

CORPORATION OF MUNICIPALITY OF BLUEWATER

By-Law No. 19-2005

Being a by-law to regulate the time, manner, extent and nature of the supply of potable water within the Municipality of Bluewater.

WHEREAS the Municipal Act, 2001, S.O. 2001, c.25 Part II, General Municipal Powers, Section 8 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and under Section 9(1) provides that Sections 8 and 11 shall be interpreted broadly so as to confer broad authority on municipalities, (a) to enable them to govern their affairs as they consider appropriate; and (b) to enhance their ability to respond to municipal issues; and under Section 9(3) provides that a by-law under section 11 respecting a matter may, (a) regulate or prohibit respecting the matter, and (b) as part of the power to regulate or prohibit respecting the matter, require persons to do things respecting the matter, provide for a system of licenses, permits, approvals or registrations respecting the matter and impose conditions as a requirement of obtaining, continuing to hold or renewing a license, permit, approval or registration. And under Section 11 (2) provides that a lower-tier municipality and an upper-tier municipality may pass by-laws respecting matters within the spheres of jurisdiction respecting matters for water distribution;

NOW THEREFORE the Municipal Council of the Municipality of Bluewater enacts as follows:

- 1) Water restrictions shall be in effect from the first day of June through the first day of October on a yearly basis.
- 2) Consumers who receive water from any Municipality of Bluewater system must refrain from watering their lawns or excessive uses of water namely flower gardens or vegetable gardens except between the hours of 7:00 p.m. to 10:00 p.m. on the following dates – Odd numbered houses on odd numbered days and even numbered houses on even numbered days. (The last number of the property (house) or 911 number determines which property is odd or even).
- 3) The Municipality of Bluewater has designated the By-law Enforcement Officer and the Public Works Manager or their designate to enforce this by-law.

No person or persons shall use the municipal water supplies unless indoors, with the following exceptions:

- 1) Any Fire Department
- 2) The Municipality of Bluewater
- 3) Flowers and vegetable gardens may be watered anytime of the day using a hand held watering device, but not a sprinkler or other automatic watering system.
- 4) Newly seeded or sodded lawns and any newly planted trees or shrubs may have extended watering hours by special permission of the Public Works Department.
- 5) Commercial properties, which are not open in the evening, may be granted watering privileges during the day by special permission of the Public Works Department.
- 6) Any person who has paid a pool evaporation charge for the current year, may top up the pool from time to time.

Staff of the Public Works Water Department may issue a permit for special watering privileges, a sample of which is attached to this by-law to be known as Schedule "A".

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Any person or persons contravening the provisions of this by-law shall be subject to the following penalties.

- a) First Offence: A fine of One Hundred Dollars (\$100.00) shall apply.
- b) Second and Subsequent Offences: A fine of Two Hundred Dollars (\$200.00) shall apply.

If the fines are not paid they will be added to the offender's water bill.

This by-law repeals Hay By-law No.18-1999, Hensall By-law No. 1-1988, and Zurich By-law No. 11-1996.

READ A FIRST AND SECOND TIME THIS 11th DAY OF APRIL, 2005

READ A THIRD AND FINALLY PASSED THIS 11th DAY OF APRIL, 2005

Bill Dowson, Mayor

Janisse Zimmerman, Clerk-Administrator