

**THE CORPORATION OF THE CITY OF GUELPH**

**By-law Number (2014) – 19714**

A by-law to restrict outside water use within the City, to repeal By-law Number (2003)-17106, as amended, and to adopt Municipal Code Amendment #508.

**WHEREAS** the City is a single-tier municipality;

**AND WHEREAS**, pursuant to Subsection 10(1) of the *Municipal Act*, a single-tier municipality may provide any service or thing that it considers necessary or desirable for the public;

**AND WHEREAS**, pursuant to Subsection 10(2), paragraph 7 of the *Municipal Act*, a single-tier municipality may pass by-laws respecting any service or thing that it considers necessary or desirable for the public;

**AND WHEREAS** the City provides a water public utility to the public;

**AND WHEREAS** the City wishes to restrict outside water use;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH ENACTS AS FOLLOWS:**

PART 1 – DEFINITIONS

1. In this by-law, the following terms shall have the corresponding meanings:

**“Allowed Hours”** means between 7:00 a.m. and 9:00 a.m. and between 7:00 p.m. and 9:00 p.m.;

**“Bulk Hydrant Maintenance”** means the City’s program of using Water for inspection and maintenance of large numbers of fire hydrants, but does not include using Water for inspection and maintenance of specific fire hydrants with suspected problems;

**“City”** means The Corporation of the City of Guelph;

**“City Solicitor”** includes the individual holding the position of City Solicitor of the City, or any individual holding any successor position with responsibility for similar matters, and any other employee of the City acting under the direction of such individual for the purposes of this By-law;

**“Council”** means the City’s municipal council;

**“Decorative Plant”** means a plant, flower, shrub or bush other than a Food Plant, Lawn, Sports Field or Tree;

**“Executive Director”** includes the individual holding the position of Executive Director of Planning, Building, Engineering and Environment of the City, or any individual holding any successor position with responsibility for similar matters, and any other employee of the City acting under the direction of such individual for the purposes of this By-law;

**“Food Plant”** means a plant grown for a purpose of consumption;

**"General Manager"** includes the following individual employees of the City:

- (i) The individual holding the position of General Manager of Water Services;
- (ii) The individual holding a successor position to the General Manager of Water Services, with responsibility for similar matters;
- (iii) Any individual responsible for supervision of either of the foregoing individuals; and
- (iv) Any other individual acting under the direction of any of the foregoing individuals for the purposes of this By-law;

**"Highway"** means a highway as defined in the *Highway Traffic Act*, R.S.O. 1990, c. H.8;

**"Historic Site"** means McCrae House of the City;

**"Industrial, Commercial or Institutional Property"** means property that is zoned for industrial, commercial or institutional use pursuant to the Zoning By-law;

**"Lawn"** means an area containing grass, weeds or similar types of greenery, but does not include a Sports Field;

**"Municipal Address Days"** means, with respect to a property with an even-numbered municipal address, days with even-numbered dates, and with respect to a property with an odd-numbered municipal address, days with odd-numbered dates;

**"Municipal Water Supply"** means the water supply and distribution system owned and operated by the City, consisting of various water sources, including groundwater wells, fire hydrants, and water filling stations, and all infrastructure necessary to collect, treat, and distribute the water;

**"New Turf"** means a Lawn or Sports Field of which at least half was, as at the applicable date, installed as seed or sod no more than thirty days previously;

**"New Turf Permission"** means a Permission setting out:

- (i) The specific location where the City intends to install, or has installed, New Turf;
- (ii) The City's specific property on or from which it intends to supply Water to the New Turf;
- (iii) Which days are the Municipal Address Days for this property;
- (iv) The specific date when the City intends to install, or has installed, New Turf; and
- (v) Approval to supply Water to the New Turf on or from the specified property for thirty (30) days from the specified date;

**"New Turf Permit"** means a Permit setting out:

- (i) The specific location where the Property Owner intends to install, or has installed, New Turf;
- (ii) The Property Owner's specific property on or from which the Property Owner intends to supply Water to the New Turf;
- (iii) Which days are the Municipal Address Days for this property;
- (iv) The specific date when the Property Owner intends to install, or has installed, New Turf; and
- (v) Approval to supply Water to the New Turf on or from the specified property for thirty (30) days from the specified date;

