

## CITY OF MOUNT PEARL

### WATER CONSERVATION REGULATIONS

Pursuant to the powers conferred by Sections 187 and 438 of the City of Mount Pearl Act, RSN 1990, Chapter C-16, the Council of the City of Mount Pearl has made the following Regulations, which were adopted at its regular Public Council meeting held on the 7<sup>th</sup> day of September, A.D. 2004. Notice of motion to adopt these Regulations was given at the City's Regular Public Council meeting held on the 24<sup>th</sup> day of August, A.D. 2004.



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Steve Kent, Mayor



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Gerard Lewis, Chief Administrative Officer

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#### **1. Title**

These Regulations may be cited as the City of Mount Pearl Water Conservation Regulations.

#### **2. Interpretation**

- A) "Act" means the City of Mount Pearl Act; RSN 1990, Chapter C-16 and subsequent amendments.
- B) "City" means the City of Mount Pearl.
- C) "Commercial Car Washes" means car washes as approved by the City of Mount Pearl for the purposes of washing vehicles.
- D) "Commercial High Pressure Water Uses" means high pressure water uses as approved by the City of Mount Pearl.
- E) "Council" means the Council of the City of Mount Pearl.
- F) "Free Flowing Car Washes" means car washes which utilize an unrestricted flow of water.
- G) "Residential Zones" means residential zones as designated under the City of Mount Pearl Municipal Plan and its Development Regulations.

- H) "St. John's Regional Water Committee" means the committee established under the authority of Section 403E of the City of St. John's Act, covering the supply of water as a regional service as designated in the Northeast Avalon Regional Services Designation Order under the City of St. John's Act (O.C. 96-168).
- I) "Water" means water as supplied through the City of Mount Pearl's piped water system for the use of residential and commercial establishments and for such other uses as may be approved by the City of Mount Pearl.

### **3. Water Conservation Regulations**

- A) For the purposes of water conservation and/or in support of efforts by the St. John's Regional Water Committee and the municipalities served by this system, the City may restrict the watering of lawns and gardens in accordance with Water Conservation Measures approved by a Motion of Council during a regular Public Council meeting.
- B) During periods when Water Conservation Measures are in place new lawns, landscaping or major lawn repairs will be exempt from watering restrictions for a period sixty (60) days following the installation and plantation of the new lawn and landscaping, subject to the hours specified by the Water Conservation Measures and the registration of properties (new lawns, landscaping or major lawn repairs) with the City of Mount Pearl Engineering Department.
- C) Hand watering of trees, shrubs, flowers and vegetable gardens with a water can or hose with an automatic shutoff nozzle will be permitted at any time.
- D) The domestic washing of cars within residential zones or on residential lots will be permitted with the use of a hose with an automatic shutoff nozzle.
- E) Car washes for fundraising that have been approved and a permit obtained from the City of Mount Pearl Engineering Department will be permitted, subject to the use of an automatic shutoff nozzle.
- F) Siding and window washing will be permitted subject to the use of an automatic shutoff nozzle.
- G) Free flowing car washes, whether or not for the purposes of fundraising, are prohibited.
- H) The cleaning of parking lots and driveways utilizing water is prohibited, however, the use of commercial sweeping equipment on commercial parking lots is permitted.

**4. Exemption**

Unless otherwise stated in Water Conservation Measures, commercial car washes and commercial high pressure water uses are exempt from these Regulations.

**5. Implementation of Water Conservation Ban**

Notwithstanding these regulations, the City Council of the City of Mount Pearl may issue a Water Conservation Ban by motion of Council during a Public Council meeting which may restrict the use of water within the City and override the terms and conditions as outlined under Sections 3 & 4 of these regulations, when warranted, for water conservation purposes. This Ban may also authorize water turn-off to properties for non-compliance and establish reconnection fees.

**6. Enforcement**

A member of the Royal Newfoundland Constabulary (RNC), a Mount Pearl Municipal Enforcement Officer (MEO), a Mount Pearl City Inspector, or any other person designated by Council may enforce these Regulations.

**7. Orders**

When, in the opinion of a member of the RNC, a Mount Pearl MEO, a Mount Pearl City Inspector or any other person designated by Council to enforce these Regulations, an individual is in contravention of these Regulations, he or she will be issued an Order in a form approved for such use by the City, to comply with these Regulations and refrain from any unauthorized use of water as specified in the Regulations or in the Water Conservation Order.

**8. Failure to Comply**

Every person on whom an Order has been served, as authorized under Section 7 of these Regulations, and who refuses or fails to comply with the Order may have their water turned off by an official of the City of Mount Pearl. In addition, other penalties as provided under these Regulations or in the Water Conservation Measures or Ban may also be imposed.

**9. Penalties**

Every person on whom an Order has been served, as authorized under Section 7 of these Regulations, and who refuses or fails to comply with the Order is guilty of an offence and liable on summary conviction to a fine of not less than one hundred dollars (\$100.00) on the first offence, and to a fine of not less than two hundred and fifty dollars (\$250.00) on a second or subsequent offence.

**10. Coming Into Effect**

These Regulations will come into effect on the 13<sup>th</sup> day of September 2004.

**11. Publication**

Notification of these regulations was published in The Telegram on the 17<sup>th</sup> day of September 2004.

**12. Copy to Minister**

A copy of these regulations was sent to the Minister of Municipal and Provincial Affairs on the 14<sup>th</sup> day of September 2004.

**13. Repeal of Previous Regulations and Amendments**

All previous City of Mount Pearl Water Conservation Regulations and amendments are repealed.