

**VILLAGE OF MARENGO
BYLAW 2022-02**

**A BYLAW TO RESTRICT THE USE AND CONSUMPTION OF WATER IN THE
VILLAGE OF MARENGO**

The Council of the Village of Marengo of Saskatchewan enacts as follows:

CITATION

1. This Bylaw may be cited as the “The Water Restriction Bylaw”.

APPLICATION

1. All of the provisions and enactments set forth in the Bylaw relate to and will be in full force and effect within the limits of the Village of Marengo.

INTERPRETATION

1. In this Bylaw, unless the context otherwise requires, the expression(s)
 - a) “Administrator” shall mean the Administrator for the Village of Marengo
 - b) “Bylaw Enforcement Officer” shall mean the Bylaw Enforcement Officer appointed or Council designated for the Village of Marengo.
 - c) “Community Service Area” shall mean the area zoned Community Services District (CS) in the Village of Marengo Zoning Bylaw.
 - d) “Consumer” shall mean any person or persons, corporation, any other municipal, provincial or federal corporation, whose property is connected to the water system or any occupant of such property.
 - e) “Council” shall mean the Council of the Village of Marengo.
 - f) “Day” shall mean from 12:01 a.m. to 12:00 midnight
 - g) “Kindersley Housing Units” shall mean the eight housing units located on Marengo Boulevard owned by the Saskatchewan Housing Corporation and operated by the Kindersley Authority
 - h) “Person” shall mean a corporation or partnership, as well as a man, woman or child.
 - i) “Village” shall mean the Village of Marengo, in the Province of Saskatchewan

GENERAL PROHIBITONS

1. Outdoor watering shall be permitted from 7:00 a.m. to 10:00 a.m. and 7:00 p.m. to 10:00 p.m.

2. The owners or occupants of residences, commercial or institutional places having a civic address which ends with an odd number shall be allowed to use water for outdoor purposes on odd numbered calendar days, except for any odd numbered day that falls on a Sunday.
3. The owners or occupants of residences, commercial or institutional places having a civic address which ends with an even number shall be allowed to use water for outdoor purposes on even numbered calendar days, except for any even numbered day that falls on a Sunday.
4. The owners or occupants of the Kindersley Housing Units shall be allowed to use water for outdoor purposes on following schedule:
 - a) Units 1, 2, 5 and 6 - even days from 7:00 p.m. to 10:00 p.m. except for any even numbered day that falls on a Sunday.
 - b) Units 3, 4, 7 and 8 - odd days from 7:00 p.m. to 10:00 p.m. except for any odd numbered day that falls on a Sunday.
5. Community Service Areas shall be permitted to use water for outdoor purposes on even numbered calendar days from 7:00 a.m. to 7:00 p.m.
6. Civic address shall be the civic address assigned to the property by the Village of Marengo.
7. The provisions of this Bylaw shall apply and remain in force for the months of April, May, June, July, August, September and October of each year.
8. An exemption may be granted from the outdoor watering provisions of this Bylaw for the purpose of watering a newly planted lawn. The person desiring the exemption shall make an application in writing to the Village Administrator, stating the reason for the application, the civic address to be affected by the exemption, and a proposed date of commencement for the exemption. Exemptions granted pursuant to this section shall be 14 days in duration.
9. The Mayor or any member of Council may further restrict the use of water either for all consumers or for any particular class of consumers and either throughout the Village or in any particular area of the Village. The order may specify that such restricted use of water shall apply during such hours of any day of the week as may be specified in the order.

PENALTIES AND NOTICES OF VIOLATION

10. Any person who contravenes any of the provisions of this Bylaw or fails to comply therewith or with any notice given thereunder is guilty of an offence and is liable to the penalties as hereinafter provided. Said offence and penalties are as follows:
 - a) In the case of a first offense, a penalty of two hundred dollars (\$200.00)
 - b) Second and subsequent infractions shall be subject to a penalty of three hundred and fifty dollars (\$350.00)

PAYMENT OF NOTICES OF VIOLATION

1. Where any person has committed or is alleged to have committed a breach of any of the provisions of this Bylaw, a ticket, notice, or summons may be served on such person by a Police Officer, Municipal Enforcement Officer, or any person duly authorized by Council. Such person served with a ticket or notice may voluntarily pay same at the Village of Marengo Administration Office between the hours of 8:00 a.m. and 4:00 p.m., excepting Saturdays, Sundays, and public holidays, provided that payment is be made within a period of ten (10) days from the service of the said ticket or notice. If payment is made within such time and accepted, then that person shall not be liable to prosecution for the offense.
2. Service of a ticket, notice, or summons pursuant to this Bylaw may be made by:
 - a) by personally delivering the ticket, notice, or summons to the person committing the breach of the provision of this Bylaw; or
 - b) by mailing such ticket, notice, or summons to the last known address of the Owner of said animal by registered mail.
3. A person to whom a Notice of Violation is being issued pursuant to this Section shall, upon request, provide their name and address. Any person who fails to provide this information is guilty of an offence and liable on summary conviction to be assessed a fine as outlined in the most current Village of Marengo General Penalties Bylaw.

