



**THE CORPORATION OF THE TOWN OF SMOOTH ROCK FALLS  
BY-LAW # 2025-70**

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**Being a by-law to Regulate the Time, Manner, and Conditions of Municipal  
Water Use for Properties Served by the Town of Smooth Rock Falls Water  
System**

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**WHEREAS** the Corporation of the Town of Smooth Rock Falls is responsible for the operation, maintenance, and management of the municipal drinking water system;

**AND WHEREAS** Section 10(2), paragraphs 6 and 7, of the *Municipal Act, 2001*, as amended, authorizes municipalities to pass by-laws respecting the health, safety, and well-being of persons, and services provided by the municipality, including the regulation of water usage;

**AND WHEREAS** Section 434.1 of the *Municipal Act, 2001*, and Ontario Regulation 333/07, as amended, authorizes municipalities to establish a system of administrative penalties as an alternative to prosecution for certain by-law contraventions;

**AND WHEREAS** the Council of the Corporation of the Town of Smooth Rock Falls has adopted a system of administrative penalties through which designated by-laws, including those related to water use, are enforced;

**AND WHEREAS** it is deemed necessary and in the public interest to regulate the time, manner, and nature of the use of water supplied by the municipal water system, in order to promote conservation, protect municipal infrastructure, ensure equitable access, and ensure efficient water service delivery to all serviced properties.

**NOW THEREFORE** Council of the Corporation of the Town of Smooth Rock Falls enacts as follows:

## **1.0 Short Title**

- 1.1 This By-law may be cited as the “*Water Use By-Law*”.

## **2.0 Definitions**

In this By-law:

- 2.1 **“Administrative Penalty”** refers to a financial penalty imposed under the Town’s Administrative Monetary Penalty System (AMPS) as an alternative to prosecution under the Provincial Offences Act.
- 2.2 **“Council”** shall mean the Municipal Council of the Town of Smooth Rock Falls.
- 2.3 **“Outdoor Water Use”** means the use of municipally supplied water for purposes including, but not limited to, lawn or garden watering, pool filling, and surface cleaning.
- 2.4 **“Owner”** shall mean the registered owner of a property or any person authorized to act on their behalf.
- 2.5 **“Serviced Property”** means any property to which drinking water is supplied by the municipal water system operated by the Town.

- 2.6 “Town” shall mean The Corporation of the Town of Smooth Rock Falls.

### **3.0 Rules of Interpretation**

#### **3.01 Interpretation of Terms**

3.01.1 Where terms are not specifically defined in this By-law, the definitions set out in the *Municipal Act, 2001*, the *Public Utilities Act*, and any other applicable provincial legislation shall apply.

3.01.2 In the event of a conflict between definitions, the context and intent of this By-law shall govern.

#### **3.02 Grammar and Style**

3.02.1 Words expressed in the present tense shall include the future tense.

3.02.2 Words expressed in the masculine gender shall include the feminine and non-binary genders.

3.02.3 The singular shall include the plural, and the plural shall include the singular, as the context requires.

3.02.4 Headings and subheadings are included in this By-law for reference purposes only and shall not affect the interpretation of any provision.

### **5.0 Offences**

No person shall engage in any of the following actions:

#### **5.01 Prohibited Water Uses**

5.01.1 Water, sprinkle, or permit the watering or sprinkling of any lawn, garden, tree, shrub, or other outdoor vegetation using a hose, pipe, or similar device, except in accordance with this By-law or during permitted times and conditions set out in Sections 5.0 and 6.0.

5.01.2 No tenant, occupant, owner, or other person receiving municipal water service shall use, waste, or redistribute water in a manner that is improper, excessive, or unauthorized. Without the prior written authorization of the Town, no person shall:

- a) Lend, sell, give, or otherwise transfer municipally supplied water to any other individual, business, or property;
- b) Permit municipally supplied water to be transported, hauled, or removed from the premises to which it is supplied;
- c) Use municipally supplied water for the benefit of any person or property other than the property for which the service is authorized.

5.01.3 Water or permit the watering of any lawn, garden, tree, shrub, or other vegetation during a period when outdoor water use

has been restricted or prohibited by the Town under Section 7.0, except where exemptions apply.

- 5.01.4 Use or permit the use of municipal water through a hose, pipe, or similar apparatus for any outdoor purpose during declared water supply emergencies, drought conditions, or when the Town has imposed emergency water restrictions under this By-law.

