

Our File/N/Réf. (23) 05-95-0001
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DATE 12 November 1996

TO/DEST. Co-ordinator
Planning and Environment Committee

FROM/EXP. Planning and Development Approvals Commissioner

SUBJECT/OBJET **COUNCILLORS ENQUIRY -
ONTARIO NEW HOME WARRANTY PROGRAM - PRIVATE
SEWAGE DISPOSAL SYSTEMS**

INTRODUCTION

This information report is at the request of Councillor Robert van den Ham who has enquired about the Ontario New Home Warranty Program (ONHWP) requirement regarding certification of private sewage disposal systems.

BACKGROUND

Every builder of a new home built for sale in Ontario is required by the Ontario New Home Warranties Act to register with the Ontario New Home Warranty Program and enrol every unit prior to construction. The warranty coverage includes private sewage disposal systems and builders are required to provide proof of certification both of the design and of the installation of the system under one of the following conditions:

1. any builder who has had a claim on a private sewage disposal system during the previous three-year period is required to provide security equal to a minimum of \$5,000 per unit when building on lots under two acres anywhere in the province. The security is released once ONHWP receives the completed Private Sewage Disposal System Certification, or
2. any builder on a lot under two acres in counties or regional municipalities where ONHWP has had claims above the average failure rate during the previous five-year period is required to provide security equal to a minimum of \$5,000 per unit. (Currently this affects Ottawa-Carleton, Peel, Halton and Wellington).

Certification is not required for lots two acres or larger because ONHWP data indicates sewage system failures leading to claims are rare.

Information Previously Distributed

To be listed on Planning and Environment
Committee Agenda of 10 December 1996

ONHWP reviews the claims history for each county, region or district annually and will adjust requirements for certification according to the five-year record of each area.

The certification must be provided by an Ontario-licensed Professional Engineer except that in remote areas of Northern Ontario certification by a health department, conservation authority or the Ministry of Environment and Energy will be accepted providing they are not also the body that approves the design and installation of private sewage disposal systems.

The certification requires the completion of two forms. The “Certificate of Professional Design and Commitment for Field Review of Private Sewage Disposal Systems” must be completed prior to issuance of a building permit. The “Certificate of Professional Field Review and Compliance of Private Sewage Disposal Systems” must be completed before occupancy of the dwelling and before issuance to the homeowner of the Certificate of Completion and Possession.

The warranty under this program for private sewage disposal systems is for two years (like for many other components of the ONHWP) and the maximum claim that can be made is \$25,000.

CONCLUSIONS

Key items to note are that:

- the certification is required for all new homes built for sale.
- The certification is required from the builder not from the subdivider or lot seller.

*Approved by
N. Tunnacliffe, MCIP, RPP*

NTB/km