



## COMMENTARY ON SCHEDULE 1 TO BY-LAW 1

**Name Change:** Once approved Schedule No. 1 to By-law No. 3 will be repealed and Schedule No. 1 to By-law No. 1 will replace it.

### **Overview:**

Like Schedule No. 1 to By-law No. 3, the purpose of Schedule No. 1 to By-law No. 1 is to establish terms of use for Underground Infrastructure Owners and Excavators.

There were only a few changes made, including addressing fees in a separate by-law (By-law No. 2) and changing the administrative penalties section to point toward the regulation under the *Ontario Underground Infrastructure Notification Systems Act, 2012*. Below are the relevant sections with changes, and the reasons why.

### **Changes:**

#### **I. Sections 3 & 4 – Rules to Reviewed not Approved Annually**

- a. Take pressure off the Board and OOC staff to have Rules approved every year. Instead, the Rules will be reviewed annually.
- b. Rules can then be assessed to see if any specific changes may be needed.

#### **II. Sections 8 & 34 – Added Damage Reporting**

- a. Added wording to include damage reporting back into the by-law. This was approved by the Membership in the 2020 By-law amendments, but it was left out in the last By-law amendments in 2022 and placed only in the Rules.

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**III. Section 15 (c) – Added provision to ensure compliance with access to information in the Memorandum of Understanding (MOU)**

- a. The MOU with the Ministry of Public and Business Services Delivery (MPBSD) has a policy that covers how OOC is to handle Access to Information and Privacy. A line was added to clarify that OOC will have further obligations as per this policy.

**IV. Section 20 (b) – Added provision to limit liability for OCC based on service standard**

- a. OOC sends locate notifications within 24 hours unless the locate has been suspended
  - i. Long-term Suspend – when locates are requested beyond 10 calendar days from the work to begin date
  - ii. Suspended Locate Request – when needing to seek more information on a locate request
- b. Suspended requests are now referenced

**V. Section 24 – Re-locate**

- a. More detail has been added to this section to help clarify what a re-locate is

**VI. Sections 37 & 38 – Administrative Penalties**

- These sections were no longer relevant due to the regulation; therefore, it has been edited to point to Ontario Regulation 87/23

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