

CORPORATION OF THE TOWN OF PETAWAWA

BY-LAW # 293/04

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

WHEREAS Section 12 of the *Public Utilities Act*, R.S.O. 1990, c. P.52, municipalities may pass by-laws for regulating the time, manner, extent and nature of use of the water supplied by the Town water works system;

AND WHEREAS Section 130 of the *Municipal Act*, 2001, S.O. 2001, c. 25 provides that a municipality may pass by-laws for the purposes related to the health, safety and well-being of the inhabitants of the municipality;

AND WHEREAS the Council of the Corporation of the Town of Petawawa deems it necessary and desirable to control the consumption and use of water;

NOW THEREFORE the Council of the Corporation of the Town of Petawawa hereby enacts the following:

**SHORT TITLE
WATERING BY-LAW**

1. Application

This by-law shall apply to all persons being an owner, tenant, occupant, servant or employee of any house, dwelling unit, building or any other such place or structure having its potable water supplied by the Town of Petawawa water works system.

2. Water - waste

No person shall willfully let off or discharge water so that the water runs waste or useless out of the Town water system. For the purpose of this by-law, wasting water generally includes but is not restricted to one of the following:

- (a) permitting water to pool or run-off any lawn, garden, or other outside plants;
- (b) directing water onto a paved surface, including driveways, sidewalks or roadways during irrigation;
- (c) operating a fountain or pond without re-circulating the water;
- (d) washing any vehicle or the outside of a building with the use of a hose not equipped with a shut-off nozzle; and/or
- (e) use of flowing water instead of dry sweeping to remove loose debris from a residential driveway, walkway or sidewalk;

3. Water appliance – damage

No person shall damage or allow the deterioration of any appliance that will result in a waste of water

4. Watering Restrictions – days – times - permitted

No person shall water or sprinkle, or cause or permit the watering or sprinkling of any lawn, garden, tree, shrub or other outdoor plant in the Town of Petawawa through a hose, pipe, sprinklers or permanent irrigation system connected to the municipal water system except under the following conditions:

- a. Even numbered addresses shall be permitted to water between the hours of 6:00 a.m. and 9:00 a.m. and 6:00 p.m. and 9:00 p.m. on even numbered days of the month; and
- b. Odd numbered addresses shall be permitted to water between the hours of 6:00 a.m. and 9:00

a.m. and 6:00 p.m. and 9:00 p.m. on odd numbered days of the month.

5. Special Circumstances – watering ban

In the event that any portion of the water works system is disabled, damaged, unable to function, or for any other reason, Council may, at its sole discretion, curtail the use of water and prescribe the manner in which water may be used.

6. Exemptions - public

Any person may:

- a) water their lawn from a water source other than the municipal water supply system at any time;
- b) water newly laid sod or grass seed at any time for a period not to exceed fourteen (14) days from the date the sod or seed was installed. Notification must be made to the municipal offices advising of the new sod or seed and proposed watering; and
- c) water newly planted trees, ornamental shrubs and flower or vegetable gardens while being installed and during the following 24 hours after the completion of installation;

7. Exemptions – municipal property

The provisions of this by-law shall not apply to water usage on municipal property or at the behest of municipal endeavors.

8. Exemptions – metered properties

The provisions of this by-law shall not apply to any place or building having its potable water regulated by means of a water meter and who remit the cost of water used to the Municipality.

9. Enforcement

This by-law shall be administered and enforced by the Municipal Law Enforcement Officer;

10. Fine – Penalty for contravention

Every person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to any penalty as provided for in the *Provincial Offences Act*. Every such penalty shall be recoverable under the *Provincial Offences Act*.

11. Separation

If any Court of competent jurisdiction finds that any of the provisions of this By-law is ultra vires of the jurisdiction of Council to pass or is invalid for any reason, such provision shall be deemed to be severable and shall not invalidate any of the other provisions of this By-law.

12. Repeal

The by-laws of the former Corporation of the Township of Petawawa and the Village of Petawawa pertaining to the residential use of water enacted prior to the passing of this By-law and including the by-law listed below are hereby repealed:

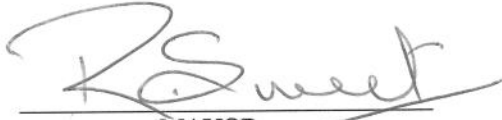
Township of Petawawa By-law 1364/95.

13. Effective date

This By-law shall come into force and take effect upon the date of the final passing thereof.

Read a first and second time this 21st day of June, 2004.

Read a third time and passed this 21st day of June, 2004.


MAYOR


CLERK