**"Notice"** includes, as applicable:

- (i) A newly issued Permit or Permission;
- (ii) Notice of refusal to issue a new Permit or Permission;
- (iii) Notice of termination of a Permit or Permission;
- (iv) Notice of revocation of a Permit or Permission;
- (v) Notice of cancellation of a Permit or Permission; and

(vi) A revised Permit or Permission;

**"Officer"** means any person designated by the City to enforce this By-law or any other by-law in respect of water or the environment;

**"OLWR"** means the *Ontario Low Water Response* published in March, 2010 by Ontario Ministry of Natural Resources, Ontario Ministry of the Environment, Ontario Ministry of Agriculture, Food and Rural Affairs, Ontario Ministry of Municipal Affairs and Housing, Ontario Ministry of Research and Innovation, Association of Municipalities of Ontario and Conservation Ontario;

**"Outdoors"** includes areas not enclosed by a roof and walls, and, for greater certainty, does not include an area within a greenhouse or garage with a door;

**"Permission"** means a permit issued by the City to itself pursuant to this By-law;

**"Permit"** means a permit issued by the City to anyone other than itself pursuant to this By-law;

**"Person"** includes a corporation, and includes anyone who uses Water and every Property Owner of a property to which water is supplied from the Municipal Water Supply and on which or from which Water is used, but does not include the City or any employee of the City acting in the course of his or her employment;

**"Program Level"** means a condition based on the indicators in the OLWR and Water Storage as follows:

**"Program Level Zero"** means the condition when the precipitation indicator and streamflow indicator, as defined in the OLWR, exceed the Level I thresholds in the OLWR, and the Water Storage is greater than 70% of capacity;

**"Program Level One"** means the condition when the requirements for Level I in the OLWR are satisfied or when Water Storage is greater than 65% of capacity, but less than or equal to 70% of capacity;

**"Program Level Two"** means the condition when the requirements for Level II in the OLWR are satisfied or when Water Storage is greater than 55% of capacity but less than or equal to 65% of capacity; and

**"Program Level Three"** means the condition when the requirements for Level III in the OLWR are satisfied or when Water Storage is less than 55% of capacity.

**"Property Owner"** includes, for a property, every Person who, alone or in conjunction with others, has control over the property, and, without limiting the generality of the foregoing, includes every registered owner, every owner as shown on the last revised assessment roll held by the City, and every person on whom fees or charges for water supplied to the property are imposed;

**"Recreational Purpose"** includes a purpose which relates to direct personal use of Water and does not include a purpose which relates to supplying Water to any Decorative Plant, Food Plant, Lawn, New Turf, Special Project Lawn, Sports Field, Treated Turf or Tree;

**"Residential Property"** means property that is zoned for residential use pursuant to the Zoning By-law;

**"Special Project Lawn"** means a Lawn on City or non-City property, installation of which was necessitated by a City capital or maintenance project, and of which at least half was, as at the applicable date, installed as seed or sod no more than thirty days previously;

**"Sports Field"** means a grassed playing area designed, equipped and used exclusively for organized, multi-player sporting events and practices;

**"Summer Street Sweeping"** means the City's program of using Water for misting large numbers of City Highways for sweeping between May 1 and November 30 of a year, but does not include using Water for misting specific City Highways to address specific dangerous road conditions;

To **"Syringe"** means to apply light irrigation to turf for a short duration;

**"Time-shift Permission"** means a Permission setting out:

- (i) A specified period of time of up to one year in respect of a Residential Property, and up to three years in respect of an Industrial, Commercial or Institutional Property;
- (ii) Specified days within that specified period of time, comprising no more than half of all days within that specified period of time;
- (iii) Specified hours within each specified day, comprising no more than four hours per day;
- (iv) One or more specified Time-shift Uses;
- (v) A specified property; and
- (vi) Approval to supply Water within the foregoing specified restrictions;

**"Time-shift Permit"** means a Permit setting out:

- (i) A specified period of time of up to one year in respect of a Residential Property, and up to three years in respect of an Industrial, Commercial or Institutional Property;
- (ii) Specified days within that specified period of time, comprising no more than half of all days within that specified period of time;
- (iii) Specified hours within each specified day, comprising no more than four hours per day;
- (iv) One or more specified Time-shift Uses;
- (v) A specified property; and
- (vi) Approval to supply Water within the foregoing specified restrictions;

