

## TOWNSHIP OF MAPLETON

### BY-LAW NUMBER 2007-003

#### **Being a by-law to regulate drainage from private swimming pools, ponds, ice rinks and sump pumps**

**WHEREAS** section 9 of *The Municipal Act*, S.O. c.25 states that a municipality's powers are to be interpreted broadly so as to confer broad authority on the municipality; and

**WHEREAS** Section 96, provides that a municipality may exercise its power to prevent damage to property as a result of flooding;

**NOW THEREFORE** the Council of the Corporation of the Township of Mapleton enacts as follows:

1. DEFINITIONS: For the purposes of this by-law;
  - 1.1 "Drain" shall mean the emptying or lowering of the level of water from a pool, and drainage shall have a corresponding meaning.
  - 1.2 "Owner" shall include the person or persons shown on the records of the land registry office, or the tax roll of the Municipality, as having title to the land or responsibility for it, as well as the tenant and person or persons lawfully in possession of, or exercising control over, the property.
  - 1.3 "Pool" shall include any swimming pool, hot tub, pond or other similar body of water.
  - 1.4 "Sewer" shall mean any or all parts of the drainage system including gutters, drainage grates and any associated pipes or channels.
2. GENERAL TERMS
  - 2.1 No person shall drain any pool, ice rink or sump water within the Municipality of the Township of Mapleton other than in compliance with the provisions of this by-law.
  - 2.2 No person shall drain or permit the drainage of any pool, ice rink or sump pump in such a manner as to cause flooding to any adjoining property including property owned by the municipality.
  - 2.3 All drainage shall be directed by means of pipes or hoses directly to the side or rear yard of the property and from there to the sewer or, to a drainage ditch or swale in the property.
  - 2.4 Where water is drained to a drainage ditch or swale, the water flow shall be restricted so as to prevent flooding onto a roadway or to cause icing of the roadway.
3. PENALTIES AND CONDITIONS
  - 3.1 Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction shall be liable to a fine as set out in the Provincial Offences Act.

- 3.2 Should any section, clause, or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof, other than the part so declared to be invalid.
  
- 3.3 This by-law shall come into full force and effect immediately upon its final passing by Council.

**READ** a first and second time this 9th day of January, 2007.

**READ** a third time and finally passed this 9<sup>th</sup> day of January, 2007.

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Mayor John Green

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CAO Clerk Patty Sinnamon