

**MUNICIPALITY OF LEAMINGTON**

BY-LAW 426-03

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

WHEREAS The Corporation of the Municipality of Leamington owns and operates a potable water distribution system which is a public utility within the meaning of Section 1 of the Municipal Act, 2001;

AND WHEREAS Section 11 of the said Act provides that the Council may pass by-laws within specific spheres of jurisdiction including public utilities;

AND WHEREAS the Council deems it necessary to regulate the external use of water from its water distribution system.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF LEAMINGTON ENACTS AS FOLLOWS:

1. The purpose of this by-law is to help ensure that the municipal potable water distribution system has sufficient water to provide the essential needs of the municipal water users, including fire protection, medical health, sanitation and personal drinking uses.
2. In this by-law:
  - (a) "Clerk" means the Clerk of The Corporation of the Municipality of Leamington;
  - (b) "Council" means the Council for The Corporation of the Municipality of Leamington;
  - (c) "Mayor" means the Mayor of The Corporation of the Municipality of Leamington;
  - (d) "Water System" means the municipal potable water distribution system.
3. 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 only those municipal addresses ending with the numbers 0, 2, 4, 6 or 8;
  - (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 only those municipal addresses ending with the numbers 1, 3, 5, 7 or 9.
4. Notwithstanding Section 3, during the months of May, June, July, August and September, the Mayor is authorized to declare in effect any regulations which the Mayor deems advisable to limit the external use of water from the Water System and this authority includes the right to ban completely the external use of water from the Water System.

5. Notice to the public of any regulation declared pursuant to Section 4, shall be given immediately in a manner determined by, and at the sole discretion of, the Mayor.
6. Upon notice to the public being given of the regulation declared pursuant to Section 4, no person shall take or use water from the Water System or permit water from the Water System to be taken or used except in accordance with the provisions of such regulation.
7. A regulation declared pursuant to Section 4 shall remain in effect until either the Mayor declares that the regulation is no longer in effect or the Council, at a regular or special meeting, rescinds the declaration.
8. Upon application by a property owner, a permit which allows the watering of a newly seeded or newly sodded lawn may be issued by the Clerk upon the Clerk receiving satisfactory evidence that the lawn has been newly seeded or newly sodded within the same calendar year that the permit is to be issued.
9. Any lawn watering permit may be revoked or suspended by Council for any reason Council deems appropriate.
10. Any person who contravenes any provisions of this by-law is guilty of an offence and, upon conviction, is subject to a fine pursuant to the Provincial Offences Act, R.S.O. 1990 c.P.33, as amended.
11. By-Law 356-02 is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY ENACTED  
THIS 26th DAY OF MAY, 2003.

Signature on file

---

DAVE WILKINSON  
Mayor

Signature on file

---

BRIAN R. SWEET  
Clerk

THE CORPORATION OF THE MUNICIPALITY OF LEAMINGTON  
BY-LAW 426-03.

BEING A BY-LAW TO REGULATE THE EXTERNAL USE OF WATER  
FROM THE MUNICIPAL WATER DISTRIBUTION SYSTEM

ITEM	COLUMN 1 SHORT FORM WORDING	COLUMN 2 OFFENCE CREATING PROVISION OR DEFINING OFFENSE	COLUMN 3 SET FINE (includes costs)
1.	Take water from Water System when prohibited	Section 3	\$100.00
2.	Permit water to be taken from Water System when prohibited	Section 3	\$100.00
3.	Take water from Water System contrary to Regulation	Section 6	\$100.00
4.	Permit water to be taken from Water System contrary to Regulation	Section 6	\$100.00

Penalty Provision for the offences indicated above is Section 10 of By-law No. 426-03 a certified copy of which has been filed.