

THE CORPORATION TOWN OF MATTAWA

COMMITTEE: BY-LAW DEPARTMENT

CHAIRPERSON: COUNCILLOR L. MICK

DEPT. HEAD: WAYNE P. BELTER

TITLE: WATERING BY-LAW

09-06 Draft By-Law X Item Policy Recommendation

Mayor D. Backer and Members of Council:

The existing Watering By-Law 98-13 as amended has been in use for eleven years. As a housekeeping exercise the By-Law has been updated reflecting the powers of the municipality to pass Watering By-Laws and enforcing their provisions as provided under the new Municipal Act, R.S.O., 2001 and the Public Utilities Act, R.S.O. 1990, C. P. 52.

The intent and wording of the former Watering By-Law has been kept in tact and fines and penalties are being applied for, for the first time.

Recommendation:

That the Town of Mattawa adopts By-Law 09-06 which is a new Watering By-Law passed under the Municipal Act, R.S.O. 2001 and the Public Utilities Act, R.S.O. 1990, C. P. 52 and the amendments thereto.

Respectfully submitted

Councillor L. Mick

THE CORPORATION OF THE TOWN OF MATTAWA

By-LAW NO. 09-06

BEING A BY-LAW TO REGULATE THE TIME, MANNER AND NATURE OF THE USE OF THE SUPPLY OF WATER IN THE TOWN OF MATTAWA.

WHEREAS pursuant to the Public Utilities Act, R.S.O. 1990, C. P.52 and the amendments thereto, a Corporation of a local municipality may enact a by-law to provide for the administration, maintenance, operation and regulation of waterworks.

WHEREAS section 11 of the Municipal Act, 2001, S.O. 2001 c.25 authorizes councils of municipalities to pass by-laws for regulating the time, manner, extent and nature of use of the water supplied by the Town water works system.

WHEREAS the Council of the Corporation of the Town of Mattawa deems it necessary and desirable to control the consumption of and use of water during specific times of the year.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF MATTAWA ENACTS AS FOLLOWS:

- 1) This by-law applies to all persons being an owner, tenant, occupant, servant or employee of any house, dwelling unit, building, or any such other place or structure having its potable water supplied by the Town of Mattawa water works system.
- 2) No person shall use water from the said water works system, to water or sprinkle by hose, pipe or any other connection, lawns, gardens, grass, plots, boulevards, grounds of any description or any and all uses other than for cooking, drinking and personal hygienic uses at any time during the year except as hereinafter provided in this By-law listed in Section 3.
- 3) In order to ensure a continued and abundant flow of water, the Council may at any time during the calendar year, by way of Council resolution, declare the time and manner where all watering or sprinkling by hose, pipe or any other connections; of lawns, gardens, grass, plots, boulevards or grounds of any description shall be permitted. The time and manner shall be declared by Council resolution and shall include and be limited to the following restrictions:
 - a) It is prohibited to water throughout the calendar year by hose, pipe or any other connections of lawns, gardens, grass, plots, boulevards or grounds of any description except between the hours of 7:00 p.m. and 9:00 p.m. for even numbered municipal addresses on even numbered calendar days and odd numbered municipal addresses on odd numbered calendar days.
 - b) At anytime during the calendar year, when in the opinion of the Public Works Superintendent or his/her designate, the abundant flow of water is threatened by weather, mechanical or any other cause or reason and by way of council resolution that the waterworks system be further restricted and that no person shall water by or use any


hose, pipe or any other connection lawns, gardens, grass, plots, boulevards or grounds of any description during this water restriction or the specified period.

- c) At anytime during the calendar year, declare any other measures deemed necessary in order to ensure abundant flow of water for drinking, cooking, personal hygiene, medical and other such essential uses.
- 4) Upon declaring such restrictions under Section 4 of this By-law, the Municipal By-law Enforcement Officer shall cause to be published on at least one occasion in the local newspaper a notice of such restriction measures taken.
- 5) Every person who contravenes any provisions of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act R.S.O. 1990, C. P.33".
- 6) When a person has been convicted of an offence under this By-law, the Divisional Court or competent jurisdiction may, in addition to the penalty(ies), make an Order prohibiting the continuation of repetition of the offence or the doing of any act by the person convicted which is directed towards the continuation or the repetition of the offense.
- 7) **That By-Law # 98-13 is hereby repealed.**

READ, PASSED AND ADOPTED THIS 26th DAY OF January 2009.



Mayor



Clerk

THE CORPORATION OF THE TOWN OF MATTAWA – SET FINES
PART 1 – PROVINCIAL OFFENCES ACT

WATERING BY-LAW NO. 09-06

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision creating or Defining Offence	COLUMN 3 Set Fine
1	Watering lawns, gardens, grass, plots, boulevards or grounds of any description during Prohibited hours.	3(a)	\$80.00
2	Watering lawns, gardens, grass, plots, boulevards or grounds of any description during a total water restriction.	3(b)	\$200.00

Note: The penalty provisions for the offences indicated above is section 5 of By-law no. 09-06, a certified copy of which has been filed.