

THE CORPORATION OF THE TOWN OF GRAND VALLEY

BY-LAW 2022-20

A by-law to regulate the use of drinking water within the Town of Grand Valley.

WHEREAS the Municipal Act, 2001, S.O. 2001, c. 25 gives authority to municipalities to regulate the production, treatment and distribution of water within their municipalities,

AND WHEREAS the Corporation of the Town of Grand Valley has a drinking water works system to supply water to consumers and owners within the urban area of the Town of Grand Valley,

AND WHEREAS the Council of the Corporation of the Town of Grand Valley deems it expedient and desirable to make certain rules and regulations for the operation, maintenance and use of the water system, in addition to those contained in By-law 1994-07, as amended or replaced,

NOW THEREFORE the Council for the Corporation of the Town of Grand Valley hereby enacts as follows:

Water Restriction Regulations:

1. Unless otherwise defined herein, capitalised terms used in this By-law shall have the same meanings as those defined in By-law 1994-07.
2. The Town does not guarantee a constant supply of water and shall not be liable for any damages resulting from the water service being shut off for any reason, including but not limited to mechanical failure, electrical failure, repairs to the system.
3. The Town retains the right to shut off any portion of the Water Works without prior notice, for as long a time as the Town may deem necessary, for the purpose of repairing or conducting emergency maintenance to the Water Works or any portion thereof.
4. The Town's maintenance responsibilities shall be limited to the Water Works. The Town shall not be responsible for blockages or other problems in any Private Water Service. If the location of a blockage is unknown prior to excavation, and if the Town or its forces excavates and/or investigates and determines that the source of any problem is located within a Private Water Service or other private property, then the Town's expenses in

- undertaking such excavation and/or investigation shall be paid by the owner of such Private Water Service or other private property.
5. The Town may, at any time, in its absolute discretion, restrict the use of Town-supplied water for the purposes of watering of outdoor plants, shrubs, trees, flowers, vegetables or grass, washing vehicles, or any use other than for strictly domestic household purposes. Such water use restrictions and required conditions shall be published through the Town's website and social media channels, as well as by hand delivery of notices to affected property owners and physical signs displayed around the Town. The notice shall be issued in the same or substantially the same format as Appendix A to this by-law. Authority for issuing water restrictions is delegated to the CAO/Clerk-Treasurer in consultation with the Town's water system Superintendent and upon notice to Council.
 6. Should a person wish to use water for purposes of sod planting during a time of water restrictions, that person shall consult with the Town in advance of the sod's planting to determine if the water use may occur.
 7. No person shall use water in contravention of a water restriction imposed by the Town under section 5.
 8. Any person who breaches the provisions of this By-law is guilty of an offence and shall be subject to the penalty provisions of the *Provincial Offences Act, R.S.O. 1990, c. P.33*.
 9. Each day of contravention is a separate offence.
 10. Any persons convicted of a breach of any of the provisions of this By-law shall forfeit and pay at the discretion of the convicting magistrate a penalty not exceeding (exclusive of costs) the sum of five thousand dollars (\$5,000.00) for each offence and not less than three hundred dollars (\$300.00) for each offence, recoverable under the *Provincial Offences Act* for the Province of Ontario.
 11. In addition to other sanctions and remedies provided in this By-law, the Town may turn off or restrict the supply of water to any water user, where such water user has violated any of the provisions of this By-law and may refuse to restore normal service until the violation complained of has been terminated or remedied. The Town will not be liable for any damage to property or injury to person by reason of shut-off of water supply.
 12. This By-law shall be enforced by the By-law Enforcement Officer of the Town of Grand Valley and such municipal employees as may be designated by the CAO.
 13. In addition to the other provisions contained in this By-law, in the event of an apparent breach of this By-law, an order may be made by the By-Law Enforcement Officer, the CAO or designate to rectify the apparent breach. The order shall be directed to the

owner of the property and the occupant and shall specify the work to be carried out, together with a date for the completion of the work.

14. If the order referred to in section 13 is not complied with, the Town may enter the property and carry out the work, or have it carried out under its authority, or any combination of the two.
 - a. No person shall interfere with the doing of the work by the Town or its agents.
 - b. The Town and its agents are hereby relieved from all liability in connection with the work carried out under the provisions of section 14.
 - c. Upon completion of the work, the Town shall certify the cost of the work incurred internally or externally to do the work. These costs shall be recovered by the Town either through legal action or in the like manner as property taxes by the Town placing the cost of the work upon the tax roll.
15. If any part of this by-law for any reason is held to be invalid, the invalid part shall be deemed to be severed and the remainder of the by-law shall remain in effect until repealed.

This By-law comes into force and effect upon passing.

READ a first, second and third time this 8th day of March 2022.



Mayor



Clerk

APPENDIX A – Water Use Restriction Notice

Town of Grand Valley

Water Use Restriction Notice

In accordance with By-law # ____ - ____, the Town of Grand Valley hereby issues the following Water Use Restrictions:

1. [insert restriction requirements here]
2. [insert reasons for the restrictions]
3. These restrictions shall take effect on _____ and shall remain in effect until _____.

Notice of these restrictions has been posted on the Town of Grand Valley website, through the Town of Grand Valley’s social media and through the hand delivery of this notice to affected properties.

Questions regarding this notice or requests for exemption under By-law # ____ - ____ must be directed to the Town of Grand Valley Municipal Office at 519-928-5652.

Chief Administrative Officer,
Town of Grand Valley

Date