



**The Corporation of the Town of Espanola**

**Bylaw No. 2675/15**

**Being a Bylaw to regulate, prohibit or restrict  
the use of water within the Town of Espanola**

**WHEREAS** Section 8 of the *Municipal Act, 2001*, as amended provides that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

**AND WHEREAS** Section 9 of the *Municipal Act, 2001*, as amended, grants municipalities the capacity, rights, power and privileges of a natural person for the purpose of exercising its authority under the Act;

**AND WHEREAS** under Section 11 of the *Municipal Act, 2001*, as amended, a lower tier municipality may pass bylaws respecting matters within the sphere of jurisdiction set out therein;

**AND WHEREAS** it is deemed expedient to regulate the use of the municipal water system; to ensure there is an adequate water supply to operate the water system at all times, including peak demand times;

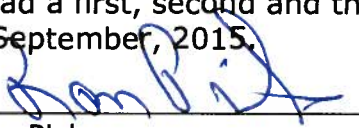
**AND WHEREAS** it is deemed prudent to promote and encourage water conservation practices for the overall economic, social and environmental well-being of the municipality;

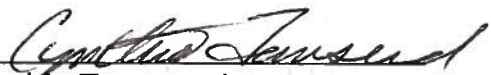
**NOW THEREFORE** the Council of the Town of Espanola hereby enacts as follows:

1. No person shall use the municipal water supply for the purpose of watering gardens or lawns except as follows:
  - a) Municipal or civic addresses with even numbers shall be permitted to water on even numbered days of the month, between the hours of 7:00 a.m. to 10:00 a.m. and 7:00 p.m. to 10:00 p.m.
  - b) Municipal or civic addresses with odd numbers shall be permitted to water on odd numbered days of the month, between the hours of 7:00 a.m. to 10:00 a.m. and 7:00 p.m. to 10:00 p.m.
  - c) Municipal or civic addresses that have electronic watering systems shall be permitted to water on any day, between the hours of 3:00 a.m. to 6:00 a.m.

2. Municipal property shall be exempt from provisions of Section 1 of this Bylaw.
3. Owners or occupants of a property having established a new lawn, either sodded or seeded, shall be permitted to use the municipal water supply for the new lawn on both days permitted in Clause 1. This permission shall be for a time limit of three (3) weeks from the establishment of the new lawn. Form # M99-01412 – Watering Permission shall be completed and submitted to the Municipal Office prior to this Clause applying.
4. Owners or occupants of property where connection to municipally supplied is available, who are using water on a private water system for lawn and garden care shall obtain a notice from the Public Works Department stating that a PRIVATE WATER SYSTEM is in use. This notice shall be prominently displayed at all times during the hours other than as stated above.
5. Bylaw 1336/98 is hereby repealed.
6. Every person who contravenes any provisions of this bylaw is guilty of an offence and is subject to the penalties under the Provincial Offences Act.
7. This Bylaw shall come into force and take effect immediately upon the passing thereof by Council of the Town of Espanola and Schedule 'A' Short Form Wording/Set Fines shall come into force and take effect immediately upon approval by the Ontario Court of Justice.

Read a first, second and third time and passed in open Council on the 8<sup>th</sup> day of September, 2015.

  
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Ron Piche  
Mayor

  
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Cynthia Townsend  
Clerk Treasurer/Administrator

**Schedule 'A'**

**PART I Provincial Offences Act**

**Bylaw 2675/15, Restrict Use of Water**

<b>ITEM</b>	<b>COLUMN 1 Short Form Wording</b>	<b>COLUMN 2 Provision creating or defining offence</b>	<b>COLUMN 3 Set Fine</b>
1	Fail to use municipal water on permitted day /at permitted time	Section 1 a)	\$120.00
2	Fail to use municipal water on permitted day /at permitted time	Section 1 b)	\$120.00
3	Fail to use Municipal water at permitted time	Section 1 c)	\$120.00
4	Fail to use Municipal water at permitted time	Section 3	\$120.00
5	Fail to obtain/display Private Water System notice	Section 4	\$120.00

**NOTE:** The penalty provision for the offences indicated above is Section 6 of Bylaw 2675/15, certified copy of which has been filed.