

The Corporation of the
Municipality of Trent Lakes

By-law No. B2024-052

A By-law to Regulate the External Uses of
Water Relative to Alpine Village, Pirates Glen
and Buckhorn Lake Estates

Whereas Section 10(2) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, (the *Municipal Act, 2001*) provides that a municipality may pass by-laws respecting the health, safety and well-being of persons, and the protection of persons and property;

And Whereas Section 11(3) of the *Municipal Act, 2001* authorizes a municipality to pass by-laws respecting matters within the jurisdiction of public utilities;

And Whereas Section 425 of the *Municipal Act, 2001* provides that a municipality may pass by-laws to provide that a person who contravenes a by-law of the municipality passed under the *Municipal Act, 2001* is guilty of an offence;

And Whereas Section 426 of the *Municipal Act, 2001* provides that no person shall hinder or obstruct, or attempt to hinder or obstruct any person who is exercising a power or performing a duty under a by-law passed under the *Municipal Act, 2001*;

And Whereas Section 429(1) of the *Municipal Act, 2001* provides that a municipality may establish a system of fines for offences under a by-law passed under the *Municipal Act, 2001*;

And Whereas Section 434.1 of the *Municipal Act, 2001*, authorizes a municipality to impose a system of administrative penalties;

And Whereas Section 436 of the *Municipal Act, 2001*, authorizes a municipality to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine compliance with a by-law, direction or order of the municipality;

And Whereas Section 444 of the *Municipal Act, 2001* provides that a municipality may make an order requiring the person who contravenes a by-law of the municipality passed under the *Municipal Act, 2001* or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred, to discontinue the contravening activity;

Now Therefore Be It Resolved that the Council of The Corporation of the Municipality of Trent Lakes enacts as follows:

1.0 Definitions

- 1.1 **Administrative Monetary Penalty System (AMPS) By-law** means the Municipality’s Administrative Monetary Penalty System By-law B2023-051, as amended, or any successor administrative monetary penalty system by-law.
- 1.2 **Administrative Penalty** means a monetary penalty imposed for a contravention of this By-law and as established by the Administrative Monetary Penalty System By-law.
- 1.3 **Calendar Day** means one day commencing at 00:00 hours and ending at 23:59:59.
- 1.4 **Council** means the municipal Council for the Municipality of Trent

Lakes.

- 1.5 **External use** means the discharge of water which is not fully contained within any building, shed, or structure and includes water released onto or into the natural environment.
- 1.6 **Fee** means a fee as set forth in the Municipality's Fees and Charges By-law.
- 1.7 **Municipality** means the Corporation of the Municipality of Trent Lakes and includes its entire geographic area.
- 1.8 **Officer** means a Police Officer, Chief Building Official, Building Inspector and Municipal Law Enforcement Officer.
- 1.9 **Penalty Notice** means a notice given to a Person pursuant to the Administrative Monetary Penalty System By-law.
- 1.10 **Permitted Water Use Hours** means the four (4) consecutive morning hours from 5:00 a.m. to 9:00 a.m. and again in the evening, the four (4) consecutive hours from 5:00 p.m. to 9:00 p.m. of the same day, both periods being on the permissible day of watering.
- 1.11 **Person** means an owner, tenant, occupant, agent or employee of any house, dwelling unit, building or other place or structure with supplied water from the Municipal supply system.

2.0 Application

- 2.1 This By-Law applies to every Person of Alpine Village, Pirates Glen and Buckhorn Lake Estates.
- 2.2 When a property owner requires the turning on and off of water shutoff valves at the street line for their convenience, a Fee may be required.
- 2.3 The Mayor or their designate may declare a water supply emergency and further restrict or suspend all lawn and garden watering. At the end of the emergency, the provisions of this By-law shall resume.

