Properties in Port Colborne Receiving Regional Collection Service:**

Provided below is a summary of the estimated number of MR buildings with seven (7) or more residential units and MU properties with one (1) or more residential units in your municipality, which currently receive the Region's curbside garbage collection service as of May 2018, and which would be eligible to receive bulky goods collection service, if requested.

<b>Curbside Garbage Collection Service</b>	<b>No. of Buildings/ Properties</b>
Multi-residential buildings with seven or more residential units	28
Mixed-use properties with one or more residential units	99

**4) OPTIONS AND FINANCIAL CONSIDERATIONS:**

**a) Do nothing.**

If no action is taken at this time, Regional Staff will proceed as directed by Regional Council without input from the City of Port Colborne.

**b) Other Options**

Accept staff's recommendation and have staff forward to the Region a copy of this report with its recommendations and have the Region consider our requests.

**5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

N/A

**6) ATTACHMENTS**

None

**7) RECOMMENDATION**

That Council approve the following proposed Regional collection changes to the 2021 collection contract:

1. That every-other-week (EOW) garbage collection be implemented, for all residential properties, including those IC&I and MU properties located outside DBAs as a base service. (Current garbage container limits would double for all properties, on an EOW basis). That Recycling and Organic Bin collection for all properties shall remain weekly collection. Those IC&I and MU properties

located inside the DBAs would continue to receive weekly garbage, recycling and organics collection as a base service.

2. That switching to clear bags be approved.
3. That the establishment of a four (4) item limit per residential unit, per collection, for large item collection at LDR properties be approved (base service).
4. That appliance and scrap metal pick-up be discontinued at LDR properties.
5. That the number of garbage bags/containers for IC&I and MU properties inside DBAs be reduced from seven (7) to four (4) per week (base service).
6. That the number of garbage bags/containers for MU properties outside DBAs be reduced from six (6) to four (4) per week, or eight (8) containers per week under EOW garbage collection (base service).
7. That the City's enhanced service levels that currently exist continue for the term of the new Regional Contract.

**8) SIGNATURES**

Prepared on February 15, 2019 :  
by:



---

Chris Lee  
Director of Engineering and  
Operational Services

Reviewed by:



---

Peter Senese  
Director of Corporate Services

Reviewed and respectfully  
submitted by:



---

C. Scott Luey  
Chief Administrative Officer

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Report Number: 2019-27

Date: February 15, 2019

Subject: Appointment of an Integrity Commissioner

**1) PURPOSE**

This report is provided to recommend the appointment of ADR Chambers Inc. as the Integrity Commissioner for the Corporation of the City of Port Colborne.

**2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES**

Bill 68, the Modernizing Ontario's Municipal Legislation Act, 2017, which received Royal Assent on May 30, 2017, expanded the responsibilities of the Integrity Commissioner and requires that every municipal government provide access to an Integrity Commissioner by either appointing its own Integrity Commissioner or making provisions that the services of an Integrity Commissioner be provided by another municipality by March 1, 2019.

The Integrity Commissioner is appointed to act in an independent manner on the application of the Code of Conduct and other rules and procedures governing the ethical behaviour of members of Council. The Integrity Commissioner provides an independent body to address public requests for investigations into any alleged transgressions of ethical behavior by any member of Council or its local boards and improves the transparency and accountability of municipalities to the public.

The Integrity Commissioner appointed by Council shall be responsible for providing Integrity Commissioner services on an as required basis in accordance with sections 223.3 to 223.8 of the Municipal Act, 2001, as amended. The services include, but are not limited to, the following duties and responsibilities:

1. The application of the code of conduct for members of council and the code of conduct for members of local boards.
2. The application of any procedures, rules and policies of the municipality and local boards governing the ethical behaviour of members of council and of local boards.
3. The application of sections 5, 5.1 and 5.2 of the Municipal Conflict of Interest Act to members of council and of local boards.
4. Requests from members of council and of local boards for advice respecting their obligations under the code of conduct applicable to the member.

5. Requests from members of council and of local boards for advice respecting their obligations under a procedure, rule or policy of the municipality or of the local board, as the case may be, governing the ethical behaviour of members.
6. Requests from members of council and of local boards for advice respecting their obligations under the Municipal Conflict of Interest Act.
7. The provision of educational information to members of council, members of local boards, the municipality and the public about the municipality's codes of conduct for members of council and members of local boards and about the Municipal Conflict of Interest Act. 2017, c. 10, Sched. 1, s. 19 (1).

The Integrity Commissioner will report directly to Council. The Integrity Commissioner is required to preserve secrecy in all matters that come to his or her knowledge in the course of his or her duties. At the same time, the municipality is required to ensure that reports received from the Integrity Commissioner are made available to the public. The contact/contract administrator for the Integrity Commissioner will be the City Clerk and/or their designate.

### **3) STAFF COMMENTS AND DISCUSSIONS**

The Clerk's Division partnered with the Town Clerk of the Town of Fort Erie in the procurement process with a goal of cost sharing where possible. Staff will continue to partner with the Town of Fort Erie for cost sharing purposes where possible including joint training. In the request for quote process four requests were made with three companies providing quotes for Integrity Commissioner services.

After a review of the quotes staff recommend that Council appoint Edward T. McDermott of ADR Chambers Inc. (ADRC) as the City's Integrity Commissioner.

Through the quote process ADR Chambers Inc. were able to provide services matching their successful bid for services of Niagara Region. In 2017 when Niagara Region undertook the Request for Proposal (RFP) process for an Integrity Commissioner they included a shared services clause as follows:

*Lower Tier Municipalities and Local Boards (Agency) who originally did not participate in the initial bid, who wish to acquire the services at the same prices and under the same terms and conditions which the Integrity Commissioner is providing to the Region under this Agreement, and provided that the Integrity Commissioner agrees to provide such services to the Agencies, then each such member Agency may make individual arrangements with the Integrity Commissioner (e.g. issuing a purchase order) and the terms and conditions of this Agreement shall apply as between the member agency and the Integrity Commissioner.*

As part of the successful bid ADRC agreed to provide matching Integrity Commissioner

services to the lower tier municipalities upon request.

ADRC provides dispute resolution services, operates an Office of the Integrity Commissioner, and also provides Ombudsman services. ADRC opened in 1994, merged with Stitt Feld Handy Group in 2004, merged again with Dispute Resolution Services, and finally, with YorkStreet Dispute Resolution Group in 2018. It has approximately 60 panel members who are professionals in investigation and Alternative Dispute Resolution. Many panel members are practicing lawyers who have experience in municipal law and the ethical standards and policies governing municipal councils.

ADRC has been operating an Office of the Integrity Commissioner since 2011 and provides services to municipal clients under the Municipal Act, 2001 and Municipal Conflict of Interest Act, as Integrity Commissioner and Ombudsman. ADR Chambers Inc. provides Integrity Commissioner services for a number of municipalities including Markham, Kitchener, Waterloo, Richmond Hill, and the Region of Niagara.

ADRC uses a team of professionals to provide Integrity Commissioner services, including: an Integrity Commissioner, 6 other investigators, over 20 associated investigators available to fill-in if necessary, administrative and liaison support, other knowledgeable staff, and approximately 60 panel members. This approach allows ADRC to provide efficient, effective, and thorough Integrity Commissioner services.

Edward T. McDermott is an investigator, mediator and arbitrator with ADRC. He has over 35 years of negotiation, mediation, arbitration and legal experience. He was called to the Bar in 1969, and retired as senior partner with Osler, Hoskin and Harcourt LLP, where he built an active labour and employment law practice from 1974 to 2009.

#### **4) OPTIONS AND FINANCIAL CONSIDERATIONS:**

The financial impact of the integrity commissioner on an annual basis is unknown as ADRC provides services on a request basis with no annual retainer. ADRC's fee structure is \$350/hour for principal services and \$275/hour for associate services. Additional costs will be incurred for mileage, training, and eventually for a review of the City's Code of Conduct. Costs will be driven by volume of requests for advice, educational information and other supports as well as inquiries into complaints received.

The cost of the Integrity Commissioner service will be drawn from the current budget for legal fees and will be monitored throughout 2019. Any necessary adjustment to accommodate the program will be presented through consideration of the 2020 budget.

##### **a) Do nothing.**

This is not an option as under Bill 68 municipalities are required to appoint an Integrity Commissioner.

##### **b) Other Options**

Council could continue to search for an Integrity Commissioner. This option is not recommended by staff.

**5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

Not Applicable.

**6) ATTACHMENTS**

None.

**7) RECOMMENDATION**

That Council appoints Edward T. McDermott of ADR Chambers Inc. as the Integrity Commissioner for The Corporation of the City of Port Colborne, for an initial term of four (4) years; and

That Council assigns to the Integrity Commissioner all of the responsibilities required under Subsection 223.3 (1) of the *Municipal Act, 2001*, as amended, to come into force on March 1, 2019; and

That Council requests the Integrity Commissioner to provide training concerning the Code of Conduct and the Municipal Conflict of Interest Act, and other procedures, rules and policies governing the ethical behaviour of Council, and local boards, pursuant to the *Municipal Act, 2001*, as amended effective March 1, 2019, from time to time; and

That the Mayor and City Clerk be authorized to execute an agreement with ADR Chambers Inc. for the purpose of providing services of an Integrity Commissioner.

**8) SIGNATURES**

Prepared on February 15, 2019

Reviewed by:



Amber LaPointe  
Manager of Legislative Services/City  
Clerk

Peter Senese  
Director of Corporate Services

Reviewed and Respectfully Submitted:

A handwritten signature in black ink, appearing to read "S. Luey", followed by a period.

Scott Luey  
Chief Administrative Officer

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Report Number: 2019 - 16

Date: February 25, 2019

**SUBJECT: Skelton Municipal Drains**

**1. PURPOSE:**

The purpose of this report prepared by Alana Vander Veen, Drainage Superintendent and authorized by Chris Lee, Director of Engineering & Operations is to provide an update to Council on the progression of the Skelton Municipal Drains.

**2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES**

Under the actions of Council previously approving Report No. 2013-27, which requested the appointment of Spriet Associates Architects and Consulting Engineers as the Engineer for both the Brown's Tap Municipal Drain and the Skelton Municipal Drain, at that time the focus was to complete the Brown's Tap Municipal Drain Report.

This report has been to several meetings held by the City of Welland with respect to the Brown's Tap and was presented by Spriet Associates at a Meeting to Consider in Welland, on February 5, 2019. At this meeting, it was determined by Council that due to landowners in the watershed of the Brown's Tap withdrawing their names from the original petition, the petition does not fulfill the requirement of Section 4(1)(b) of the Drainage Act R.S.O. 1990, which states that the owners petitioning must represent at least 60 percent of the assessed watershed. Hence that petition has failed and that project (the Brown's Tap) will be terminated.

Now that this determination has been made, there is an opportunity to progress forward with the Skelton Municipal Drain.

A preliminary plan and profile have already been completed by Spriet Associates, the municipalities involved, Port Colborne, Wainfleet and Welland will be holding an on-site meeting for the watershed of the Skelton Drain, to allow for investigations that may be required for making potential changes to the limits of watershed, along with potential investigations for the addition of branch drains within its watershed.

**3) STAFF COMMENTS AND DISCUSSIONS**

As previously stated in Report 2013-27 the determination was made that the Skelton Municipal Drain could not be redirected to outlet to the Brown's Tap Drain therefore staff is currently working to complete the Skelton Municipal Drain, outletting to the Biederman Municipal Drain as it currently does. This new report will include all features on the drain and allow for maintenance and billings to the satisfaction of all requirements under the Drainage Act. It is currently projected that a new Engineer's Report for the Skelton Municipal Drain will be presented to Council for consideration before the end of 2019.

**4) OPTIONS AND FINANCIAL CONSIDERATIONS:**

**a) Do nothing.**

This is not an option as the City is mandated by the Drainage Act R.S.O. 1990 to ensure that Municipal Drain Reports are kept up to date for future maintenance.

**b) Other Options**

An up to date engineer's report provides for an effective drain maintenance and roadside ditching program, which in turn will reduce overall costs, providing ratepayers with a reasonable level of service.

Since this project has been initiated by the City of Port Colborne all administration and financing is borne by the City. Once the report is adopted and the construction is completed, the cost will be expensed according to the assessment schedule contained in the report. There will be an assessment to the City of Port Colborne for the proportionate share of roads and City owned properties.

**5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

Municipal Drain Maintenance Strategic Planning is currently under review. This project is in compliance with all City legislative requirements.

**6) ATTACHMENTS**

Appendix A - Location Plan

**7) RECOMMENDATION**

That Council hereby acknowledges that Brandon Widner, P. Eng of Spriet Associates Architects and Consulting Engineers shall be the Engineer of record for the Skelton Municipal Drains report as outlined in Engineering and Operations Department Report 2019-16.

**8) SIGNATURES**

Prepared on February 8, 2019

Reviewed by:



Alana Vander Veen  
Drainage Superintendent

Chris Lee  
Director of Engineering and Operations



Reviewed and Respectfully Submitted:

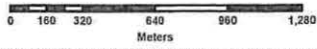
A handwritten signature in black ink, appearing to read "Luey", followed by a period.

Scott Luey  
Chief Administrative Officer

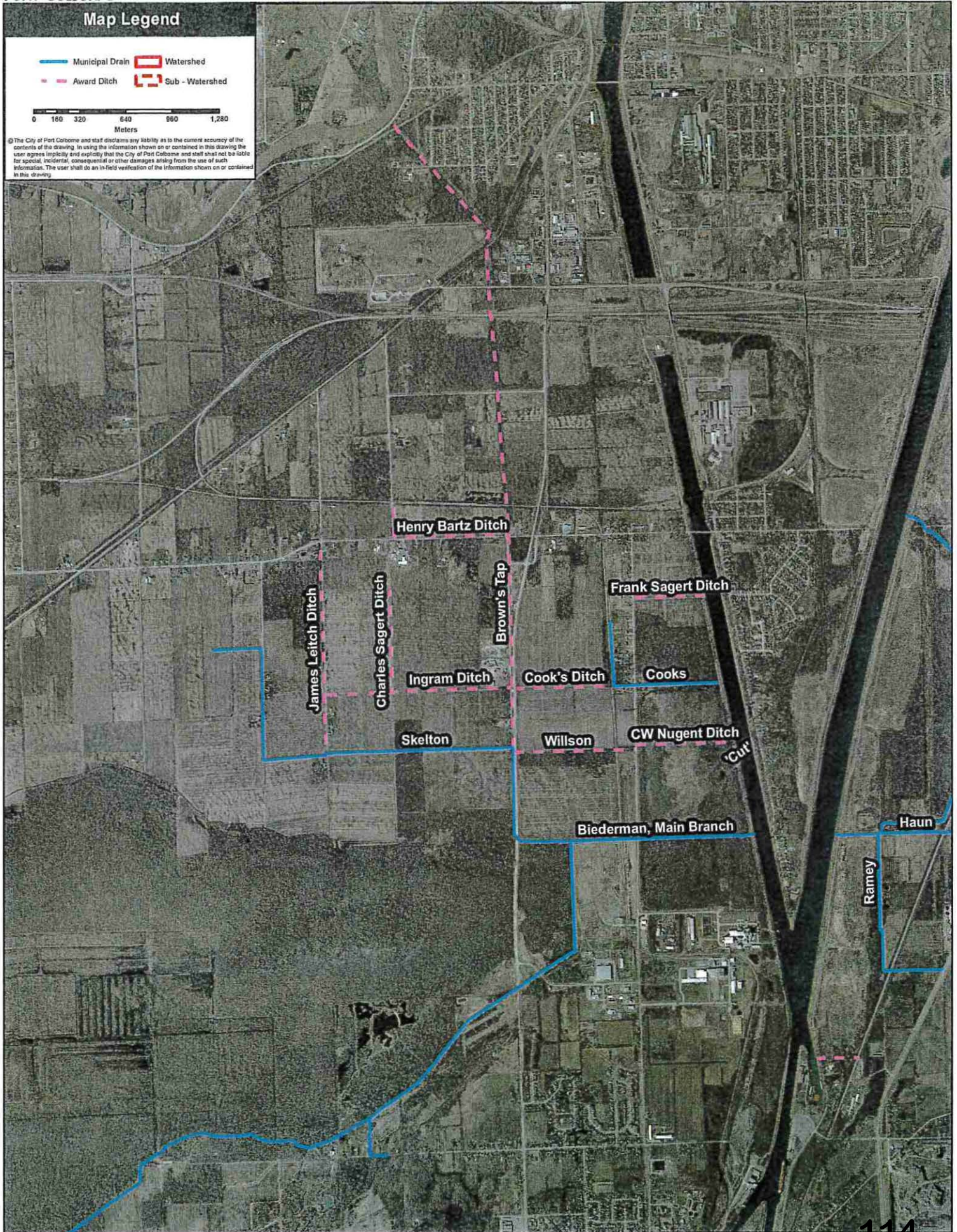


## Map Legend

- Municipal Drain
- - - Award Ditch
- Watershed
- Sub - Watershed



© The City of Port Colborne and staff disclaims any liability as to the current accuracy of the contents of the drawing. In using the information shown on or contained in this drawing the user agrees implicitly and explicitly that the City of Port Colborne and staff shall not be liable for special, incidental, consequential or other damages arising from the use of such information. The user shall do an in-field verification of the information shown on or contained in this drawing.



FEB 11 2019

CORPORATE SERVICES  
DEPARTMENT

Dear Mayor Steele,


We would like to thank you for your leadership as a champion of children. This year, The Fresh Air Fund will celebrate its 143<sup>rd</sup> summer of providing New York City children with free, fun and safe summer experiences.

**With your help, we can reach more prospective Port Colborne host families by proclaiming March 20<sup>th</sup>, 2019 as "Fresh Air Fund Day" in Port Colborne.** Your participation will be a great support of our volunteer leaders host recruitment efforts in Port Colborne.

*The Fresh Air Fund*, an independent, not-for-profit agency, has provided free summer experiences to more than 1.8 million New York City children from low-income communities since 1877. Each summer, thousands of children visit volunteer host families along the East Coast and Southern Canada and at The Fund's five overnight camps in Fishkill, New York. Fresh Air children also participate in year-round leadership and educational programs. For more information, visit [www.freshair.org](http://www.freshair.org).

Attached please find a sample proclamation and background materials for your review. If you have any questions or to confirm your participation, please contact Julie Silverman at 212-897-8890. Thank you for your leadership and support in serving New York City's children and families. Together, we can make summer special for thousands of children and families.

Best,

Nancy Salvage  
Port Colborne, Ontario  


Fatima Shama  
Executive Director  
The Fresh Air Fund

SAMPLE PROCLAMATION

WHEREAS The Fresh Air Fund provides free outdoor summer experiences to thousands of children from New York City's low-income communities each summer, and

WHEREAS The Fresh Air Fund allows children from New York City to visit the homes of volunteer host families along the East Coast and Southern Canada, and

WHEREAS Port Colborne families have been participating in The Fresh Air Fund's Friendly Towns Program for over 140 years, and

WHEREAS The Fresh Air Fund allows children from New York City to enjoy Port Colborne backyards, parks, and wide open spaces, and

WHEREAS The Fresh Air Fund is celebrating its 143<sup>rd</sup> summer,

NOW, THEREFORE BE IT RESOLVED THAT I, Mayor Steele of the city of Port Colborne, do hereby proclaim March 20, 2019 to be:

"FRESH AIR FUND DAY"

in Port Colborne, in recognition of the transformative opportunities that inspire new dreams and new perspectives provided by The Fresh Air Fund.



PORT COLBORNE

MEMORANDUM

CAO's OFFICE

905-835-2900 Ext. 301

TO: Amber LaPointe, Clerk

FROM: Nancy Giles, EA to Mayor and CAO

DATE: February 14, 2019

RE: Recommendation from Social Determinants of Health Advisory  
Committee – Everyone Matters

City of Port Colborne  
RECEIVED

FEB 14 2019

CORPORATE SERVICES  
DEPARTMENT

At our meeting held February 7, 2019, the following recommendation to Council was passed:

**1. Amendments to By-law 6530/97/17**

Moved A. Desmarais  
Seconded S. Hanson

That this committee recommends to Council:

That Section 3 (k) of By-law 6530/97/17 be amended to remove "East Village Neighbourhood Improvement Task Force" and add "Niagara Community Legal Clinic" as the clinic name has changed;

and further that Section 3 (d) be amended to remove "One member of staff from the Community Services Division" and add "The City of Port Colborne Health Services Coordinator" as a voting member also removing reference to this position from Section 4 (a) and renumbering Section 4 accordingly;

and further that Section 3 be amended to add "One representative from Community Services, Niagara Region" as a voting member.  
CARRIED.

We would ask that this be brought forward to an upcoming council meeting.

Thank you.



**PORT COLBORNE - WAINFLEET  
CHAMBER OF COMMERCE**  
*Serving the Business Community Since 1902*

**PORT COLBORNE – WAINFLEET  
CHAMBER OF COMMERCE**

*SERVING THE COMMUNITIES OF  
PORT COLBORNE & WAINFLEET SINCE 1902*

City of Port Colborne  
**RECEIVED**

**FEB 19 2019**

**CORPORATE SERVICES  
DEPARTMENT**

February 14, 2019

Dear Mayor Steele and Members of Council:

Once again the Port Colborne-Wainfleet Chamber of Commerce will be hosting the annual President's Awards on March 21<sup>st</sup>. This yearly event is a wonderful opportunity for our communities to celebrate our greatest asset...our people!

We are very excited to be hosting this year's event at the Roselawn Centre. We believe this will provide a different atmosphere for the event with food stations prior to the presentations, and a beautiful theatre to actually hand out the awards.

To add to the experience, we typically provide a wine tasting and a spirit or beer tasting. The tastings are a few ounces and in no way replace the bar for the evening. As we are trying to keep the ticket price reasonable and want to ensure we cover the charges for the use of the facility, we are respectfully requesting Council's consideration of waiving the \$10 corkage fee for our tastings.

We sincerely thank you for the consideration and hope to see many of you at the event!

Sincerely,

Dolores Fabiano  
Executive Director  
Port Colborne-Wainfleet Chamber of Commerce  
Enc.

**SOUTH  
NIAGARA**  
CHAMBERS OF COMMERCE





## Community Services

### Legislative Services

City of Port Colborne  
**RECEIVED**  
FEB 12 2019  
CORPORATE SERVICES  
DEPARTMENT

February 12, 2019  
File #120203

Sent via Email: [catherine.habermebl@niagararegion.ca](mailto:catherine.habermebl@niagararegion.ca)

Catherine Habermebl, Director of Waste Management  
Waste Management, Public Works  
Niagara Region  
1815 Sir Issac Brock Way, P.O. Box 1042  
Thorold, ON L2V 4T7

Dear Ms. Habermebl:

**Re: Request Region to Consider an In-House Waste Collection Service**

Please be advised the Municipal Council of the Town of Fort Erie at its meeting of February 11, 2019 passed the following resolution:

**Whereas** The Regional Municipality of Niagara (the "Region") is looking to reduce costs by going to a bi-weekly service; and

**Whereas** the Region currently contracts out Waste Management Services to the private sector; and

**Whereas** the Region continues to encounter problems with the delivery of services from the private sector both currently and in the past; and

**Whereas** it would benefit the Region for Regional staff to bring a report forward to Regional Councillors of the benefits and cost savings, if any, associated with bringing in the Waste Management Program in-house prior to establishing an RFP to be released for contractual services;

**Now therefore be it resolved,**

**That:** The Town of Fort Erie hereby requests The Regional Municipality of Niagara to prepare a report for Regional Council that speaks to the benefits and cost savings, if any, associated with bringing the Waste Management Contracts in-house; and further

---

Mailing Address:

The Corporation of the Town of Fort Erie  
1 Municipal Centre Drive, Fort Erie ON L2A 2S6

Office Hours 8:30 a.m. to 5:00 p.m. Phone: (905) 871-1600 FAX: (905) 871-4022

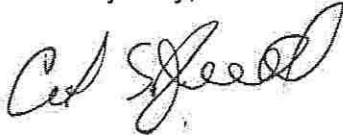
Web-site: [www.forterie.ca](http://www.forterie.ca)

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**That:** This resolution be sent to all Local Municipalities within The Regional Municipality of Niagara, and the CAO, Clerk, Chair and Councillors of The Regional Municipality of Niagara.

Trusting this information will be of assistance to you.

Yours very truly,



Carol Schofield,  
Manager, Legislative Services/Clerk  
[cschofield@forterie.ca](mailto:cschofield@forterie.ca)

CS:dlk

cc: Niagara Local Area Municipalities *Sent via email*  
R. Tripp, Acting CAO, Niagara Region *Sent via email: [ron.tripp@niagararegion.ca](mailto:ron.tripp@niagararegion.ca)*  
Ann-Marie Norio, Regional Clerk, Niagara Region *Sent via email: [ann-marie.norio@niagararegion.ca](mailto:ann-marie.norio@niagararegion.ca)*  
Jim Bradley, Regional Chair *Sent via email: [jim.bradley@niagararegion.ca](mailto:jim.bradley@niagararegion.ca)*  
Regional Councillors *Sent via email*



**City of Port Colborne  
Regular Committee of the Whole Meeting 05-19  
Minutes**

**Date:** February 11, 2019

**Time:** 6:30 p.m.

**Place:** Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

**Members Present:** M. Bagu, Councillor  
E. Beauregard, Councillor  
R. Bodner, Councillor  
G. Bruno, Councillor  
A. Desmarais, Councillor  
D. Kalailieff, Councillor  
W. Steele, Mayor (presiding officer)  
H. Wells, Councillor  
B. Butters, Regional Councillor

Absent: F. Danch

**Staff Present:** M. Evely, Recording Clerk  
S. Hanson, Acting Director of Planning & Development  
A. LaPointe, Manager of Legislative Services/City Clerk  
C. Lee, Director of Engineering and Operations  
S. Luey, Chief Administrative Officer  
P. Senese, Director of Corporate Services

Also in attendance were interested citizens, members of the news media and WeeStream.

**1. Call to Order:**

Mayor Steele called the meeting to order.

**2. National Anthem:**

Those in attendance stood for O Canada.

**3. Introduction of Addendum Items:**

Nil.

**4. Confirmation of Agenda:**

Moved by Councillor R. Bodner  
Seconded by Councillor E. Beauregard

That the agenda dated February 11, 2019 be confirmed, as circulated or as amended.

CARRIED.

**5. Disclosures of Interest:**

Nil.

**6. Adoption of Minutes:**

- (a) **Regular meeting of Committee of the Whole 04-19, held on January 28, 2019.**

Moved by Councillor H. Wells  
Seconded by Councillor A. Desmarais

- (a) That the minutes of the regular meeting of Committee of the Whole 04-19, held on January 28, 2019, be approved as presented.

CARRIED.

**7. Determination of Items Requiring Separate Discussion:**

The following items were identified for separate discussion:

Items 1 and 3.

**8. Approval of Items Not Requiring Separate Discussion:**

Moved by Councillor G. Bruno  
Seconded by Councillor E. Beauregard

That Items 1 to 7 on the agenda be approved, with the exception of items that have been deferred, deleted or listed for separate discussion, and the recommendation contained therein adopted.

**Items:**

- 2. Engineering and Operations Department, Engineering Division, Report 2019-15, Subject: Information Report on the Proposed Regional Niagara Waste Collection Services Contract**

Committee of the Whole Recommends:

That Council receive Engineering and Operations Department Report 2019-15 for information.

**4. Planning and Development Department, By-law Enforcement Division, Report 2019-13, Subject: Encroachment request 104 Fraser Street**

Committee of the Whole Recommends:

That Council approve the encroachment application and authorize entering into a License Agreement with the applicant and owner Yvon Mousseau for 104 Fraser Street.

**5. Region of Niagara Re: Approval of Interim Levy Dates and Amounts (Report CSD 6-2019)**

Committee of the Whole Recommends:

That the correspondence received from the Region of Niagara Re: Approval of Interim Levy Dates and Amounts, be received for information.

**6. Region of Niagara Re: Vacancy Program Revisions to Ministry of Finance (Report CSD 3-2019)**

Committee of the Whole Recommends:

That the correspondence received from the Region of Niagara Re: Vacancy Program Revisions to Ministry of Finance, be received for information.

**7. Town of Lincoln, Town of Pelham Re: Support for Ontario Wine and Beer in Retail Stores as Part of Modernizing Alcohol Sales**

Committee of the Whole Recommends:

That the resolutions received from the Town of Lincoln and Town of Pelham Re: Support for Ontario Wine and Beer in Retail Stores as Part of Modernizing Alcohol Sales, be received for information.

CARRIED.

**9. Presentations:**

- a) Mayor Steele recognized Larry Olm and Jack O'Neil for organizing the Port Colborne Community Christmas Dinner for the previous 22 years. They were thanked for being City ambassadors.
- b) Nick Rosati, CET, Traffic Systems Program Manager and Petar Vujic, Supervisor Corridor Safety, of the Region of Niagara delivered a

presentation regarding Public Crosswalks in Niagara and the Port Colborne Pedestrian Crossover. Council initiated discussion regarding the location of the Port Colborne Pedestrian Crossover. Presentation is attached.

- c) Brad Whitelaw, Program Manager, Policy & Planning, Region of Niagara – Waste Management delivered a presentation regarding proposed collection options for the next Waste Management Contract. Brad proposed the City of Port Colborne adopt “Every Other Week” (EOW) garbage pickup and/or clear bag implementation. Presentation is attached.

#### **10. Delegations:**

Christ Comfort spoke before Council regarding drainage and ditching in Ward 4. He mentioned he had been working with Councillors Wells and Bodner to address drainage and ditching clean up on numerous roads in Ward 4. Director of Engineering and Operations, Chris Lee, informed Council that a contractor has been hired to address the situation and they hope to be working in Ward 4 no later than July.

#### **11. Mayor’s Report:**

Mayor Steele thanked all organizations, staff, and those who “PORTicipated” in Sportsfest during February 8<sup>th</sup> to 10<sup>th</sup>. He also commented on upcoming activities during the PA Day. He added comments about the Planning and Development Department’s effort to evaluate radon in the City, and mentioned that residents could pick up a free test kit on the 2<sup>nd</sup> floor of City Hall. Finally he commented on the Parks and Recreation master plan and urged the public to take the survey currently available on through the City’s website or on the back of all tax bill envelopes.

#### **12. Regional Councillor’s Report:**

Councillor Butters informed Council that the Region has been working through budget meetings in the previous weeks and hopes to provide Council with updates in the near future.

#### **13. Councillors’ Items:**

##### **a) Crosswalk (Kalailieff)**

In response to a concern raised by Councillor D. Kalailieff regarding the physical location of the crosswalk on the east side of the intersection at Catharine Street and Clarence Street, Director of Engineering & Operations, Chris Lee, noted the importance of the crosswalk connecting the municipal parking lots.

**b) Take Action Against Radon (Bruno)**

Councillor G. Bruno gave praise to the Planning & Development Department and Chief Building Official, Todd Rogers, for his initiative and effort in hosting the Take Action Against Radon open house at the Vale Health & Wellness Centre on February 5, 2019.

**14. Consideration of Items Requiring Separate Discussion:****1. Motion by Councillor Desmarais Re: Affordable Housing Strategy**

Moved by Councillor A. Desmarais  
Seconded by Councillor E. Beauregard

Whereas access to adequate housing is a fundamental human right (paragraph 25(1) of the United Nations Universal Declaration of Human Rights, and Ontario Human Rights Commission - Human Rights Perspective on Housing Supply, January 2019); and

Whereas Port Colborne is fast approaching a housing crisis with alarming occupancy rates, soaring housing costs and stagnating incomes (Ontario Association of Food Banks, Quarterly Report, September 2018, Port Colborne Primary Rental Market Statistics, 2016, Key Housing Indicators for Port Colborne, July 5, 2017 and Where Will We Live – Ontario's Rental Housing Crisis, May 2018); and

Whereas the Senior Citizens Advisory Committee and the Social Determinants of Health Committee, both being committees of this council have each placed housing as a priority to their mandate; and

Whereas designing and implementing a poverty reduction strategy has been included in the Port Colborne Strategic Plan (CAO Report No.:2015-47); and

Whereas adequate and affordable housing has been directly linked to poverty reduction (Wellesley Institute, Poverty Is a Health Issue: It's time to address housing and homelessness, Oct 10, 2013)

Therefore be it resolved that The Corporation of the City of Port Colborne does acknowledge that housing is a human right and that municipal government has a role to play in the gradual realization of this right for all residents of Port Colborne; and

That the Director of Planning and Development be directed to engage with stakeholders to create a coordinated municipal

affordable housing strategy for the city of Port Colborne with the goal to establish a definition for the term "affordable housing" and to create affordable housing options across the housing continuum, with a report due back to this council to include a high-level view of timelines and targets on or before May 27, 2019.

CARRIED.

**3. Engineering and Operations Department, Engineering Division, Report 2019-12, Subject: Amendment to the Zavitz Municipal Drain Sherkston North Branch East & West Trail Branch Drains Report**

Moved by Councillor R. Bodner  
Seconded by Councillor H. Wells

That staff be directed to prepare a by-law appointing Paul Marsh P. Eng. of EWA Engineering Inc. to comply with Section 8, Chapter D. 17 of the Drainage Act R.S.O. 1990, as such a by-law will allow us to fulfill the requirement of Section 58(4), Chapter D. 17 of the Drainage Act R.S.O. 1990, as recommended by the Tribunal Coordinator; and

That the Mayor and City Clerk be directed to execute the appropriate by-law.

CARRIED.

**15. Notice of Motion:**

Nil.

**16. Adjournment:**

Moved by Councillor H. Wells  
Seconded by Councillor A. Desmarais

That the Committee of the Whole meeting be adjourned at approximately 8:40 p.m.

CARRIED.

AL/me



Presentation to  
Jack O'Neil and Larry Olm  
FEBRUARY 11, 2019

Good evening.

Tonight we are here to recognize two gentlemen who have given of their time to our community.

I would like to ask Jack O'Neil and Larry Olm to come up please.

22 years ago these gentlemen had a vision of a place for seniors, or anyone who was alone, to share a meal and friendship on Christmas Day.

This started the Port Colborne Community Christmas Dinner.

This dinner provides residents an opportunity to enjoy a wonderfully prepared meal and meet new acquaintances instead of being alone or having to cook.

This dinner takes time earlier in the year to plan, recruit volunteers to assist in cooking and serving the meal, and of course, clean-up.

Businesses and individuals are approached to donate food and gifts.

There are residents whose children have grown up to know only that Christmas dinner is served, first at the Royal Canadian Legion, and now at Port Colborne High School.

Numbers have grown from 65 attending the first dinner to approximately 200 attending last year.

Jack and Larry, we thank you for having the vision to create this wonderful community event and the fortitude to keep it going for 22 years.

We have a certificate of recognition to present to each of you.

*Read certificates and present.*

We also know that behind any man who takes on a task of this magnitude, there is a woman who holds the family strong and explains “Why Daddy isn’t home on Christmas morning.”

Helen O’Neil could not be with us tonight, but she has stood beside Jack throughout the past 22 years.

I would like to ask Cathy Olm to come forward to accept a token of appreciation from the community.

*Present flowers to Cathy.*

And Jack, you’ll see that Helen gets these flowers.



I understand that you have passed the reigns for this event to Gloria and John Simon, who we hope will continue for many more years.

Jack or Larry would you like to say a few words.



## MAYOR'S REPORT – FEBRUARY 11, 2019

### **SPORTSFEST WEEKEND**

What a great SportsFest weekend!

THANK YOU to everyone who came out to #PORTicipate in an activity and cheer on those PORTicipating.

Also to our staff, volunteers, community organizations, businesses and sponsors that contributed to the success of this event in our community.

Now it's time to rest up and start planning for 2020!

### **P.A. DAY AND FAMILY DAY ACTIVITIES**

This Friday is a P.A. Day at area schools and Monday is Family Day for most.

There are activities happening starting this Friday through Monday at the Vale Health & Wellness Centre as well as the Public Library.

Be sure to check them out with your family.

For a list of what's happening, go to the City's website.

## **RADON TEST KITS**

For those residents who couldn't make it to our open house last week, we still have a few radon test kits available.

They must be activated by Wednesday to be a part of our 100 Radon Test Kit Challenge.

If you would like more information about radon and the challenge go to: [www.takeactiononradon.ca](http://www.takeactiononradon.ca)

Test kits are available on the 2<sup>nd</sup> floor of City Hall.

## **PARKS AND RECREATION MASTER PLAN**

Last week we mailed out our interim tax bills which you should be receiving this week.

On the back of the tax bill envelope are instructions about how you, as a resident, can PORTicipate in our Parks and Recreation Master Plan Survey.

We want to hear from you about the future of parks and recreation in Port Colborne.

Your PORTicipation is important to the success of the survey.

# Proposed Collection Options for Niagara Region's Next Contract



City of Port Colborne Council Meeting  
February 11, 2019

Niagara  Region

## Background

- Niagara Region's next waste collection contract (garbage, recycling and organics) set to begin by 2021
- Input received from various stakeholders on proposed collection options being considered for the next contract, through targeted and broad-based community consultation
- Local Area Municipalities (LAMs) comments are requested on proposed base changes and confirmation of enhanced services by February 1, 2019 (extended to Feb. 20)
- Letter with project report sent to LAM Clerks for inclusion on the Council agenda on May 4, 2018 and to Public Works Officials (PWOs) on June 6, 2018, along with presentations and engagement with PWOs at their June 11, Oct. 16 and Dec. 11, 2018 meetings
- Report submitted to Niagara Region's Public Works Committee (PWC) on January 8, 2019
- **Report with recommendations on collection options will be submitted in March 2019**

Niagara  Region

# Background

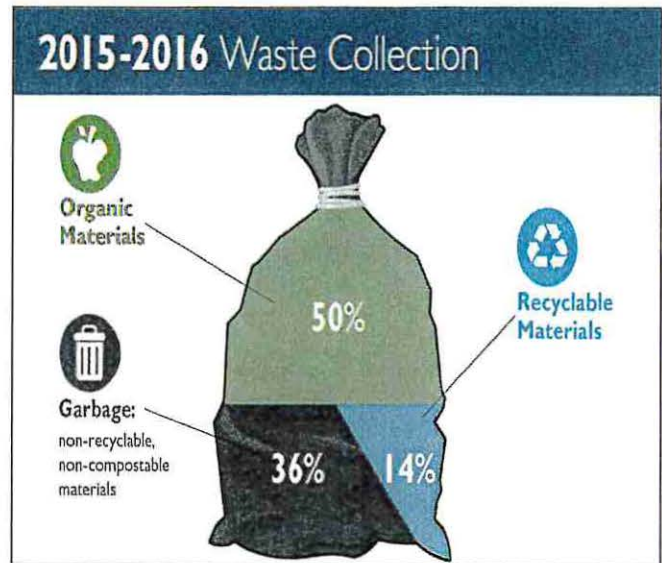
- Proposed collection options for the Region's next contract are being considered for the following reasons:
  - Increase participation in Region's diversion programs
  - Potential cost avoidance
  - Results of curbside audits, which reflect actual service usage
  - Best practices of Niagara's 13 municipal comparators
  - Improve program communication to residents and businesses
  - Standardize garbage container (bag/can) limits for all Industrial, Commercial and Institutional (IC&I) and Mixed-Use (MU) properties as a base service

# Proposed Base Collection Service Options

- 1) Every-other-week (EOW) garbage collection for the **residential sector and those IC&I and MU properties located outside DBAs**, as a **base** service:
  - Weekly collection of recycling and organics to continue
  - Garbage container limit for all properties would double
  - Garbage limit exemptions – children's diaper (home and daycare), medical and group homes, plus special set-out service to continueand/or
- 2) Mandatory use of clear bags for garbage, with the option of allowing an opaque privacy bag to be placed inside the clear bag:
  - The clear bag program will be for **all sectors (both inside and outside DBAs)**, as a **base** service
  - Niagara Region PWC amended the January 8, 2019 staff recommendation to not include clear bag in the RFP and now it will remain as an option for consideration

## Key Drivers – EOW Garbage and Clear Bags

- extend existing landfill site capacity;
- contract cost avoidance (EOW garbage collection);
- increase participation and capture rates in diversion programs:
  - *Nearly 50% of low density residential garbage is organic waste and only 48% use the residential Green Bin program*
  - *IC&I and MU audits show diversion programs underutilized*



Niagara Region

## Other Municipality Benefits of Implementing EOW Garbage and/or Clear Bags

- Other municipalities, which implemented EOW garbage and/or clear bags, have realized the following benefits:
  - 1) **Increased Waste Diversion:**
    - Range between 6% (Peel) and 16% (Durham), depending on whether they introduced other diversion programs (i.e. organics) at the same time as EOW garbage.
    - Markham's diversion rate increased by 35% with the introduction of EOW garbage and weekly organics collection. It increased by an additional 6%, as a result of implementing clear bags.
  - 2) **Contract Savings:**
    - Range between \$200k (Barrie) and \$12M (Peel) **per year**, depending on size of contract and other contract changes implemented (i.e. EOW, carts, etc.)

Niagara Region

## Proposed Base Collection Service Options

- 3) Establishment of a 4 item limit per residential unit, per collection, for large item collection at LDR properties, as a **base** service.
- 4) Discontinuation of appliances and scrap metal collection at LDR properties.
  - Niagara Region PWC amended the January 8, 2019 staff recommendation to discontinue collection and instead include pricing for this option in the next contract.

**Key drivers:** Contract cost avoidance for services with limited usage.

- *93% of properties using the large item service set out 4 items or less and 92% of the total bookings were for 4 or less items*
- *Appliances and scrap metal:*
  - *Tonnages have decreased by 94% since 2007*
  - *Items can be recycled, at no cost, at the Region's Drop-off Depots, or by scrap metal haulers/dealers*
  - *Only 5% of properties are using the service*

## Other Municipality Benefits of Limiting Large Item Collection and Discontinuation of Appliance Collection

- Other municipalities, which implemented limits on large item collection and/or eliminated appliance collection, have realized the following benefits:

### 1) Municipal Best Practices:

- The average large item limit is 3 per residential unit for those municipalities with weekly collection, and 4 per residential unit with EOW collection.
- Approximately half of municipal comparators (Barrie, Hamilton, London, Ottawa, Peel and Windsor) do not provide appliance collection service.

### 2) Contract Savings:

- Municipalities that implemented collection limits on the number of large items reported contract savings.
- Municipalities that eliminated appliance collection realized a contract savings. In Peel, this was a net annual savings of \$100K.

## Proposed Base Collection Service Options

- 5) Change weekly garbage container limits for **IC&I** and **MU** properties located **inside** Designated Business Areas (DBAs) from 7 containers to 4 containers per property, as a **base** service.
- 6) Change weekly garbage container limit for **MU** properties located **outside** DBAs from 6 containers to 4 containers per property, as a **base** service.

**Key Drivers:** Standardize base garbage collection limits across similar sectors to improve service delivery and program communication, increase participation and capture rates in diversion programs, potentially avoid contract costs for a service level which is not needed.

- *Average number of garbage containers placed out per week:*
  - *IC&I and MU properties inside the DBA is 2*
  - *MU properties outside the DBA is less than 2*

## Port Colborne Downtown DBA - Base Collection Area





# Port Colborne Main Street DBA - Base Collection Area



## Port Colborne Audit Results – IC&I Inside DBAs (Base)

2018 Weekly Average Containers Set Out by IC&I Properties Inside the Port Colborne DBAs (Base Collection Area)

Collection Service	Average % of Participating IC&I Properties Using Regional Collection Service Inside DBAs (1)	Average Number of Containers Per Set-Out	Average % of IC&I Properties Exceeding Garbage Container Limit (2)
Garbage	88%	2.2	3%
Recycling	75%	1.5	N/A
Organics	6%	0.6	N/A

**Note:**

- 1) In 2018, there were a total of 121 IC&I properties audited inside the two Port Colborne DBA base collection areas. Of this total, an average of 72 IC&I properties participated in a Regional collection service.
- 2) Although an average of 3% of IC&I properties exceeded their total weekly set-out limit of 7 garbage containers, there were 3 individual properties that had exceeded the 7 garbage container limit, at least once during the 2 day audit period.

## Port Colborne Audit Results – MU Inside DBAs (Base)

### 2016 Weekly Average Containers Set Out by MU Properties Inside the Port Colborne DBAs (Base Collection Area)

Collection Service	Average % of Participating MU Properties Using Regional Collection Service Inside DBAs <sup>(1)</sup>	Average Number of Containers Per Set-Out	Average % of MU Properties Exceeding Garbage Container Limit <sup>(2)</sup>
Garbage	92%	2.5	1%
Recycling	68%	1.8	N/A
Organics	19%	2.2	N/A

**Note:**

- 1) In 2016, there were a total of 64 MU properties audited inside the two Port Colborne DBA base collection areas. Of this total, an average of 53 MU properties participated in a Regional collection service.
- 2) Although an average of 1% of MU properties exceeded their total weekly set-out limit of 7 garbage containers, there were 5 individual properties that exceeded the 7 garbage container limit, at least once during the 4 day audit period.

## Port Colborne Audit Results – MU Outside DBAs (Base)

### 2014 Weekly Average Containers Set Out by MU Properties Outside the Port Colborne DBAs (Base Collection)

Collection Service	Average % of MU Properties Using Regional Collection Service Outside DBAs <sup>(1)</sup>	Average Number of Containers Per Set-Out	Average % of MU Properties Exceeding Garbage Container Limit <sup>(2)</sup>
Garbage	86%	1.6	0%
Recycling	66%	1.5	N/A
Organics	17%	1.0	N/A

**Note:**

- 1) In 2014, there were 58 MU properties audited outside the two Port Colborne DBAs with base collection.
- 2) There were no mixed-use properties that exceeded their total weekly set-out limit of 6 garbage containers

# Enhanced Collection Services

- Enhanced collection services (i.e. additional garbage container limits, increased garbage or recycling collection frequency, street litter, front-end garbage, etc.), provided at the request of each LAM.
- Each LAM directly pays for the cost associated with their enhanced collection services.
- The City of Port Colborne’s 2018 total enhanced service cost of approximately \$13,343 for enhanced collection approximately 0.76% of its total annual waste management charge of \$1.75 million.

## Enhanced Collection Services – Port Colborne

Enhanced Collection Service	2018 Cost	Total No. of Containers Serviced
Street Litter Bins - City Facilities (i.e. Parks, Arenas, Beaches) (Twice-per-week)	\$720	8
Enhanced Waste Disposal Cost	\$143	n/a
Organics Cart Collection - Designated Business Area (Once-per-week)	\$11,761	57 (est.)
Public Spaces Recycling - City Facilities (i.e. Parks, Arenas, Beaches) (Twice-per-week)	\$720	8

## Stakeholder Consultation/Engagement

- **Local Area Municipalities** (May/18 – Feb/19)
  - **May and June 2018** – Letters sent to LAM Clerks (May 4) and Public Works Officials (June 6) advising of proposed options and requesting LAM comments by February 1, 2019 (extended to Feb.20)
  - **June 11, Oct. 16 and Dec. 11, 2018** - Presentations made to Public Works Officials at their meetings

## Stakeholder Consultation/Engagement

- **Organizations Representing Businesses** (Aug – Nov/18)
  - **July 2018** – Email providing information on proposed options.
    - *Port Colborne Downtown BIA (July 5); Port Colborne Main Street BIA (July 5); Port Colborne/Wainfleet Chamber of Commerce (July 19)*
  - **August and September 2018** – meetings held with Business Improvement Associations (BIAs), Chambers of Commerce, Tourism Agencies and Niagara Industrial Association.
    - *Port Colborne Downtown BIA (Aug 24); Port Colborne Main Street BIA (Aug 24); Port Colborne/Wainfleet Chamber of Commerce (Aug. 22)*
  - **October and November 2018** – two follow-up emails and formal letter with proposed options, link to on-line survey, open house/community booth information and invitation to contact Region
  - **November 30, 2018** (deadline for formal input)
    - Submissions received from Grimsby Downtown Improvement Association, Victoria Centre and Queen Street BIAs (Niagara Falls), Pelham Business Association, St. Catharines Downtown BIA, and Port Dalhousie BIA

# Stakeholder Consultation/Engagement

- **Residents and Businesses:**

- **October and November 2018** – Promotion and outreach through project webpage, social media, newspaper print and on-line ads, media coverage and post cards

- **October 2018** - Letters sent to businesses and multi-residential properties (i.e. 7 or more residential units) that use Regional curbside garbage, with the proposed options, link to on-line survey, open house/community booth info and invitation to contact Region

- **Late October and November 2018** – Public open houses and community booths held in all 12 municipalities

- 12 open houses – approx. 70 attendees
- 12 community booths – approx. 450 visitors



Niagara Region

# Stakeholder Consultation/Engagement

- **Surveys:**

- **Online Survey Responses** (closed November 30, 2018)

- Low Density Residential (LDR): approximately 6,600 completed
- Multi-Residential (MR): 38 completed
- Industrial, Commercial and Institutional and Mixed Use: 160 completed

- **Random Telephone Survey** (completed December 7, 2018)

- LDR only: 1,250 completed

- Comments also received through Region's Facebook advertisement (1,476), Waste Info-Line calls, emails, web submissions, emails, phone calls and in-person feedback (65)

Niagara Region

## Making a Choice on Clear Bags and EOW Garbage

### Preliminary Survey Results for Niagara Region

	LDR		MR	IC&I and MU Outside DBAs
	Telephone (1,253 responses)	On-line (6,639 responses)	On-line (38 responses)	On-line (166 responses)
Clear Bag	33%	17%	29%	36%
EOW Garbage	27%	33%	13%	15%
Both Clear Bag and EOW Garbage	21%	12%	18%	7%
Neither <sup>1</sup>	19%	38%	40%	42%

<sup>1</sup>In the telephone survey, LDR households could not see the option of 'neither' and the interviewer worked to obtain a choice, which is why this option has a much lower response than in the on-line surveys.

## Making a Choice on Clear Bags and EOW Garbage

### Preliminary Survey Results for Port Colborne

	LDR	
	Telephone (75 responses)	On-line (318 responses)
Clear Bag	40%	20%
EOW Garbage	21%	33%
Both Clear Bag and EOW	24%	12%
Neither <sup>1</sup>	15%	35%

<sup>1</sup>In the telephone survey, LDR households could not see the option of 'neither' and the interviewer worked to obtain a choice

## Preliminary Survey Results

Proposed Options	Preliminary Survey Results
EOW garbage collection	<ul style="list-style-type: none"> <li>Residents were split between those stating it would have:                             <ul style="list-style-type: none"> <li>a big or some impact (48% telephone, 58% on-line)</li> <li>little to no impact (45% telephone, 33% on-line)</li> </ul> </li> <li>Businesses outside DBAs expressed perceived need to continue weekly collection, although not fully utilizing diversion programs.</li> </ul>
Mandatory use of clear garbage bags	<ul style="list-style-type: none"> <li>Telephone survey support was split: 48% would support, 52% would not support.</li> <li>On-line response was more divided: 27% would support, 73% would not support.</li> </ul>
4 item limit for large item collection	<ul style="list-style-type: none"> <li>Largely supported by survey respondents. The majority of residents responded that it would have little to no impact on their household (89% telephone, 72% online)</li> </ul>
Elimination of scrap metal collection	<ul style="list-style-type: none"> <li>Program is not widely used and respondents indicated there would be little to no impact on their households (84% telephone, 78% on-line)</li> </ul>

## Preliminary Survey Results

Proposed Options	Preliminary Survey Results
Reduction of container limits for businesses inside DBAs from seven (7) to four (4) garbage bags/cans weekly	<ul style="list-style-type: none"> <li>Slight majority could manage a reduction to four (4) garbage bags/containers (58%)</li> <li>Less than half feel there would be a significant impact on their business/property</li> </ul>
Reduction of enhanced collection frequency for businesses inside DBAs	<ul style="list-style-type: none"> <li>Small survey sample, but they were largely in agreement</li> <li>Reducing the frequency of collection by one day per week would be a challenge for these businesses</li> </ul>

# Preliminary Survey Results

Proposed Options	Preliminary Survey Results
Reduction of container limits for mixed-use properties outside DBAs from six (6) to four (4) garbage bags/cans weekly.	<ul style="list-style-type: none"><li>• Only one-third could manage reducing from six (6) to four (4)</li><li>• 60% feel there would be an impact on their business</li></ul>

# Additional Potential Collection Contract Changes

1. Additional four weeks of dedicated leaf and yard waste and brush collection in the spring and fall seasons, in the urban areas only.



2. Elimination of the current restriction on Regional curbside garbage collection for IC&I properties outside DBAs with private garbage collection. These properties must be participating in the Region's diversion programs to qualify.



## Additional Potential Collection Contract Changes

3. Provision of enhanced large item collection service to MR buildings and MU properties with 1 or more residential units, that receive the Region's curbside base or enhanced garbage collection service.
  - These properties must be participating in the Region's diversion programs in order to qualify to receive this service.
  - This service would be provided in a manner parallel to the approved service for the LDR sector.



## Next Steps for Local Area Municipalities

- Formally, the Region would ask to receive the following from LAMs by February 1, 2019 (extended to Feb. 20):
  - i. Comments/position on proposed base collection service options
  - ii. Verification of current or additional enhanced services - this would include the provision of enhanced large item collection service to MR and MU residential units, in a manner parallel to the service provided to the LDR sector (i.e. if LDR has a 4 item limit per unit per collection day, this would also apply to MR and MU residential units)
  - iii. **NEW** – Verification if any municipality would like to include a per stop price for in-ground public space recycling and litter bins and/or for in-ground IC&I, MR and/or MU properties (all streams), as an enhanced service under provisional items

# Questions?



[niagararegion.ca/letstalkwaste](http://niagararegion.ca/letstalkwaste)

## Port Colborne Downtown Audit Results – IC&I Inside DBA (Base)

2018 Weekly Average Containers Set Out by IC&I Properties Inside the Port Colborne Downtown DBA (Base Collection Area)

Collection Service	Average % of Participating IC&I Properties Using Regional Collection Service Inside DBA <sup>(1)</sup>	Average Number of Containers Per Set-Out	Average % of IC&I Properties Exceeding Garbage Container Limit <sup>(2)</sup>
Garbage	88%	2.4	4%
Recycling	75%	1.7	N/A
Organics	5%	0.7	N/A

**Note:**

- 1) In 2018, there were a total of 84 IC&I properties audited inside the Port Colborne Downtown DBA base collection area. Of this total, an average of 56 IC&I properties participated in a Regional collection service.
- 2) Although an average of 4% of IC&I properties exceeded their total weekly set-out limit of 7 garbage containers, there were 3 individual properties that had exceeded the 7 garbage container limit, at least once during the 2 day audit period.

## Port Colborne Downtown Audit Results – MU Inside DBA (Base)

### 2016 Weekly Average Containers Set Out by MU Properties Inside the Port Colborne Downtown DBA (Base Collection Area)

Collection Service	Average % of Participating MU Properties Using Regional Collection Service Inside DBA <sup>(1)</sup>	Average Number of Containers Per Set-Out	Average % of MU Properties Exceeding Garbage Container Limit <sup>(2)</sup>
Garbage	96%	2.8	2%
Recycling	63%	1.7	N/A
Organics	23%	2.6	N/A

**Note:**

- 1) In 2016, there were a total of 33 MU properties audited inside the Port Colborne Downtown DBA base collection area. Of this total, an average of 28 MU properties participated in a Regional collection service.
- 2) Although an average of 2% of MU properties exceeded their total weekly set-out limit of 7 garbage containers, there were 5 individual properties that exceeded the 7 garbage container limit, at least once during the 4 day audit period.

## Port Colborne Main Street Audit Results – IC&I Inside DBA (Base)

### 2018 Weekly Average Containers Set Out by IC&I Properties Inside the Port Colborne Main Street DBA (Base Collection Area)

Collection Service	Average % of Participating IC&I Properties Using Regional Collection Service Inside DBA <sup>(1)</sup>	Average Number of Containers Per Set-Out	Average % of IC&I Properties Exceeding Garbage Container Limit <sup>(2)</sup>
Garbage	88%	1.5	0%
Recycling	75%	1.0	N/A
Organics	6%	0.5	N/A

**Note:**

- 1) In 2018, there were a total of 37 IC&I properties audited inside the Port Colborne Main Street DBA base collection area. Of this total, an average of 16 IC&I properties participated in a Regional collection service.
- 2) There were no IC&I properties exceeded that their total weekly set-out limit of 7 garbage containers.

## Port Colborne Main Street Audit Results – MU Inside DBA (Base)

### 2016 Weekly Average Containers Set Out by MU Properties Inside the Port Colborne Main Street DBA (Base Collection Area)

Collection Service	Average % of Participating MU Properties Using Regional Collection Service Inside DBA <sup>(1)</sup>	Average Number of Containers Per Set-Out	Average % of MU Properties Exceeding Garbage Container Limit <sup>(2)</sup>
Garbage	86%	2.2	0%
Recycling	74%	1.9	N/A
Organics	14%	1.6	N/A

**Note:**

- 1) In 2016, there were a total of 31 MU properties audited inside the Port Colborne Main Street DBA base collection area. Of this total, an average of 25 MU properties participated in a Regional collection service.
- 2) There were no MU properties that exceeded their total weekly set-out limit of 7 garbage containers.

## Port Colborne Audit Results – IC&I Outside DBAs (Base)

### 2014 Weekly Average Containers Set Out by IC&I Properties Outside the Port Colborne DBAs (Base Collection)

Collection Service	Average % of IC&I Properties Using Regional Collection Service Outside DBA <sup>(1)</sup>	Average Number of Containers Per Set-Out	Average % of IC&I Properties Exceeding Garbage Container Limit <sup>(2)</sup>
Garbage	42%	2.1	8%
Recycling	31%	2.0	N/A
Organics	8%	1.3	N/A

**Note:**

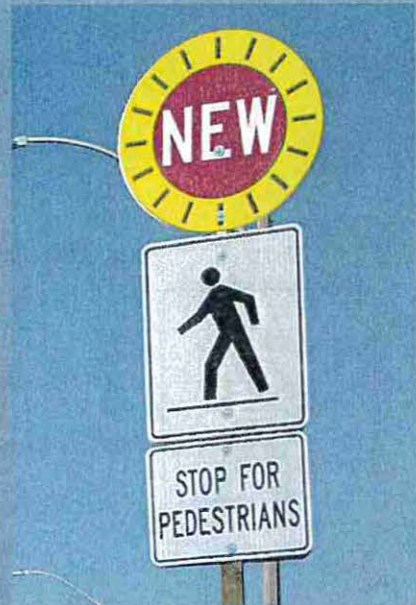
- 1) In 2014, there were 264 IC&I properties audited outside the Port Colborne DBAs with base collection.
- 2) Although an average of 8% of IC&I properties exceeded their total weekly set-out limit of 4 garbage containers, there were 9 individual properties that exceeded the 4 garbage container limit, at least once during the 2 day audit period.

# PXOs in Niagara

**Nick Rosati, CET**  
Traffic Systems Program Manager

**Petar Vujic**  
Supervisor Corridor Safety

Port Colborne City Council  
February 11, 2019

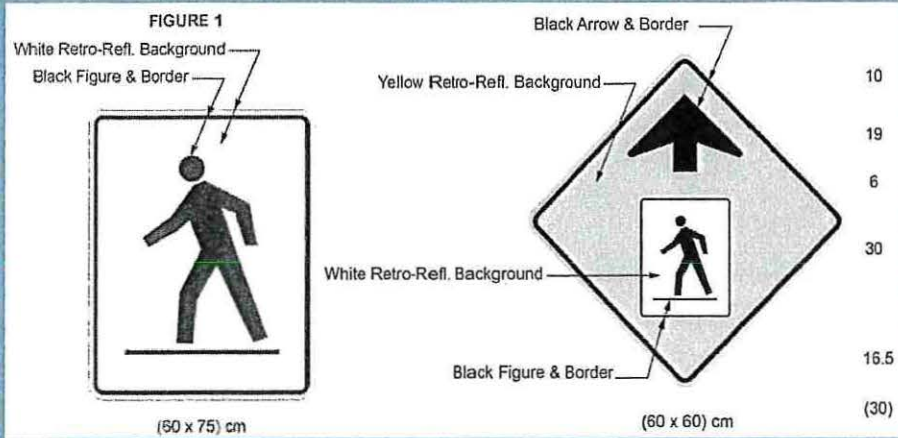


## Controlled vs. Un-controlled

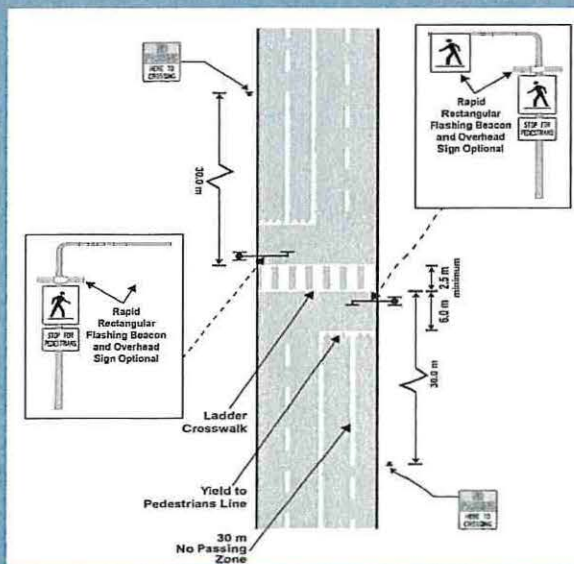


# O. Reg. 402

Level 2

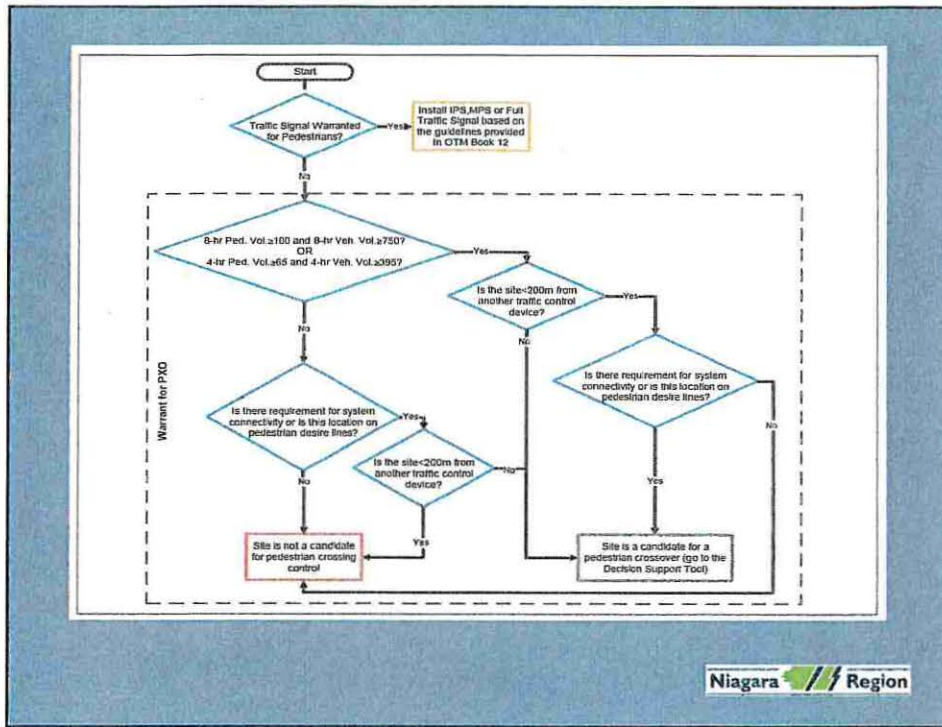


# O. Reg. 402



Typical Layout

- Signs
- Pavement Markings
- Rapid Flashing Beacons



Book 10 • Pedestrian Crossing Treatments

Table 7: Pedestrian Crossover Selection Matrix

Time Period	Two-way Vehicular Volume		Proposed Street Layout (km/h)	Total Number of Lanes for this Roadway Cross Section			
	Lower Bound	Upper Bound		Year 1 Lanes	3 Lanes	4 Lanes with raised refuge	4 Lanes with lowered refuge
8-Hour	250	3,200	<=50	Level 2 Type B	Level 2 Type C	Level 2 Type D	Level 2 Type E
8-Hour	250	3,200	>50	Level 2 Type C	Level 2 Type B	Level 2 Type D	Level 2 Type E
4-Hour	250	3,200	<=50	Level 2 Type B	Level 2 Type C	Level 2 Type D	Level 2 Type E
4-Hour	250	3,200	>50	Level 2 Type C	Level 2 Type B	Level 2 Type D	Level 2 Type E
8-Hour	1,100	2,270	<=50	Level 2 Type B	Level 2 Type C	Level 2 Type D	Level 2 Type E
8-Hour	1,100	2,270	>50	Level 2 Type C	Level 2 Type B	Level 2 Type D	Level 2 Type E
4-Hour	1,100	2,270	<=50	Level 2 Type B	Level 2 Type C	Level 2 Type D	Level 2 Type E
4-Hour	1,100	2,270	>50	Level 2 Type C	Level 2 Type B	Level 2 Type D	Level 2 Type E
8-Hour	4,500	6,000	<=50	Level 2 Type B	Level 2 Type C	Level 2 Type D	Level 2 Type E
8-Hour	4,500	6,000	>50	Level 2 Type C	Level 2 Type B	Level 2 Type D	Level 2 Type E
4-Hour	4,500	6,000	<=50	Level 2 Type B	Level 2 Type C	Level 2 Type D	Level 2 Type E
4-Hour	4,500	6,000	>50	Level 2 Type C	Level 2 Type B	Level 2 Type D	Level 2 Type E
8-Hour	6,000	10,000	<=50	Level 2 Type B	Level 2 Type C	Level 2 Type D	Level 2 Type E
8-Hour	6,000	10,000	>50	Level 2 Type C	Level 2 Type B	Level 2 Type D	Level 2 Type E
4-Hour	6,000	10,000	<=50	Level 2 Type B	Level 2 Type C	Level 2 Type D	Level 2 Type E
4-Hour	6,000	10,000	>50	Level 2 Type C	Level 2 Type B	Level 2 Type D	Level 2 Type E
8-Hour	2,000	3,270	<=50	Level 2 Type B	Level 2 Type C	Level 2 Type D	Level 2 Type E
8-Hour	2,000	3,270	>50	Level 2 Type C	Level 2 Type B	Level 2 Type D	Level 2 Type E
4-Hour	2,000	3,270	<=50	Level 2 Type B	Level 2 Type C	Level 2 Type D	Level 2 Type E
4-Hour	2,000	3,270	>50	Level 2 Type C	Level 2 Type B	Level 2 Type D	Level 2 Type E
8-Hour	3,000	5,000	<=50	Level 2 Type B	Level 2 Type C	Level 2 Type D	Level 2 Type E
8-Hour	3,000	5,000	>50	Level 2 Type C	Level 2 Type B	Level 2 Type D	Level 2 Type E
4-Hour	3,000	5,000	<=50	Level 2 Type B	Level 2 Type C	Level 2 Type D	Level 2 Type E
4-Hour	3,000	5,000	>50	Level 2 Type C	Level 2 Type B	Level 2 Type D	Level 2 Type E

Legend: Type A, Type B, Type C, Type D

Proposed treatments should be restricted to acceptable practices.

The total number of lanes is a combination of crossing direction. The width of travel lanes is assumed to be the lesser of 3.0m and 3.75m depending on the site type and the design speed of the roadway.

Use of two sets of side-mounted stops for southbound lanes on the right side and one on the median.

Note: Level 2 Type B (750 up to 3,200 veh. vol.) primary services crossing.

The proposed use for the site type (Level 2 Type B) is not recommended for sites with these traffic and geometric conditions. Currently a warrant application is required for such conditions.

# OTM Book 15

Level 1  
(Type A)

Toronto Style



Niagara Region

# OTM Book 15

Level 2  
(Type B)



Niagara Region



# OTM Book 15

Level 2  
(Type C)



Niagara Region

# OTM Book 15

Level 2  
(Type D)



Niagara Region

## Public Education

**Pedestrian Crossovers** NEW

**Pedestrians**

- Show drivers you want to cross
- Wait for traffic to stop
- Make eye contact to assure driver sees you

**Cyclists**

- When riding with traffic, follow rules for drivers
- When crossing, follow rules for pedestrians, dismount and walk your bike across

**Drivers**

- Be prepared to stop for pedestrians
- Stop behind the yield line
- Make eye contact so pedestrian sees you
- Wait until pedestrian completely crosses road before proceeding

**Fines and penalties**  
Up to \$500 and 3 demerit points

niagararegion.ca Niagara Region

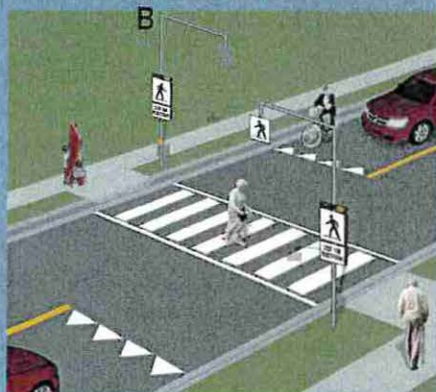
## Niagara Region Traffic Control Design Practices

- PXO designs and installations follow the Traffic Signal Design and Operation model.
- The Region currently maintains all 467 signalized intersections in the Region.
- All intersections are designed and operate using the same operating characteristics to maintain driver familiarity.
- All municipalities and MTO have adopted our standard ensuring consistency throughout the Region.

## Niagara Region Traffic Control Design Practices

- Currently 2 types of PXOs in operation in the Region.

LEVEL 2 Type



LEVEL 2 Type



Niagara Region

## Niagara Region Traffic Control Design Practices

1. Request received from Local Area Municipality for PXO design.
2. Ask for guidance on location, geometrics, layout etc.
3. Preliminary design completed and any issues discussed with LAM.
4. Detailed design completed and underground information is collected.
5. Pole and sign locations are spotted in the field.
6. Final design circulated to City staff.
7. Purchase and installation of equipment
8. Equipment activation and field observations.

Niagara Region

## Regional Road 20 Smithville



Niagara Region

## Sodom Rd. Niagara Falls



Niagara Region

Vine St. St. Catharines



Niagara  Region

Ormond St. Thorold



Niagara  Region

## McLeod Rd. Niagara Falls



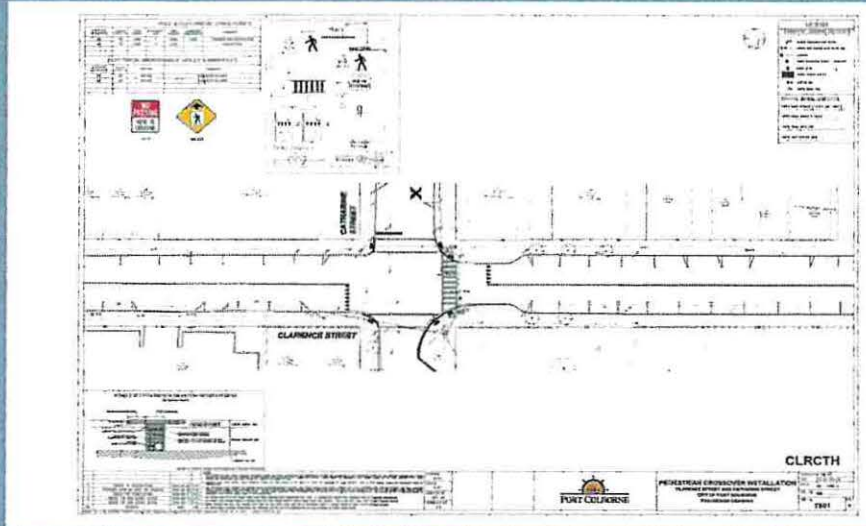
Niagara Region

## St. Paul St. St. Catharines



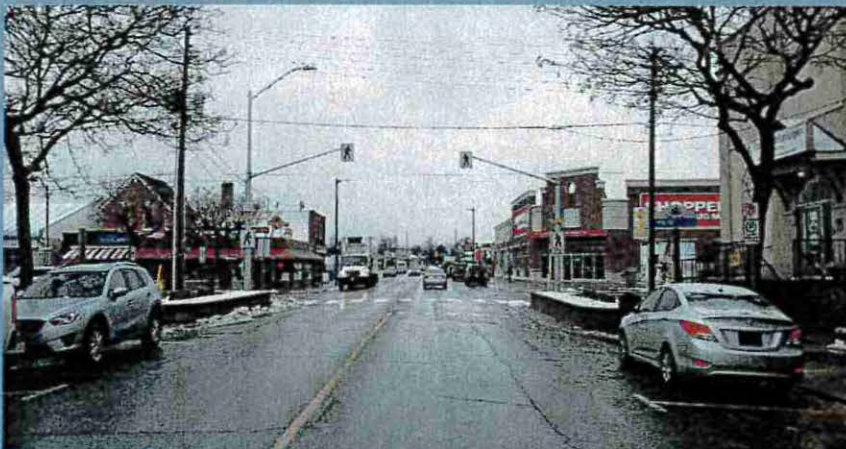
Niagara Region

## Clarence St. Construction Drawing



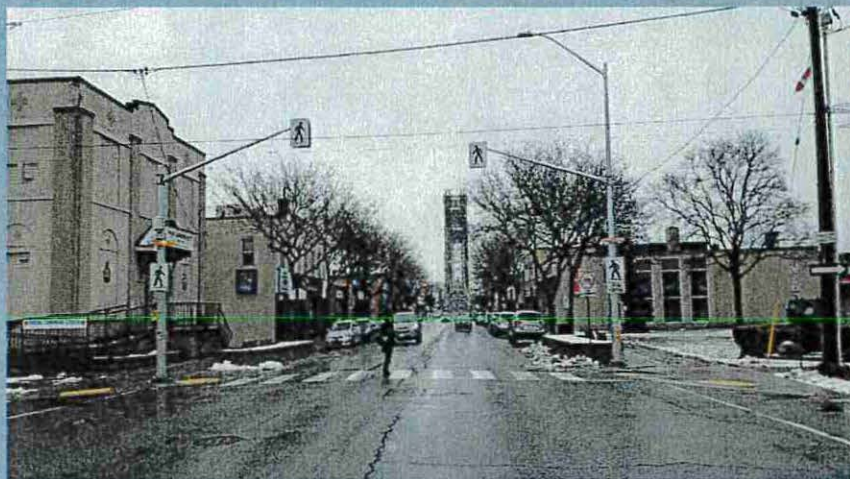
Niagara Region

## Clarence at King – Facing West



Niagara Region

## Clarence at King – Facing East



Niagara  Region

## Questions?



Niagara  Region





**City of Port Colborne  
Regular Meeting of Council 04-19  
Monday, February 25, 2019  
following Committee of the Whole Meeting  
Council Chambers, 3<sup>rd</sup> Floor, 66 Charlotte Street**

**Agenda**

1. **Call to Order:** Mayor William C. Steele
2. **Introduction of Addendum Items:**
3. **Confirmation of Agenda:**
4. **Disclosures of Interest:**
5. **Adoption of Minutes:**
  - (a) Regular meeting of Council 03-19, held on February 11, 2019.
6. **Determination of Items Requiring Separate Discussion:**
7. **Approval of Items Not Requiring Separate Discussion:**
8. **Consideration of Items Requiring Separate Discussion:**
9. **Proclamations:**
  - (a) Fresh Air Fund Day, March 20, 2019
10. **Minutes of Boards, Commissions & Committees:**
  - (a) Minutes of the Port Colborne Transit Advisory Committee Meeting of October 17, 2018
  - (b) Minutes of the Social Determinants of Health Advisory Committee – Everyone Matters Meetings of September 6, 2018 and November 1, 2018
  - (c) Minutes of the Port Colborne Historical and Marine Museum Board of Management Meeting of November 20, 2018
11. **Consideration of By-laws:**
12. **Adjournment:**

**Council Items:**

Notes	Item	Description / Recommendation
WCS MB EB RB GB FD AD DK HW	1.	<p><b><u>Motion by Councillor Kalailieff Re: Waiving of Fire Inspection Fees for Bed and Breakfasts</u></b></p> <p>That the fire inspection fee for bed and breakfasts be waived for the 2019 year.</p> <p><b>Note:</b> Notice of Motion was given at the Meeting of January 28, 2019.</p>
WCS MB EB RB GB FD AD DK HW	2.	<p><b><u>Engineering and Operations Department, Operations Division, Report 2019-19, Subject: Council’s Role as Owner of The Port Colborne Distribution System</u></b></p> <p>That Council receives Operational Services Report 2019-19, Council’s Role as Owner of the Port Colborne Distribution System; and</p> <p>That Council endorses the Port Colborne Water Distribution System Quality Management System Operational Plan attached as Appendix B to Operational Services Report 2019-19.</p>
WCS MB EB RB GB FD AD DK HW	3.	<p><b><u>Engineering and Operations Department, Engineering Division, Report 2019-21, Subject: Report on the Proposed Regional Niagara Waste Collection Services Contract</u></b></p> <p>That Council approve the following proposed Regional collection changes to the 2021 collection contract:</p> <ol style="list-style-type: none"> <li>1. That every-other-week (EOW) garbage collection be implemented, for all residential properties, including those IC&amp;I and MU properties located outside DBAs as a base service. (Current garbage container limits would double for all properties, on an EOW basis). That Recycling and Organic Bin collection for all properties shall remain <u>weekly</u> collection. Those IC&amp;I and MU properties located inside the DBAs would continue to receive weekly garbage, recycling and organics collection as a base service.</li> <li>2. That switching to clear bags be approved.</li> </ol> <p style="text-align: right;"><b>Continued .....</b></p>

		<ol style="list-style-type: none"> <li>3. That the establishment of a four (4) item limit per residential unit, per collection, for large item collection at LDR properties be approved (base service).</li> <li>4. That appliance and scrap metal pick-up be discontinued at LDR properties.</li> <li>5. That the number of garbage bags/containers for IC&amp;I and MU properties inside DBAs be reduced from seven (7) to four (4) per week (base service).</li> <li>6. That the number of garbage bags/containers for MU properties outside DBAs be reduced from six (6) to four (4) per week, or eight (8) containers per week under EOW garbage collection (base service).</li> <li>7. That the City's enhanced service levels that currently exist continue for the term of the new Regional Contract.</li> </ol>
<p>WCS MB EB RB GB FD AD DK HW</p>	<p>4.</p>	<p><b><u>Corporate Services Department, Clerk's Division, Report 2019-27, Subject: Appointment of an Integrity Commissioner</u></b></p> <p>That Council appoints Edward T. McDermott of ADR Chambers Inc. as the Integrity Commissioner for The Corporation of the City of Port Colborne, for an initial term of four (4) years; and</p> <p>That Council assigns to the Integrity Commissioner all of the responsibilities required under Subsection 223.3 (1) of the <i>Municipal Act, 2001</i>, as amended, to come into force on March 1, 2019; and</p> <p>That Council requests the Integrity Commissioner to provide training concerning the Code of Conduct and the Municipal Conflict of Interest Act, and other procedures, rules and policies governing the ethical behaviour of Council, and local boards, pursuant to the <i>Municipal Act, 2001</i>, as amended effective March 1, 2019, from time to time; and</p> <p>That the Mayor and City Clerk be authorized to execute an agreement with ADR Chambers Inc. for the purpose of providing services of an Integrity Commissioner.</p>

<p>WCS MB EB RB GB FD AD DK HW</p>	<p>5.</p>	<p><b><u>Engineering and Operations Department, Engineering Division, Report 2019-16, Subject: Skelton Municipal Drains</u></b></p> <p>That Council hereby acknowledges that Brandon Widner, P. Eng of Spriet Associates Architects and Consulting Engineers shall be the Engineer of record for the Skelton Municipal Drains report as outlined in Engineering and Operations Department Report 2019-16.</p>
<p><b>Miscellaneous Correspondence</b></p>		
<p>WCS MB EB RB GB FD AD DK HW</p>	<p>6.</p>	<p><b><u>Nancy Salvage and Fatima Shama, Executive Director, The Fresh Air Fund Re: Request for Proclamation of Fresh Air Fund Day, March 20, 2019</u></b></p> <p>That March 20, 2019 be proclaimed as “Fresh Air Fund Day” in the City of Port Colborne in accordance with the request received from Nancy Salvage and Fatima Shama, Executive Director, The Fresh Air Fund.</p>
<p>WCS MB EB RB GB FD AD DK HW</p>	<p>7.</p>	<p><b><u>Memorandum from Nancy Giles, EA to Mayor and CAO Re: Recommendation from Social Determinants of Health Advisory Committee – Everyone Matters</u></b></p> <p>That the memorandum from Nancy Giles, EA to Mayor and CAO on behalf of the Social Determinants of Health Advisory Committee – Everyone Matters, Re: Recommendations regarding Amendments to By-law 6530/97/17, be received; and</p> <p>That the following motion be approved by Council:</p> <p>That Section 3 (k) of By-law 6530/97/17 be amended to remove “East Village Neighbourhood Improvement Task Force” and add “Niagara Community Legal Clinic” as the clinic name has changed;</p> <p>and further that Section 3 (d) be amended to remove “One member of staff from the Community Services Division” and add “The City of Port Colborne Health Services Coordinator” as a voting member also removing reference to this position from Section 4 (a) and renumbering Section 4 accordingly;</p> <p>and further that Section 3 be amended to add “One representative from Community Services, Niagara Region” as a voting member.</p>

WCS	MB	EB	8.	<p><b><u>Port Colborne-Wainfleet Chamber of Commerce Re: Annual President's Awards March 21, 2019 Request the Waiving of Corkage Fees for the Event Tastings</u></b></p> <p>That the Council of The Corporation of the City of Port Colborne approves the waiving of the "corkage fees" for event tastings, as requested by the Port Colborne-Wainfleet Chamber of Commerce for their Annual President's Awards on March 21, 2019 being held at the Roselawn Centre.</p>
RB	GB	FD		
AD	DK	HW		
<b>Outside Resolutions – Requests for Endorsement</b>				
WCS	MB	EB	9.	<p><b><u>Town of Fort Erie Re: Request Region to Consider an In-House Waste Collection Service</u></b></p> <p>That the resolution received from the Town of Fort Erie Re: Request Region to Consider and In-House Waste Collection Service, be received for information.</p>
RB	GB	FD		
AD	DK	HW		
<b>Responses to City of Port Colborne Resolutions</b>				
<b>Nil.</b>				

**Consideration of By-laws  
(Council Agenda Item 11)**

<b>By-law No.</b>	<b>Title</b>
6646/10/19	Being a By-law to Enter into an Agreement with ADR Chambers Inc. to Provide for Integrity Commissioner Services
6647/11/19	Being a By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne at its Regular Meeting of February 25, 2019

The Corporation of the City of Port Colborne

By-law No. 6647/11/19

Being a by-law to authorize entering into an agreement with  
ADR Chambers Inc. to provide for Integrity Commissioner Services

Whereas the Council of The Corporation of the City of Port Colborne ("Council")  
approved the recommendation of Corporate Services Department, Clerk's Division,  
Report No. 2019-27, Subject: Appointment of an Integrity Commissioner; and

Whereas Council is desirous of entering into an agreement with ADR Chambers  
Inc. respecting Integrity Commissioner Services;

Now therefore the Council of The Corporation of the City of Port Colborne enacts  
as follows:

1. That The Corporation of the City of Port Colborne enter into an agreement with  
ADR Chambers Inc., which agreement is attached to this by-law as Schedule "A".
2. That the Mayor and Clerk be and hereby authorized and directed to sign the said  
agreement and the Clerk is hereby authorized to affix the Corporate Seal thereto.
3. That this by-law come into force and effect on the day of passing.

Enacted and passed this 25th day of February 2018.

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William C. Steele  
Mayor

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Amber LaPointe  
City Clerk

THIS AGREEMENT FOR PROFESSIONAL SERVICES  
made as of the \_\_\_\_\_ day of \_\_\_\_\_, 2019 (the "Effective Date")  
(the "Agreement")

BETWEEN:

**THE CITY OF PORT COLBORNE**  
(hereinafter called the "City")

- and -

**ADR CHAMBERS INC.**  
(hereinafter called "ADRC")

**WHEREAS** the City would like to retain the services of Edward T. McDermott of ADRC as its Integrity Commissioner under the authority of section 223.3 (1) of the *Municipal Act, 2001*, S.O. 2001, c. 25 (the "Act") to perform the Services of this position in accordance with the terms of the Act and the provisions of this Agreement;

**AND WHEREAS**, the Regional Municipality of Niagara (the "**Region**") solicited, in an Request For Proposals, issued Friday March 24, 2017, the role of Integrity Commissioner on the understanding that the appointed individual would be appointed for both: (a) the Region; and, (b) any interested "Lower Tier Municipalities" (the "**Niagara Agreement**");

**AND WHEREAS**, the City of Port Colborne solicited, in a Request for Quote, issued to ADRC on January 24, 2019 for an overview of the services and fees for service contained under the Niagara Agreement (the "**RFQ**");

**NOW THEREFORE**, in consideration of the provision of Integrity Commissioner services to the City, ADRC and the City agree as follows:

**Services**

1. As permitted by the Agreement, ADRC agrees to provide Integrity Commissioner services to the City, wherein Edward T. McDermott (hereinafter the "**Commissioner**") shall act as the appointed Integrity Commissioner, in accordance with the authority for such appointment as prescribed in Section 223.3 (1) of the Act, along with other ADRC support persons.
2. ADRC agrees to provide to the City the deliverables set out in Section A of Appendix D – RFP Particulars (the "**Services**") of Niagara Region's Request for Proposals 2017-RFP-



15, issued March 24, 2017 attached hereto as **Schedule “A”** (the “**RFP**”). The Services shall be provided in accordance with the terms of the Agreement, the RFP, the response to the RFP submitted by ADRC attached hereto as **Schedule “B”** (the “**Proposal**”), and the response to the RFQ submitted by ADRC attached hereto as **Schedule “D”** (the “**RFQ Response**”). If there is any contradiction between one or all of the Agreement, the RFP, the Proposal, RFQ, or the RFQ response, then the terms of the Agreement shall prevail.

3. Services shall be performed in accordance with the City’s Code of Conduct for Members of Council (the “**Code**”), as amended. A copy of the City’s current Code currently is attached to the Agreement as **Schedule “C”**.
4. The Commissioner is appointed for the purpose of addressing Integrity Commissioner-related complaints made against members of Council, the process for which is outlined in the City’s Code (“**Formal Complaints**”). The Commissioner’s jurisdiction over complaints is established only upon ADRC’s receipt of a Formal Complaint, which has been sent to ADRC by the City Clerk. ADRC shall not provide advice, of any kind, to persons who wish to file or are thinking about filing a Formal Complaint to ADRC. ADRC shall not provide advice to any persons who require assistance to initiate the commencement of a Formal Complaint.
5. Any time after the Effective Date, the City, upon written notice to ADRC, may delete, extend, increase, vary, or otherwise alter: (a) the Code; and, (b) the Services. Except in the case of adding an Optional Service, as contemplated by section 2 of the Agreement, prior to changing the Services, the City must consult with and seek approval from ADRC. If the scope of Services is materially altered without ADRC’s consent, then ADRC may unilaterally terminate the Agreement, which would be effective immediately.
6. (a) Independently, ADRC shall perform the Services to meet the requirements of the City, as set out in the Code, the RFP, and the Proposal. ADRC shall complete any portion or portions of the Services on a flexible and as-needed basis, as required by the City. ADRC shall provide a status report to the City’s Council through the City Clerk from time to time, as required.  
  
(b) In making reports to be delivered to City Council, ADRC shall use the proper administrative reporting procedures, as directed by the City Clerk.

### **Term, Termination, and Expiration**

7. (a) Subject to the provisions of this Agreement, the initial Term of this Agreement shall commence on the Effective Date and end on [date] (the “**Term**”).  
  
(b) Upon 30 days written notice to the other party, either party may terminate the Agreement, the Services thereunder, or any portion thereof. If the City determines or is

informed that ADRC has a conflict of interest with respect to the Services, the City shall ask ADRC to make arrangements to ensure the Services are provided without a conflict (whether through assignment or otherwise) in a manner satisfactory to the City. If ADRC is unable to make reasonable and appropriate arrangements, then the City may terminate this Agreement immediately. Upon receipt of written notice of termination, ADRC shall perform no further Services other than those reasonably necessary to close out ADRC's Services. In such an event, ADRC is entitled to payment for any Services rendered and disbursements incurred.

(c) Should a conflict of interest arise, ADRC shall disclose such conflict to the City and shall make arrangements to ensure Services are provided without a conflict (whether through assignment or otherwise) in a manner satisfactory to both the City and ADRC. If unable to address the conflict to the satisfaction of both the City and ADRC, ADRC may, at any time by notice in writing to the City, terminate the Agreement. Upon ADRC's delivery of written notice to the City, ADRC shall not, without the consent of the City Clerk, perform any further Services other than those reasonably necessary to close out ADRC's Services. In such an event, ADRC is entitled to payment for any Services rendered and disbursements incurred.

(d) Upon any termination of this Agreement, ADRC shall provide to the City's next Integrity Commissioner all material/documentation related to any investigations underway and such documentation/material shall become the property of the new Integrity Commissioner of the City. In the event the City has not contracted the services of a new Integrity Commissioner upon termination of this Agreement, ADRC shall make arrangements with the City to transfer documentation/material relating to ongoing investigations to the City Clerk in a manner that satisfies ADRC, in its sole discretion.

(e) Following termination of the Agreement, ADRC shall retain all records and documentation relating to the Services for a retention period of one (1) year (the "**Retention Period**"). Upon the completion of the Retention Period, ADRC shall dispose of records in the manner set out in the City's Records Retention policy.

### **ADRC Warranties**

8. ADRC warrants that neither ADRC, nor any of its employees or agents providing Services to the City has any conflicts of interest. Specifically, ADRC warrants that neither the Commissioner, nor any other employee or agent of ADRC providing Services are employed by the City: have any financial interest in matters involving the City; have any interest in matters before the City's Council; or, have any interest in any work undertaken by the City. ADRC further agrees that neither ADRC, nor its employees or agents involved in providing Services will not have any involvement in political campaigning, endorsements, or related conflicts of interest, with any current member of the City's Council, Committees, Local Boards, or with any current member of a council, committee or local board of a local municipality within the City preceding or during the Term of the Agreement. ADRC acknowledges that ADRC and the Commissioner shall be

and always remain impartial and neutral. ADRC warrants that the Services shall be performed professionally and in accordance with the law.

### Compensation

9. (a) On a monthly basis, the City shall pay ADRC: (i) \$350 per hour (+ HST) for services rendered by the Commissioner; and, (ii) \$275 per hour (+HST) for work of the Commissioner's designates, as well as, administration. In addition the City shall reimburse ADRC for the following expenses:
- (i) mileage within the City that is reasonably necessary to perform ADRC's Services at a rate of \$0.50 / km in the City. The City agrees that particulars of travel within the City shall not be disclosed to the City by ADRC if believed that doing so may compromise confidentiality of a complainant or participant in an investigation;
  - (ii) mileage at a rate of \$0.50/km for reasonable travel to and from the offices of the City;
  - (iii) reimbursement for other modes of transportation to and from the City, provided such travel is reasonable. Reimbursement for non-driving modes of transportation are capped at an amount equal to the expense that would be paid for mileage as per section (ii) above;
  - (iv) reasonable accommodation in the City, provided said accommodation is deemed necessary, and is authorized by the City Clerk, in advance.
  - (v) a per diem of \$10.00 to cover miscellaneous expenses pertaining to each night of authorized accommodation in the City, and meals related to such overnight visits will be reimbursed on a receipt basis at rates not to exceed \$12.00/day for breakfast, \$16.00/day for lunch, and \$30.00/day for dinner;
  - (vi) long distance telephone charges, fax expenses, and photocopying.
- (b) The rates set out above are consistent with rates paid to employees of the City. Such rates will be increased any time the corresponding rates are increased for employees of the City.
- (c) Should ADRC require a meeting space in the City during the course of an investigation, the City shall provide such space in a City facility on an as needed and as available basis. In arranging for such space, the City will be mindful of the importance of confidentiality. If the Commissioner, in its sole discretion determines that confidentiality may be compromised in the space provided by the City, then ADRC may request space in another City facility.
- (d) With respect to service of summonses or subpoenas, as requested by ADRC, and at the expense of the City, the City shall print the Commissioner's reports and will provide documentation of Services provided.

(e) The City shall provide public access to the Code through its website. The City shall also provide information about: the Code; ADRC's and the Commissioner's functions; and, the complaint process on its website. ADRC's Services do not include development of a website.

(f) If the City Clerk refuses to authorize any of ADRC's expenses contemplated by the Agreement, ADRC is entitled to appeal directly to the Chief Administrative Officer ("CAO") of the City.

(g) If the payment of expenses, ADRC feels are necessary for the reasonable performance of the Services, is refused on appeal to the City's CAO, then ADRC has the option of appealing such decision directly to the City's Council, and any decision by the City's Council shall be final and binding on ADRC.

10. Unless such costs are authorized, in writing, by the City Clerk (in advance), ADRC shall not assume responsibility for, nor seek reimbursement from, the City for any costs incurred by ADRC not specifically set out in the Agreement.
11. ADRC shall submit an invoice to the City for all services completed in the immediately preceding month. Interest at the annual rate of 5 percent per annum will be paid on the total outstanding unpaid balance commencing 30 days after the City has received ADRC's invoice. Any applicable Harmonized Sales Tax shall be added to each monthly invoice as prescribed by law from time to time and shall be paid to ADRC by the City. ADRC shall provide its HST Registration Number on all invoices to the City.

### **Insurance and Indemnification**

12. (a) Indemnity, Commercial General Liability Insurance, and Automobile Insurance

ADRC agrees to indemnify and save harmless and shall obtain, maintain, pay for, and provide evidence of insurance and Workplace Safety and Insurance Board Clearance, as required by sections 8.01 to 8.04 of Niagara Region's standard form of Agreement 'Terms and Conditions' found on Niagara Region's website; referenced in the RFP as forming part of the resulting agreement with ADRC and reproduced on Schedule "E" to this Agreement.

- (b) Professional Liability Insurance

ADRC shall obtain, maintain, pay for, and provide evidence of Errors and Omissions insurance with limits of not less than \$2 million (\$2,000,000.00), inclusive per claim, covering services or activities by ADRC and ADRC's agents and employees (inclusive of the Commissioner) that are professional in nature and thereby excluded under the Commercial General Liability Policy. The coverage under the Errors and Omissions policy shall be maintained continuously during the term of this Agreement and for two (2) years after the termination or expiration of this Agreement and shall cover insurable losses arising out of or in association with an error or omission in the rendering of or

failure to render the Services. If coverage is cancelled within the two (2) year period after termination or expiration of this Agreement, then ADRC shall provide the City with notice within thirty (30) days of Cancellation and shall be required to purchase an extended reporting endorsement to confirm that coverage is maintained.

### **Representation of ADRC**

13. The Commissioner is appointed under authority of subsection 223.3(1) of the Act and, as such, is responsible for performing the Services in an independent manner. The Commissioner may identify himself publicly as the Integrity Commissioner appointed by the City. ADRC shall be an independent contractor and shall not be considered and shall at no time represent itself or permit any of its employees or agents to represent themselves to be legal counsel, an agent, or an employee of the City.

### **Confidentiality**

14. The Commissioner is entitled to have access to all books, financial records, electronic data processing records, reports, files, and all other papers, things or property belonging to or used by the municipality or a local board that the Commissioner believes to be necessary for an inquiry.
15. ADRC, the Commissioner, and every person acting under the instructions of either ADRC or the Commissioner shall preserve secrecy with respect to all matters that come to their knowledge in the course of its Services, save and except information that may be disclosed in a criminal proceeding, as required by law or otherwise set out in subsection 223.5(2) of the Act.
16. ADRC shall comply and cause the Commissioner to comply with the confidentiality provisions of the Act and specifically: the requirements set out in sections 223.5, 223.6, 223.7, and 223.8 of the Act; the confidentiality provisions contained in the Form of Terms and Conditions found at [www.niagararegion.ca/business](http://www.niagararegion.ca/business); the requirements set forth in the part titled "Article 6 –Confidentiality", which are incorporated into the Agreement by reference herein; and, the requirements of the Code.
17. Except as may be permitted by law, ADRC shall not disclose confidential information that was the subject of a closed meeting under section 239 of the Act, or which could create the obvious identification of a person who is subject to an investigation. Nothing herein precludes the Commissioner from making public disclosure of information, as is permitted by law.
18. In the event the Commissioner believes access is required to files and documents for which solicitor client privilege is claimed, then ADRC shall discuss such request with the City's Director of Legal and Court Services. If, in the opinion of the Director of Legal and Court Services, such request needs to be approved by the City's Council, then the direction of City's Council will be sought by the Director of Legal and Court Services.

19. Upon receipt of a Formal Complaint pursuant to the Code, the Commissioner may conduct an informal investigation or may elect to exercise the inquiry powers under sections 33 and 34 of the *Public Inquiries Act*, as contemplated by subsection 223.4(2) of the Act.

### **General Conditions**

20. Except as set out herein, neither ADRC, nor any person, firm, or corporation associated or affiliated with or subsidiary to ADRC shall have an interest either directly or indirectly with the business of the City.
21. ADRC is not permitted to assign this Agreement in whole or in part.
22. ADRC recognizes and agrees that the Commissioner has been selected by the City to perform the Services based on his unique qualifications for the position, combined with the available support systems provided by ADRC as described in the Proposal. In the event of any delegation of the Services by ADRC to an agent, employee, or other person beyond what is expressly set out in the Proposal, ADRC will notify the City Clerk of the identity of the proposed designate, as well as his or her qualifications, experience, and expertise necessary to perform the Services to the same standard as the Commissioner.
23. Nothing herein shall preclude the Commissioner from delegating his authority to individuals referred to in the proposal or such other individuals who may be agreed to by the City in accordance with the provisions of the *Municipal Act, 2001*.
24. Powers and Services assigned to ADRC under this Agreement shall apply to ADRC only while in performance of the Services during the Term of this Agreement.
25. This Agreement supersedes all previous agreements, arrangements, or understandings between the parties whether written or oral in connection with or incidental to ADRC's Services.
26. Any dispute, difference or disagreement between the parties hereto in relation to the Agreement may, with the consent of both parties, be referred to arbitration. No person shall be appointed to act as arbitrator who is in any way interested, financially or otherwise, in the conduct of the Services or in the business or other affairs of either the City or ADRC. The award of the arbitrator shall be final and binding upon the parties. The provisions of *Arbitration Act, 1991, S.O., 1991*, as amended shall apply.
27. The headings used in the Agreement are for convenience of reference only and do not limit or otherwise affect the meaning of the terms, provisions, interpretation, or language of the Agreement.

**IN WITNESS THEREOF** ADRC has set its corporate seal attested by the hands of its duly authorized officers and the City has affixed its corporate seal attested by the hands of its duly authorized officers on the day and year first above written.

**SIGNED, SEALED AND DELIVERED**

**THE CITY OF PORT COLBORNE**

PER:

\_\_\_\_\_  
Name:  
Title: Mayor

\_\_\_\_\_  
Name:  
Title: City Clerk

**ADR CHAMBERS INC.**

\_\_\_\_\_  
Allan Stitt, President  
*I have authority to bind the corporation*

**DRAFT**

**SCHEDULE 'A'**

**TO PROFESSIONAL SERVICES AGREEMENT**

dated \_\_\_\_\_ \*\*, 2019

**Between:**

**The City of Port Colborne  
and  
ADR Chambers Inc.**

Request for Proposals 2017-RFP-15 For the Position of Integrity Commissioner  
dated March 24, 2017

**DRAFT**



**SCHEDULE 'B'**

**TO PROFESSIONAL SERVICES AGREEMENT**

**dated \_\_\_\_\_ \*\*, 2019**

**Between:**

**The City of Port Colborne**

**and**

**ADR Chambers Inc.**

Proposal for The Regional Municipality of Niagara

For the Position of Integrity Commissioner

dated April 17, 2017

submitted by ADR Chambers Inc.

**DRAFT**

**SCHEDULE 'C'**

**TO PROFESSIONAL SERVICES AGREEMENT**

dated \_\_\_\_\_ \*\*, 2019

**Between:**

**The City of Port Colborne  
and  
ADR Chambers Inc.**

The City of Port Colborne's  
Code of Conduct for Members of Council

**DRAFT**

**SCHEDULE 'D'**

**TO PROFESSIONAL SERVICES AGREEMENT  
dated \_\_\_\_\_ \*\*, 2019**

**Between:  
The City of Port Colborne  
and  
ADR Chambers Inc.**

The RFQ and ADRC's Response to the RFQ

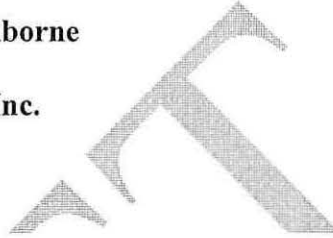
**DRAFT**

**SCHEDULE 'E'**

**TO PROFESSIONAL SERVICES AGREEMENT**

dated \_\_\_\_\_ \*\*, 2019

**Between:**  
**The City of Port Colborne**  
**and**  
**ADR Chambers Inc.**



**Insurance provisions:**

**8.01 ADRC Indemnity**

ADRC hereby agrees to indemnify and hold harmless the Indemnified Parties from and against any and all liability, loss, costs, damages and expenses (including legal, expert and consultant fees), causes of action, actions, claims, demands, lawsuits or other proceedings, (collectively, "Claims"), by whomever made, sustained, incurred, brought or prosecuted, including for breaches of confidentiality or privacy or Intellectual Property rights or for third party bodily injury (including death), personal injury and property damage, in any way based upon, occasioned by or attributable to anything done or omitted to be done by ADR, its subcontractors or their respective directors, officers, agents, employees, partners, affiliates, volunteers or independent contractors in the course of performance of ADR's obligations under, or otherwise in connection with, the Agreement. ADR further agrees to indemnify and hold harmless the Indemnified Parties for any incidental, indirect, special or consequential damages, or any loss of use, revenue or profit, by any person, entity or organization, including, without limitation, the City, claimed or resulting from such Claims. This indemnity shall be in addition to and not in lieu of any insurance to be provided by ADR in accordance with this Contract. The obligations contained in this paragraph shall survive the termination or expiry of the Contract.

**8.02 Insurance**

ADRC hereby agrees to put in effect and maintain insurance for the Term, at its own cost and expense, with insurers having a secure A.M. Best rating of B + or greater, or the equivalent, all the necessary and appropriate insurance that a prudent person in the business of ADRC would maintain including, but not limited to, the following:

(a) Commercial General Liability Insurance

Commercial General Liability insurance for all Deliverables to a limit of not less than five million dollars (\$5,000,000) per occurrence.

The policy will be extended to include:

- Bodily injury, death and property damage
- Cross liability and severability of interest
- Blanket contractual
- Premises and operations
- Personal and advertising injury
- Broad form property damage
- Products and completed operations
- Owner's and contractors protective
- Non-owned Automobile to a limit of not less than two million dollars (\$2,000,000)

The policy shall be endorsed to:

- Include the City as an additional insured; and
- Contain an undertaking by the insurers to give thirty (30) days prior written notice in the event that there is a material change in the foregoing policies or coverage affecting the Additional Insured(s) or cancellation of coverage before the expiration date of any of the foregoing policies.

#### (b) Automobile Insurance

Automobile Insurance (OAP1) for both owned and leased vehicles with inclusive limits of not less than two million dollars (\$2,000,000).

Proof of automobile insurance will not be required if ADRC provides a signed letter stating that they do not own or lease vehicles.

#### (c) Additional Insurance Requirements

Any other type of insurance specified in Schedule 1 (Schedule of Deliverables, Rates and Specific Provisions) or required elsewhere under the Contract.

All policies of insurance shall be written with an insurer licensed to do business in Ontario and be non-contributing with, and will apply only as primary and not excess to any other insurance or self-insurance available to the City.

### **8.03 Proof of Insurance**

ADRC shall provide the City with proof of the insurance required by this Contract in the form of valid certificates of insurance that reference this Contract and confirm the required coverage. ADRC shall provide the City with renewal replacements on or before the expiry of any such insurance. Upon the request of the City, a copy of each insurance policy shall be made available to it. ADRC shall ensure that each of its subcontractors obtains all the necessary and appropriate insurance that a prudent person in the business of the subcontractor would maintain and that the City and Indemnified Parties are named as additional insured with respect to any liability arising in the course of performance of the subcontractor's obligations under the subcontract for the provision of the Deliverables.

### **8.04 Workplace Safety and Insurance Act Coverage**

ADRC warrants and agrees that it has complied and will comply with all applicable workplace safety and insurance laws and regulations and, if ADRC is subject to the Workplace Safety and Insurance Act ("WSIA"), will provide proof of valid WSIA coverage by means of a current clearance certificate (or other means acceptable to the City) to the City upon request. ADRC covenants and agrees to pay when due, and to ensure that each of its subcontractors pays when due, all amounts required to be paid by it and its subcontractors under the WSIA during the Term, failing which the City shall have the right, in addition to and not in substitution for any other right it may have pursuant to the Contract or otherwise at law or in equity, to pay to the Workplace Safety and Insurance Board (the "WSIB") any amount due pursuant to the WSIA and unpaid by ADRC or its subcontractors and to deduct such amount from any amount due and owing from time to time to ADRC pursuant to the Contract together with all costs incurred by the City in connection therewith. ADRC further agrees to indemnify the Indemnified Parties for any and all liability, loss, costs, damages and expenses (including legal fees) or other charges in connection with ADRC's failure to comply with any applicable workplace safety and insurance laws or related to ADRC's status with the WSIB.

The Corporation of the City of Port Colborne

By-Law no. 6647/11/19

Being a by-law to adopt, ratify and confirm  
the proceedings of the Council of The  
Corporation of the City of Port Colborne at  
its Regular Meeting of February 25, 2019

Whereas Section 5(1) of the *Municipal Act, 2001*, provides that the powers of a municipality shall be exercised by its council; and

Whereas Section 5(3) of the *Municipal Act, 2001*, provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and

Whereas it is deemed expedient that the proceedings of the Council of The Corporation of the City of Port Colborne be confirmed and adopted by by-law;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. Every action of the Council of The Corporation of the City of Port Colborne taken at its Regular Meeting of February 25, 2019 upon which a vote was taken and passed whether a resolution, recommendations, adoption by reference, or other means, is hereby enacted as a by-law of the City to take effect upon the passing hereof; and further
2. That the Mayor and Clerk are authorized to execute any documents required on behalf of the City and affix the corporate seal of the City and the Mayor and Clerk, and such other persons as the action directs, are authorized and directed to take the necessary steps to implement the action.

Enacted and passed this 25th day of February, 2019.

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William C. Steele  
Mayor

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Amber LaPointe  
City Clerk

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# PORT COLBORNE

February 25, 2019

Moved by Councillor  
Seconded by Councillor

**WHEREAS** The Fresh Air Fund provides free outdoor summer experiences to thousands of children from New York City's low-income communities each summer;

**AND WHEREAS** The Fresh Air Fund allows children from New York City to visit the homes of volunteer host families along the East Coast and Southern Canada;

**AND WHEREAS** Port Colborne families have been participating in The Fresh Air Fund's Friendly Towns Program for over 140 years;

**AND WHEREAS** The Fresh Air Fund allows children from New York City to enjoy Port Colborne backyards, parks, and wide open spaces;

**AND WHEREAS** The Fresh Air Fund is celebrating its 143rd summer;

**NOW THEREFORE**, I, Mayor, William C. Steele, proclaim March 20th, 2019 as "**FRESH AIR FUND DAY**" in the City of Port Colborne in recognition of the transformative opportunities that inspire new dreams and new perspectives provided by The Fresh Air Fund.

William C. Steele  
Mayor

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**City of Port Colborne  
Regular Council Meeting 03-19  
Minutes**

**Date:** February 11, 2019

**Time:** 8:42 p.m.

**Place:** Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

**Members Present:** M. Bagu, Councillor  
E. Beauregard, Councillor  
G. Bruno, Councillor  
R. Bodner, Councillor  
A. Desmarais, Councillor  
D. Kalailieff, Councillor  
W. Steele, Mayor (presiding officer)  
H. Wells, Councillor  
B. Butters, Regional Councillor

Absent: F. Danch

**Staff Present:** M. Evely, Recording Clerk  
S. Hanson, Acting Director of Planning & Development  
A. LaPointe, Manager of Legislative Services/City Clerk  
C. Lee, Director of Engineering and Operations  
S. Luey, Chief Administrative Officer  
P. Senese, Director of Corporate Services

Also in attendance were interested citizens, members of the news media and WeeStream.

**1. Call to Order:**

Mayor Steele called the meeting to order.

**2. Introduction of Addendum Items:**

Nil.

**3. Confirmation of Agenda:**

**No. 18** Moved by Councillor M. Bagu  
Seconded by Councillor R. Bodner

That the agenda dated February 11, 2019 be confirmed, as  
circulated or as amended  
CARRIED.

**4. Disclosures of Interest:**

Nil.

**5. Adoption of Minutes:**

**No. 19** Moved by Councillor E. Beauregard  
Seconded by Councillor A. Desmarais

That the minutes of the regular meeting of Council 02-19, held on January 28, 2019, be approved as presented.

CARRIED.

**6. Determination of Items Requiring Separate Discussion:**

Nil.

**7. Approval of Items Not Requiring Separate Discussion:**

**No. 20** Moved by Councillor R. Bodner  
Seconded by Councillor H. Wells

That Items 1 to 16 on the agenda be approved, with the exception of items that have been deferred, deleted or listed for separate discussion, and the recommendation contained therein adopted.

**Item:****1. Motion by Councillor Desmarais Re: Affordable Housing Strategy**

Council resolved:

Whereas access to adequate housing is a fundamental human right (paragraph 25(1) of the United Nations Universal Declaration of Human Rights, and Ontario Human Rights Commission - Human Rights Perspective on Housing Supply, January 2019); and

Whereas Port Colborne is fast approaching a housing crisis with alarming occupancy rates, soaring housing costs and stagnating incomes (Ontario Association of Food Banks, Quarterly Report, September 2018, Port Colborne Primary Rental Market Statistics, 2016, Key Housing Indicators for Port Colborne, July 5, 2017 and Where Will We Live – Ontario's Rental Housing Crisis, May 2018); and

Whereas the Senior Citizens Advisory Committee and the Social Determinants of Health Committee, both being committees of this council have each placed housing as a priority to their mandate; and

Whereas designing and implementing a poverty reduction strategy has been included in the Port Colborne Strategic Plan (CAO Report No.:2015-47); and

Whereas adequate and affordable housing has been directly linked to poverty reduction (Wellesley Institute, Poverty Is a Health Issue: It's time to address housing and homelessness, Oct 10, 2013)

Therefore be it resolved that The Corporation of the City of Port Colborne does acknowledge that housing is a human right and that municipal government has a role to play in the gradual realization of this right for all residents of Port Colborne; and

That the Director of Planning and Development be directed to engage with stakeholders to create a coordinated municipal affordable housing strategy for the city of Port Colborne with the goal to establish a definition for the term "affordable housing" and to create affordable housing options across the housing continuum, with a report due back to this council to include a high-level view of timelines and targets on or before May 27, 2019.

**2. Engineering and Operations Department, Engineering Division, Report 2019-15, Subject: Information Report on the Proposed Regional Niagara Waste Collection Services Contract**

Council resolved:

That Council receive Engineering and Operations Department Report 2019-15 for information.

**3. Engineering and Operations Department, Engineering Division, Report 2019-12, Subject: Amendment to the Zavitz Municipal Drain Sherkston North Branch East & West Trail Branch Drains Report**

Council resolved:

That staff be directed to prepare a by-law appointing Paul Marsh P. Eng. of EWA Engineering Inc. to comply with Section 8, Chapter D. 17 of the Drainage Act R.S.O. 1990, as such a by-law will allow us to fulfill the requirement of Section 58(4), Chapter D. 17 of the Drainage Act R.S.O. 1990, as recommended by the Tribunal Coordinator; and

That the Mayor and City Clerk be directed to execute the appropriate by-law.

4. **Planning and Development Department, By-law Enforcement Division, Report 2019-13, Subject: Encroachment request 104 Fraser Street**

Council resolved:

That Council approve the encroachment application and authorize entering into a License Agreement with the applicant and owner Yvon Mousseau for 104 Fraser Street.

5. **Region of Niagara Re: Approval of Interim Levy Dates and Amounts (Report CSD 6-2019)**

Council resolved:

That the correspondence received from the Region of Niagara Re: Approval of Interim Levy Dates and Amounts, be received for information.

6. **Region of Niagara Re: Vacancy Program Revisions to Ministry of Finance (Report CSD 3-2019)**

Council resolved:

That the correspondence received from the Region of Niagara Re: Vacancy Program Revisions to Ministry of Finance, be received for information.

7. **Town of Lincoln, Town of Pelham Re: Support for Ontario Wine and Beer in Retail Stores as Part of Modernizing Alcohol Sales**

Council resolved:

That the resolutions received from the Town of Lincoln and Town of Pelham Re: Support for Ontario Wine and Beer in Retail Stores as Part of Modernizing Alcohol Sales, be received for information.

CARRIED.

8. **Consideration of Items Requiring Separate Discussion:**

Nil.

9. **Proclamations:**

Nil.

**10. Minutes of Boards, Commissions & Committees:**

**No. 21** Moved by Councillor D. Kalaileff  
Seconded by Councillor E. Beauregard

(a) That the minutes of the Port Colborne Public Library Board Meeting of December 11, 2018, be received.  
CARRIED.

**11. Consideration of By-laws:**

**No. 22** Moved by Councillor G. Bruno  
Seconded by Councillor A. Desmarais

That the following by-laws be enacted and passed:

- 6641/05/19 Being a By-law to Appoint Paul Marsh, P. Eng. of EWA Engineers Inc. for the Preparation of an Amended Engineers Report for the Zavitz Municipal Drain situated in the Town of Fort Erie and the City of Port Colborne and to Rescind By-law No. 5606/36/11
- 6642/06/19 Being a By-law to Establish a Committee of Adjustment and Repeal By-laws 3580/6/98, 3844/130/99 and 4479/10/04
- 6644/08/19 Being a By-law to Authorize Entering into a Licence Agreement between The Corporation of the city of Port Colborne and Yvon Mousseau regarding 104 Fraser Street, Port Colborne
- 6645/09/19 Being a By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne at its Regular Meeting of February 11, 2019

CARRIED.

**12. Council in Closed Session:**

**Motion to go into Closed Session – 8:43 p.m.**

**No. 23** Moved by Councillor H. Wells  
Seconded by Councillor A. Desmarais

That Council do now proceed into closed session in order to address the following matter(s):

- (a) Concerning Seaway Lands Divestiture, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board.

CARRIED.

**Motion to rise with report:**

**No. 24** Moved by Councillor G. Bruno  
 Seconded by Councillor E. Beaugard

That Council do now rise from closed session with report at approximately 10:14 p.m.

CARRIED.

**13. Disclosures of Interest Arising from Closed Session:**

Nil.

**14. Reports/Motions Arising from Closed Session:**

- (b) **Concerning Seaway Lands Divestiture, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board**

The City Clerk reported that direction was provided to the Chief Administrative Officer during closed session in accordance with the *Municipal Act, 2001*.

**15. Adjournment:**

**No. 25** Moved by Councillor D. Kalailieff  
 Seconded by Councillor M. Bagu

That the Council meeting be adjourned at approximately 10:15 p.m.  
 CARRIED.

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William C. Steele  
 Mayor

---

Amber LaPointe  
 City Clerk

AL/me



FEB 06 2019

CORPORATE SERVICES  
DEPARTMENT

**PORT COLBORNE TRANSIT ADVISORY COMMITTEE MEETING  
WEDNESDAY, OCTOBER 17, 2018  
COMMITTEE ROOM 2 ENGINEERING & OPERATIONS CENTRE**

**Attendance:**

Scott Mathieson, Melissa Bigford, Dave Stuart, Bea Kenny, Jim Huppunen, Peter Senese, Stephen Corr, Mayor John Maloney, Yvon Doucet, Casey Biko, Casey Forgeron, Janice Peyton

Rob Salewytch, Niagara Regional Transit Service Planning Coordinator was also in attendance.

**Regrets:**

Denise Archer

Melissa called the meeting to order at 3:05 p.m.

**1. Adoption of Agenda**

Moved by B. Kenny  
Seconded by S. Mathieson

That the agenda dated October 17, 2018 be accepted as presented.  
CARRIED.

**2. Disclosures of Interest**

Melissa declared a conflict with respect to the letter of request for complimentary transportation services from DeWitt Carter School as her son is a student at the school.

**3. Approval of Minutes of May 23, 2018 and September 26, 2018**

Moved by B. Kenny  
Seconded by S. Mathieson

That the minutes of May 23, 2018 be approved as presented.  
CARRIED.

Moved by B. Kenny  
Seconded by S. Mathieson

That the minutes of September 26, 2018 be approved as presented.  
CARRIED.

#### **4. Actions Arising from Previous Minutes**

##### **a) PC Service Link Enhancements**

Dave advised that the changes to the link effective September 1, 2018 have been working well. The connections will be exact with the proposed PC Link revisions of September 26, 2018 (attached to the minutes) of a 15 minute change to the current arrival and departure times. The arrival and departure times will be on the half hour and on the hour. Regional busses depart on the hour. Much discussion took place regarding the cost of adding an earlier morning trip and a later evening trip. Peter advised that the pilot project for the additional trips can be funded from the Transit Reserve and the cost is shared 50/50 with the Region. There are some unknowns regarding the ongoing cost as it is tentative that the Region will upload the LINK service effective January 1 or on September 1, 2019, therefore Port Colborne must budget for the additional cost of the increased level of service.

Moved by C. Forgeron  
Seconded by Y. Doucet

That the Transit Advisory Committee approve the recommendation of two additional trips as a four month pilot project, to be implemented effective January 1, 2019 and to be funded from the Transit Reserve. Peter Senese will present this recommendation to Council with a report. The ridership can be reviewed to determine if the service should continue.  
CARRIED UNANIMOUSLY.

Moved by C. Forgeron  
Seconded by C Biko

That if Council does not approve the two additional trips, that two other trips being the later day trips may be cancelled, in order to accommodate the early morning and additional evening trips.  
CARRIED UNANIMOUSLY.

#### **5. Information Items**

##### **a) Email Request Rod Scott**

The committee received an email from resident Rod Scott regarding the link schedule. Melissa will reply and advise of the proposed service link enhancements that will address Mr. Scott's concerns.

b) Request from DeWitt Carter School

The committee received a letter of request for complimentary transportation services for monthly visits to and from the Port Colborne Library from DeWitt Carter School for the Kindergarten class. Dave advised that, if accompanied by an adult, four of the Kindergarten students could ride free. Yvon would like more information regarding the school board policy on adult accompaniment for children. Mayor Maloney feels this item should be left for the new Council to decide. Melissa will obtain more information and have the request re-submitted with additional information.

**6. Other Business**

Nil.

**Next Meeting**

The next meeting of the Transit Advisory Committee will be held on Wednesday, January 23, 2019 at 3:00 p.m.

**Adjourn**

There being no further business to discuss, the meeting be adjourned at 4:15 p.m.

# PORT COLBORNE LINK

Proposed Revision – Sept. 26<sup>th</sup>, '18

## Port Colborne Arrival/Departure

6:30 am  
7:30 am  
8:30 am  
9:30 am

## Welland Arrival/Departure

7:00 am  
8:00 am  
9:00 am  
10:00 am

## Port Colborne Arrival/Departure

12:30 pm  
1:30 pm  
2:30 pm

## Welland Arrival/Departure

1:00 pm  
2:00 pm  
3:00 pm

## Welland Arrival/Departure

4:30 pm  
5:30 pm  
6:30 pm  
7:30 pm

## Port Colborne Arrival/Departure

5:00 pm  
6:00 pm  
7:00 pm  
8:00 pm\*

\*Bus returns to Welland Garage for 8:20 pm

### Total Cost:

11.25 hrs/day @ \$95/hr = \$1,068.75/day

(9.5 hrs in service + 1.75 hrs travel time = 11.25 hrs)



City of Port Colborne  
**RECEIVED**  
FEB 14 2019  
CORPORATE SERVICES  
DEPARTMENT

**MINUTES**  
**Social Determinants of Health Advisory Committee – Everyone Matters**  
**Thursday, September 6, 2018**  
**1:00 p.m.**  
**Committee Room 3, City Hall**  
**66 Charlotte Street Port Colborne**

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**Attendees:**

Co-Chair Lori Kleinsmith, Bridges CHC  
Co-Chair Angie Desmarais, Councillor  
John Maloney, Mayor (arrived at 1:30)  
Rob Laplante, Staff Sergeant, NRP  
Christine Clark-Lafleur, Port Cares  
Patrick Volpe – Port Cares  
Deborah Rollo, Health Services  
Coordinator (left at 1:45)  
Jeffrey Sinclair – Niagara Region  
Casey Forgeron – member of the public  
Susan Therrien – Director of Library  
Services

**Regrets:**

Scott Luey - CAO  
Neal Schoen - Chair – East Village  
Neighbourhood Improvement Task  
Force

**Guests:**

**Minutes:**

Nancy Giles, EA to Mayor and CAO

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There was an informal discussion prior to quorum about recent comments on social media about Port Cares and its services and clients.

Christine advised there was a break-in earlier this year which cost the organization over \$24,000. New protocols have been put in place with new sign-in cards. Message is out to the community that Port Cares will not tolerate these actions that are criminal and destructive to the community. Need to do myth-busting. A big part of the problem is the drug scene.

Jeff – Port Colborne is not unique in this area. Criminal individuals are usually not wanting the services of places like Port Cares. You can't lump them in with the homeless population. More awareness about the issues of homelessness and public is speaking out against it.

Christine – review of social programs by provincial government will have a big impact on our community this fall.

Susan – the libraries in the communities are feeling the effect of the mental health issues in the community – still need to be welcoming, open and a safe place for everyone. If you want any information sessions, the library is available.

Angie – community leaders are speaking about vigilantism. This is not good.

Deb – a lot of stigma with opioid users.

Rob – police are willing to help but we need the community's help

Port-All – started in February 2018 – for those with acute and elevated risk - brings the services to the people in need – identifying those in need – stakeholders are working together – the people have to want the help – must keep the confidentiality of the individuals served – have dealt with 30 cases since starting – have one officer dedicated to this program.

### **1. Call to order**

Co-Chair Lori Kleinsmith called the meeting to order at 1:35 p.m.

Introductions were made around the table.

### **2. Approval of the Agenda**

Moved by C. Forgeron

Seconded by R. Laplante

That the agenda for the September 6, 2018 meeting of the Social Determinants of Health Advisory Committee – Everyone Matters be approved.

CARRIED.

### **3. Approval of the May 3, 2018 minutes**

Moved by C.Clark-Lafleur

Seconded by C. Forgeron

That the minutes for the May 3, 2018 meeting of the Social Determinants of Health Advisory Committee – Everyone Matters be approved.

CARRIED.

### **4. Business Arising**

Ideas on how to use the information in the Report on Health Equity.

The Library is available for use for information sessions.

Deb Rollo – shared the information with our local family physicians. A couple reached out. Part of the City's Strategic Plan was to have a planning session with family physicians and perhaps this report could be presented by Christine. Bridges would like to be part of this conversation. The different health care teams being brought in would be good.

Fetal alcohol is a problem and perhaps education would be valuable to the community.

This report will lend to on-going ideas.

## **5. Affordable Housing**

St. Catharines Housing Plan – a presentation was made to Port Colborne City Council on July 9<sup>th</sup>. Council received the report – a couple of councillors are very interested in what we can do about housing. This has started the conversation.

Lori asked if there was any direction back to staff. Councillor Desmarais said no specifics – but hopefully our Planner will take this back and use it. We would like to see some of the pieces of the recommendation adopted. Will have to wait until after the new council. This committee could make recommendations in the annual report.

Jeff – the Region is working on the new Official Plan - new resources are coming. The Region is doing an analysis of housing in communities in the Region and there will be a Port Colborne report early 2019. Region is working with CMHC for some of their data. Jeff will share the links to the resources. Vacancy rates for under \$800 for an apartment is basically zero in Port Colborne.

Do we want to pull some info from the St. Catharines report and bring it back to the committee? Members are asked to contact Nancy if they are interested in sitting on a committee to review the report in detail and bring recommendations back to the committee before our next meeting in November.

Christine reported that capital funding from CMHC dropped by 70% to 40%. This affects the Port Cares project. Jeff feels that Port Colborne is still ahead of many other communities in the Region in the work that we are doing.

## **6. New Business**

### **Annual Report to Council**

Angie would like to aim for a January presentation to the new Council. Lori, Angie and Nancy will get together in November.

From the committee, what do you want us to include? Christine would like to see some recommendations to Council. Develop and adopt an affordable housing strategy for short and long-term solutions. Something from the health equity report. Vulnerable Seniors.

### **Others Items**

Lori made a presentation to the committee at the Region for oral health with seniors.

Growing year is winding down at the community garden – would it be appropriate for this committee to send a thank you letter to Sarah LaCharity – send after October 22.

Next council meeting will be speaking about crime in the downtown core and it is open the public to participate.

Bridges is bringing back their social group. Every other Monday starting October 1<sup>st</sup> at 2 – 4 p.m. Light refreshments, conversation to help with social isolation.

Port Cares is now the provider for child development services at the Seaway Mall.

## **7. Action Items**

Hoarding – since May meeting there has been a brighter light shone on the hoarding issue by the Fire Department. Scott Lawson and Judy Cassan will come to address this at the November meeting.

Scott and Judy are attending a provincial hoarding meeting in October and a regional meeting shortly after.

## **8. Next Meeting**

**Thursday November 1, 2018 1 p.m.**

## **9. Adjournment**

The meeting adjourned at approximately 2:15 p.m.





City of Port Colborne  
**RECEIVED**  
FEB 14 2019  
CORPORATE SERVICES  
DEPARTMENT

## MINUTES

**Social Determinants of Health Advisory Committee – Everyone Matters**  
**Thursday, November 1, 2018**  
**1:00 p.m.**  
**Committee Room 3, City Hall**  
**66 Charlotte Street Port Colborne**

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### Attendees:

Co-Chair Lori Kleinsmith, Bridges CHC  
Co-Chair Angie Desmarais, Councillor  
Jay McKnight, PORTall NRP  
Christine Clark-Lafleur, Port Cares  
Jeffrey Sinclair – Niagara Region  
Susan Therrien – Director of Library Services  
Neal Schoen - Chair – East Village  
Neighbourhood Improvement Task Force  
Taralea McLean – Bridges CHC

Judy Cassan – Bridge CHC  
Tara McKendrick - CAMH

### Regrets:

Mayor John Maloney  
Scott Luey - CAO

### Minutes:

Nancy Giles, EA to Mayor and CAO

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### 1. Call to order

Co-Chair Angie Desmarais called the meeting to order at 1:05 p.m.

### 2. Approval of the Agenda

Moved by L. Kleinsmith  
Seconded by N. Schoen

That the agenda for the November 1, 2018 meeting of the Social Determinants of Health Advisory Committee – Everyone Matters be approved.  
CARRIED.

### 3. Approval of the September 6, 2018 minutes

Moved by L. Kleinsmith  
Seconded by N. Schoen

That the minutes for the September 6, 2018 meeting of the Social Determinants of Health Advisory Committee – Everyone Matters be approved.  
CARRIED.

### 4. Business Arising

Social Group at Bridges – now every other Monday from 10:30 – 12:00

## **5. Affordable Housing**

Lori gave a summary of the sub committee meeting. See notes attached. Good policies in place but need to communicate out to the public and developers. Need a coordinated effort with key stakeholders at the table – economic development, developers, builders, for a long term housing action plan. Recommendation to new council for housing action plan.

Jeffrey – Region put a Request for Proposal for Affordable Housing – there will be Port Colborne specific data available. To be completed by end of January. Also data from census. Surveys completed for homelessness and in shelters as they were enumerated. It will be good data to start the conversation. Need to have a definition of the dollar value of affordable housing for Port Colborne.

## **6. New Business**

### **Hoarding**

Powerpoint presentation attached. Getting calls every 2-3 weeks. Bridges and PCFD work together to assist these people to ensure their safety and the safety of others in multiple residential units. Need to keep monitoring homes that have been cleaned. Some times a brief visit is enough for them to know they are still watching. There is a meeting on November 2 to try to dust of some protocols that were previously put in place. Making individuals and owners financially responsible helps them take some responsibility. Very few people are displaced.

Who do we call? Port Colborne Fire Department currently. Fire departments are trying not to be the lead – believe Public Health should be taking lead.

From the prevention side – what have you learned – gatekeepers seeing the signs – some times it is reported by family members – no social life, don't allow people into their house.

Recent conference – Hoarding coalition – stuck on why it happens as opposed to mitigating the problem. Not having the conversation. 4-6% of the population are hoarders.

Library – Susan stated that there is a shift in the library vision to “empower, enrich and educate”. Would like to start a “let's talk” series. People need to know these problems. Knowledge will help solve problems. We need some forums in the city and the Library is there to help.

Jeff mentioned that Dr. Jaeger talked about how citizens depend on the city to solve the problems. We need to empower people.

### **Annual Report to Council**

Lori, Angie and Nancy to get together before February meeting.

### **Others Items**

National Housing Day Event – sponsored by Niagara Regional Housing – November 21, 2018 8:30 – 12:00 at First Ontario Performing Arts Centre – Affordable Housing Development Toolkit

The committee would like to host this event next year.

Christine reminded everyone of the November 8<sup>th</sup> day for the 100 day review of social programs – coming forward – OW and ODSP increase threatened to be rolled back.

### **7. Action Items**

Annual Report to Council – Angie, Lori and Nancy

Affordable Housing Report to Council – Angie, Lori and Nancy

### **8. Next Meeting**

**Thursday, February 7, 2019 1 p.m.**

### **9. Adjournment**

The meeting adjourned at approximately 2:30 p.m.

Sub committee Housing Action Plan Meeting held October 15, 2018

Present:

Lori Kleinsmith

Christine Clark-Lafleur

Neal Schoen

Jeffrey Sinclair

Dan Aquilina

Nancy Giles

Discussion was held.

The City of Port Colborne endorses affordable housing yet there are no Community Improvement Plans offering incentives for affordable housing. There should be a separate group dealing affordable housing with would include the Planning Department and Economic Development. We need to promote the ease of development and good policies in Port Colborne. Need to create a property profile database of land available for development.

Region has an RFP out to calculate demand for affordable housing. Closes end of October. Data might be available by January – formal report to follow. There is a Region working committee – how do we better align funding programs between Port Colborne and the Region?

Private sector has a lot of hoops to jump through for affordable housing projects – CMHC in Calgary and the city have developed a SWAT team to bring the process down from 3 years to 3 months – Development in St. Catharines took about 3 years. Could be considered municipal contribution.

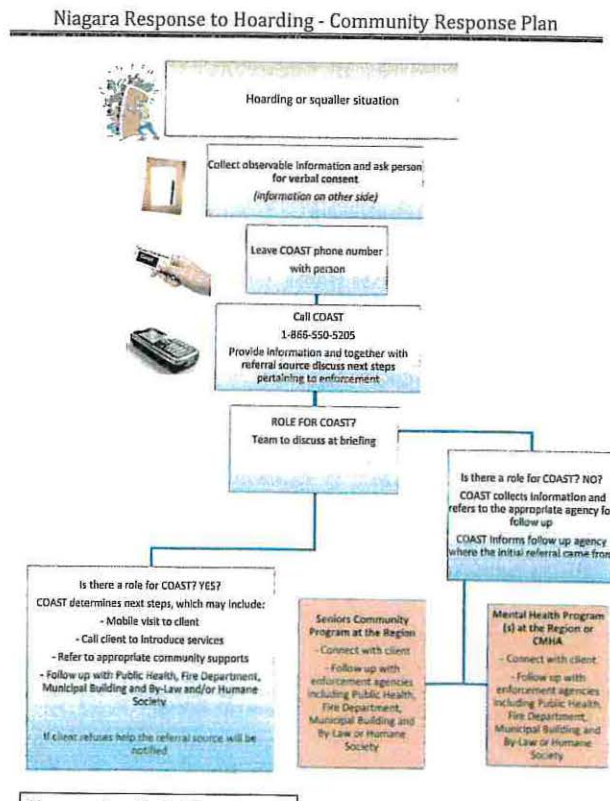
Region has new census data available which shows income levels and price of affordable housing.

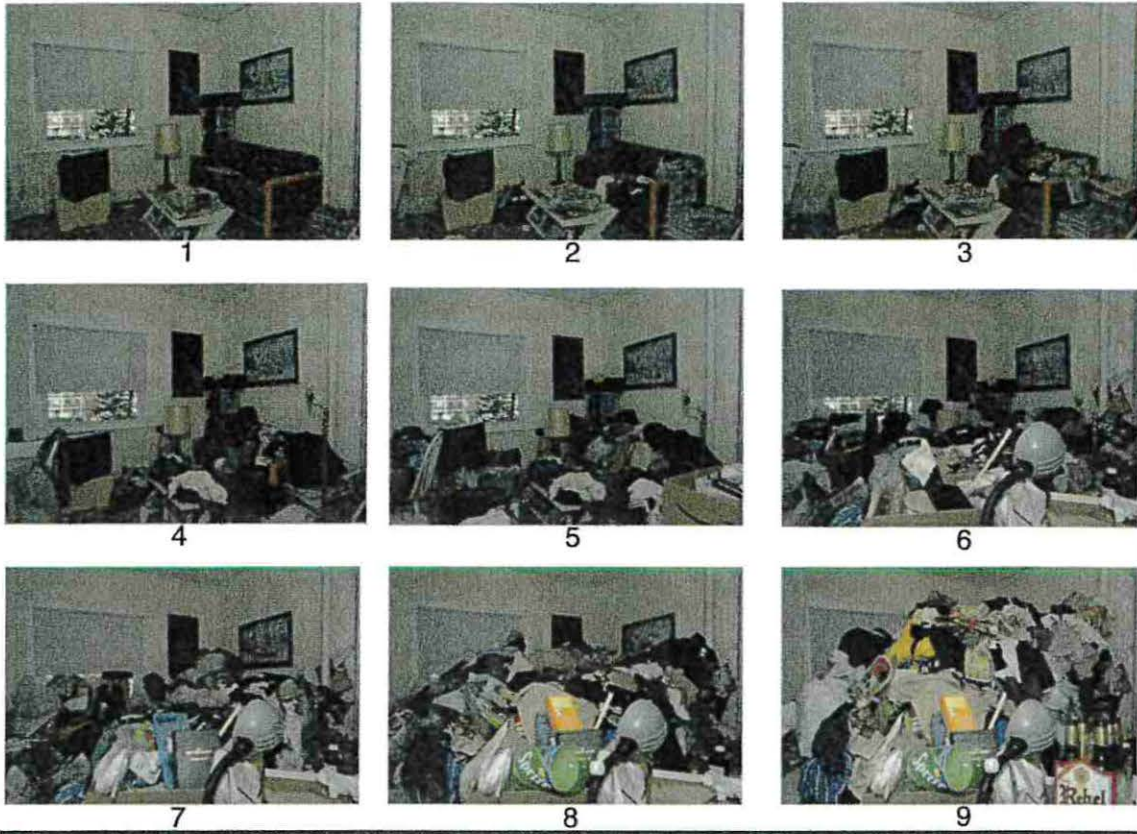
The City has not seen any development proposals for affordable housing. Region hasn't receive any inquiries about Port Colborne.

Need to make recommendation to council for the preparation of a housing action plan – why is this important – we already have good policies

# Niagara Region Hoarding Coalition - 2012 to 2015

- ▶ Trillium grants award across the province in 2011/12
  - ▶ Multiple coalitions started across Ontario
  - ▶ Niagara Region hired 1 fulltime contract staff member to oversee
  - ▶ Multiple stakeholders at the table (By-law, CMHA, Public Health, Fire....)
  - ▶ Hoarding conference held
  - ▶ Protocols established between agencies to put the people in touch with the right agency/s
  - ▶ One (1) phone call from PCFD to Crisis Outreach and Support Team (COAST) could get immediate help from various agencies.





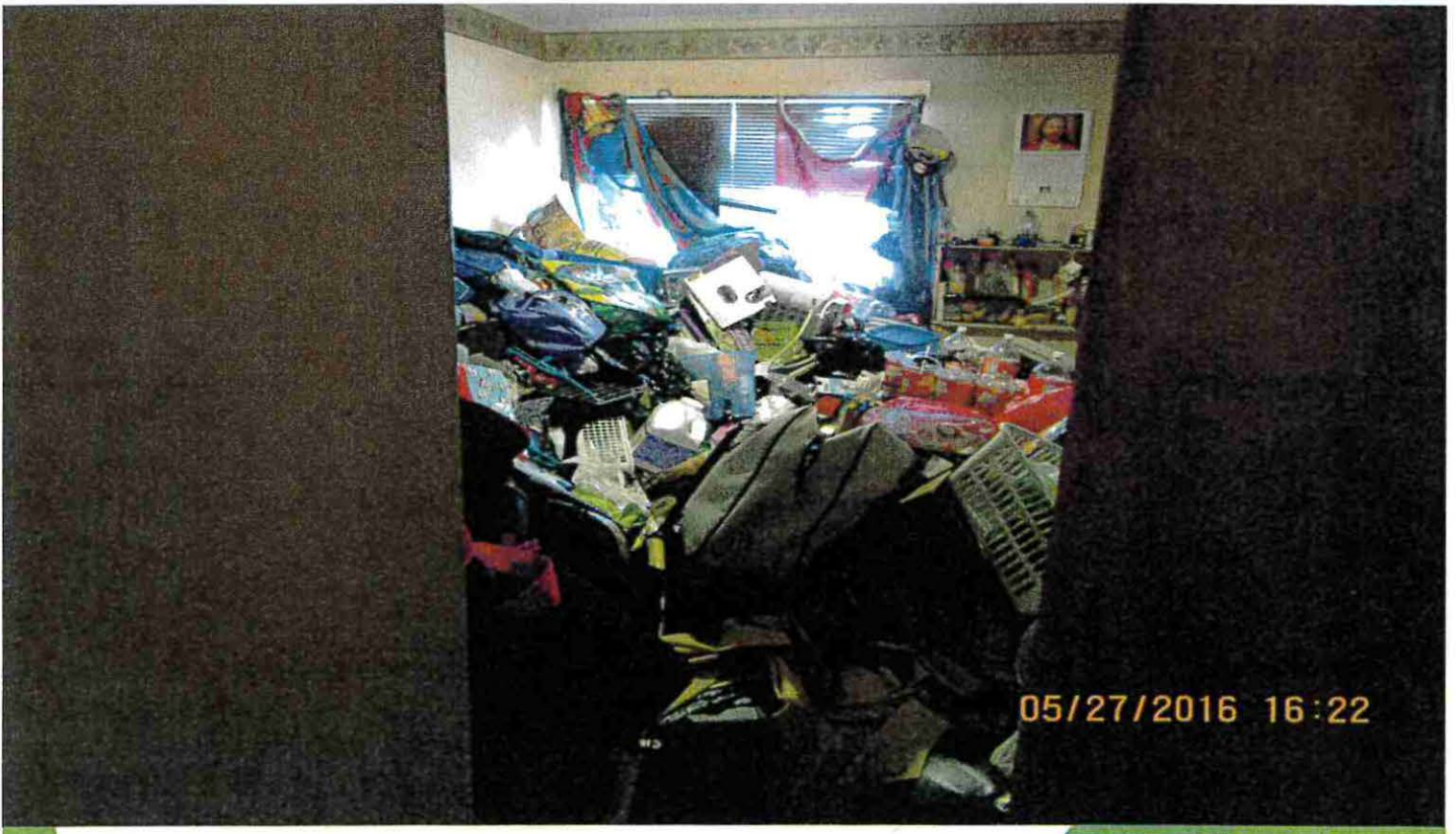
## Niagara Region Hoarding Coalition - 2012 to 2015

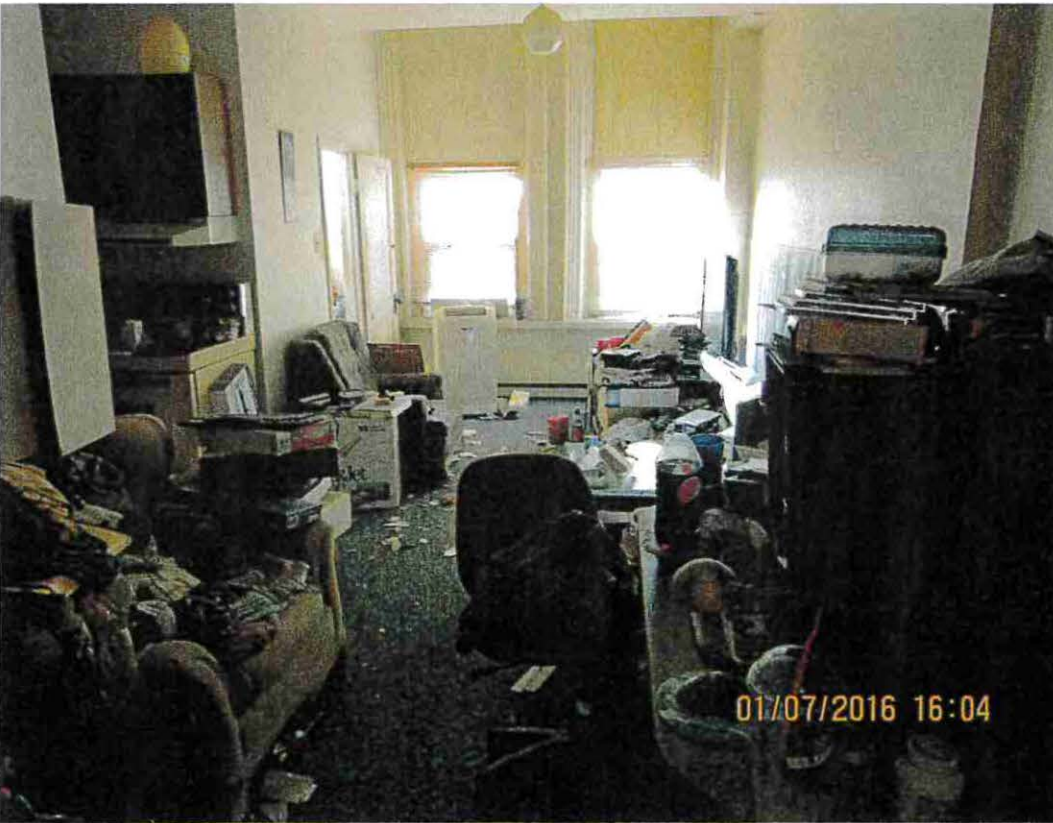
- ▶ End of 2015, Trillium grants ended
  - ▶ Contract staff no longer with Niagara Region
  - ▶ Coalition stops meeting
  - ▶ Protocols fall apart
  - ▶ With staff turnover with agencies happen, collaboration ends

\*\*\*PCFD doesn't have any agencies to call to help mitigate the problem\*\*\*

# PCFD Approach with Bridges Health Care

- ▶ Multi-unit building are simpler than single family homes.
  - ▶ Depending on level of hoarding we can:
    - ▶ Write orders with compliance dates
      - ▶ Can be specific to a room at a time with multiple dates
      - ▶ Owners can use orders to start evictions
    - ▶ Issue an Immediate Threat to Life under the FPPA
      - ▶ Remove resident from the unit
      - ▶ Eliminate ignition sources (turn electricity off.....)
      - ▶ Must be able to supply resident somewhere to go
        - ▶ Owner of the unit or last option Red Cross
        - ▶ Must protect residents 'valuables'





Sometimes once tenant has had a chance to digest what will be happening, the road to compliance starts that day.

PCFD is blessed with the assistance of Bridges Community Health Centre, Judy Cassan.