## **5.02 Tampering, Interference, and Unauthorized Access**

- 5.02.1 Willfully hinder, obstruct, or interfere with, or cause or permit the hindrance or interference of, any officer, contractor, or employee of the Town acting under authority of this By-law or performing work related to the municipal water system.
- 5.02.2 Willfully allow water to be discharged or released in a wasteful, negligent, or unreasonable manner such that it flows onto adjacent properties, public rights-of-way, or causes damage or unsafe conditions.
- 5.02.3 Tamper with, alter, or damage any municipal water meter, appurtenance, or service pipe in a way that reduces or misrepresents water usage or interferes with accurate metering.
- 5.02.4 Install, connect, or attempt to connect any private water service or piping to the Town's waterworks system without prior written authorization from the Town, or otherwise obtain or use water without legal entitlement.

## **6.0 Water Supply Regulations**

- 6.01 In order to promote water conservation and ensure the continuous and equitable supply of municipally treated water, the use of municipal water for outdoor purposes by means of a hose, sprinkler, or other attachment is subject to restrictions between May 15 and September 15 of each year.

### **6.01.1 Default Level**

Unless otherwise declared by the CAO under Section 6.01.5, outdoor water use shall be subject to Level 1 restrictions.

### **6.01.2 Levels of Restriction**

The level of outdoor water use restriction in effect may be increased from Level 1 to Level 2, 3, or 4 as determined by the CAO. In making such determination, Council or the CAO may consider factors including but not limited to:

- Forecasted or actual drought conditions;
- System capacity and demand levels;
- Emergency events affecting water quality or supply;
- Provincial orders, advisories, or conservation directives.

Notice of the Level in effect shall be provided to residents by means of public posting, the municipal website, social media, or other methods reasonably calculated to give notice.

### **6.01.3 Level 1: Careful Use**

- Watering is permitted only between 6:00 a.m. to 10:00 a.m. and 6:00 p.m. to 10:00 p.m. daily.
- Flowerbeds and vegetable gardens may be watered by hand at any time using a watering can or a hose equipped with a nozzle that has a trigger shut-off.
- Sprinklers and water toys, including children's pools, may be used for recreational purposes by children, provided children are present during use.

#### 6.01.4 **Level 2: Moderate Restrictions**

- Alternate day watering schedules apply (even-numbered addresses may water on even-numbered calendar days, odd-numbered addresses on odd-numbered calendar days).
- Prohibition of non-essential water uses, such as washing driveways and sidewalks.
- Residents are encouraged to use rainwater harvesting for gardens, trees, and other outdoor vegetation.

#### 6.01.5 **Level 3: Prohibited Outdoor Use**

- Subject to the exemptions set out in Section 7.0 of this By-law, outdoor use of potable water is prohibited.
- Restrictions apply to filling swimming pools and washing vehicles.

#### 6.01.6 **Level 4: Emergency Restrictions**

- Full prohibition on non-essential water use.
- Use of water for firefighting, fire training, or emergency services is exempt from all restrictions.

## 7.0 **Exceptions**

7.01 Notwithstanding the restrictions set out in Section 6.0, outdoor watering shall be permitted under the following circumstances:

7.01.1 The watering of newly planted sod, seed, ornamental shrubs, trees, or garden beds during installation and for a period of 24 hours following the completion of installation.

7.01.2 The watering of lawns or landscaped areas that have been treated with pesticide, herbicide, or fertilizer, where water is required to activate or absorb the treatment, for a period of 24 hours following application.

7.01.3 The watering of newly laid sod on any property, for a period of up to two (2) weeks following initial installation.

7.01.4 The use of water for the installation or repair of residential swimming pools or pool liners, where water is required to complete the installation or ensure structural stability.

7.01.5 Use of water for firefighting, fire training, or emergency services is exempt from all restrictions.

## 8.0 **Additional Restrictions**

### 8.01 **Authority to Impose Additional Measures**

In the event of drought conditions, emergency situations, or a significant disruption to the municipal water supply, Council, by resolution, or the Chief Administrative Officer (CAO), if immediate

action is required, may impose additional temporary water use restrictions beyond those set out in this By-law.

**8.02 Scope of Temporary Restrictions**

Any such restrictions shall be enforceable under the authority of this By-law and may include full prohibitions on non-essential water use or designated watering schedules.

**9.0 Conflict with Other Legislation**

- 9.01 In the event of a conflict between the provisions of this By-law and the provisions of any applicable provincial or federal legislation, including the *Municipal Act, 2001*, the provisions of the higher authority shall prevail to the extent of the conflict.

**10.0 Validity and Severability**

- 10.01 If any section, subsection, clause, paragraph, or provision of this By-law is declared invalid, unenforceable, or beyond the authority of Council by a court of competent jurisdiction, such provision shall be deemed severable and shall not affect the validity or enforceability of the remainder of the By-law.
- 10.02 All remaining provisions shall continue in full force and effect and shall be interpreted as if the invalidated provision had never been included.
- 10.03 Any reference in this By-law to a statute or regulation of the Province of Ontario shall be deemed to include all applicable amendments, re-enactments, and successor legislation.