**"Time-shift Use"** means the supply of Water to:

- (i) A Lawn, other than a Special Project Lawn, during Program Level Zero and Program Level One;
- (ii) A Sports Field, during Program Level Zero and Program Level One;
- (iii) A Sports Field, during Program Level Two; or
- (iv) A Decorative Plant, other than a Decorative Plant on the Historic Site, during Program Level Two;

To **"Treat"** means to apply:

- (i) A Class 11 pesticide, as so classified under *Ontario Regulation 63/09* (under the *Pesticides Act*, R.S.O. 1990, c. P.11);
- (ii) A microorganism that controls pests; or
- (iii) A pesticidal substance produced by a plant containing added genetic material, intended to protect plants;

**"Treated Turf"** means a Lawn or Sports Field of which at least half was, as at the applicable date, Treated no more than twelve (12) days previously;

**"Treated Turf Permission"** means a Permission setting out:

- (i) The specific location where the City intends to Treat, or has Treated, Treated Turf;
- (ii) The City's specific property on or from which it intends to supply Water to the Treated Turf;
- (iii) Which days are the Municipal Address Days for this property;
- (iv) The specific date when the City intends to Treat, or has Treated, the Treated Turf; and
- (v) Approval to supply Water to the Treated Turf on or from the specified property for twelve (12) days including the specified date, during the Allowed Hours;

**"Treated Turf Permit"** means a Permit setting out:

- (i) The specific location where the Property Owner intends to Treat, or has Treated, Treated Turf;

- (ii) The Property Owner's specific property on or from which the Property Owner intends to supply Water to the Treated Turf;
- (iii) Which days are the Municipal Address Days for this property;
- (iv) The specific date when the Property Owner intends to Treat, or has Treated, the Treated Turf; and
- (v) Approval to supply Water to the Treated Turf on or from the specified property for twelve (12) days including the specified date, during the Allowed Hours;

**"Tree"** means a specimen of a deciduous or coniferous growing woody perennial plant;

**"Waste"** includes a use of more Water than is required to provide a service, produce a product or carry out a task, or a use of Water other than through the most efficient methods, and, without limiting the generality of the foregoing, includes:

- (i) Supplying Water to any plant during a rainfall or such that Water pools on the area of the plant, runs off the area of the plant, or enters any manufactured surface, including, but not limited to, a driveway, pathway, curb, gutter or Highway;
- (ii) Supplying Water to a Tree outside the circle that could be drawn on the ground around it directly under the tips of its outermost branches;
- (iii) Operating a water feature, including, but not limited to, a decorative fountain or garden pond, using fresh flowing Water, rather than recirculated Water;
- (iv) Washing a vehicle, trailer or boat or the exterior of a building with a hose that is not equipped with a shut-off valve at its discharge end; or
- (v) Using fresh flowing Water, rather than dry sweeping, to remove loose debris from a driveway at a Residential Property, unless the failure to use fresh flowing Water would cause permanent damage or lead to an unsafe condition;

but does not include the flushing of watermains for purposes of maintaining water quality pursuant to the *Clean Water Act, 2006*, S.O. 2006, c. 22;

**"Water"** means water from the Municipal Water Supply that is used Outdoors within the geographic limits of the City;

**"Water Storage"** means the amount of treated water stored in the City's water reservoirs, expressed as a percentage of the total capacity of those reservoirs; and

**"Zoning By-law"** means the City's zoning by-law.

## PART 2 – NO WASTE OF WATER

2. No Person shall cause or permit a Waste of Water.
3. In its design and procurement of new City assets to be employed in the use of Water, the City shall use reasonable efforts to ensure that such assets incorporate the technology that is most efficient and effective in the use of Water.

## PART 3 – PROGRAM LEVEL RESTRICTIONS

4. The City may determine which Program Level condition exists from time to time.

5. (1) Whenever the City determines to change the Program Level, it may notify the public of the new Program Level by means of one or more of the following methods of communication:

- (a) Communications via social media;
- (b) Press releases to local media;
- (c) Signs placed at the locations indicated in Schedule "A"; and
- (d) A dedicated telephone hotline providing pre-recorded information.

