

CORPORATION OF THE NATION MUNICIPALITY

BY-LAW NO. 63-2020

BEING a By-Law of the Corporation of The Nation Municipality to amend By-law 63-2002, to regulate the consumption of water from municipal waterworks, and repeal By-laws 90-2009 and 86-2018.

WHEREAS Sections 8, 9 and 10 of the Municipal Act, 2001, authorize a municipality to pass by-laws that are necessary or desirable for municipal purposes and, in particular, respecting economic, social and environmental well-being of the municipality; health, well-being and safety of Persons; services and things that the municipality is authorized to provide; and protection of Persons and property, including consumer protection;

WHEREAS the Corporation of The Nation Municipality deems it desirable to regulate water consumption during the summer months to protect the supply of water in the municipal waterworks, now

THEREFORE the Council of The Nation Municipality enacts as follows:

THAT Sections 1 to 10 be amended as follows:

SHORT TITLE

1. This by-law may be cited as the “Water Usage By-law”

DEFINITIONS

2. In this by-law:
 - a. **“Corporation”** shall mean the Corporation of The Nation Municipality;
 - b. **“Council”** shall mean the Council of the Corporation of The Nation Municipality;
 - c. **“Director of Water and Sewer”** shall mean the Director of Water and Sewer of the Corporation of The Nation Municipality.
 - d. **“Municipal Clerk”** shall mean the Municipal Clerk of the Corporation of The Nation Municipality.
 - e. **“Municipal Law Enforcement Officer”** shall mean a Municipal Enforcement Officer appointed by the Council of The Nation Municipality;
 - f. **“Municipality”** shall mean The Nation Municipality;
 - g. **“Fire Hydrant”** shall mean an upright pipe with a nozzle or spout for drawing water from a water main;

GENERAL

3. No person shall use, or cause to be used, water from any municipal waterworks at any time between May 1st and September 30th of any year for the purpose of watering lawns, gardens, flowers, hedges, or any other vegetation outside any building except as hereinafter provided:
 - a. Persons located at even numbered buildings shall be permitted to water lawns, gardens, flowers, hedges or any other vegetation outside on Monday, Wednesday and Friday between 7 p.m. and 10 p.m., and persons located at odd numbered buildings shall be permitted to water lawns, gardens, flowers, hedges or any other vegetation outside on Tuesday, Thursdays and Saturdays between 7 p.m. and 10 p.m.. No outside watering will be permitted on Sundays.
 - b. Persons watering manually shall be permitted to water lawns, gardens, flowers, hedges or any other vegetation outside any building;
 - c. A contractor that needs to take water from a fire hydrant in order to perform work in the municipality must contact the water operator in charge.
 - d. The operator in Charge can allow usage of specific fire hydrant or refuse water taking.
 - e. Backflow Prevention Assembly shall be required. Otherwise an air gap shall be maintained at all times.
 - f. The cost for the connection shall be \$75.00 except for work done for the municipality
 - g. The taking of water for fire hydrant shall be from 7 a.m. to 4 p.m. Monday to Friday.
 - h. The hydrant shall be opened with a hydrant wrench to prevent damage, and the valve must be fully open. Hydrant damage will be charged to contractor operating the hydrant. It is a violation when equipment in disrepair causes water waste.
 - i. Fire Hydrant shall not be operated to take water during winter, other than for the Fire Department.

GRANT OF EXEMPTION TO THIS BY-LAW

4. Notwithstanding anything contained in this By-Law,
 - a. Newly installed sod: a person may send a written request for exemption of this by-law to the Municipal Clerk. If approved, newly installed sod may be exempt to the water restriction by allowing watering of sod between 7:00 p.m. and 10:00 p.m. for the period of 7 days.
 - b. Any other request for exemption of this by-law can be sent to the Municipal Clerk in writing.

DECLARATION OF TOTAL BAN ON WATERING

5. In the event of emergency conditions, the Mayor, Chief Administrative Officer and Director of Water and Sewer, the Municipality may suspend any exemption as set out in section 3

and 4 of this By-Law and notice of the declaration of emergency conditions shall be sent to all affected residents by bulk mail.

ADMINISTRATION

6. The Provisions of this By-Law shall be enforced by the Municipal Law Enforcement Officer.

PENALTIES

7. Every person who contravenes any of the provisions of this by-law is guilty of an offence and on conviction thereof shall forfeit and pay a penalty for each such offence and every such penalty shall be recoverable under the *Provincial Offences Act*, R.S.O. 1990, c. P.33 and amendment thereto.
 - 7.1 Every person who,
 - a. willfully hinders or interrupts, or causes or procures to be hindered or interrupted the corporation, or any of its officers, contractors, agents, servants or workers, in the exercise of any of the powers conferred by the Public Utilities Act;
 - b. willfully lets off or discharges water so that the water runs waste or useless out of the works;
 - c. being a tenant, occupant, or inmate of any house, building or other place supplied with water from the waterworks, improperly wastes the water or, without the consent of the corporation, lends, sells, or disposes of the water, gives it away, permits it to be taken or carried away, uses or applies it to the use or benefit of another, or to any use and benefit other than the person's own or increases the supply of water agreed for;
 - d. without lawful authority willfully opens or closes any hydrant, or obstructs the free access to any hydrant, stopcock, chamber, pipe, or hydrant-chamber, by placing on it any building material, rubbish or any other obstruction;
 - e. throws or deposits any injurious, noisome or offensive matter into the water or waterworks, or upon the ice, if the water is frozen, or in any ways fouls the water or commits any willful damage, or injury to the works, pipes or water, or encourages the same to be done;
 - f. willfully alters any meter placed upon any service pipe or connected therewith, within or without any building or other place, so as to lessen or alter the amount of water registered; or
 - g. lays or causes to be laid any pipe or main to communicate with any pipe or main of the waterworks, or in any way obtains or uses the water without the consent of the corporation, is guilty of an offence.
8. Any person involved in the unauthorized use of hydrant water will be charged for: the water taken, the costs incurred to investigate and correct the use, penalty fees, and other remedies authorized by law.

Hydrant use violation set fines are \$300.00
9. When a person has been convicted of an offence under this By-Law, any court of competent jurisdiction thereafter, may, in addition to any other penalty imposed on the person convicted, issue an order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted directed towards the continuation or repetition of the offence.

10. The requirements of this By-Law are severable, if any requirements of this By-Law are held invalid, the application of such requirements to other circumstances and the remainder of this by-law shall not be affected.

11. **THAT** By-law 90-2009 and By-law 86-2018 be repealed.

12. **THAT** this By-Law shall come into force on the date of its adoption and shall effect on that date.

READ A FIRST, SECOND AND THIRD TIME AND PASSED IN OPEN COUNCIL THIS 22nd DAY OF JUNE 2020.

François St. Amour, Mayor

Josée Brizard, CAO-Clerk

SEAL