

BY-LAW NO. 19-2002

A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE to regulate the time, manner, extent and nature of the supply of water in the Town of Carleton Place.

WHEREAS the Corporation of the Town of Carleton Place deems it necessary and desirable to control the consumption and use of water during certain times of the year, pursuant to the authority of Section 12 of *The Public Utilities Act*, Chapter P.52, **R.S.O.** 1990 and amendments thereto;

NOW THEREFORE the Council of the Corporation of the Town of Carleton Place enacts as follows:

1. DEFINITIONS

- 1.1 **Calendar Day** means one day commencing at 00:00 hours and ending at 23:59 hours local time.
- 1.2 **Clerk** means the Clerk for the Town of Carleton Place
- 1.3 **Corporation** means the Corporation of the Town of Carleton Place Council means the appointed Council for the Town of Carleton Place Hose means a device used for conveying water.
- 1.4 **Landscaping** shall mean new installation of garden plants, grass, sod, and trees which would require water to ensure survival of the newly installed items.
- 1.5 **Municipal Address** means the numbered address designated for that location by the Town Clerk.
- 1.6 **Municipality** means the Corporation of the Town of Carleton Place.
- 1.7 **Pipe** means any long tube used to convey liquids.
- 1.8 **Property** means any house, building, structure, dwelling unit, or place.
- 1.9 **Spray** and sprinkle means to scatter drops of water.
- 1.10 **Sprinkler** means a device that scatters drops of water.
- 1.11 **Yard** means lawn, gardens, grass, plots, boulevards, grounds or lands of any description.
- 1.12 **Water or watering** means the act of wetting or soaking with water, by means of sprinklers, hoses, pipes etc. (this includes methods like irrigating, sprinkling, spraying.) The examples listed are included in the definition but the definition is not limited to the examples listed above.

2. General Regulations

- 2.1 No person shall water a yard using water from the Town of Carleton Place's Water supply system between the first day of May each year and the last day of September of the same year, unless otherwise specified in this by-law.

3. Permitted Days of Watering

3.1 No person shall use water originating from any property with an even-numbered municipal address to water a yard, except on even-numbered calendar days when the water is supplied by the Town of Carleton Place's Water supply.

3.2 No person shall use water originating from any property with an odd-numbered municipal address to water a yard, except on odd-numbered calendar days when the water is supplied by the Town of Carleton Place's Water supply.

3.3 Each property not designated by a municipal address and served by the Corporation of the Town of Carleton Place water supply system, shall receive a designation of either an even-numbered or odd-numbered municipal address from the Clerk.

4. Permitted Hours of Watering

4.1 No person shall water a yard, except between the hours of 5:00 a.m. and 9:00 a.m. and between the hours of 7:00 p.m. and 11:00 p.m. on their permitted days, as specified in Section 3, when the water is supplied by the Town's Water supply system.

5. EXEMPTIONS

5.1 Any person installing a significant amount of new landscaping shall be entitled to use water for the newly installed landscaping each calendar day during any part of the day for a period of one week (7 days) from the initial date of installation of the landscaping.

5.1.1 Significant amount shall be determined upon the discretion of the enforcement officer on duty.

5.2 Municipal staff, or contractors directed by Municipal staff shall be exempt from the restrictions provided in this by-law while watering municipal property.

5.3 Town staff, when deemed appropriate may further restrict or place a complete ban prohibiting the watering of yards and shall remain in effect until otherwise directed by the Municipality.

5.3.1 No person shall water a yard with water supplied by the Town's water supply system that would be in contravention of the further restrictions or ban imposed by the Town.

6. CONNECTIONS

6.1 No person shall water from more than one connection supplied by the Town of Carleton Place's water supply system at any one time.

7. PENALTIES AND ENFORCEMENT

7.1 Any person who contravenes any of the provisions of this by-law and the procedures with respect thereto is guilty of an offence and the enforcement and the penalty imposed thereunder shall be subject to the provisions of the Provincial Offences Act, R. S.O. 1990, Chapter P.53 and amendments thereto, and the penalty for the commission of any such offence shall be provided for in the said Provincial Offences Act.

7.2 This by-law shall be enforced by a By-law Enforcement Officer and/or an Officer with the local Police Force having jurisdiction within the Town.

8. VALIDITY

8.1 If any section or part thereof of this by-law for any reason is deemed invalid, the remaining parts of the by-law shall remain in effect until repealed.

8.2 Where provisions of this by-law conflicts with the provisions of another by-law in force in the Municipality, the provisions that establish the higher standards to protect the health, safety and welfare of the general public prevails.

8.3 This by-law shall not take effect until an order regarding set fines has been approved by the appropriate Judge of the Ontario Court of Justice.

9. SHORT TITLE

9.1 This By-law may be referred to as the Water Usage By-law.

10. REPEAL OF BY-LAW

10.1 That by-law 53-95 and amendments thereto regulating the consumption of water during certain times of the year be and is hereby repealed.

READ A FIRST TIME, SECOND TIME AND THIRD TIME AND FINALLY PASSED THIS 9TH DAY OF APRIL, 2002.