(2) A changed Program Level comes into effect when the changed Program Level is first publicized by means of any of the foregoing methods of communication.

#### Program Level Zero

6. During Program Level Zero, except in accordance with a Permit, no Person shall cause or permit:

- (a) The supply of Water to a Lawn, other than a Special Project Lawn, except during the Allowed Hours on the Municipal Address Days;
- (b) The supply of Water to a Sports Field, except during the Allowed Hours on the Municipal Address Days; or
- (c) The supply of Water to a sprinkler used for a Recreational Purpose, except when such sprinkler is actually being used for a Recreational Purpose.

7. During Program Level Zero, except in accordance with a Permission, the City shall not:

- (a) Supply Water to a Lawn, other than a Special Project Lawn, except during the Allowed Hours on the Municipal Address Days;
- (b) Supply Water to a Sports Field, except during the Allowed Hours on the Municipal Address Days; or
- (c) Supply Water to a City sprinkler used for a Recreational Purpose, or a splash pad, except when such sprinkler or splash pad is actually being used for a Recreational Purpose.

#### Program Level One

8. During Program Level One, except in accordance with a Permit, no Person shall cause or permit:

- (a) The supply of Water to a Lawn, other than a Special Project Lawn, except during the Allowed Hours on the Municipal Address Days;
- (b) The supply of Water to a Sports Field, except during the Allowed Hours on the Municipal Address Days; or
- (c) The supply of Water to a sprinkler used for a Recreational Purpose, except when such sprinkler is actually being used for a Recreational Purpose.

9. During Program Level One, except in accordance with a Permission, the City shall not:

- (a) Supply Water to a Lawn, other than a Special Project Lawn, except during the Allowed Hours on the Municipal Address Days;
- (b) Supply Water to a Sports Field, except during the Allowed Hours on the Municipal Address Days or by Syringing it, provided that no part is Syringed for more than 15 minutes per day; or
- (c) Supply Water to a City sprinkler used for a Recreational Purpose, or a splash pad, except when such sprinkler or splash pad is actually being used for a Recreational Purpose.

#### Program Level Two

10. During Program Level Two, except in accordance with a Permit, no Person shall cause or permit:

- (a) The supply of Water to a Lawn, other than a Special Project Lawn;
- (b) The supply of Water to a Sports Field, except during the Allowed Hours on the Municipal Address Days;
- (c) The supply of Water to a sprinkler used for a Recreational Purpose, except when such sprinkler is actually being used for a Recreational Purpose;
- (d) The supply of Water to a Decorative Plant, except during the Allowed Hours on the Municipal Address Days; or
- (e) The use of Water on or from a Residential Property to wash a vehicle, trailer or boat.

11. During Program Level Two, except in accordance with a Permission, the City shall not:

- (a) Supply Water to a Lawn, other than a Special Project Lawn or a Lawn on the Historic Site;
- (b) Supply Water to a Lawn on the Historic Site, except once per week;
- (c) Supply Water to a Sports Field, except during 80% of the Allowed Hours on the Municipal Address Days or by Syringing it, provided that no part is Syringed for more than 15 minutes per day;
- (d) Supply Water to a City sprinkler used for a Recreational Purpose, or a splash pad, except when such sprinkler or splash pad is actually being used for a Recreational Purpose;
- (e) Supply Water to a Decorative Plant, other than a Decorative Plant on the Historic Site, except during the Allowed Hours on the Municipal Address Days;
- (f) Supply Water to a Decorative Plant on the Historic Site, except once per week;
- (g) Use Water to conduct public education or a demonstration;
- (h) Use Water to conduct Summer Street Sweeping for more than one week within any three-week period; or
- (i) Use Water to conduct Bulk Hydrant Maintenance between June 1 and September 30.

#### Program Level Three

12. During Program Level Three, except in accordance with a Permit, no Person shall cause or permit:

- (a) The supply of Water to a Lawn or a Special Project Lawn;
- (b) The supply of Water to a Sports Field;
- (c) The supply of Water to a sprinkler used for a Recreational Purpose;
- (d) The supply of Water to a Tree;
- (e) The supply of Water to a Decorative Plant;
- (f) The supply of Water to a Food Plant;
- (g) The supply of Water to a swimming pool, wading pool, hot tub, or water feature, including, but not limited to a decorative fountain or garden pond; or
- (h) The use of Water on or from a Residential Property to wash a vehicle, trailer or boat.

