

CORPORATION OF THE TOWN OF LAKESHORE

BY-LAW NUMBER 82-2003

BEING A BY-LAW TO PROHIBIT THE EXTERNAL USE OF WATER FROM THE UNION WATER SYSTEM

WHEREAS the *Municipal Act* 2001, S.O. 2001, c. 25, as amended, provides that by-laws may be passed by councils of municipalities for the maintenance and management of water distribution systems;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF LAKESHORE HEREBY ENACTS AS FOLLOWS:

TABLE OF CONTENTS

PURPOSE 1
INTERPRETATION..... 1
GENERAL RULES 2
PERMITS..... 2
PENALTY 2
ENFORCEMENT2
REPEALS.....3

PURPOSE

1. The purpose of this by-law is to help ensure that the municipal potable water distribution system that is supplied by the Union Water System maintains sufficient water pressure to provide the essential needs of the municipal water users, including fire protection, medical health, sanitation and personal drinking uses.

INTERPRETATION

2. In this by-law:

“**By-Law Enforcement Officer**” means a person designated as such by Council;

“**Council**” means the Council for the Corporaiton of the Town of Lakeshore;

“**Director of Public Works**” means a person designated as such by Council;

“ **Police Officer**” means a member of the Ontario Provincial Police Services;

“**Set Fine**” means the fine for By-law infractions pursuant to the *Provincial Offences Act* Part I as set by the Regional Senior Justice of the Ontario Court of Justice.

“**Water System**” means the Union Water System.

GENERAL RULES

3. During the months of May, June, July, August and September of each year, no person shall take or use water from the Water System or permit water to be taken from the Water System for the purpose of watering any lawn or garden except as follows:
 - (a) On even calendar dates, between the hours of 5:00 a.m. and 8:00 a.m. and between the hours of 6:00 p.m. and 11:59 p.m. at only those municipal addresses ending with the numbers 0, 2, 4, 6 or 8;
 - (b) On odd calendar dates, between the hours of 5:00 a.m. and 8:00 a.m. and between the hours of 6:00 p.m. and 11:59 p.m. at only those municipal addresses ending with the numbers 1, 3, 5, 7 or 9.
4. Notwithstanding Section 3, during the months of May, June, July, August and September, the Director of Public Works or the Council is authorized to declare in effect any regulations which the Director of Public Works or the Council deems advisable to limit the external use of water from the Water System and this authority includes the right to ban completely the external use of water from the Water System.
5. Notice to the public of any regulation declared pursuant to Section 4, shall be given immediately in a manner determined by, and at the sole discretion of, the Director of Public Works or the Council.
6. Upon notice to the public being given of the regulation declared pursuant to Section 4, no person shall take or use water from the Water System or permit water from the Water System to be taken or used except in accordance with the provisions of such regulation.
7. A regulation declared pursuant to Section 4 shall remain in effect until either the Director of Public Works declares that the regulation is no longer in effect or the Council, at a regular or special meeting, rescinds the declaration.

PERMITS

8. Upon application by a property owner, a permit which allows the watering of a newly seeded or newly sodded lawn may be issued by the Director of Public Works upon the Director of Public Works receiving satisfactory evidence that the lawn has been newly seeded or newly sodded within the same calendar year that the permit is to be issued.
9. Any lawn watering permit may be revoked or suspended by Council for any reason Council deems appropriate.

PENALTY

10.
 - (1) Any person who contravenes any provision of this by-law is guilty of an offence and, upon conviction is subject to a fine pursuant to the *Provincial Offences Act*, R.S.O. 1990 c.P. 33, as amended.
 - (2) The defendant may, within twenty days of the service of the By-law Infraction Notice, pay the set fine or give notice of intention to appear in Court for the purpose of entering a plea.
 - (3) Failure by the defendant to pay the set fine or to give notice of intention to appear in Court for the purpose of entering a plea within twenty days of the service of the By-law Infraction Notice shall render the defendant liable to prosecution pursuant to the *Provincial Offences Act*.

ENFORCEMENT

11. By-law Enforcement Officers and Police Officers shall have the duty of enforcing the provisions of this by-law.

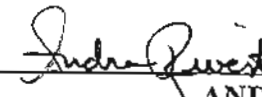
REPEALS

12. Any previous by-laws of the Town of Lakeshore or the former municipalities of the Town of Belle River, or the Townships of Lakeshore, Maidstone, Rochester, Tilbury North and Tilbury West that deal with the same subject matter within the Union Water System are hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS
9TH DAY OF JUNE, 2003.



PAT HAYES
MAYOR



ANDREA RIVEST
CLERK