

**THE CORPORATION OF THE TOWN OF
THE BLUE MOUNTAINS**

By-law No. 2011 – 32

Being a By-law to regulate and prohibit activity in and around stormwater management facilities

WHEREAS section 11 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, enables the council of a municipality to pass by-laws regarding drainage and flood control and the health, safety and well-being of persons;

AND WHEREAS it is desirous to regulate and prohibit certain activity in and around stormwater management facilities for the health, safety and well-being of persons;

NOW THEREFORE the Council of the Corporation of the Town of The Blue Mountains hereby enacts as follows:

1. DEFINITIONS

Stormwater management facility: shall mean a Town-owned, man-made facility designed and constructed to receive stormwater runoff from a storm sewer or ditch and to hold the water back for a period of time to allow settling and infiltration and to discharge the runoff water back to a receiving watercourse or ditch or storm sewer at a controlled rate to prevent flooding and erosion. A stormwater management facility may include a dry pond, an infiltration pond or a wet pond.

Dry pond: shall mean a pond area that is designed to be dry most of the time and to detain stormwater during large storm events and to release the stored water into a receiving watercourse or ditch or storm sewer at a reduced rate to prevent flooding.

Infiltration Pond: shall mean a special type of dry pond that is designed to collect stormwater and store it until it infiltrates into the ground.

Wet Pond: shall mean a pond that is designed to collect stormwater and to have a permanent pool area which will have varying water levels with each storm event and to discharge a certain amount of runoff water back to a receiving watercourse or ditch or storm sewer at a controlled rate to prevent flooding and erosion.


2. In, on or around a stormwater management facility, no person shall:


- a) have or make direct contact with water contained in such a facility;
- b) operate any sort or type of boat including a sailboard or kiteboard in such a facility;
- c) operate any sort or type of vehicle in such a facility;
- d) have or make direct contact or walk or skate on ice in such a facility.

3. This By-law shall come into full force and effect upon the appropriate signage being placed by the Town identifying the stormwater management facility and noting the restrictions contained in Clause 2 of this By-law.

4. Any person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act.

Enacted and passed this 9th day of May, 2011


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Ellen Anderson, Mayor


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Corrina Giles, Clerk