13. During Program Level Three, except in accordance with a Permission, the City shall not:

- (a) Supply Water to a Lawn or a Special Project Lawn;
- (b) Supply Water to a Sports Field;
- (c) Supply Water to a City sprinkler used for a Recreational Purpose or a splash pad;
- (d) Supply Water to a Tree;
- (e) Supply Water to a Decorative Plant;
- (f) Use Water to conduct public education or a demonstration;
- (g) Use Water to conduct Summer Street Sweeping;
- (h) Use Water to conduct Bulk Hydrant Maintenance between June 1 and September 30; or
- (i) Use Water to control dust on Highways, resulting from City capital projects.

#### PART 4 – PERMITS

##### Time-shift Permits

14. A Property Owner, or a Person authorized in writing by a Property Owner, may submit an application to the City for a Time-shift Permit in respect of the Property Owner's property, and the City may issue a Time-shift Permit in respect of such property.
15. Notwithstanding the restrictions on Water use set out in Part 3 (Program Level Restrictions) of this By-law, a Person may use Water in accordance with a Time-shift Permit.
16. Where a Time-shift Permit is in effect, no Person shall cause or permit the supply of Water to the property identified within the Permit except in accordance with the Time-shift Use provisions applying to such Permit.

##### New Turf Permits

17. A Property Owner, or a Person authorized in writing by a Property Owner, may submit an application to the City for a New Turf Permit in respect of the supply of Water on or from the Property Owner's property, and the City may issue a New Turf Permit in respect of such property.
18. Notwithstanding the restrictions on Water use set out in Part 3 (Program Level Restrictions) of this By-law, a Person may use Water in accordance with a New Turf Permit during Program Level Zero, Program Level One and Program Level Two, on both the applicable Municipal Address Days and the applicable days which are not Municipal Address Days, but otherwise only in accordance with the said restrictions.

##### Treated Turf Permits

19. A Property Owner, or a Person authorized in writing by a Property Owner, may submit an application to the City for a Treated Turf Permit in respect of the supply of Water on or from the Property Owner's property, and the City may issue a Treated Turf Permit in respect of such property.
20. Notwithstanding the restrictions on Water use set out in Part 3 (Program Level Restrictions) of this By-law, a Person may use Water in accordance with a Treated Turf Permit during Program Level Zero, Program Level One and Program Level Two, on both the applicable Municipal Address Days and the applicable days which are not Municipal Address Days, but otherwise only in accordance with the said restrictions.

##### General Rules Regarding Permits

21. Every Person applying for a Permit, or revision of a Permit, shall pay to the City the applicable fee or charge as specified from time to time and set out in Schedule "B" to this By-law.
22. The City may issue Permits in accordance with this By-law and may refuse to issue Permits which would not be in accordance with this By-law.
23. The City may refuse to issue Permits when there is a risk of a change in Program Level to Program Level Three.
24. Every Permit is only in effect for the period indicated on it, unless it is terminated, revoked or cancelled before the expiry of such period.
25. A Permit in respect of a specified property terminates upon transfer of the property, and is not transferable to a new Property Owner. The new Property Owner may however apply for a new Permit.



26. The City may immediately revoke any Permit if:
- (a) Any Person fails to comply with the Permit;
  - (b) Program Level 1 is in effect and there is a risk of change in Program Level to Program Level 2 or Program Level 3;
  - (c) Program Level 2 is in effect; or
  - (d) Program Level 3 is in effect.
27. A Person to whom a Permit has been issued may request that the Permit be cancelled prior to its expiry, in which case the City may cancel the Permit.
28. A Person to whom a Permit has been issued may request that the Permit be revised prior to its expiry, in which case the City may, if the requested revision complies with the provisions of this By-law, make such revision.
29. The City may deliver a Notice to an applicable Person, in person, or by registered mail addressed to the applicable address. A person is deemed to have received a Notice that is delivered personally, on the date of such delivery, and to have received a Notice that is delivered by registered mail, five (5) business days after the date of mailing.
30. No portion of an application fee is refundable if a Permit is refused, terminated, revoked, cancelled or altered.

