



CONTROL OF HAZARDOUS WATER SOURCES BY-LAW

**Effective the 14th day of May, 2025
Motion #25-105**



1.0 Title

- 1.1 This document will be known and cited as the “Control of Hazardous Water Sources By-Law”.

2.0 Adoption

- 2.1 **WHEREAS** the Town of Gander is required under Section 7 of the *Towns and Local Service Districts Act* to adopt a by-law for prohibition and control of the use of a source of water that the town council considers to be dangerous to public health.
- 2.2 **WHEREAS** the *Water Resources Act, NL*, grants the Minister authority over water quality and management, and empowers municipalities to regulate water use in accordance with public safety.
- 2.3 **WHEREAS** the *Public Health Protection and Promotion Act, NL*, establishes the responsibility of municipal governments to safeguard public health and respond to health hazards, including unsafe water conditions.
- 2.4 Town Council of the Town of Gander hereby enacts the following.

3.0 Purpose of By-Law

- 3.1 The purpose of this by-law is to:
- 3.1.1 Establish a prohibition and regulate the use of any water source deemed by the town council to pose a danger to public health.
- 3.1.2 Regulate and control the use of water sources deemed hazardous to public health and to ensure compliance with the *Towns and Local Service Districts Act, NL*, the *Water Resources Act, NL*, and the *Public Health Protection and Promotion Act, NL*.

4.0 Definitions

- 4.1 “Town” shall mean the Town of Gander.
- 4.2 “Council” shall mean the Town Council for the Town of Gander.
- 4.3 “The Act” shall mean the *Towns and Local Service Districts Act, NL*.
- 4.4 “Hazardous Water Source” refers to any source of water, including surface or groundwater, that poses a risk to public health due to contamination or other hazardous conditions as determined by Council or a designated authority.
- 4.5 “Hazardous Water Condition” refers to any situation where water quality poses a risk to public health as determined by Council, the Minister, or the Chief Medical Officer of Health.
- 4.6 “Minister” means the Minister responsible for the *Water Resources Act, NL*.
- 4.7 “Public Water Supply” refers to a municipal water supply system regulated under the *Water Resources Act, NL*.
- 4.8 “Boil Order” refers to an official notice issued by the Town or an authorized provincial authority requiring residents to boil water before consumption due to potential contamination.

5.0 Hierarchy of Authority

- 5.1 This By-Law is secondary to the *Towns and Local Service Districts Act, NL*, the *Water Resources Act, NL*, and all other applicable provincial and federal legislation. In the event of a conflict, the provisions of the Act or other higher-level legislation shall prevail.



6.0 Application

6.1 This by-law applies to:

- 6.1.1** All members of the public.
- 6.1.2** All lands, bodies of water, and water sources within the municipal boundary of the Town of Gander.

7.0 Procedures

7.1 Prohibition of Hazardous Water Use

- 7.1.1** No person shall use, distribute, or allow the use of a water source that has been designated as hazardous by Council, the Minister, or other relevant authority.
- 7.1.2** Any person using a potentially hazardous water source must immediately report such use to the Town and comply with directives for mitigation or discontinuation.

7.2 Inspection and Testing

- 7.2.1** The Town shall have the authority to inspect and test any water source suspected of being hazardous to public health.
- 7.2.2** The Town shall have the authority to conduct comprehensive water quality assessments to identify potential contaminants and evaluate the safety of existing water sources.
- 7.2.3** The Town may order the closure of any hazardous water source until remedial actions are taken to ensure compliance with safety regulations.

7.3 Issuance of a Boil Order

- 7.3.1** The Town shall issue a boil order when notified by a provincial authority, public health official, or after independent testing confirms contamination.
- 7.3.2** A boil water order shall remain in effect until water testing confirms that the water quality meets acceptable safety standards.
- 7.3.3** Public notification may be issued via any official Town of Gander Communications platforms including, but not limited to:
 - a.** Website
 - b.** Social Media Platforms
 - c.** Mail
 - d.** Warning notices on taps in public places
 - e.** Warning notices near water sources
 - f.** Public Notification Systems, ie. TxtSquad

7.4 Enforcement and Penalties of Prohibition of Hazardous Water Use

- 7.4.1** Any individual found to be in violation of this by-law may be subject to penalties as outlined in the *Water Resources Act, NL*, the *Public Health Protection and Promotion Act, NL* and the *Towns and Local Service Districts Act, NL*.
- 7.4.2** The Town may impose fines, issue stop-use orders, and require remediation measures at the cost of the responsible party.
- 7.4.3** This by-law shall not exclude the application of other penalties not expressly listed.



8.0 Regular Review of the By-Law

8.1 Town Council shall review this by-law every two (2) years to assess its effectiveness and identify potential areas for improvement or amendment.

9.0 Effective Date

9.1 This by-law shall become effective upon the 14th day of May, 2025 by Motion #25-105.

10.0 Publication

10.1 This by-law shall be posted to the Town's Website following adoption by Council.

11.0 Repeal of Previous By-Law

11.1 No prior by-laws are repealed by this regulation.