

Authority: Item 9.3, Public Works Committee Minutes 25-013 (PW25063)
CM: November 19, 2025 Ward: City Wide
Written approval for this by-law was given by Mayoral Decision MDE-202519
Dated November 19, 2025

Bill No. 206

CITY OF HAMILTON
BY-LAW NO. 25-206
To Amend By-law No. 23-235, To Regulate the Management, Distribution and
Maintenance of the Water Works Systems

WHEREAS Council enacted a By-law to Regulate the Management, Distribution and Maintenance of the Water Works Systems, December 13, 2023;

AND WHEREAS sections 78 to 81 of the *Municipal Act, 2001* authorize the City of Hamilton, amongst other things, to enter onto land to install, construct, connect, maintain, inspect, repair, alter or disconnect pipes and other works for the distribution of water, and to shut off or reduce supply in certain circumstances;

AND WHEREAS sections 78 to 81 of the *Municipal Act, 2001* authorize the City of Hamilton, amongst other things, to enter onto land to install, construct, connect, maintain, inspect, repair, alter or disconnect pipes and other works for the distribution of water, and to shut off or reduce supply in certain circumstances;

AND WHEREAS the *Municipal Act, 2001* authorizes the City of Hamilton, amongst other things, to delegate its authority, to provide for inspections and inspection orders, and to make orders to discontinue activity or to do work;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Section 12 of By-law 23-235 be amended by adding the following immediately after 12.4(2).

12.4 Despite the repeal of By-law R84-026 under section 12.2:

(1) That by-law shall continue to apply to proceedings in respect of offences that occurred before its repeal; and,

(2) All approvals issued under that by-law that are in effect at the time of the repeal shall be deemed to be approvals issued under this By-law with all necessary modifications, and all the rules, requirements and regulations of this By-law shall apply.

(3) For development approvals granted prior to December 13, 2023, that rely on shared water services, the applicant may proceed with such development only on condition that a reciprocal easement and Joint Use Agreement are registered on

title, against each affected parcel, in a form satisfactory to the City Solicitor, naming the City as a party, that:

- (a) run with the lands and bind successors and assigns;
 - (b) set out reciprocal access, operation, maintenance and cost-sharing obligations;
 - (c) provide that the easement/Joint Use Agreement shall not be discharged, released, amended, or partially released without the City's express written consent and approval; and
 - (d) otherwise accord with the City's Water Works By-law No. 23-235 and related standards.
2. In all other respects, By-law No.23-235 is confirmed.
3. The provisions of this By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 19TH day of November, 2025.

A. Horwath
Mayor

M. Trennum
City Clerk