#### PART 5 – PERMISSIONS

##### Time-shift Permissions

31. The City may submit an application to itself for a Time-shift Permission in respect of the City's property, and the City may issue itself a Time-shift Permission in respect of such property.
32. Notwithstanding the restrictions on Water use set out in Part 3 (Program Level Restrictions) of this By-law, the City may use Water in accordance with a Time-shift Permission.
33. Where a Time-shift Permission is in effect, the City shall not cause or permit the supply of Water to the property identified within the Permission except in accordance with the Time-shift Use provisions applying to such Permission.

##### New Turf Permissions

34. The City may submit an application to itself for a New Turf Permission in respect of the supply of Water on or from the City's property, and the City may issue itself a New Turf Permission in respect of such property.
35. Notwithstanding the restrictions on Water use set out in Part 3 (Program Level Restrictions) of this By-law, the City may use Water in accordance with a New Turf Permission during Program Level Zero, Program Level One and Program Level Two, on both the applicable Municipal Address Days and the applicable days which are not Municipal Address Days, but otherwise only in accordance with the said restrictions.

##### Treated Turf Permissions

36. The City may submit an application to itself for a Treated Turf Permission in respect of the supply of Water on or from the City's property, and the City may issue itself a Treated Turf Permission in respect of such property.
37. Notwithstanding the restrictions on Water use set out in Part 3 (Program Level Restrictions) of this By-law, the City may use Water in accordance with a Treated Turf Permission during Program Level Zero, Program Level One and

Program Level Two, on both the applicable Municipal Address Days and the applicable days which are not Municipal Address Days, but otherwise only in accordance with the said restrictions.

#### General Rules Regarding Permissions

38. The City may issue Permissions to itself in accordance with this By-law and may refuse to issue Permissions which would not be in accordance with this By-law.
39. The City may refuse to issue Permissions to itself when there is a risk of a change in Program Level to Program Level Three.
40. Every Permission is only in effect for the period indicated on it, unless it is terminated, revoked or cancelled before the expiry of such period.
41. A Permission in respect of a specified property terminates upon transfer of the property by the City, and is not transferable to the new Property Owner. The new Property Owner may however apply for a Permit.
42. The City may immediately revoke any Permission if:
  - (a) The City fails to comply with the Permission;
  - (b) Program Level 1 is in effect and there is a risk of change in Program Level to Program Level 2 or Program Level 3;
  - (c) Program Level 2 is in effect; or
  - (d) Program Level 3 is in effect.
43. The City may request that an issued Permission be cancelled prior to its expiry, in which case the City may cancel the Permission.
44. The City may request that an issued Permission be revised prior to its expiry, in which case the City may, if the requested revision complies with the provisions of this By-law, make such revision.
45. The City may deliver a Notice to itself and is deemed to have received the Notice on the date of such delivery.

#### PART 6. – ENFORCEMENT

46. This Part 6 (Enforcement) does not apply where the City, its members of council, officers, directors, servants, employees, contractors or agents are carrying out City operations or operating municipal infrastructure, facilities or the like.
47. Council delegates to all Officers the authority to enforce this By-law.
48. Entry by an Officer onto private property for the purpose of enforcing the provisions of this By-law is governed by the provisions set out in the City's Power of Entry By-law Number (2009)-18776.
49.
  - (1) Every Person who contravenes or who causes or permits a contravention of any provision of this By-law is guilty of an offence.
  - (2) Every director or officer of a corporation who knowingly concurs in the contravention of any provision of this By-law by the corporation is guilty of an offence.
  - (3) The Property Owner shall be deemed to be liable for any offence under this By-law occurring on the property of that Property Owner.
50. (1) If an Officer is satisfied that Water is being supplied or used in contravention of this By-law, the Officer may make an order requiring any

one or more of the Person who is contravening this By-law, the Person who caused or permitted the contravention, or the Property Owner of the land on which the contravention is occurring, to discontinue the contravention immediately.

