



SUMMARY OF THE DRAFT WATER AMENDMENT BY-LAW, 2017

1. Background

The Water By-law was approved by Council in 2010. Mindful of the change in demographics and an increased demand for water in the metro, the Water and Sanitation department undertook to review and amend the 2010 by-law. In 2015 the by-law was amended to ensure that the City had improved mechanisms to monitor and control water services and the plumbing industry. The amended draft by-law was circulated for public participation in early 2016, but due to the elections, and the swearing in of the new administration, the draft by-law did not serve at Council.

In the past year the context has changed and the by-law drafted in 2015 needed further refinement to better address the 'new normal'. The key principles encapsulated in the by-law include: reducing the demand on municipal water by expanding the regulations on alternative water use, and requiring the installation of sub-metering so that individual consumers can monitor their water consumption.

2. Proposed principles to be supported for inclusion in the by-law:

Refined and new definitions

- "alternative water" means water sourced from a supply other than municipal drinking water, including: -
 - (a) grey water;
 - (b) rainwater;
 - (c) treated effluent;
 - (d) surface water; and
 - (e) water from a borehole, well, well-point or spring.
- "industry best practice norms" means recycling and re-using a minimum of 50% of the water used or dry/ vapour steam cleaning or use of waterless products;
- "new development" refers to land development for commercial, industrial or housing purposes including sectional title, single title cluster, gated villages, blocks of flats, but excluding free-standing homes;
- "associated protective devices" means the safety devices that form part of the hot water cylinder installations which prevent excessive temperatures or pressures within the system;
- "meter" means a device installed and maintained by the City which measures the quantity of water passing through as contemplated in the Trade Metrology Act, 1973 (Act No. 77 of 1973) as amended;
- "prepayment meter" means a meter that can be programmed to allow the flow of a pre-purchased volume of water to the customer;
- "prescribed charges" mean a fee, charge or tariff determined and imposed by the Council in terms of the Tariff By-law;
- "private sub-meter" means a device owned, installed and maintained by a person other than the City which measures the quantity of water passing through as contemplated in the Trade Metrology Act, 1973 (Act No. 77 of 1973) as amended;

- "registered plumber" means a plumber registered with the City in terms of section 46A;
- "tamper" includes to alter, cut, disturb, interfere with, interrupt, manipulate, obstruct, remove or uproot by any means, method or device.

Provisions that have been refined or changed for clarity and better understanding

1. The owner of premises is responsible for ensuring compliance with this by-law in respect of all or any matters relating to the water installation (including alternative water connections) and the maintenance thereof.
2. The seller must before transfer of a property, submit a plumbing Certificate of Compliance (CoC) from a registered plumber, certifying that the water installation conforms to this by-law and any applicable requirements of national legislation (including national building regulations). This is to ensure the standard of plumbing materials used. The specific reference to items in the Water By-law has been removed and will now form part of the Certificate of Compliance.
3. The by-law clarifies that the City will install one Council approved meter and that it is incumbent upon a property owner to install a sub-meter. This is applicable to both commercial and residential multi-unit properties.
4. The installation of an additional meter will be considered in two instances, and in both these cases a written application must be submitted to the Director: Water and Sanitation:
 - a. Where a developer of a new build requests meters, this will be done at the developer's cost;
 - b. Where for fire safety reasons a separate meter is required to monitor a fire hose or another fire safety mechanism.
5. Where a property is supplied with both potable drinking water and water derived from alternative water sources, an industry-approved mechanism to prevent backflow will be required. An example of this is a reduced pressure zone (RPZ) valve. Reference to treated effluent was replaced with alternative water sources.
6. Water closet cisterns may not exceed 6 litres in capacity; previously this was at 9 litres.
7. Swimming pools must be covered by a pool cover to avoid evaporation when not in use. (new provision)
8. An owner, tenant or occupier of a property that intends connecting an alternative water installation to the City's municipal supply, must write to the Director: Water and Sanitation to obtain permission.
9. Where water is being used, with the required permission, from groundwater sources such as boreholes, well points, springs or surface water from rivers and streams, or stored rain water or treated effluent, it must be used sparingly and efficiently and in line with the watering or irrigation times determined by the City.
10. All irrigation systems must be adjustable and must be switched off when it is raining to prevent water wastage during rainy weather.
11. All new developments and building renovations must provide for the installation of alternative water systems for non-domestic purposes and full details thereof must accompany the building plans.
12. The owner must notify the City when plumbing components including alternative water fittings as prescribed in this by-law have been installed or changed.

13. Further provisions have been included to better manage and regulate the plumbing industry:
 - a. The City may remove the name and details of a registered plumber from the register, if he or she has contravened any provision of this by-law.
 - b. The authorised official must maintain a register of registered plumbers.
 - c. The Director may cancel the registration of a registered plumber and remove his or her name from the register if such registered plumber:
 - i. Fails to comply with the requirements as contemplated in any provision of this by-law;
 - ii. Falsely or misleadingly completes and issues a certificate of compliance or approval;
 - iii. Allows his or her registration details to be used in a fraudulent manner.

14. Households and business are allowed to go off the municipal water grid for **non-domestic** purposes. Permission from the Director: Water and Sanitation must be obtained when an alternative water installation for non-domestic use is connected to the municipal water installation.

15. Entities (water services intermediaries) that intend going off the municipal water grid for **domestic** purposes must obtain written permission from the Director: Water and Sanitation. The Director will enter into agreements with such entities and maintain a register thereof.

16. Entities that are already off the municipal water grid but have not obtained permission from the Director will have 6 months to register from the date the Draft Water Amendment By-law is adopted by Council.

17. Those who go 'off the municipal water grid' without seeking permission from the Director and use such water for domestic purposes, do so at their own risk and the City will not be liable for any consequences suffered as a result thereof.