

THE CORPORATION OF THE TOWNSHIP OF TERRACE BAY

BY-LAW NO. 21 - 2006

Being a by-law to regulate the time, manner, extent and nature of outside water use in the Township Of Terrace Bay

WHEREAS Section 11(1) of the *Municipal Act, 2001*, S.O. 2001, as amended states that the municipality may pass by-laws respecting public utilities as it relates to water production, storage and distribution;

AND WHEREAS the Corporation of the Township of Terrace Bay deems it necessary to regulate and control the use of water by establishing outside water use restrictions;

NOW THEREFORE the Council of the Corporation of the Township of Terrace Bay hereby enacts as follows that:

1. DEFINITIONS

“even” shall mean any number ending in numerals 0, 2, 4, 6, 8;

“odd” shall mean any number ending in numerals 1, 3, 5, 7, 9;

“person” shall mean a person being the owner, tenant, occupant, servant, agent or employee of any house, dwelling unit, building, or other place or structure designated by a municipal address, by the Corporation of the Township of Terrace Bay and supplied from the Township of Terrace Bay water supply system;

2. No person shall use water from the said system to water or sprinkle by hose, pipe or any other watering device or mechanism; lawns, gardens or other outside plants, grass, plots, boulevards or grounds of any description or the washing of any vehicle, trailer, boat or driveway between the first day of March each year and the thirtieth day of November, of the same year, save and except as hereinafter provided:

i. No person shall use, cause or permit the use of water externally or through a hose, pipe or any other watering device or mechanism; lawns, gardens or other outside plants, grass, plots, boulevards or grounds of any description or the washing of any vehicle, trailer, boat, driveway, sidewalk, except in accordance with the following:

a) premises with even street numbers on even numbered calendar days;

b) premises with odd street numbers on odd numbered calendar days;

c) a maximum of two (2) hours per day per household.

3. The words “calendar day” shall be construed to mean one day commencing at 00:00 hours and ending at 23:59:59 hours, local time;

4. i. The Mayor of the Council of the Corporation of the Township of Terrace Bay, or in his or her absence, the Acting Mayor, may in consultation with the Public Works Superintendent, declare a prohibition of the use of water from the said system to water lawns, gardens or other outside plants, grass, plots, boulevards, or grounds of any description or the washing of any vehicle, trailer, boat, driveway or sidewalk at any time for such time and manner as deemed necessary in order to secure to the inhabitants a continued supply of pure and wholesome water.

ii. No person shall use water from the said system to water or sprinkle by hose, pipe or any other watering device or mechanism; lawns, gardens or other outside plants, grass, plots, boulevards or grounds of any description or the washing of any vehicle, trailer, boat, driveway or sidewalk during the period of prohibition.

iii. In no case shall the said period of prohibition be for longer than thirty (30) days unless extended by Council.

5. No person shall:

i. Willfully hinder or interrupt, or cause or procure to be hindered or interrupted, the Corporation, or any of its officers, contractors, agents, servants or worker, in the exercise of any of their duties with respect to the supply of water within the Corporation of the Township of Terrace Bay;

ii. Willfully let off or discharge water so that the water runs waste, or useless;

iii. without lawful authority, willfully open or close any hydrant, or obstruct the free access to any hydrant, stopcock, chamber, pipe or hydrant – chamber, by placing on it any building material, rubbish, or other obstruction;

iv. throw or deposit any injurious, noisome, or offensive matter into the water or waterworks, or any way foul the water, or commit any willful damage or injury to the works, pipes, or water, or encourage the same to be done;

v. lay or cause to be laid any pipe or main to communicate with any pipe or main of the water works, or in any way obtain or use the water without the consent of the Corporation of the Township of Terrace Bay.

6. For the purpose of Section 5 above, those persons with lawful authority shall be the By-law Enforcement Officer for the Corporation of the Township of Terrace Bay.

7. Exceptions to this by-law will be for commercial/industrial users in order to carry on the normal course of daily business operations only.

8. Every person who contravenes any provision of this by-law is guilty of an offence and is liable, upon conviction, to a fine as provided for in the *Provincial Offences Act, R.S.O. 1990, Chapter P.33* as amended from time to time.

9. This by-law shall come into force and take effect upon receipt of the approval of the Set Fines Schedule as issued by the Regional Senior Judge of the Ontario Court, Criminal Division, District of Thunder Bay.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS
26TH DAY OF JUNE, 2006.

Acting Mayor




Chief Administrative Officer/Clerk

SCHEDULE 'A' to BY-LAW NO. 21 - 2006

Being a by-law to regulate the time, manner, extent and nature of outside water use in The Township Of Terrace Bay
Part 1 Provincial Offences Act.

<u>ITEM</u>	<u>COLUMN 1</u>	<u>COLUMN 2</u>	<u>COLUMN 3</u>
	Description of Offence (Short Form Wording)	Provision Creating or Defining Offence	Set Fine (Including Costs)
1.	Use water between March 1 st and November 30 th on odd numbered calendar days	2.1 (a)	\$105.00
2.	Use water between March 1 st and November 30 th on even numbered calendar days	2.1 (b)	\$105.00
3.	Use water during prohibited period	4 (ii)	\$205.00
4.	Hinder/interrupt municipal employee/agent working on municipal water supply	5 (i)	\$305.00
5.	Willfully allow water to run waste	5 (ii)	\$305.00
6.	Use of hydrant, no authority	5 (iii)	\$500.00
7.	Obstruct access to hydrant, no authority	5 (iii)	\$500.00
8.	No consent, connect pipe to municipal water supply	5 (v)	\$500.00
9.	No consent, obtain/use water from municipality	5 (v)	\$500.00

NOTE: The penalty provision for the offences indicated above is Section 61 of the *Provincial Offences Act, R.S.O 1990, cP33* as amended from time to time.