

THE CORPORATION OF THE TOWNSHIP OF BILLINGS

BY-LAW No. 2018-28

Being a by-law to regulate the exterior use of water from the municipal water distribution system

WHEREAS the Corporation of the Township of Billings owns and operates a potable water distribution system which is a public utility within the meaning of Section 1 of the *Municipal Act, 2001*, as amended; and,

WHEREAS Section 11 of the *Municipal Act, 2001*, as amended, provides that a municipality may pass by-laws within specific spheres of jurisdiction including public utilities; and,

WHEREAS Council of the Corporation of the Township of Billings deems it necessary to regulate the exterior use of water from its water distribution system in order to ensure that the municipal potable water distribution system has sufficient water to provide the essential needs of municipal water users, including fire protection, medical health, sanitation and personal drinking uses;


NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF BILLINGS HEREBY ENACTS AS FOLLOWS:

1. In this by-law:
 - a) “CAO/Clerk” means the CAO/Clerk of the Corporation of the Township of Billings;
 - b) “Council” means the Council of the Corporation of the Township of Billings;
 - c) “Water System” means the Corporation of the Township of Billings’ municipal potable water distribution system;
 - d) “Water System Operator” means the employee of the Ontario Clean Water Agency responsible for the operation and monitoring of the Water System.
2. 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 even-numbered municipal addresses only; and,
 - 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 odd-numbered municipal addresses only.
3. Notwithstanding section 2, during the months of May, June, July, August and September, the CAO/Clerk is authorized to declare in effect any regulations which the CAO/Clerk and the Water System Operator deem advisable to limit the external use of water from the Water System. This authority includes the right to ban completely the exterior use of water from the Water System.
4. Notice to the public of any regulation declared pursuant to section 3 shall be given immediately in a manner determined by and at the sole discretion of the CAO/Clerk.
5. Upon notice to the public being given of any regulation declared pursuant to section 3, no person shall take or use water from the Water System of permit water from the Water System to be taken or used except in accordance with the provisions of said regulation.
6. A regulation declared pursuant to section 3 shall remain in effect until the CAO/Clerk declares that the regulation is no longer in effect
7. Any person who contravenes any provisions of this by-law is guilty of an offence and on conviction is liable to a fine as provided for in the *Provincial Offences Act, R.S.O. 1990, c. P. 33*.
8. By-laws 95-12 and 2002-15 are hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND ENACTED this 16 day of July, 2018.



Austin Hunt, Mayor



Kathy McDonald, CAO/Clerk

THE CORPORATION OF THE TOWNSHIP OF BILLINGS

Part I Provincial Offences Act

BY-LAW 2018-28: Being a by-law to regulate the exterior use of water from the municipal water distribution system

ITEM	COLUMN 1 SHORT FORM WORDING	COLUMN 2 PROVISION CREATING OR DEFINING OFFENCE	COLUMN 3 SET FINE
1	Take water from Water System when prohibited	Section 2	\$100.00
2	Permit water to be taken from Water System when prohibited	Section 2	\$100.00
3	Take water from Water System contrary to Regulation	Section 5	\$100.00
4	Permit water to be taken from Water System contrary to Regulation	Section 5	\$100.00

NOTE: The general penalty provision for the offences listed above is section 7 of By-law 2018-28, a certified copy of which has been filed.