**11.0 Penalties**

- 11.01 Any person who contravenes any provision of this By-law is subject to an administrative penalty in accordance with Schedule "A" of this By-law and the Town's AMPS By-law, as amended.
- 11.02 Each day a contravention continues shall be deemed to constitute a separate distinct offence.
- 11.03 Repeated or continued contraventions by the same person may result in escalating penalties in accordance with the Town's AMPS enforcement framework.
- 11.04 Administrative penalties issued under this By-law are not subject to prosecution under the *Provincial Offences Act*, and disputes or reviews of such penalties must be submitted through the screening and hearing process established under the Town's AMPS By-law.

**12.0 Enforcement**

- 12.01 This By-law shall be enforced through the Town's Administrative Monetary Penalty System (AMPS), by the Public Works Coordinator or any other person designated by Council for this purpose.

12.02 For greater certainty, this By-law is not enforced through the Provincial Offences Act and is not subject to prosecution in Provincial Court, unless otherwise provided by law.

### 13.0 Administrative Penalty Schedule

13.01 Schedule "A" attached hereto forms an integral part of this By-law.

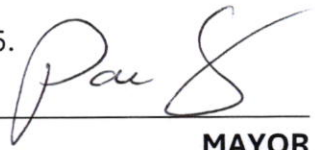
### 14.0 Effective Date

14.01 This By-law shall come into force and take effect on the date of its final passage.

### 15.0 Repeal of Previous By-Laws

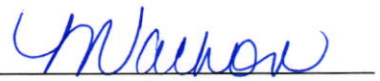
15.01 That By-law No. 1996-18 is hereby repealed.

**READ** a first and second time this 6<sup>th</sup> day of October, 2025.



**MAYOR**

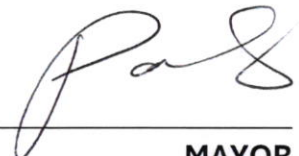
Patrick Roberts



**MUNICIPAL CLERK**

Nathalie Vachon

READ a third time, signed and the Seal of the Corporation affixed thereto and finally passed this 20<sup>th</sup> day October 2025.



**MAYOR**

Patrick Roberts



**MUNICIPAL CLERK**

Nathalie Vachon

| <b>Section</b> | <b>Description of Offence</b>                                      | <b>Penalty<br/>Amount<br/><i>Tier 1</i></b> | <b>Penalty<br/>Amount<br/><i>Tier 2</i></b> | <b>Penalty<br/>Amount<br/><i>Tier 3</i></b> |
|----------------|--------------------------------------------------------------------|---------------------------------------------|---------------------------------------------|---------------------------------------------|
| 5.01.3         | Watering during a period of temporary ban or restriction           | \$200                                       | \$300                                       | \$450                                       |
| 5.01.4         | Using water for outdoor purposes during a declared water emergency | \$300                                       | \$400                                       | \$550                                       |
| 5.02.1         | Hindering or interfering with a municipal officer or contractor    | \$250                                       | \$350                                       | \$500                                       |
| 5.02.2         | Allowing water to discharge wastefully or negligently              | \$150                                       | \$250                                       | \$400                                       |
| 5.02.3         | Tampering with or altering a municipal water meter or service pipe | \$400                                       | \$500                                       | \$650                                       |
| 5.02.4         | Unauthorized connection to municipal water infrastructure          | \$400                                       | \$500                                       | \$650                                       |
| 5.01.2         | Unauthorized transfer, sale, or redistribution of municipal water  | \$300                                       | \$400                                       | \$550                                       |
| 5.01.3         | Watering during a period of temporary ban or restriction           | \$200                                       | \$300                                       | \$450                                       |
| 5.01.4         | Using water for outdoor purposes during a declared water emergency | \$300                                       | \$400                                       | \$550                                       |
| 6.01.3         | Level 1 – Careful Use                                              | \$100                                       | \$200                                       | \$350                                       |
| 6.01.4         | Level 2 – Moderate Restrictions                                    | \$150                                       | \$250                                       | \$400                                       |
| 6.01.5         | Level 3 – Prohibited Outdoor Use                                   | \$200                                       | \$300                                       | \$450                                       |
| 6.01.6         | Level 4 – Emergency Restrictions                                   | \$300                                       | \$400                                       | \$550                                       |

### **APPENDIX ‘A’ – Penalties**

**Note:**

- Tier 1 = First offence
- Tier 2 = Second offence within 12 months
- Tier 3 = Third or subsequent offence within 12 months
- Penalties are issued as per the Town’s AMPS By-law
- Failure to respond to a penalty notice may result in additional administrative fees or collection actions.