

**THE CORPORATION OF THE TOWNSHIP OF ESSA
BY-LAW NO. 2005 -84**

A By-law to regulate the use of water supplied by the
Municipal Water System and to repeal By-law 96-29.

WHEREAS the Corporation of the Township of Essa maintains and operates certain
waterworks in the Township; and

*WHEREAS the Council of the Township of Essa deems it to be in the best interests of all
property owners to conserve water for the purposes of fire fighting and domestic use; and*

WHEREAS the *Public Utilities Act*, R.S.O. 1990 authorizes a Municipality to regulate the
distribution and use of water supplied by a Municipal waterworks system;

NOW THEREFORE the Council of the Corporation of the Township of Essa enacts as
follows:

1. Definitions

“Council” means the Council of The Corporation of The Township of Essa.

*“Domestic Use” means water that is provided to households and businesses for cooking,
cleaning, drinking, and other uses inside and outside the home or business.*

*“Fire Fighting Purposes” means water provided from the municipal water system for the
purposes of fire fighting, emergency response and public safety.*

*“Municipal Law Enforcement Officer” means the Municipal Law Enforcement Officer
appointed by Council to uphold the By-laws of the Township of Essa.*

*“Municipal Waterworks” means water that is provided through the municipal
infrastructure system and to which homes and businesses are connected.*

*“Watering” means using municipal water from a hose, pipe, sprinkler or permanent
irrigation system for the purposes of watering a lawn or garden, or washing vehicles,
sidewalks, patios, decks, windows or driveways, or filling swimming pools.*

2. Compliance

All users connected to the municipal water system shall comply with the following regulations:

- a) Water restrictions will be in effect from June 1 to September 1 in each and every
year.

- b) *Watering* will only be permitted between the hours of 8:30 a.m. and 10:30 a.m. and 7:00 p.m. and 10:00 p.m.
- c) Residents living in odd numbered houses will be permitted to water on odd numbered days.
- d) Residents living in even numbered houses will be permitted to water on even numbered days.
- e) Notwithstanding clauses 2 a) to d), the Township reserves the right to further restrict watering should the need arise.

3. Enforcement and Penalty

- a) Every person who contravenes any provision of this By-law is guilty of an offence and, upon conviction, is liable to a penalty pursuant to the *Provincial Offences Act*.
- b) Each new day of a continuing offence will be considered a new offence and punishable for each day the violation continues.
- c) The Court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted.

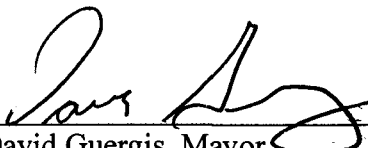
4. General Provisions

- a) *The provisions and restrictions contained herein do not apply to residents using a well on their property for the purposes of watering. In such cases, residents should be prepared to demonstrate that they are using a private well for watering rather than municipally provided water. Furthermore, residents shall demonstrate that private wells are not interconnected to the municipal water supply system. It is an offence to interconnect private supply with municipal water.*
- b) If any court of competent jurisdiction finds that any of the provisions of this By-law are ultra vires, or are invalid for any reason, such provision shall be deemed to be severable and shall not invalidate any of the other provisions of the By-law which shall remain in full force and effect.
- c) Where the context permits, words importing the singular also include more than one persons, parties or things of the same kind.

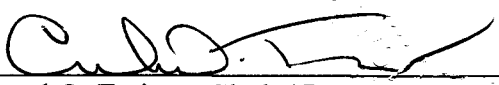
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- d) The word "may" shall be construed as permissive and the word "shall" shall be construed as imperative.
- e) The short form title of this By-law shall be the Watering Restrictions By-law.
- f) That By-law 96-29 is hereby repealed.
- g) That this By-law will come into force and have effect upon the date of final passing thereof.

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the Sixteenth day of November, 2005.



David Guergis, Mayor



Carol O. Trainor, Clerk / Deputy Treasurer

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Township of Essa
By-law 2005 - 84
Watering Restrictions By-law

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating Offence	COLUMN 3 Set Fine
1.	Watering beyond restricted hours	2 (b)	\$75.00
2.	Watering on opposing days	2 (c) 2 (d)	\$75.00 \$75.00
3.	Watering while additional restrictions are in place.	2 (e)	\$75.00

The penalty provision is under Section 3 of By-law 2005- , Enforcement and Penalty. A Certified Copy is attached.

**Township of Essa
By-law 2005 - 84 .
Watering Restrictions By-law
Part I Provincial Offences Act**

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The penalty provision for By-law 2005-84 is under Section 3, Enforcement and Penalty. A Certified Copy is attached.