REPEAL

1. Bylaw 2019-01 is hereby repealed.
2. Bylaw 2020-03 is hereby repealed.

COMING INTO FORCE

3. This Bylaw, and all attachments thereto, and as shall be amended from time to time shall come into force and be in effect on the final passing thereof.



[Signature]

 Mayor

[Signature]

 Robin Busby
 Administrator

Read a third time and adopted
 this 14 day of April, 2022

[Signature]

 Administrator



This is a true copy of the original document which has not be altered in any way.

Name Robin Busby
 Signature *[Signature]*
 Title Administrator
 Date April 27, 2022

SCHEDULE "A" - NOTICE OF VIOLATION



Village of Marengo NOTICE OF VIOLATION AVOID PROSECUTION BY PAYING PROMPTLY

TICKET NO. MAR-

NAME: _____
(Last) (First) (Other)

DATE OF OFFENSE	YEAR	MONTH	DAY
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ADDRESS: _____
(Street) (Box) (City) (Province) (Postal Code)

On or about the _____ day of _____, 20____ at _____ at _____
(Saskatchewan) (Time)

Did unlawfully commit the following offence under:

Bylaw No. _____ at or near _____
(Location)

Section No. _____

Description of Offence:

Violation *To Avoid Prosecution, payment must be made.

Warning Only

**No further payment or judicial action required.*

If the Village of Marengo receives your payment within 10 calendar days from the date above, the amount to be paid is: \$ _____

PENALTY: After 10 days the Penalty Sum that must be paid for the above infraction is: \$ _____

If payment is not received within 30 days from the issue date a summons will be issued.

Drivers Licence No.			Class	Province:			DRIVER	
				Other:				
Make	Model	Color	Year	Vehicle Plate or VIN No.	Prov.	Exp.	VEHICLE	
OWNER'S NAME <small>(if different from above)</small>								
		<small>(Last)</small>	<small>(First)</small>	<small>(Other)</small>				
OWNER'S ADDRESS <small>(if different from above)</small>								
		<small>(Address)</small>	<small>(City/Town)</small>	<small>(Province)</small>	<small>(Postal Code)</small>			

I, _____ a sworn Officer authorized to issue this ticket for this jurisdiction,

(print)
CERTIFY that I did:

on the _____ day of _____, 20____, issue this ticket.

Signature of Officer

PAYMENT OPTIONS:

Payment can be made in person, online, or by mail at the following address:

- **Payment in Person or Mail:**
 Village of Marengo
 20 1st Avenue North, Marengo, SK
 Box 70, Marengo, SK, S0L 2K0
 Attention: FINE PAYMENTS

* If paying by mail, please reference your ticket number.
 * Cheques must be made payable to the Village of Marengo
 * The Village of Marengo assumes no responsibility for cash sent through the mail.

If you have any questions relating to this ticket, please call the Village of Marengo at (306) 968-2922

SCHEDULE "B" - NOTICE OF PENDING SUMMONS



Box 70
Marengo, Saskatchewan
S0L 2K0

(306) 968-2922
(306) 968-2278 fax
rm292.rm322@sasktel.net

[DATE]

Name
Mailing Address
Municipality, PC

Re: VILLAGE OF MARENGO NOTICE OF PENDING SUMMONS FOR NOTICE OF VIOLATION 000000

Dear Sir or Madam,

WHEREAS it is alleged that you, on or about the ____ day of _____, A.D. 201____, in the Village of Marengo in the Province of Saskatchewan, did

[INSERT DESCRIPTION OF OFFENCE: Example: PARK A VEHICLE WHERE TRAFFIC SIGNS HAVE BEEN PLACED PROHIBITING PARKING, CONTRARY TO SECTION ● AND ● OF BYLAW 15-16 FOR THE VILLAGE OF MARENGO, BEING LIABLE AS OWNER OF SAID VEHICLE, PURSUANT TO SECTION 374 OF THE MUNICIPALITIES ACT.]

