

THE CORPORATION OF THE TOWNSHIP OF EMO

BY-LAW NO. 2001-13

**BEING A BY-LAW TO RESTRICT THE NON-ESSENTIAL USE OF POTABLE WATER DRAWN FROM THE MUNICIPAL WATER DISTRIBUTION SYSTEM WITHIN THE TOWNSHIP OF EMO – PUBLIC UTILITIES ACT, CHAPTER 423, R.S.O. 1980, SECTION 2, 8, 12 AND 13.**

**WHEREAS** by resolution passed July 12, 2001, Council approved the recommendation to prepare a by-law to impose certain restrictions on the use of treated water from the Municipal Water System.

**NOW THEREFORE** Council of the Township of Emo **HEREBY ENACTS** as follows:

1. Definitions:

For the purpose of this by-law, the following definitions shall apply:

- a) Calendar day shall mean the period of twenty-four (24) consecutive hours commencing at midnight and ending at the subsequent midnight.
  - b) Corporations shall mean the Corporation of the Township of Emo, its officers or employees.
  - c) Non-essential use of water shall include watering of lawns and gardens, filling of swimming pools, washing of vehicles (other than commercially-operated car washes) and any other use of water which is not essential to public health and safety, personal hygiene, or to sustain a commercial activity at the municipal address where water is used.
  - d) Person shall include a natural person as well as an incorporated company.
2. All users of water, including metered users in the Township of Emo are subject to the provisions of this by-law.
  3. During periods of drought, when the supply of potable water is threatened to the extent that the health and safety of the inhabitants is considered to be at risk, the Reeve, Deputy-Reeve, Administrator/Clerk Treasurer or Water & Sewer Operator may declare the provisions of this by-law to be in effect.
  4. Once declared to be in effect pursuant to Section 3, above, the provisions of this by-law shall remain in effect until similarly declared not to be in effect by the Reeve, Deputy-Reeve, Administrator/Clerk-Treasurer or Water & Sewer Operator.
  5. Irrespective of any declaration pursuant to Section 3, above, the provisions of Section 6 shall be in effect during the period May 15 to September 15 inclusive in each year.
  6. a) The drawing of potable water from the municipal water distribution system is restricted as follows:
    - i) residents living south of the railroad tracks may water lawns, etc on even calendar days; and
    - ii) residents north of the railroad tracks on odd calendar days.

- b) Nothing in the by-law is intended to restrict the use of water within main residential buildings, commercial and industrial buildings and institutional buildings where water is used for the purposes for which the building is occupied and said uses are not defined as non-essential uses. This exemptions does not extend to residential buildings which are accessory to the main residential building unless said accessory buildings are essential to a home occupation, home industry or home profession.

- 7. The Corporation may, through its By-Law Enforcement Officer or other official designated for these purposes, direct, verbally or in writing, any person in contravention of the provisions of this by-law to comply immediately with said provisions of this by-law.
- 8. Where a violation of this by-law is in effect at a property, The Corporation may, in the absence of the property owner or the property owner's representative, enter onto the property to take action necessary on the exterior of the property to curtail the non-essential use of water.
- 9. a) Any person who fails to comply with the restrictions imposed by this by-law or fails to comply with a directive given under Section 7, is guilty of an offence, and upon the conviction thereof, is liable to a maximum fine of \$300.00 (Three Hundred Dollars).
- b) In addition to any other penalty prescribed herein, upon the violation of any of the terms of this by-law, or any directive given under Section 7, the Corporation may discontinue water service to the property of the person in contravention of said terms.
- 10. Reinstatement of water service discontinued as provided for in Section 9(b) shall be effected on application by the person requesting the water service and on payment of the appropriate fee as set out in Schedule "A" to this by-law.

This by-law shall come into full force and effect upon the final passing thereof.

**READ THREE TIMES** and finally passed in open Council this 12th day of July 2001.

  
Ryan Jodke

  
Brenda J. Cooke  
Administrator/Clerk-Treasurer