

THE CORPORATION OF THE CITY OF CLARENCE-ROCKLAND

BY-LAW NUMBER 2000-43

BEING A BY-LAW TO PROHIBIT WRONGFUL USE OF WATER.

WHEREAS Section 12 of the Public Utilities Act, R.S.O. 1990, Chapter P.52, as amended, authorizes municipalities to pass by-laws to prohibit wrongful use of water;

THEREFORE the Council of the City of Clarence-Rockland enacts as follows:

DEFINITION

1) **“Corporation”** means the Corporation of the City of Clarence-Rockland

“Director of Physical Services” means a person appointed as the Director of Physical Services for the City of Clarence-Rockland or his duly appointed representative.

“Hamlet Area” means the village of Bourget, Cheney, Clarence-Creek, Clarence-Point, Hammond and St-Pascal Baylon as defined in the City’s Zoning By-law, as amended.

“Mechanical watering” means the action of watering by any means other than by muscular power.

“Municipal Law Enforcement Officer” means a peace officer for the purpose of enforcing municipal By-laws for the Corporation.

“Public Car Wash” means the use of a land, or building, or structure, or part thereof, where vehicles are washed for the public for a fee.

“Urban Area” means the area contained in the former Town of Rockland as defined in the City’s Zoning By-law, as amended.

“Water Works” means buildings, structures, plant machinery, equipment and appurtenances, devices, conduits, intakes and outlets and underground construction installations and other works designed for the production, treatment, distribution and storage of water and includes land appropriated for such purposes and uses under the jurisdiction of the City of Clarence-Rockland.

GENERAL INTERPRETATION

2) The Director of Physical Services for the City of Clarence-Rockland shall supervise and administer the supply and distribution of all water works in the City of Clarence-Rockland.

3) No person shall let off or discharge water supplied by the water works so that the water runs wastefully or uselessly.

- 4) No person shall water or cause to be watered any newly installed grass until a permit has been issued for that purpose.
- 5) The Director of Physical Services may, by written notice, suspend the water supplied by the water works for the following purposes:
 - a) mechanical sprinkling of lawns, gardens and flowers;
 - b) washing of vehicles; and
 - c) filling of privately owned swimming pools.

URBAN AREA

Section 6,
as amended
by
By-law No.
2004-97

6. No person shall mechanically sprinkle lawns, gardens or flowers or any other vegetation outside any building, at any time, between May 1st and September 30th in any year except as follow:
 - (a) on any property bearing odd civic address numbers, on "Tuesdays, Thursdays and Saturdays" of each week, between the hours of "7:00 p.m. and 10:00 p.m."; and
 - (b) on any property bearing even civic address numbers, on "Mondays, Wednesdays, and Fridays" of each week, between the hours of "7:00 p.m. and 10:00 p.m.".

HAMLET AREA

- 7) No person shall use or allow to be used water at any time between May 1st and September 30th in any year for the purpose of:
 - a) mechanically sprinkling lawns, gardens or flowers;
 - b) public car wash; or
 - c) filling of privately owned swimming pools.
- 8) No person shall discharge water supplied by the water works for the purpose of filling up an empty or partially empty, privately owned swimming pool.

WATERING PERMIT

- 9) Notwithstanding any other provision of this By-law, the Director of Physical Services may issue a permit to allow the watering of newly installed grass which includes sodding or seeding in any

entire yard.

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- a) The water permit application and permit shall be in a prescribed form and shall be for the period not to exceed twenty one (21) days.
- b) No fee shall be charged for the said permit.
- c) The holder of the watering permit shall affix and display or cause to be affixed and displayed in a front window of the building situated on the same lot in order to be visible from the road.

FIRE HYDRANTS

- 10) No person shall operate a fire hydrant except:
 - a) an employee of the Physical Services Department;
 - b) a member of the City of Clarence-Rockland Fire Department; or
 - c) persons having the written approval from the Director of Physical Services.
- 11) No person shall obstruct the free access to any fire hydrant. As prescribed in Schedule "A" of this By-law, vegetation or other objects shall neither be planted nor placed within a three (3) metre corridor between the hydrant and the curb nor a three (3) metre radius beside or behind any hydrants.
- 12) Unmetered water from privately-owned hydrants shall not be taken for other than fire fighting purposes.
- 13) Privately-owned hydrants shall be maintained accessible, at all times, and in good operating condition by and at the expense of the owner.
- 14) No person, other than authorized employees, shall paint fire hydrants or tamper with the colour scheme of a fire hydrant.

EXEMPTION

- 15) The provisions of this By-law shall not apply to any person using a private water system.

ENFORCEMENT

- 16) The provisions of this By-law shall be enforced by the Municipal Law Enforcement Officer.

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- 17) No person shall hinder, obstruct or interfere with the Municipal Law Enforcement Officer in the exercise of his powers or the performance of his duties.

PENALTIES

- 18) Any person who contravenes any provisions of this By-law is guilty of an offence and upon conviction shall forfeit and pay a penalty as provided for in the Provincial Offences Act, 1990, R.S.O., Chapter P.33 and amendments thereto.

SEVERABILITY

- 19) It is declared that if any section, subsection or part(s) thereof be declared by any court of law to be bad, illegal or ultra virus, such section, subsection or part(s) shall be deemed to be severable and all parts thereof are declared to be separate and independent and enacted as such.

ORDER PROHIBITING

- 20) When a person has been convicted of an offence under the provisions of this By-law, any court of competent jurisdiction thereafter may in addition to other penalty impose on the person convicted, issue an order prohibiting the continuance or repetition of the offence or doing of any act by person convicted directed towards the continuation or repetition of offence.

BY-LAW IN FORCE

- 21) This By-law shall come into force on the day it is duly adopted by Council.

FORMER BY-LAWS REPEALED

- 22) That the Town of Rockland By-law number 1977-31 and the Township of Clarence By-law number 1992-72, regulating water consumption during the summer months, are hereby repealed.

**READ A FIRST, SECOND AND DULY PASSED UPON THE THIRD READING, THIS
13TH DAY OF JUNE 2000.**

(SIGNED) Jean Pierre Pierre

MAYOR

(SIGNED) Daniel Gatien

CLERK