

**THE CORPORATION OF THE
TOWNSHIP OF BONNECHERE VALLEY**

BY-LAW 2010-50

Being a By-law to amend By-law 2009-044.

WHEREAS By-law 2009-044 is a by-law to establish policy and enact rules and regulations for the administration, use, operation and maintenance of the water and sewage system in the Township of Bonnechere Valley;

AND WHEREAS By-law 2009-044 requires property owners of all buildings to which the Township's water system and/or sewage system is available to connect to the system;

AND WHEREAS Council wishes to amend By-law 2009-044 to prohibit the construction, use and maintenance of ground water wells on properties to which the Township's water system is available, except for the sole purpose of irrigation at plant nurseries;

NOW THEREFORE, the Council of The Corporation of the Township of Bonnechere Valley hereby enacts as follows:

1. THAT By-Law 2009-044 be amended as follows:
 - a. By adding a new sub-section 1.7 under the heading "Definitions":
 - 1.7 "Plant Nursery" shall mean the commercial use of land, buildings and structures, or such portions thereof, for the purposes of growing or maintaining an inventory of trees, shrubs, flowers, vegetables and other forms of plant stock for wholesale or retail sale.
 - b. By deleting the text of Section 2.2 and replacing it with the following:
 - 2.2.1 a) All owners of property to which the Township's water system is available to service the property shall connect any building or structure located on the property to the water system within thirty (30) days of the water system becoming available.
 - b) Forthwith upon connecting to the Township's water system, the owner:
 - i. Shall disconnect all buildings and structures on the property from any existing ground water wells or other sources of water;
 - ii. Shall cause all ground water wells and other sources of water to be decommissioned in accordance with the applicable requirements of the Ministry of Environment; and
 - iii. Shall not connect or reconnect, or permit to be connected or reconnected, such buildings or

structures to any source of water other than the Township's water system.

c) Notwithstanding subsection b) above, a person who owns or operates a plant nursery on a property to which the Township's water system is available may, upon obtaining a permit from the Township, construct, use and maintain a ground water well or other source of water for the sole purpose of irrigating the nursery's plant stock.

d) For the purpose of obtaining a permit to use a source of water other than the Township's water system for irrigation at a plant nursery, the following procedures shall apply:

- i. The applicant shall complete an application for a permit in the form required by the Chief Administrative Officer that sets out the following information:
 1. The name and address of the property owner;
 2. The name and address of the operator of the plant nursery;
 3. A description of the source of water intended for irrigation; and
 4. Such other information as the Chief Administrative Officer deems necessary or advisable
- ii. The applicant shall pay an annual non-refundable administration fee to the Township in the amount of \$100.00, or as may be set from time to time by resolution of Council; and
- iii. The applicant shall renew the permit every five years upon payment of a non-refundable administration fee to the Township in the amount of \$100.00, or as may be set from time to time by resolution of Council.

e) No person to whom a permit has been issued in accordance with sub-section d) above shall use or permit to be used the source of water to which the permit applies for any purpose other than the irrigation of the nursery's plant stock, including but not limited to, consumption, washing, cleaning, or any other process of a personal, commercial, industrial or agricultural nature.

f) Every owner and operator of a plant nursery shall ensure that a sign is posted and kept clearly visible at all times at all faucets serviced by a source of water other than the Township's water system that states:

"DO NOT DRINK THE WATER FROM THIS FAUCET
IT IS UNSAFE FOR CONSUMPTION"

g) Every owner of a property on which a source of water other than the Township's water system has been established for the purpose of irrigation at a plant nursery shall cause the well or source of water to be decommissioned in accordance with the applicable requirements of the Ministry of Environment within thirty (30) days of the property ceasing to be used for a plant nursery.

2.2.2 a) All owners of property to which the Township's sewage system is available to service the property shall connect any building or structure located on the property to the Township's system within thirty (30) days of it becoming available.

b) Forthwith upon connecting the property to the Township's sewage system, the owner:

- i. Shall disconnect all buildings and structures on the property from any existing private individual, shared or communal septic systems, or other means of sewage treatment, disposal or outlet;
- ii. Shall cause such individual, shared or communal sewage systems to be decommissioned in accordance with the applicable requirements of the Ministry of Environment; and
- iii. Shall not connect or reconnect, or permit to be connected or reconnected such buildings or structures to any private individual, shared or communal sewage system or any other means of sewage treatment, disposal or outlet other than the Township's system

2. THAT save as aforesaid all other provisions of By-Law Number 2009-044 as amended shall be complied with.

3. THIS By-law shall come into force and take effect on the day of final passing thereof.

READ AND FINALLY PASSED on the 17th day of August, 2010

Zig Mintha - Mayor

Bryan Martin – Chief Administrative
Officer