TO WIT: Saskatchewan License Number ● at [enter place/address of offence] at ● AM/PM

TO AVOID BEING SUMMONSED, PAYMENT OF [FULL AMOUNT OF PENALTY] MUST BE MADE BEFORE [90 DAYS AFTER DATE OF ISSUANCE OF VIOLATION]

Ticket Number: \$ ●
Penalty Sum: \$ ●
NSF Service Fee: \$ ●
Balance Due: \$ ●

If left unpaid and the fine is in default, a late payment charge may be added to the Fine amount.

PAYMENT OPTIONS:

Payment can be made in person, online, or by mail at the following address:

- **Payment in Person or Mail:**
Village of Marengo
20 1st Avenue North, Marengo, SK
Box 70, Marengo, SK, S0L 2K0
Attention: FINE PAYMENTS

- * If paying by mail, please reference your ticket number.
- * Cheques must be made payable to the Village of Marengo.
- * The Village of Marengo assumes no responsibility for cash sent through the mail.

SCHEDULE "C" - CERTIFICATE OF OFFENCE AND SUMMONS



Village of Marengo
CERTIFICATE OF OFFENCE

TICKET NO. MAR-

PAYMENT DUE: _____

COURT DATE: _____

CERTIFICATE OF OFFENCE:

ON BEHALF OF HER MAJESTY THE QUEEN IN THE PROVINCE OF SASKATCHEWAN, THE OFFICER AUTHORIZED TO ISSUE THE TICKET DECLARES THAT HE/SHE HAS REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT:

NAME: _____
(Last) (First) (Other)

DATE OF RECH	YEAR	MONTH	DAY
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ADDRESS: _____
(Street) (Box) (City) (Province) (Postal Code)

On or about the _____ day of _____, 20____ at _____ (Saskatchewan) at _____ (Time) _____

Did unlawfully commit the following offence under:

Bylaw No. _____ at or near _____

Section No. _____

Description of Offence:

PENALTY: \$ _____

SUMMONS:

Pursuant to *The Summary Offences Procedures Act, 1990*, and Sec. 387 & 388 of the *Municipalities Act*

If you choose not to pay the amount shown on this ticket before your court date, or you intend to plead not guilty, you are summoned and commanded to appear in:

Provincial Court, known as Kindersley Bylaw Court, at Kindersley Masonic Lodge - 501 Main Street, Kindersley SK

on the _____ day of _____, 20____ at 10:00 AM, to answer to the above violation and be further dealt with according to the law.

Driver's Licence No.		Class		Province:		DRIVER
				Other:		
Make	Model	Color	Year	Vehicle Plate or VIN No.	Prov.	VEHICLE
OWNER'S NAME (if different from above)		(Last)	(First)	(Other)		
OWNER'S ADDRESS (if different from above)		(Address)	(City/Town)	(Province)		

DATED THIS _____ day of _____, 20____, at the Village of Marengo, in the Province of Saskatchewan

Signature of Officer

CERTIFICATE OF PERSONAL SERVICE

I, _____, an employee of the Village of Marengo, certify that on the _____ day of _____, 20____, I did cause the part of this certificate constituting the summons to be served on the within named pursuant to section 8 of *The Summary Offences Procedure Act, 1990*. I, _____, also certify that the Summons requires the within named to appear before the Presiding Justice of the Peace of the Provincial Court of Saskatchewan at the Kindersley Masonic Lodge, 501 Main Street, Kindersley, SK, S0L 1S0 on the _____ day of _____, 20____ at 10:00 AM to answer to the charge.

Dated at the Village of Marengo, in the Province of Saskatchewan the _____ day of _____, 20____

Name:

CERTIFICATE OF MAILED SERVICE

I, _____, an employee of the Village of Marengo certify that after reasonable efforts to effect personal service of the within summons, that I did on the _____ day of _____, 20____, cause a summons setting out the particulars of this offence to be mailed to the within named at the above noted address by registered mail pursuant to section 8 of *The Summary Offences Procedure Act, 1990*. I, _____, also certify that the Summons requires the within named to appear before the Presiding Justice of the Peace of the Provincial Court of Saskatchewan at the Kindersley Masonic Lodge, 501 Main Street, Kindersley, SK, S0L 1S0 on the _____ day of _____, 20____ at 10:00 AM to answer to the charge.

Dated at the Village of Marengo, in the Province of Saskatchewan the _____ day of _____, 20____

Name: