



INFORMATION REPORT

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	April 15, 2014
SUBJECT/REPORT NO:	Mandatory Septic Inspections (PED14059) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
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SUBMITTED BY:	Neil Everson Acting General Manager Planning and Economic Development Department
SIGNATURE:	

Council Direction:

At its meeting of February 12, 2014, City Council considered a letter from the Corporation of the United Townships of Head, Clara & Maria regarding mandatory septic inspections. Council then referred this correspondence to the Acting General Manager of Planning and Economic Development for a report back to the Planning Committee.

Information:

As background information, in 2011 the Building Code was amended by Ontario Regulation 315/10 in order to establish and govern mandatory and discretionary on-site sewage system maintenance inspection programs to be administered by municipalities. These amendments help protect Ontario's drinking water and support implementation of the Clean Water Act which was in response, and in part due, to the Walkerton tragedy.

This Provincial mandatory inspection program is required in parts of vulnerable areas of Ontario as identified through the source protection planning process. These vulnerable areas have been determined by local source protection committees and identified in Assessment Reports. Inspections would be required in areas where on-site sewage systems subject to the Building Code Act have been identified as a significant drinking water threat. A Report (PW11067/PED11183) was submitted to the General Issues Committee on November 14, 2011 which provided information on the formal comments to the Halton-Hamilton Sourcewater Protection Authority on the draft Sourcewater Protection Plan policies.

These mandatory maintenance inspections can either be carried out by city building inspectors or the municipality may accept a certificate (in a form approved by the

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Ministry of Municipal Affairs and Housing) from a qualified and registered sewage system designer/installer, an architect, or a professional engineer. Since these mandatory maintenance inspections are required to be carried out only every five years, it is the Building Division's intent to accept only third-party inspection certificates, as permitted under the Building Code. This procedure would eliminate the need to hire additional building inspectors. Building Division staff will still be required to review and accept these certificates and to carry out any enforcement related to non-submission of the certificates or remediation work required to correct any deficiencies identified by these inspections.

The cost of hiring a qualified third-party to inspect an existing sewage system would be the responsibility of the owner of the property; however, these inspections would ensure that the sewage system is working properly and provide homeowners with the ability, if deficiencies are identified, to repair their sewage system before it fails. This would help to protect Ontario's drinking water and the natural environment. It should also be noted that these mandatory inspections would only have to be carried out every five years, unless otherwise required by the Building Code.

The resolution passed by the Council of the United Townships of Head, Clara & Maria is requesting that "mandatory inspections only be required in known vulnerable areas adjacent to source water protection areas." This request falls in line with what the Building Code currently requires as there is no mandatory on-site septic system inspection required for sewage systems outside of the vulnerable areas identified through the source protection planning process. While the Building Code does contain a provision which allows a municipality to establish discretionary on-site maintenance inspection programs, this is not mandatory and the City of Hamilton is not proposing, at this time, to carry out these discretionary inspections of on-site septic systems.

Given this information, it is recommended that this item be removed from the Planning Committee Outstanding Business List.

JMC/sc