

**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-2025-19 Dated November 19, 2025

**Bill No. 207**

**CITY OF HAMILTON**

**BY-LAW NO. 25-207**

**To Amend By-law 23-234 to Regulate the Installation, Connection and Use of Sewers and Drains in the City of Hamilton**

**WHEREAS** Council enacted a By-law to Regulate the Installation, Connection and Use of Sewers and Drains in the City of Hamilton, December 13, 2023;

**AND WHEREAS** section 87 of the *Municipal Act, 2001* authorizes the City of Hamilton to enter on land, at reasonable times, to inspect the discharge of any matter into the City's sewage system or into any other sewage system the contents of which ultimately empty into the City's sewage system and authorizes the City to conduct tests and take samples for this purpose;

**AND WHEREAS** section 132 of the *Municipal Act, 2001* provides for the City of Hamilton to authorize an Owner or Occupant of land to enter an adjoining property, at any reasonable time, for repair or alteration purposes, but only to the extent necessary to carry out the repairs or alterations;

**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 Part 18 of By-law 23-234 be amended by adding the following immediately after 18.3(2).
  - (3) For development approvals granted prior to December 13, 2023, that rely on shared wastewater or stormwater 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 Sewer and Drains By-law No. 23-234 and related standards.
2. In all other respects, By-law No.23-234 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 19<sup>th</sup> day of November, 2025.

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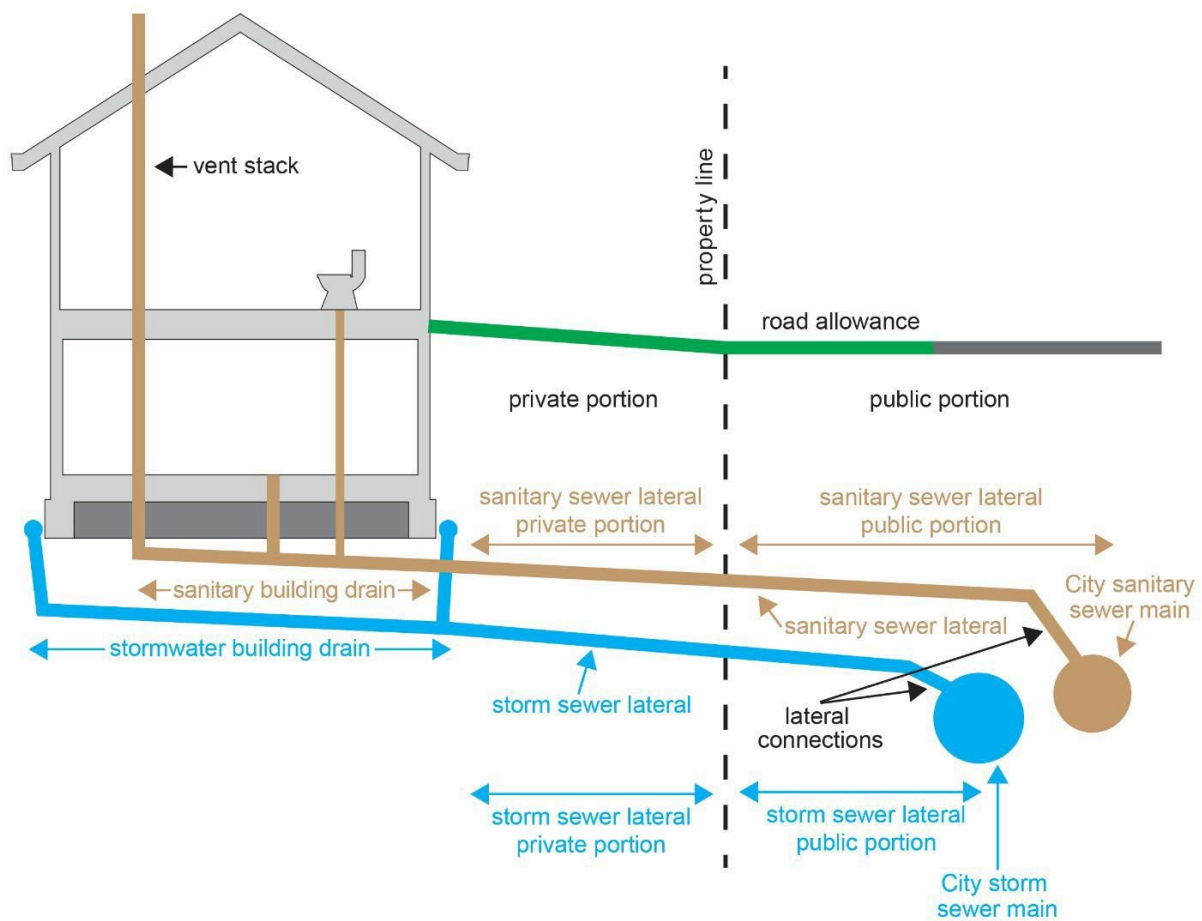
A. Horwath  
Mayor

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M. Trennum  
City Clerk

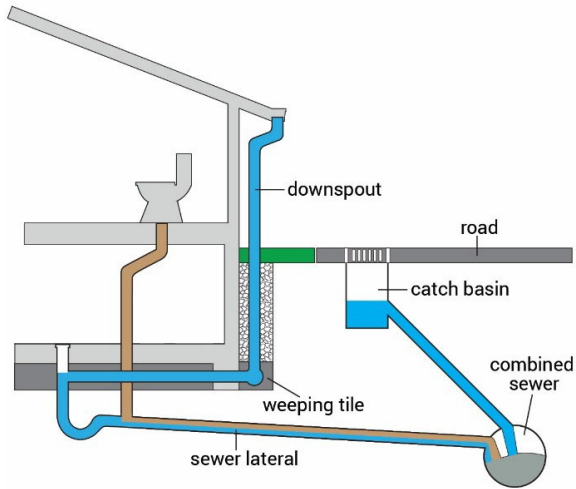
## **SCHEDULE "A"**

### **Property Drainage Terminology**

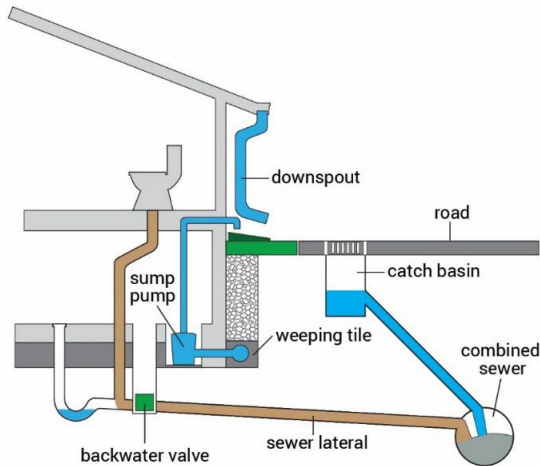


**SCHEDULE "B"**

**Joined Sanitary-Foundation Drain Lateral vs. Best Practice**



This illustrates typical drainage where a Combined Sewer is present, and a Joined Sanitary-Foundation Drain Lateral is in place.



Best Practice recommends that downspouts discharge to the ground surface, and the Foundation Drain should discharge to the ground if the soil conditions permit or connect to the Storm Sewer if available

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