

**THE CORPORATION
OF THE TOWNSHIP OF ARMSTRONG**

BY – LAW 2018-30

**BEING A BY-LAW TO REGULATE THE SUPPLY AND USE OF
WATER WITHIN THE URBAN SERVICED AREA OF THE
CORPORATION OF THE TOWNSHIP OF ARMSTRONG.**

WHEREAS Section 11 of the Municipal Act, 2001, S.O. 2001 c.25, as amended, provides that a municipality may pass by-laws pertaining to matters within the sphere of public utilities;

AND WHEREAS Water and Wastewater systems are public utilities within the meaning of the Municipal Act, S.O., c.25;

AND WHEREAS the Council of The Corporation of the Township of Armstrong deems it necessary and desirable to pass a by-law to regulate the consumption of water for certain classes of property within the urban services area, during specific times of the year;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ARMSTRONG HEREBY ENACTS AS FOLLOWS:

1. **THAT** this by-law applies to all persons being an owner, tenant, occupant servant or employee of any residence, dwelling unit, building or any such other place or structure having its potable water supplied by the Earlton Drinking Water and Distribution System.
2. **THAT** No person shall use potable water from the Earlton Drinking Water and Distribution System to water or sprinkle by hose, pipe or any other connection for lawns, gardens, grass, plots, boulevards, grounds of any description or any and all uses other than for cooking, drinking and personal hygiene uses at any time between June 1 and September 30, except as hereinafter provided in this By-law as set out as follows:
 - a) Owners or occupants of residential properties within the Town of Earlton with even numbered addresses shall be permitted to water between the hours of 6:00 a.m. and 9:00 a.m. or 6:00 p.m. and 9:00 p.m. on even numbered days of the months of June, July, August and September.
 - b) Owners or occupants of residential properties within the Town of Earlton with odd numbered address shall be permitted to water between the hours of 6:00 a.m. and 9:00 a.m. or 6:00 p.m. and 9:00 p.m. on odd numbered days of the months of June, July, August and September
 - c) Owners or occupants of commercial, industrial or institutional properties shall also be required to comply with the provisions of paragraphs 1 and 2 above.
3. **THAT** Paragraph 2 of this By-law shall not apply to prevent owners or occupants of land from watering newly laid sod for a period of one (1) month after the date of laying or installation or from watering newly planted plants, shrubs or trees on the day of installation and for the next twenty-four (24) hours.

4. **THAT** at any time during the calendar year, when in the opinion of the Overall Responsible Water Operator or his/her designate, the abundant flow of water and control of wastewater is threatened by weather, mechanical or any other cause for reason, the Council may at any time during the year, by way of council resolution, declare further restrictions of the waterworks system and that no person shall water by or use any hose, pipe or any other connections for lawns, gardens, grass, plots, boulevards or grounds of any description during the specified water restriction. The following staged restrictions shall apply upon resolution of Council.

a) STAGE 1 – ADVISORY

All owners or occupants of properties within the Town of Earlton are requested to voluntarily refrain from engaging in or taking any of the following actions or activities:

- a) using a hose, sprinkler device, pipe or irrigation system to water lawns at any time;
- b) using a hose or pressure washing device to wash exterior building surfaces, including windows, parking lots, driveways or sidewalks;
- c) using decorative fountains which do not use recirculated water;
- d) using a hose or other device to water trees, shrubs and gardens, except by using a hand-held container;
- e) washing a vehicle, boat or other recreational vehicle; or
- f) filling existing residential swimming pools, wading pools or hot-tubs.

b) STAGE 2 – OUTDOOR WATER USE BAN

All owners or occupants of properties within the Town of Earlton shall not engage in or take any of the following actions or activities:

- (a) using a hose, sprinkler device, pipe or irrigation system to water lawns at any time;
- (b) using a hose or pressure washing device to wash exterior building surfaces, including windows, parking lots, driveways or sidewalks;
- (c) using decorative fountains which do not use recirculated water;
- (d) using a hose or other device to water trees, shrubs and gardens, except by using a hand-held container;
- (e) washing a vehicle, boat or other recreational vehicle; or
- (f) filling existing residential swimming pools, wading pools or hot-tubs.

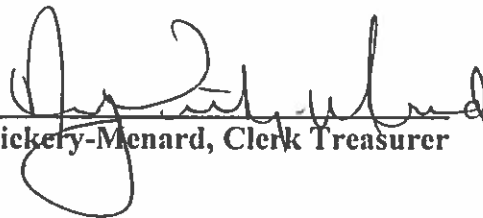
Notwithstanding subsections 4(a) and (b) of this By-law, the provisions related to a Stage 2 - Outdoor Water Use Ban do not apply to the following enterprises, activities, uses or things:

- a) nurseries;
- b) newly laid sod for a period of one (1) month after the date of laying or installation;
- c) newly-planted plants, shrubs and trees on the day of installation and for the next twenty-four (24) hours;
- d) watering of sports/playing fields where failure to water would result in permanent loss of grass or plant materials or result in unsafe field conditions;
- e) washing of exterior building surfaces, including windows, parking lots, driveways or sidewalks, prior to the application of a product, such as paint or sealant, or the preparation of a surface, such as prior to paving or re-pointing of bricks, or if required by law to comply with Health and Safety Regulations;
- f) commercial car washes or car dealerships;
- g) municipal water play areas and swimming pools; or

- h) any other uses similar to those listed in paragraphs (a) – (g) of this section, as may be approved from time to time in writing by the Overall Responsible Water Operator or his/or her designate.
- 5. **THAT** for the purpose of this by-law, the notice of contravention as set out in Schedule “A” will be provided by the Overall Responsible Water Operator and every person who contravenes a provision of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offenses Act R.S.O. 1990 C.P.33. as set out in Schedule “A” to this by-law, attached hereto and forming part of the By-law.
- 6. **THAT** the provisions of this By-law shall come into force and be in effect upon final passage thereof.
- 7. **THAT** all other by-laws and resolutions or parts thereof, contrary hereto or inconsistent herewith, be and the same are hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 11th DAY OF JULY 2018.


Robert Éthier, Mayor


Amy Vickery-Menard, Clerk Treasurer

Schedule "A"
To By-law No. 2018-30

**THE CORPORATION OF THE
TOWNSHIP OF ARMSTRONG**

NOTICE PROVISIONS & FINES

Section of By-Law	Short Form Wording	Notice of contravention of By-law	Fine
2 a) 2 b) 2 c)	Watering outside of restricted days/hours	First Notice – verbal Second Notice – Written Third Notice – Written	n/a n/a \$100
Section 4 b)	Watering during a total water ban	Verbal First Notice Second Notice -Written	n/a \$250