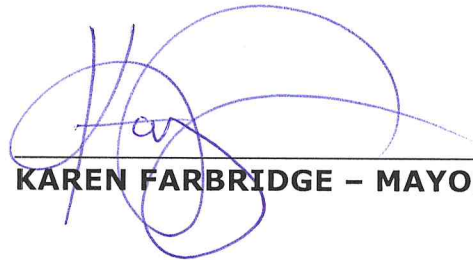
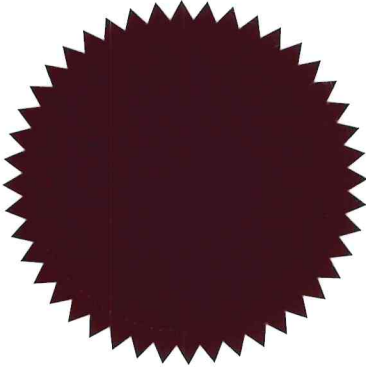
- (2) No Person shall fail to comply with an order issued under subsection 35(1) of this By-law.
  - (3) If the Person who is the subject of an order issued under subsection 35(1) of this By-law fails to comply immediately with such order, the Officer may discontinue the contravention at the risk and expense of the Person who is the subject of the order.
51. (1) A Person, other than a corporation, convicted of an offence under this By-law, is liable, on a first conviction, to a fine of not more than \$10,000 and, on any subsequent conviction, to a fine of not more than \$25,000.  
  
(2) A corporation, convicted of an offence under this By-law, is liable, on a first conviction, to a fine of not more than \$50,000 and, on any subsequent conviction, to a fine of not more than \$100,000.
  52. Upon conviction for an offence under this By-law, in addition to any other remedy and to any penalty imposed by this By-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the Person convicted.
  53. If a Person causes or permits a contravention of this By-law in respect of an identifiable property, the City may discontinue the supply of water to such property until satisfied that the Person will cease such contravention.

#### PART 7. - GENERAL

54. (1) Council delegates to the General Manager the authority to make amendments, from time to time, without Council approval, but as satisfactory to the Executive Director and the City Solicitor, to Schedule "A" and Schedule "B" to this By-law.  
  
(2) Council delegates to the General Manager the authority to establish, and obtain all necessary approvals for, set fines to be levied under this By-law.
55. This By-law shall not be interpreted as exempting any Person from the requirement to comply with any law or approval related to outside water use, or any other City by-law. In the event of conflict between the provisions of this By-law and any other City by-law, the provisions which are more protective of water and the environment shall apply.
56. This By-law is to be construed with all changes in number and gender as may be required by the context.
57. Any reference herein to any by-law, act, regulation or approval of any government shall be construed, as may be required by the context, as a reference thereto as amended or re-enacted from time to time or as a reference to any successor thereto then in force.
58. If a court of competent jurisdiction declares any provision or part of a provision of this By-law to be invalid, illegal, unenforceable or of no force and effect, it is the intention of Council in enacting this By-law that the remainder of the By-law shall continue in force and be applied and enforced in accordance with its terms to the fullest extent possible according to law.
59. The short title of this By-law is the "Outside Water Use By-law".

60. By-law Number (2003)-17106, being a by-law to prescribe outside water use restrictions, is repealed as of the date and time when this By-law comes into force and takes effect.
61. This By-law shall come into force and take effect on April 1, 2014.
62. This By-law is hereby adopted as Municipal Code Amendment #508.

**PASSED this SEVENTEENTH day of MARCH, 2014.**



---

**KAREN FARBRIDGE - MAYOR**



---

**BLAIR LABELLE - CITY CLERK**

SCHEDULE "A"

LOCATIONS OF SIGNS INDICATING OUTSIDE WATER USE PROGRAM LEVEL

1. Imperial Road South at West End Recreation Centre
2. Woodlawn Road East (Highway 7 East) at Riverside Park
3. Victoria Road North at Victoria Road Recreation Centre
4. Gordon Street (Highway 6 South) at Gordon Lift Station
5. Edinburgh Street South at Hugh Guthrie Park
6. London road West at Exhibition Park
7. York Road at Waterworks Place

SCHEDULE "B"

FEES AND CHARGES RELATING TO PERMITS

- |   |         |
|---|---------|
| 1. Application for Time-shift Permit:   | \$10.00 |
| 2. Application for New Turf Permit:     | \$10.00 |
| 3. Application for Treated Turf Permit: | \$10.00 |
| 4. Application to revise a Permit:      | \$10.00 |