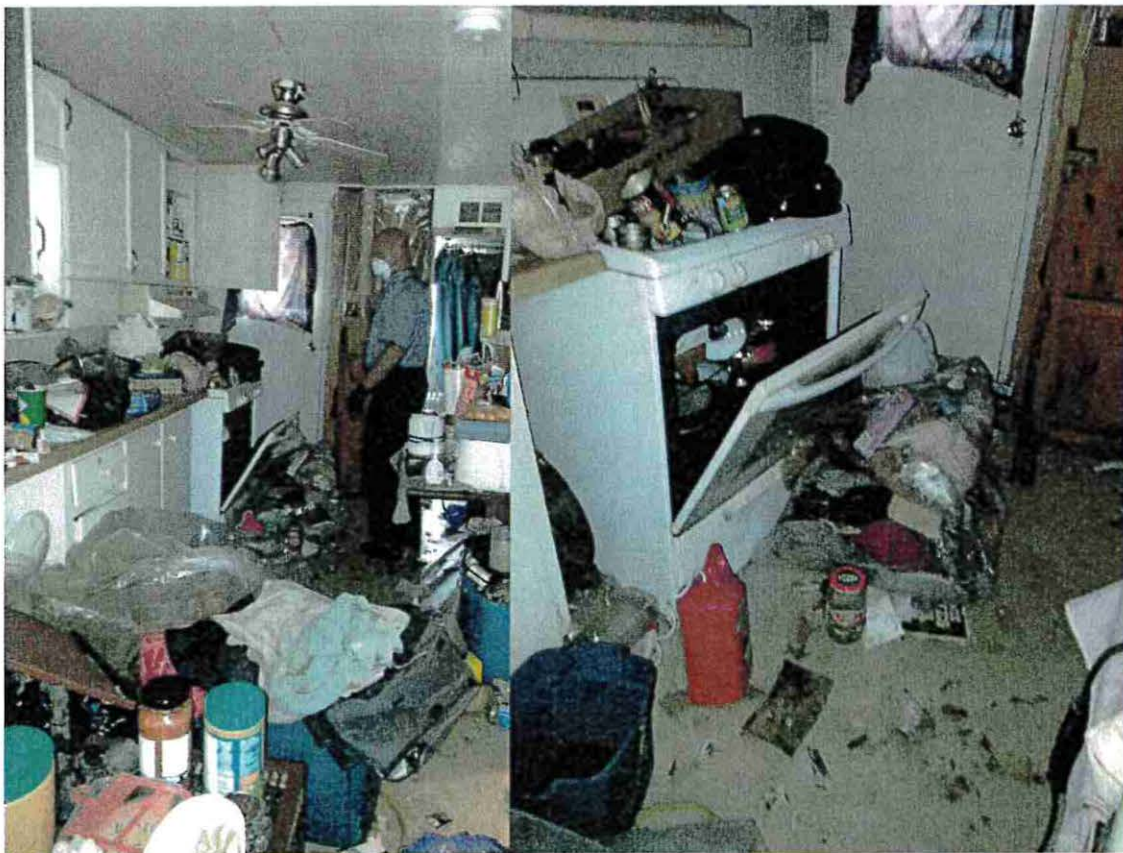
When possible, PCFD and Judy go together to inspections of a possible hoarder with the "we get one chance to get in the door" philosophy.

Many times we can make a safety difference immediately which gives the tenant time.



## PCFD & Bridges Approach cont

- ▶ Single family home
  - ▶ Very little can be done in the way of enforcement
  - ▶ Can refuse help up front
  - ▶ We do have power if kids or seniors involved (FACS, SIL team...)
  - ▶ Education
  - ▶ Make the home as safe as we can
  - ▶ Follow up, follow up, follow up

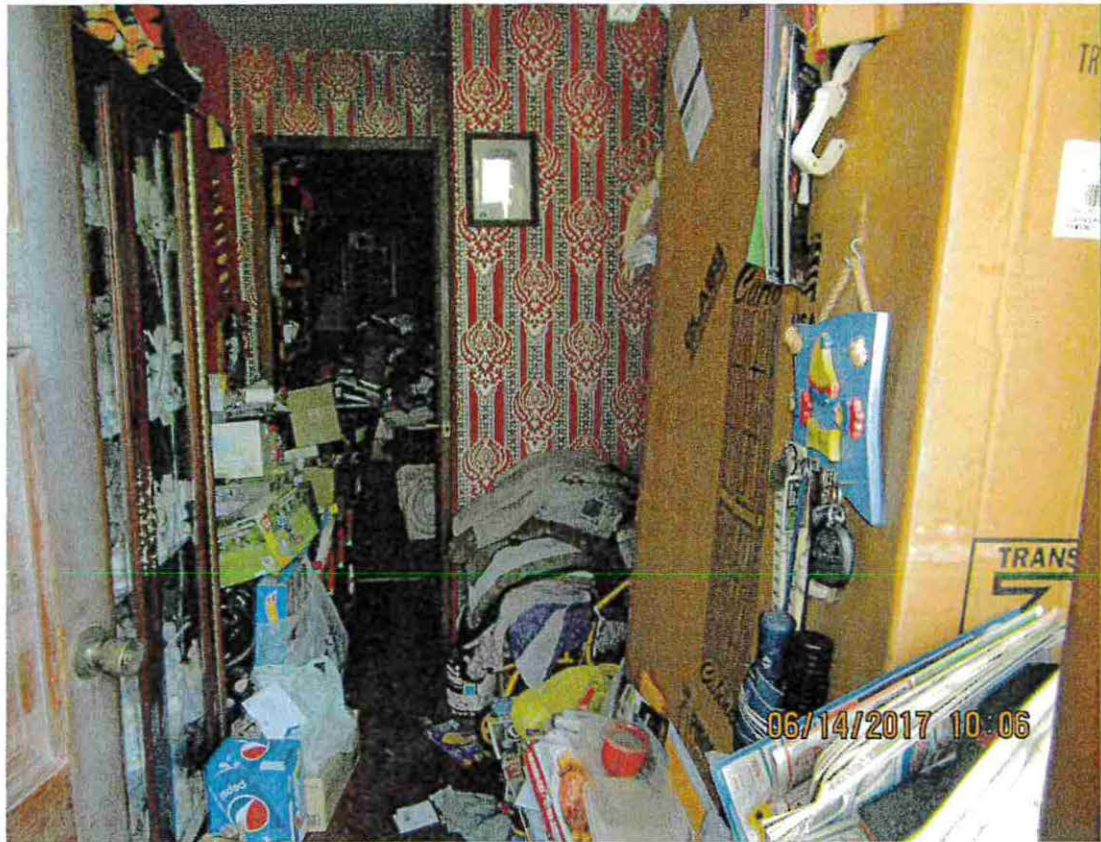


Unclean -  
nothing left the  
house



Food hoarder

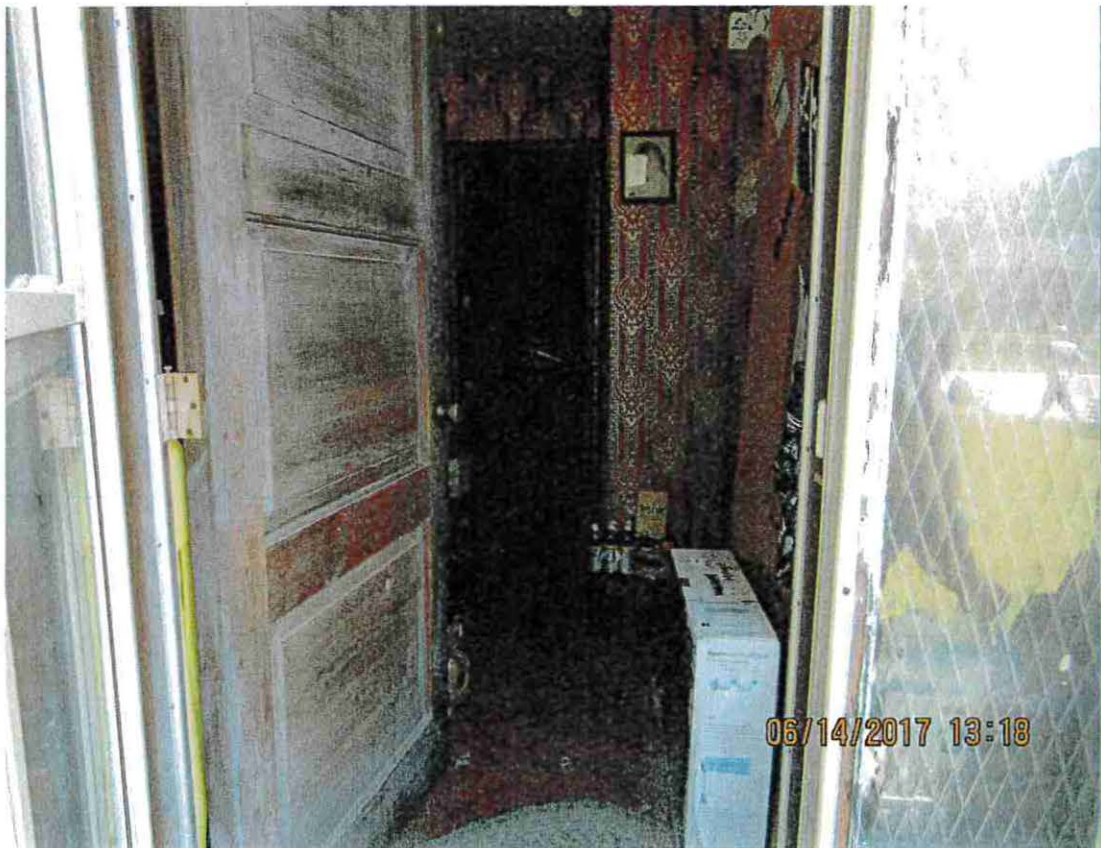




Single family home

TRANS

06/14/2017 10:06



3 hours later

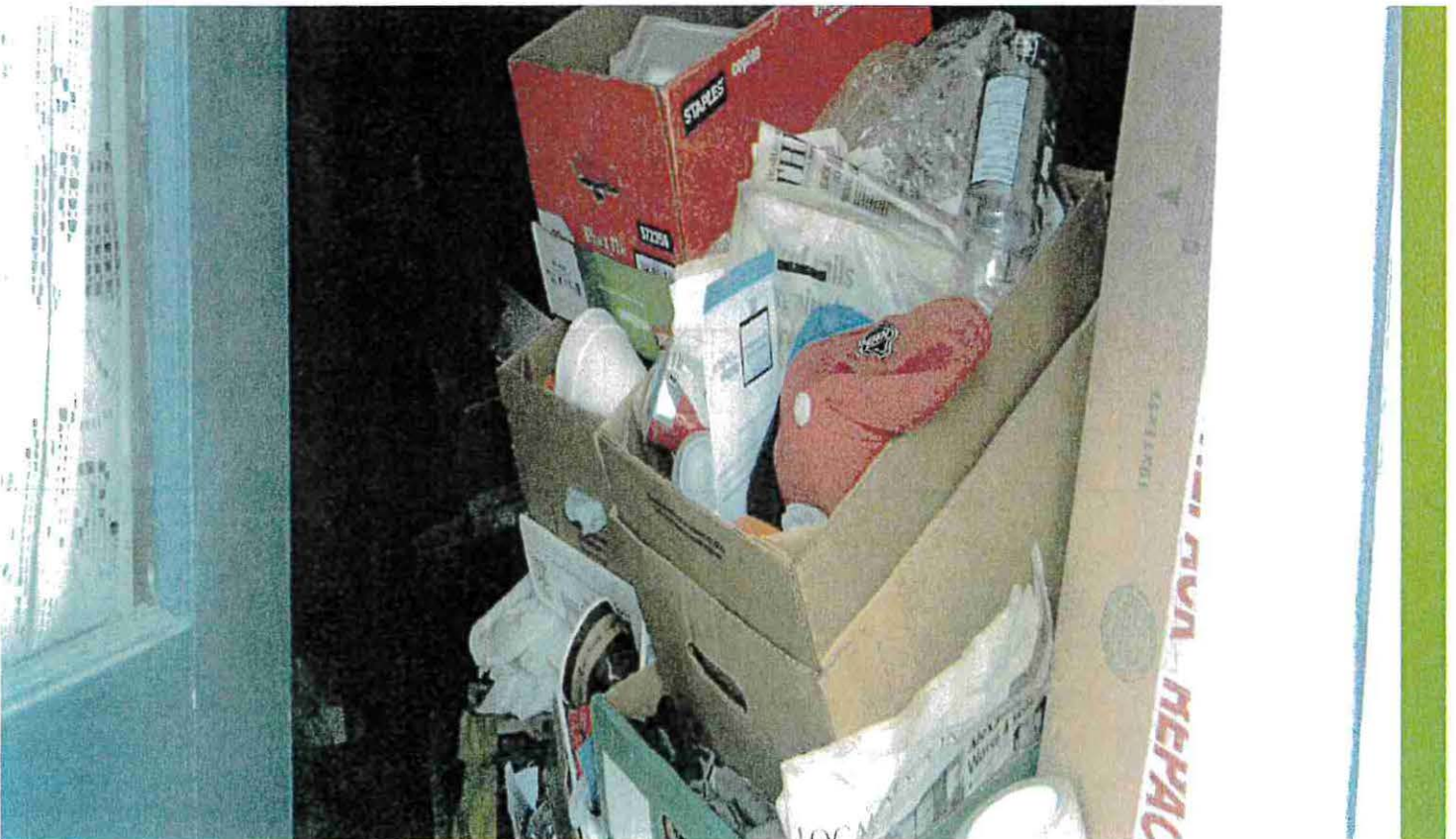
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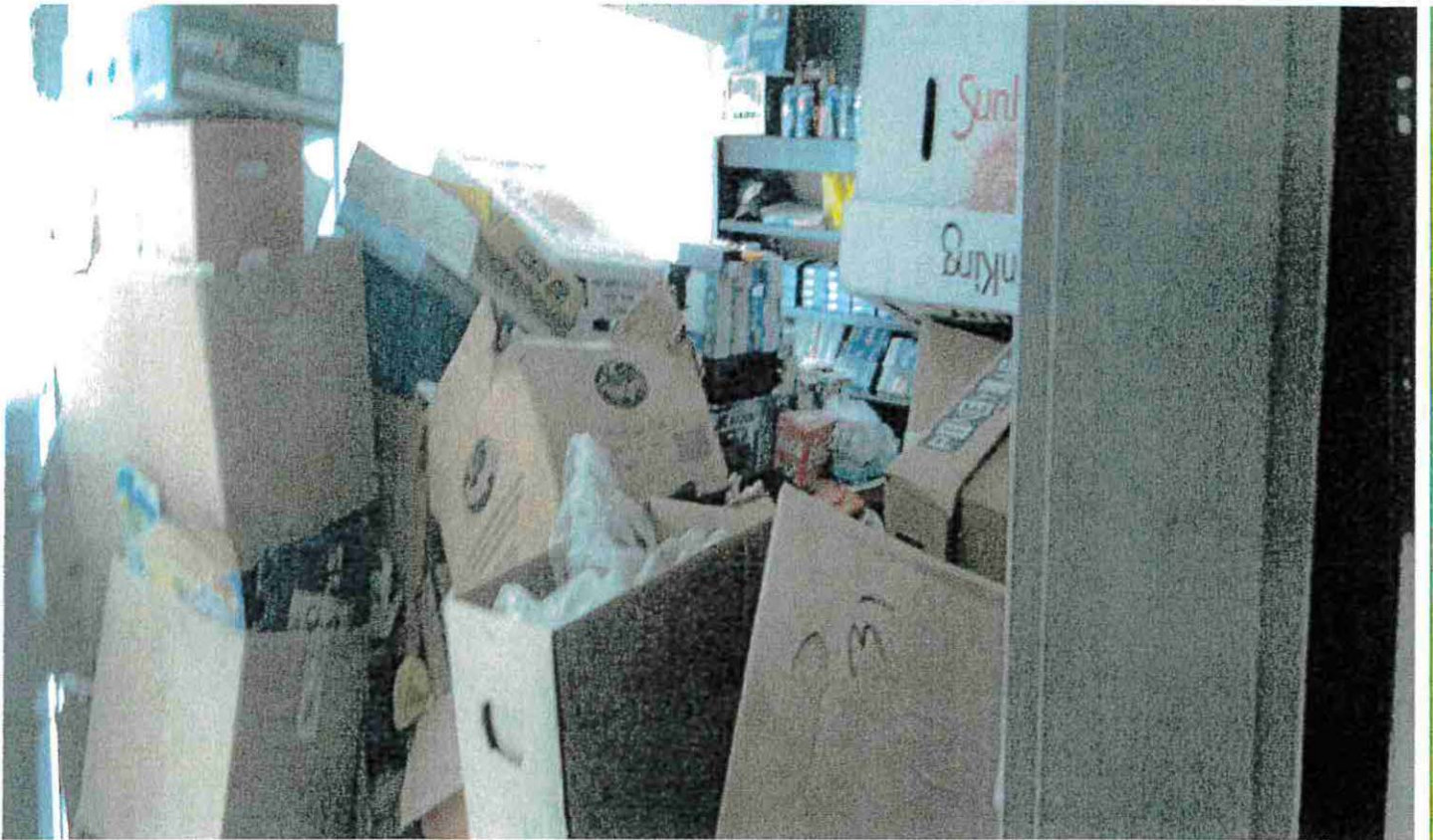


Same place



Again 3 hours later, means of egress open





## Where are we today

- ▶ Process with Region started in the summer of 2017 (NF Fire & PCFD)
- ▶ Multiple meeting held trying to get interest
- ▶ Contacted by Carol O'Neil (Durham Region Coalition member)
- ▶ Carol presented to fire, public health and mental health in summer
  - ▶ Seemed to stir some attention from mental health
- ▶ PCFD did attend the Provincial Hoarding Coalition Conference (Hamilton)
- ▶ November 2<sup>nd</sup> - CMHA, Public Health, Distress Centre Niagara, COAST, Bridges and PCFD will meet to discuss "dusting off" protocols
  - ▶ See who can offer what
  - ▶ Who is willing to commit





A meeting of the Board of Management of the Port Colborne Historical and Marine Museum was held November 20, 2018 at 7 p.m. at the L.R. Wilson Heritage Research Archives.

Present: Stephanie Powell Baswick, Bonnie Johnston, Terry Huffman, Marcia Turner, Bert Murphy, Alexander Fazzari, Brian Heaslip, Abbey Stansfield and Pam Koudjis.

Regrets: Claudia Brema, Cheryl MacMillan, Donna Abbott, Councillor David Elliot and Margaret Tanaszi.

Minutes of Last Meeting

Moved by: Pam Koudjis

Seconded by: Alex Fazzari

To: Approve the minutes of the board of management from October 16, 2018. Motion carried.

Business Arising from Minutes:

The approval of the purchase of the Remembrance Day wreath from the Legion which was postponed from the last meeting was discussed. The wreath would be purchased with residual 1812 funds. Alexander Fazzari abstained from voting as he sits on the Legion board.

Moved by: Pam Koudjis

Seconded by: Terry Huffman

To: Approve the purchase of a Remembrance Day wreath from the Legion. Motion carried.

Correspondence:

Stephanie Powell Baswick brought forward the article written by Tim Grawey on the INCO coin. The article was published in the Canadian Coin News.

Director/Curator's Report:

Stephanie Powell Baswick asked Abbey Stansfield to speak on what she learned when she attended the Ontario Museum Association Annual Conference on behalf of the museum. Abbey thanked the board for the opportunity to go. She highlighted three different sessions that she attended that she felt would be very applicable to the Museum and that has given her ideas on how to expand and grow programs already being offered and design ideas for some new ones.

#### Auxiliary Report:

Bonnie Johnson reported that the Christmas Puddings were all ready to be packaged and sold for the Christmas festival. She also reported that the price of puddings has increased this year, for pudding and sauce the price is now \$10.

#### Program Committee Report:

Stephanie Powell Baswick reported that the Volunteer Appreciation for the Museum is December 4, 2018. She also brought the Grand Old Christmas Festival volunteer job list for board members to sign up for.

#### Fundraising Committee Report:

Marcia Turner read a letter that she had sent to the Macnab Lodge to request sponsorship money to purchase an old fashioned Popcorn Machine for our events. Marcia then reported that the request was successful and that we would have the machine in time for the Grand Old Christmas Festival.

Donna Abbott is looking to bring new fundraising ideas to the board for consideration in 2019.

#### Building and Property Report:

Stephanie Powell Baswick spoke about how the Tea Room roof is being repaired. The Tea Room drainage system will be worked upon after the Christmas festival.

Stephanie also spoke on how the City has now undertaken a new company to preform the Fire Extinguisher checks and maintenance. She has requested the cost of this new service and is waiting to hear back.

Stephanie spoke about the Silver Maple that is beside the Museum and how it is hallow inside and has been classified as a hazard. Due to this it will have to be taken down. She has received a quote for \$1990.40 from Davey's Tree Service to perform the job.

Moved by: Alexander Fazzari

Seconded by: Pam Koudjis

To: Approve the quote and work to take down the Silver Maple tree. Motion carried.

Finance Report:

Alexander Fazzari reported that to date the museum has received \$5,045.00 from the Corporate Donor Drive.

Membership Committee Report:

Bonnie Johnston reported that for the 2019 season the Museum has 4 new members and 1 new life patron.

Accession Committee Report:

Terry Huffman reported the last accession committee meeting for the 2018 year will be held on December 18 at 6:30 PM.

Policy Report:

No Report

Cultural Block Report

A discussion regarding the quote received for a professional study for the cultural block was conducted. Stephanie explained the document and how to process would work if the board were to pursue the contract. The cost was something that was discussed at length as unofficial reports were that the library voted not to contribute funds to this project at this time. The board asked Stephanie to let Royce Public Images know that they would readdress the issue in the new year as the museum is not in a position to pay for the entire project alone.

New Business:

Stephanie told the board that Michelle Cuthbert has arranged for Stephanie to appear on CHCH TV to speak about the Grand Old Christmas Festival and the Tea Room's Christmas Puddings and Sauce.

Motion to Adjourn: Pam Koudjis

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