3.0 Prohibitions

- 3.1 No Person shall water or sprinkle by hose, pipe, or any other connection, lawns, gardens, grass or grounds of any description or for any other External Use between the 30th day of April each year and the 31st day of October of the same year except at such time as specified in section 3.2 or 3.3.
- 3.2 All Persons within Alpine Village and Pirates Glen shall be permitted to water on the following Calendar Days during Permitted Water Use Hours:
 - a. Persons with even-numbered street addresses shall be permitted to water on even-numbered Calendar Days.
 - b. Persons with odd-numbered street addresses shall be permitted to water on odd-numbered Calendar Days.

- 3.3 All Persons within Buckhorn Lake Estates shall be permitted to water on the following Calendar Days during Permitted Water Use Hours:
- a. Persons with 911 numbers from 1-100 assigned by the Municipality shall be permitted to water on even-numbered Calendar Days.
 - b. Persons with 911 numbers from 101-200 assigned by the Municipality shall be permitted to water on odd-numbered Calendar Days.
- 3.4 No Person shall turn on or off or otherwise tamper with any water shut off valves.
- 3.5 No Person shall use the water from a water supply system to operate a water fountain, water pond, artificial stream, and for the filling of swimming pools and hot tubs.

4.0 Entry and Inspection

- 4.1 An Officer or their designate(s) may, at any time, enter onto a property, to determine whether this By-law is being complied with.
- 4.2 No Person shall refuse to permit an Officer or their designate(s) to inspect a property for the purposes of determining compliance with the By-law.
- 4.3 An Officer or their designate(s) may enter upon a property at any reasonable time to direct or require that a matter or action be done and, in default of that matter or action being done, to do such matter or action in accordance with this By-law.
- 4.4 A Person exercising power of entry on behalf of the Municipality under this By-law may be accompanied by any Person under their direction including Law Enforcement Services, other Municipal employees, agents or authorities as deemed necessary.

5.0 Administrative Penalties

- 5.1 The Administrative Monetary Penalty System By-law applies to this By-law.
- 5.2 An Officer who finds that a Person has contravened any provision of this By-law may issue a Penalty Notice under the Administrative Monetary Penalty System By-law to the Person who contravened this By-law.
- 5.3 The Penalty Notice shall be given to the Person to whom it is addressed as soon as is reasonably practicable and shall include the following information:
- a. Particulars of the contravention, including to which Property it applies;
 - b. The amount of the Administrative Penalty; and
 - c. A statement advising that an Administrative Penalty will

constitute a debt to the Municipality.

- 5.4 A Person who has been issued a Penalty Notice shall pay the Administrative Penalty within fifteen (15) days from the date the Penalty Notice was issued.
- 5.5 An Administrative Penalty that is deemed to be confirmed may be added to the tax roll of the Property on which the contravention of this By-law occurred.

6.0 Conflict

- 6.1 This by-law shall not be construed to reduce or mitigate any restrictions or regulations lawfully imposed by the Municipality or by any governmental authority having jurisdiction to make such restrictions or regulations.
- 6.2 If there is a conflict between a provision of this by-law and a provision of any other municipal by-law, the provision that establishes the higher standard to protect the health and safety of the public and to maintain clean and tidy condition on land shall apply.

7.0 Interpretation

- 7.1 Any reference in this By-law to legislation, regulations, by-laws, policies or rules is to such legislation, regulations, by-laws, policies or rules as amended, extended, re-enacted or replaced from time to time.

8.0 Short Title

- 8.1 This by-law may be referred to as the “Watering Regulations By-law”.

9.0 Severability

- 9.1 Should any provision, or any part of a provision of this By-law be declared invalid, or to be of no force and effect by a court of competent jurisdiction, it is the intent of Council that such a provision, or part of a provision, shall be severed from this By-law, and every other provision of the By-law shall be applied and enforced in accordance with its terms to the extent possible according to law.

10.0 Repeals

- 10.1 That By-law B2016-080 is hereby repealed.

11.0 Effective Date

- 11.1 This By-law shall come into force on the date it is passed.

Read a first, second and third time and passed this 16th day of July, 2024.

Terry Lambshead, Mayor

Jessie Clark, Clerk