

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 55-2003

Being a By-law to regular the external use of water from the municipal water distribution system

WHEREAS The Corporation of the Town of Kingsville owns and operates a potable water distribution system which is a public utility within the meaning of Section 1 of the Municipal Act, 2001;

AND WHEREAS Section 11 of the said Act provides that Council may pass by-laws within specific spheres of jurisdiction including public utilities;

AND WHEREAS Council deems it necessary to regulate the external use of water from its water distribution system.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:

1. The purpose of this by-law is to help ensure that the municipal potable water distribution system has sufficient water to provide the essential needs of the municipal water users, including fire protection, medical health, sanitation and personal drinking uses.
2. In this by-law:
 - “Clerk” means the Clerk of The Corporation of the Town of Kingsville;
 - “Council” means the Council for The Corporation of the Town of Kingsville;
 - “Mayor” means the Mayor of The Corporation of the Town of Kingsville;
 - “Water System” means the municipal potable water distribution system.
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 from the Water System to be taken or used for the purpose of watering or irrigating 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 Mayor is authorized to declare in effect any regulations which the Mayor 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 Mayor.
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 Mayor declares that the regulation is no longer in effect or Council, at a regular or special meeting, rescinds the declaration.
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 Clerk upon the Clerk 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.
10. Any person who contravenes any provisions 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.
11. By-Law Number 55-1998 and Amending By-law 55-1992 for the former Township of Gosfield South, By-law 1794 and Amending By-law 1986-2 for the former Township of Gosfield North, and By-law Number 20-1992 for the former Town of Kingsville are hereby repealed.

READ a FIRST and SECOND TIME this 9th day of June, 2003.

READ A THIRD TIME AND FINALLY PASSED this 9th day of June, 2003.

MAYOR, Patrick M. O'Neil

ACTING-CLERK, Linda Burling