

# THE CORPORATION OF THE MUNICIPALITY OF KILLARNEY

## BY-LAW NUMBER 2005-25

### BEING A BY-LAW TO REGULATE, PROHIBIT OR RESTRICT THE USE OF MUNICIPAL WATER WITHIN THE MUNICIPALITY OF KILLARNEY

**WHEREAS** Sections 9 and 11 of the Municipal Act, S.O. 2001, c. 25, as amended provides authority for this By-law;

**AND WHEREAS** the Council of the Corporation of the Municipality of Killarney deems it necessary to enact a By-law respecting the time, manner, extent and nature of the use of the municipal water supply by residents within the Municipality of Killarney;

**NOW THEREFORE** the Council of the Corporation of the Municipality of Killarney enacts as follows:

#### **SHORT TITLE:**

1. (a) The short title of this By-law shall be the "Water Restrictions By-Law".

#### **PROHIBITIONS:**

2. (1) No person shall use water from the municipal waterworks for **lawn and garden care** in the Municipality of Killarney except as follows:
  - a. The owner or occupant of a property bearing an even street number shall be permitted to use municipal water for lawn and garden care only on even numbered days of the month between **7:00 a.m. and 10:00 a.m. in the morning and 7:00 p.m. and 10:00 p.m. in the evening;**
  - b. The owner or occupant of a property bearing an odd street number shall be permitted to use municipal water for lawn and garden care only on odd numbered days of the month between **7:00 a.m. and 10:00 a.m. in the morning and 7:00 p.m. and 10:00 p.m. in the evening;**
- (2) The consumption of municipally supplied water by the owners or occupants of the following properties, for the purposes of lawn and garden care shall only be permitted between the hours of **8:00 a.m. and 5:00 p.m.**
  - a) School
  - b) Municipal Property
  - c) Institutions
- (3) The Municipality shall have the authority to prohibit the use of water supplied by the municipal waterworks throughout the entire system, or any part thereof, for lawn or garden watering, or in other residential outside use, when such action is deemed necessary for the specified time period.

No persons shall use water from the municipal waterworks for any outdoor use including lawn and garden watering in the affected parts of the village during a period of water ban as may be declared by the Municipality from time to time for portions or all of the village.

#### **EXEMPTIONS:**

3. (1) Owners or occupants of a property having established a **new lawn, either**

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**sodded or seeded**, shall be permitted to water the lawn on the alternate days to those allowed in Section 2 (1) above between the hours of **7:00 p.m. and 9:00 p.m. only**. This permission shall be for a time limit of three (3) weeks from the establishment of the new lawn.

- (2) Notwithstanding the above, the consumption of municipally supplied water by the owners or occupants employing the use of electronic sprinkler systems for lawn and garden care shall be between the hours of **4:00 a.m. and 6:00 a.m. daily**.

**ENFORCEMENT:**

4. The provisions of this By-law shall be enforced by the By-law Enforcement Officer or other employee designated by Council, and are hereby authorized,
- (a) to request any person believed by such officer or employee to be contravening or who has contravened any provision of this by-law to desist from the activity constituting or contributing to such contravention; and
  - (b) to enforce this by-law pursuant to the provisions hereof and of the Provincial Offences Act, R.S.O. 1990, c. P. 33, as amended, or any successor thereto.

**PENALTIES:**

5. Any person, occupant or owner of a property who contravenes any provision of this By-law shall be guilty of an offence and on conviction is liable to a fine as provided for under the Provincial Offences Act.

This By-law shall come into force and take effect immediately upon the passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED IN OPEN COUNCIL THIS 10TH DAY OF AUGUST, 2005.**

  
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**MAYOR**

  
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**CLERK-TREASURER**