

THE CORPORATION OF THE TOWN OF GORE BAY

BY-LAW NO. 2013-26

BEING A BY-LAW TO REGULATE, PROHIBIT AND RESTRICT THE SUPPLY OF WATER WITHIN THE TOWN OF GORE BAY

WHEREAS the provisions of Section 11 (2) of the Municipal Act, 2011, S.O.2001 c.25, as amended, permit municipal corporations to pass By-Laws for the regulation of public utilities and systems that provide water services to the public;

AND WHEREAS, the Council of the Corporation of the Town of Gore Bay deems it desirable to enact a by-law regulating the outdoor use of water in order to promote water conservation during the months of July and August.

NOW THEREFORE THE COUNCIL OF THE TOWN OF GORE BAY ENACTS AS FOLLOWS:

1.0 DEFINITIONS:

- 1.1 Municipal Property – includes all property owned, leased or managed by the Town of Gore Bay
- 1.2 Institutions – means any properties funded by means of a grant from the Government of Canada, the Province of Ontario or the Town of Gore Bay.
- 1.3 Watering Day- means even numbered addresses may use municipal water for lawn and garden watering only on even numbered days of the month and odd numbered addresses may use municipal water for lawn and garden watering only on odd numbered days of the month.

2.0 STANDARD WATERING RESTRICTIONS:

- 2.1 No person shall use municipal water from a fire hydrant. This restriction shall not apply to a municipal fire fighter where water is required for fire protection purposes.
- 2.2 No person shall use municipal water of the Town from a hose, pipe, sprinkler or permanent irrigation system for the purpose of watering any lawn, garden or the washing of sidewalks, driveways, patios and decks, washing of vehicles or the filling of swimming pools from July 1- August 31 except as follows:
 - a) Outdoor water use will only be permitted between the hours of 6 a.m. -9 a.m. and 6 p.m.- 9 p.m.;
 - b) An even street numbered address may use municipal water for lawn and garden watering only on even numbered days of the month between the hours of 6 a.m.-9 a.m. and 6 p.m. – 9 p.m.;
 - c) An odd street numbered address may use municipal water for lawn and garden watering only on odd numbered days of the month between the hours of 6 am-9am and 6 pm - 9 pm;
 - d) A person may water new trees or shrubs during installation and for 24 hours following planting. Any subsequent watering must comply with the provisions of this by-law;
 - e) A person may water new sod or seed every day for up to one month following planting. Any subsequent watering must comply with the provisions of this by-law.
 - f) Hand-held containers such as watering cans are permitted on days other than and including the designated watering day provided the watering takes place between 6 a.m. to 9 a.m. and 6 p.m. to 9 p.m.

- g) Residents may refill a backyard residential swimming pool for maintaining the integrity of the filtering system during the hours of 6 a.m. to 9 a.m. and 6 p.m. to 9 p.m.

2.3 THAT consumption of water by the owners or occupants of the following properties for the purpose of lawn and garden watering in the Town of Gore Bay shall be between the hours of 8:00 a.m. and 11:00 a.m.

- a) schools
- b) municipal property
- c) institutions
- d) commercial property
- e) industrial property

3.0 ENFORCEMENT & PENALTIES:

- 3.1 Offences- Section 425 (1) of the Municipal Act provides that a person who contravenes a by-law of the municipality passed under this Act is guilty of an offence;
- 3.2 Penalty- Section 429 (1) of the Municipal Act states a municipality may establish a system of fines for offences under a by-law of the municipality passed under this Act;
- 3.3 Anyone served with notice in writing of a violation of any part of this by-law may voluntarily pay the fine set out in the notice to the municipality within fifteen days of service of this notice. In the event that the fine is not voluntarily paid, the fine, exclusive of costs, is recoverable under the Provincials Offences Act.
- 3.4 Any person, occupant or owner of a property who contravenes any provisions of this by-law is guilty of an offence and on conviction is liable to a fine:
 - a) The fine for first offence shall be \$50.00.
 - b) The fine for second offence is \$100.00.
 - c) The fine for third and subsequent offence is \$200.00.Fines shall be recoverable under the Provincial Offences Act, R.S.O. 1990, as amended.

4.0 THAT all other by-laws inconsistent with this by-law are hereby repealed.

5.0 THAT this by-law shall come into force and take effect on the final date of passing hereof.

READ A FIRST TIME THIS 13th DAY OF MAY, 2013.

READ A SECOND TIME THIS 13th DAY OF MAY, 2013.

READ A THIRD TIME AND FINALLY PASSED THIS 13th DAY OF MAY, 2013.

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MAYOR

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CLERK