

UTILITIES - SERVICES

Chapter 648 WATER - USE - REGULATION

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**Article 1
INTERPRETATION**

648.1.1 City - defined

“City means The Corporation of the City of Brantford.

648.1.2 City water supply system - defined

“city water supply system” means the water production and distribution system owned and operated by the City and the words “City water” and “water” have a corresponding meaning. By-law 79-2003, 5 May, 2003.

648.1.3 Commissioner - defined

“Commissioner” means the Commissioner of Engineering, Public Works and Parks and Recreation or such person or persons, as he or she shall designate for any purpose of this Chapter. By-law 38-2004, 1 March, 2004.

648.1.4 Established lawn - defined

“established lawn” means any lawn planted for longer than thirty days.

648.1.5 Repealed: By-law 38-2004, 1 March, 2004

648.1.6 Repealed: By-law 38-2004, 1 March, 2004

648.1.7 Level III drought condition - defined

“Level III drought condition” means the condition when the flow in the Grand River is less than 30 percent of the lowest average summer month flow as defined in the Province of Ontario Low Water Response Plan.

648.1.8 New lawn - defined

“new lawn” means any lawn that has been installed within the last thirty days.

648.1.9 Nursery - defined

“nursery” means a business in which vegetables, fruits, shrubs, flowers or bulbs and related items are grown for sale, for wholesale or market.

648.1.10 Owner - defined

“owner” means all persons shown by the records in the Registry Office of the Registry Division of Brant Number 2, to be the owner in fee simple of the lot and shall include all persons shown as the owner in the latest assessment roll returned to the City of Brantford.

648.1.11 Treated lawn - defined

“treated lawn” means a lawn or portion of lawn that has been treated with any pesticide, herbicide, spray or fertilizer.

648.1.12 Repealed: By-law 38-2004, 1 March, 2004**Article 2****GENERAL PROVISIONS****648.2.1 Compliance - by all persons**

Every person who is a property owner or an occupant who receives water from the City water supply shall comply with all the provisions of this Chapter.

Article 3**GENERAL PROHIBITIONS****648.3.1 Water use - contrary to provisions - prohibited**

No person shall use City water contrary to the provisions of this Chapter. By-law 79-2003, 5 May, 2003.

648.3.2 Wasting water - types of waste - set out

No person shall waste water outside a building. The following activities are considered a wasting of water and include but are not limited to the following:

- (a) use of water for the purpose of irrigation during a rainstorm;
- (b) allowing excessive puddling or run off of irrigation water;
- (c) allowing excessive irrigation water to be sprayed onto a paved surface such as sidewalks, driveways, roadways, curbs or gutters;
- (d) washing of vehicles with a hose not equipped with a shut off valve at the discharge end of the hose;
- (e) excessive washing of driveways with water. By-law 38-2004, 1 March, 2004.

Article 4
WATERING RESTRICTIONS

648.4.1 Months - June - July - August

Lawn and garden watering restrictions shall be applicable in the months of June, July and August. By-law 79-2003, 5 May, 2003.

648.4.2 Times - permitted

No person shall water any lawn, garden, tree, shrub or other outdoor plant, except between the hours of 7 a.m. and 9 a.m. and between the hours of 7 p.m. and 9 p.m. The owner or occupant of a property can choose to water between 3 a.m. and 7 a.m. instead of the stated hours above by calling and registering with the City. By-law 38-2004, 1 March, 2004.

648.4.3 Watering - odd numbered addresses - days

Properties with municipal addresses having odd numbers may water within the designated times only on odd numbered calendar days.

648.4.4 Watering - even numbered addresses - days

Properties with municipal addresses having even numbers may water within the designated times only on even numbered calendar days. By-law 79-2003, 5 May, 2003; By-law 38-2004, 1 March, 2004.

648.4.5 Municipal property - restrictions

Watering of municipal parks, sports fields, municipal horticultural areas, traffic islands and other City properties shall be restricted to alternate days from 11 p.m. to 7 a.m.

648.4.6 Golf course - restrictions

Watering of golf courses shall be restricted to alternate days from 11 p.m. to 7 a.m.

648.4.7 Watering ban - when applicable

The lawn and garden watering ban shall be applicable at any time in a year when:

- (a) the Grand River Conservation Authority (GRCA) declares a level III drought condition; or
- (b) for any reason when the water levels in the finished water storage reservoirs drops below 40 percent and the water can not be replenished, a lawn and garden watering ban may be issued at the discretion of the Commissioner.

648.4.8 Watering ban - activities prohibited - set out

In the event that a watering ban is declared, the following activities are considered to be banned and include but are not limited to the following:

- (a) watering of any new or established lawn, treated or untreated lawn, municipal parks or traffic islands at any time using any means whatsoever;
- (b) watering of vegetable, fruit or flower gardens, plant, tree or shrub located outside a building;
- (c) use any water for recreational purposes such as spray pads, swimming pools, garden ponds or decorative fountains;
- (d) use of water for washing of any vehicle on any property that is within a “Residential Zone” of the City of Brantford Comprehensive Zoning By-law;
- (e) washing down of any outside areas such as boulevards, drive-ways, parking lots, sidewalks or patios using water, unless failure to do so would lead to damage or unsafe conditions.

Article 5 SPECIAL PERMITS

648.5.1 Issue - by Commissioner - reasonable justification

A Special Permit (referred to as “permit”) may be issued by the Commissioner allowing watering at other times, if reasonable justification is provided.

648.5.2 Repealed: By-law 38-2004, 1 March, 2004**648.5.3 Request for permit**

To obtain a permit, the owner or tenant of a property must submit a request to the City’s Customer Service Division.

648.5.4 Permit - valid - year issued - only

Unless specified, the permit will be valid only in the year it is issued.

648.5.5 Permit - non transferable

Any permit issued is not transferable to any new owner or occupant of the same premises or different premises.

648.5.6 Non-compliance - revocation

In any event of non-compliance with any condition of the permit, the Commissioner may revoke the permit issued under this Chapter.

648.5.7 Conditions - revised as deemed necessary

Any condition in the permit may be revised by the City if deemed necessary.

**Article 6
EXEMPTIONS****648.6.1 Nurseries - sod farms - commercial establishments**

Use of City water for irrigation purposes at commercial establishments such as nurseries, sod farms and lawn/garden facilities are exempt from the requirements of this Chapter.

648.6.2 New lawns - treated lawns - gardens

Newly laid lawns and planted gardens that are less than one month old, and lawns being treated with any pesticide, herbicide spray or fertilizer which requires water while being treated and during the next following twenty-four hours after the application are exempt from watering restrictions but not from the watering ban. By-law 79-2003, 5 May, 2003.

648.6.3 Hand-held watering vessels

Use of hand-held watering vessels are exempt from the requirements of this Chapter.

648.6.4 Planter pots - patio planters - hanging planters

Watering of planter pots, patio planters, hanging planters and similar equipment or devices, are exempt from the requirements of this Chapter. By-law 38-2004, 1 March, 2004.

**Article 7
REGISTRATION OF PRIVATE WELLS****648.7.1 Required**

All customers who receive City water and who have a private well system connected to the irrigation system must call the City Customer Service Division and register as a well water user. By-law 70-2003, 5 May, 2003.

**Article 8
ENFORCEMENT****648.8.1 Fine - for contravention**

Every person who contravenes any of the provisions of this Chapter is guilty of an offence and upon conviction thereof, shall be liable to pay a penalty recoverable under the *Provincial Offences Act*. By-law 38-2004, 1 March, 2004.