

THE CORPORATION OF THE TOWNSHIP OF NORTH GLENGARRY

By-Law No. 43-2004

BEING, a By-Law to amend By-Law No. 14-2001.

WHEREAS, The Township did on May 14, 2001, adopt By-Law No. 14-2001, a By-Law to regulate and govern lodging houses and the keepers of lodging houses in the Corporation of the Township of North Glengarry;

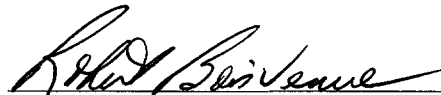
AND WHEREAS, The Ministry of Environment Regulation No. 505/01 under the Ontario water Resources Act, mandates that domiciliary hostels-lodging houses, comply with the small waterworks system requirements;

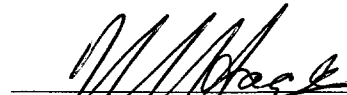
BE IT ENACTED as a By-Law of the Corporation of the Township of North Glengarry as follows:

1. That Section 18 of By-Law No. 14-2001, be and is hereby amended by adding the following Section thereto;

18 (c) for those facilities utilizing small waterworks systems, that a certificate from an officer authorized by the Ministry of Environment certifying that the small waterworks system is in compliance with the Ministry of Environment's Regulation No. 505 / 01 under the Ontario Water Resources Act.

READ a first, second, third time and enacted in Open Council, this 13th day of September, 2004.


Clerk Adm. / Deputy Clerk Adm.


Mayor / Deputy Mayor

I hereby certify this to be a true copy of By-Law No. 43-2004, and that such By-Law is in full force and effect.

Date Certified

Clerk Adm. / Deputy Clerk Adm.



COPY

Social Support Services
Service Manager Report



Stormont, Dundas
& Glengarry

SUBJECT:

Domiciliary Hostel By-Law - Small Water Works Regulation

REPORT DATE: August 30, 2002

RECOMMENDATION:

That the Corporation of the Township of North Glengarry amend By-law Number 14-2001 to include the requirement for the licensing of Lodging Houses, to provide an annual Ministry of Environment certificate of compliance for the small water works system to the Eastern Ontario Health Unit.

BACKGROUND:

Recently the Ministry of Community, Family and Children's Services (MCFCS) contacted our office regarding the Ministry of Environment's (MOE) Regulation 505/01 (effective December 19th 2001) under the *Ontario Water Resources Act*. This regulation applies to small water works serving designated 'social care' facilities and is intended to ensure the highest standards for drinking water.

The Social Support Services, as the Service Manager has a service agreement with certain Lodging Houses (also known as Domiciliary Hostels) throughout Cornwall and the United Counties of S. D. & G. The Ministry contacted our office earlier this year to determine which of the contracted facilities operated their own water system. The interpretation from the Ministry related to those facilities that use their own ground (well) water or surface water (rivers or lakes) serving five or fewer sites and with a daily capacity to produce less than 250,000 litres of water.

As the Ministry of Community, Family and Children's Services provides 80% funding towards the per diem for persons in need residing in domiciliary hostels which are considered as 'social care facilities'. As such the Ministry has an interested authority under the MOE Regulation. The Ministry's interest lies in ensuring the funded facilities meet the requirements of the new Regulation. The Ministry is prepared to provide funds in the amount of \$ 5,125 to such facilities to cover the initial costs to ensure compliance with the requirements of the Regulation. The Ministry is also providing funding directly to licensed day care facilities and group homes for this purpose. Since the Ministry does not license the Domiciliary Hostels, the Ministry considers that it has an 'arms length' relationship with the operators of such facilities. Therefore the Ministry is prepared to flow the Small Water Works funding for identified Domiciliary Hostels whose drinking water is dependent on small waterworks. The Ministry identified the following requirements for this Regulation (December 19th 2001):

- Testing for biological parameters is required within 60 days
- Engineer's reports are due within 120 days
- Emergency remediation must be completed immediately
- Testing for chemical parameters is required within 270 days
- Other remediation must be completed by December 31, 2002

DISCUSSION:

Unfortunately the Ministry only provided this information to us in the latter part of April, therefore some of the deadlines had already passed. In any event, the Ministry is requesting that the affected Domiciliary Hostel operators be notified of the above requirements. When we surveyed the domiciliary homes, it appears that there are only three on small waterworks systems. Their names were provided to the MCFCS who arranged that they receive the MOE kits to start the process for compliance. The Department has since contacted the three facilities regularly to encourage them to read the material, complete the questionnaire and to contact the Ministry of Environment as our office certainly does not have the expertise to enforce the MOE Regulation. The Ministry advises that additional information is available from the MOE's website www.FNE.gov.on.ca.

It is my understanding that your Municipality was downloaded the enforcement responsibility from the United Counties, and that a By-law exists which delegates the Eastern Ontario Health Unit the authority to issue the licenses for the domiciliary hostels in the rural area. I corresponded with Dr. Bourdeau, who suggests that their role be to verify that the domiciliary hostels have a certificate of compliance from the Ministry of Environment. However this is subject to your Municipality including this requirement in your By-Law.

Given the expertise and high profile to enforce the MOE Regulation, I would not confirm that these are the only 'social care facilities' that must meet the requirements of the new MOE Regulation. The Ministry indicated that they would address the special funding directly with the Resource Centres and Homes for Special needs, directly. I expressed my concern to the Ministry that the special funding should be made available to the Private Home Day Care providers, and that there are potentially other 'social care facilities' that may be eligible.

FUNDING:

There is no municipal contribution towards the 'special funding' offered by the Ministry of Community, Family and Children's Services.

CONCLUSION:

It is recommended that the Corporation's By-Law be amended to include the following item:

18. (C) for those facilities utilizing small waterworks systems, that a certificate from an officer authorized under by the Ministry of Environment certifying that the small waterworks system is in compliance with the Ministry of Environment's Regulation under the *Ontario Water Resources Act*.

Respectfully submitted by,



Susan Cain
Manager of Social Support Services